

Ending Africa's Wars

Progressing to Peace

Edited by
Oliver Furley
and
Roy May

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Edited by
OLIVER FURLEY and ROY MAY
African Studies Centre, Coventry University, UK

ASHGATE

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Chapter 1

Introduction

Oliver Furley and Roy May

Half of Africa's modern wars have reignited within a decade of ending, typically because post-war regimes have not addressed the problems that caused them to flare up in the first place.¹

Africa is often viewed as a continent wracked by wars, full of 'hopeless cases' where peace, if it does break out, can be tenuous, full of unresolved rivalries and tensions, liable to be temporary and viewed as unsatisfactory by many of the participants. There is usually much pressure, both internal and from outside sources, to establish or re-establish democracy and tolerance, yet in many cases new authoritarian styles of government have followed the ending of war. Therefore it is important to understand the context in which these situations may occur. As editors, we have already drawn together contributions of important elements of both the contexts of war and peacekeeping: *Peacekeeping in Africa*, 1998, and *African Interventionist States*, 2001. Today, most of the peacekeepers have departed, and most (but not all) of the interventionists have withdrawn from those conflicts in which they took part. It is a fact that Africa is now facing fewer war situations than it did, as many of its wars are ending. This means that many of these countries are now in the happier position of re-building the nation, reviving the economy and facing urgent problems of political, social and economic reconstruction. In addition, the aftermath of war may last a long time, with the continued existence of rival militias, rebel groups and warlords who expect rewards after agreeing to a peace accord.

To further develop the understanding of this crucial period following a peace deal, we decided to address some of the important questions involved in this period.

This book is concerned primarily with two things, the process by which peace was made and the potential sustainability of that peace. Naturally the process by which peace was made and the nature of that peace will have strong implications for its sustainability. It is therefore useful to examine the various elements that are commonly regarded as playing a major role in the making of an acceptable and lasting peace. As we have noted, the way that the peace came about is important: was it due to external influences from international or regional powers, accommodation between leading power brokers or through mutual exhaustion? What is the nature of post-settlement governmental institutions? How far are the political parties merely revised versions of previous parties? How far were and are

civil society organisations involved in the process? How wide and successful are the demobilization, demilitarisation and reconciliation packages and what are the economic foundations upon which peace can be built? Whilst all of these are dealt with in different ways and different depths within the case studies, we have selected three of these themes to develop in greater depth in our introductory sections in the chapters on governance, civil society and disarmament, demobilization, reinsertion and reintegration.

To strengthen our understanding of the context from which peace has to come, we have at the start of the introduction section a chapter by Richard Jackson that gives a valuable overview of the range and nature of wars in Africa and whilst the focus of this book is not upon the causes of war, it does briefly address some of the prominent theoretical explanations for their causes. It also touches upon an implicit theme of many of the case studies by arguing 'that conflict management, the cobbling together of a political solution amongst factional leaders is insufficient as a durable solution to endemic violence'² and that durable solutions lie not in external interventions but in internal transformation.

Another key question is the choice of case studies and inevitably these are selective. Not all countries that have been involved in war can be included in an edited volume of this size. So we used two factors in our selection. The first was to achieve a geographical spread of the continent with three case studies in West Africa, two in Southern Africa, three in Central Africa and one in the Sahel. The second was to look at cases that range from the most successful in terms of not going back to full scale violence, with Mozambique to that of the DRC where despite the number of peace deals and the deployment of a UN force, killing is still going on. Thus the selections have been made to reflect different stages of the transition from war to peace. Mozambique is selected since it has one of the longest periods of peace since the peace deal that ended its disastrous conflict in 1992. Uganda because despite the toppling of Obote that ended the war in 1986, there has continued to be regional areas of conflict. Sudan because of the hopes of peace with the negotiated settlement of the long running dispute with most of the south have been blighted by the rise of regional conflicts in the west and east. The rather similar cases of Liberia and Sierra Leone where the situations after the peace deals still remain somewhat fragile. Angola where the history of failed negotiated deals was strong and where the current peace appears to have only come about with the death of the leading protagonist, the UNITA leader, Jonas Savimbi. Given its size, significance and history of conflict together with the tendency to re-occur, one cannot ignore the DRC. The case of Burundi highlights an important area of central Africa and is also included as one of the less studied cases and Guinea Bissau is included as an important case involving multiple actors.

It is also important to clarify some of the concepts used in these debates especially as the nature of the boundaries between war and peace are so difficult to delineate: for example, what constitutes a war in Africa? Beyond an elemental definition – the waging of armed conflict against an enemy – lies a plethora of nuances and typologies. A number of quantitative datasets have sought to determine a threshold of the numbers of deaths, either absolute or annual, to categorise a conflict as war. A typical measure of intensity used, for example, by

the Uppsala Conflict Data Programme (UCDP) assigns the term 'war', rather than low or medium intensity conflict, when there are at least 1,000 battle-related deaths per calendar year within the bounded area of fighting.³ In the African context, this approach is attenuated by the logistical problems in determining accurate casualty figures. Moreover, setting a specific threshold is liable to undervalue the disproportionate effects of limited casualties in countries with small populations. Whilst all the case studies in the book have at some point been 'wars' under the UCDP definition, an insidious characteristic of post-colonial Africa has been the widespread incidence of low level violence, or what Yash Tandon describes as 'peacelessness'.⁴ Casualties of localised conflicts with diverse roots, historical and economic, and victims of banditry and lawlessness are often not adequately enumerated but the pervasive climate of peacelessness, nonetheless, causes significant death, injury and displacement undermining economic development and the quality of life in many African countries.

Interstate war in post-colonial Africa – direct somatic aggression between two or more sovereign states – has been rare. Whilst low/medium intensity border conflicts have taken place with regularity, few have escalated into interstate war. Accepting the threshold of 1,000 battle-related deaths per year, only two border disputes have intensified to the level of war – between Somalia and Ethiopia (1977-78) and Ethiopia and Eritrea (1998-2002). The only other interstate conflict to reach the UCDP threshold was the war between Uganda and Tanzania (1978-1979) that started as a provocation by dictator Idi Amin intended to divert attention from his internal troubles followed by a counter-invasion by Tanzania supported by Ugandan exiles.

Although the incidence of intrastate rather than interstate war has been much higher, defining civil war is more complex. What differentiates intrastate war from other forms of political violence such as terrorism, coups d'état, genocide, organised crime or, indeed, interstate war? Nicholas Sambanis remarks that 'the quantitative literature on civil war reveals a remarkable degree of disagreement on how to code the onset and termination of wars, and the literature is fuzzy on how to distinguish among different forms of political violence'.⁵ The notion of 'civil war' is imprecise and the use of the term arbitrary, incorporating diverse conditions. As David Keen observes, 'in practice, many wars deviate from the conventional model of a battle between two sides, and recent civil conflicts usually deviate considerably from this model'.⁶

A proportion of intrastate conflict is secessionist in nature in that the use of force is aimed at the withdrawal or separation of an ethnic/regional group from the dominance and territory of the state within which they reside. The incidence of secessionist conflict on the continent is, however, low and given that Africa has been the most conflict-prone region since 1960, 'the proportion of secessionist conflicts among all instances of domestic warfare is significantly smaller in Africa than in Asia, Europe or North America and the Middle East'.⁷ Although some of these secessionist conflicts are long-standing most would not be categorised as wars under the UCDP threshold of deaths. Secessionist struggles that ignited soon after independence, notably the Katanga conflict in the former Congo and the Biafra conflict in Nigeria found little official support in Africa or the wider

international community, and were marked by an overarching adherence to the norms of sovereign equality, territorial integrity and the continuity of existing colonial borders. In the main, the economic and power benefits that accrue to Africa's political elites for operating within weak but sovereign political institutions outweigh the risks of assuming a separatist strategy. Indeed, the success rate of secessionist movements has been, in Bruce Baker's words 'dismal'.⁸ Eritrea's separation from Ethiopia in 1993 after thirty years of war has been the only secession to lead to international recognition and, given the two countries' geopolitical history, might better be described as decolonisation.

Many of Africa's wars can be traced back to power struggles that emerged during the middle of the last century – for much of Africa the late colonial period – when, in Stephen Ellis' words 'power was up for grabs'.⁹ He cites the wars between centre and periphery in Sudan and in the interconnected and recurrent wars in the Great Lakes region as examples of rivalries 'stored in the memories of subsequent generations'.¹⁰ The conflicts that engulfed Angola and Mozambique following the belated end of Portugal's African empire could arguably be described, at least during their initial stages, as much post-independence wars as civil wars. In these cases, in the context of the timing of their independence and Cold War ideological proxyism, conflict was nourished by the involvement of external powers. Further confusing the 'civil' dimension of civil war, those involved in the fighting do not always come from the locus of conflict. In the case of Angola, troops and military advisors from the Soviet Union, Cuba, the US and South Africa were involved whilst South Africa and former Rhodesia played a direct role in Mozambique. The most lethal war in Africa, and indeed the most deadly conflict anywhere in the world since 1945, is in the DRC. At its most destructive it was a de facto interstate war fought between nine African militaries and their Congolese allies within the DRC's borders.¹¹ Although foreign troops have officially left the country hostilities continue in the east driven by external influences using proxies. In terms of the role of external versus internal dynamics in intrastate conflict, Francis Deng and William Zartman make the point that whilst the majority of intrastate conflicts do indeed have their roots within the state, 'without external sources, armed confrontation would be constrained, and conflicts, even if they exploded into violence would be less destructive'.¹² In West Africa there has been a complex of conflicts shifting between six contiguous countries along the Atlantic coast from southern Senegal to Côte d'Ivoire. Unlike in the DRC, the projection of force by sovereign states has rarely been explicit. However, whilst the extent and patterns of trans-border contagion remain under-researched, there is evidence that arms and conflict goods, as well as combatants more motivated by plunder and/or survival than national, ethnic or factional allegiance, cross the region's porous borders from one conflict zone to another. Cases such as DRC and the West Africa conflicts highlight the questions of regional diffusion or contagion. Are civil wars affected significantly by wars in near-by states, or is the propensity to war a regional phenomenon?

Carl von Clausewitz describes war as 'chameleon-like in character' in that it changes its colour to a degree in each case, but also as comprised of a 'remarkable trinity' of irrational action, rational action and chance. The escalation of intrastate

war following the end of the Cold War prompted some commentators to dwell on the seeming irrationality and particularity of Africa's conflicts. Writing in 1994, and accenting the growing 'pervasiveness of war', Robert Kaplan contended that 'West Africa is reverting to the Africa of the Victorian atlas'.¹³ Kaplan's stress on the irrational, the supposed primordial nature of Africa's conflicts, has been challenged by a number of scholars. Paul Collier and Anke Hoeffler's quantitative analyses of civil wars since 1960 led to the development of a model comparing greed and grievance as motives for the onset of civil war.¹⁴ The initial findings seemingly weighted greed – economic opportunity often linked with illicit exploitation of natural resources – over social grievances such as equality, political rights and ethnic and/or religious identity as prime motivation for the onset of civil war. In his most recent research Collier revises his findings, abandoning the greed versus grievance debate for a complex model that recognises greed and grievance as merged motivations for civil war.¹⁵ Keen adds a further psychological dimension to the rational actor analysis of civil war stressing the 'role of (peacetime and wartime) shame and humiliation in driving much of the violence'.¹⁶ The findings of his research in post-conflict Sierra Leone confirm that, beyond economic gain or social grievance, more intangible resentment over the absence of respect and recognition impelled the actions of the young fighters.

The security environment of most African countries is located somewhere in between the endpoints of the peace/war continuum. As noted above, despite the dictionary definition, peace, certainly in the African context, does not imply an absence of violence. Whilst the formal status of war might not obtain, widespread crime and violence through the use of the instruments of state or sponsored militias frequently create conditions analogous to war. In the transition from war to peace the manner in which the peace came about colours its quality. The end to conflict invariably involves mediation and/or negotiation. Even in cases where there is a seeming outright military victory by one side over the other, post-conflict political considerations usually compel a degree of compromise. The peace that emerges must be subject to scrutiny.

Whose peace are we talking about? Peace on what terms? Peace in whose interests? And peace negotiated by which individuals or groups? In one sense, everybody wants peace; it is just that they want their own version of peace.¹⁷

Negative peace – the absence of war – is invariably unsustainable and underpins the baleful statistic that half of Africa's wars have reignited within a decade of ending. Yet, the construction of a positive peace that addresses the multifarious motivations of the combatants and addresses their residual mutual suspicion is a challenge that frequently lies beyond existing economic and political capacity. International intervention has, historically, sought to keep a narrow negative peace and only more recently have the UN and other international organisations taken on the more complex tasks of peace-building, reconciliation and reconstruction (or conciliation and construction).

The United Nations, while still maintaining fifteen active peacekeeping missions world-wide (seven in Africa), has closed some in Africa, including

Angola, Central African Republic and Sierra Leone. Yet in a case like Rwanda, for instance, it can be argued that there is peace but no reconciliation. Richard Dowden argues that Rwanda is not yet free from the threat of genocide: it will take longer than a decade to eradicate the division of race, caste and class, and to fully establish democratic structures; 'the combustible cocktail still bubbles away beneath the surface, ready to erupt into another genocide'.¹⁸ Peace settlements in Africa, especially those where donor or international pressures have been strong, do not always usher in a resolve to maintain 'good governance', in the shape of democratic forms, human rights and reconciliation: Rwanda is a case in point, where the government is taking on an authoritarian character in an alarmingly short space of time.¹⁹ Museveni's Uganda treads a very fine line between autocracy and freedom as Furley's chapter shows. Sierra Leone is another country where great efforts were made, with international help, to build a new state after the war, but there are considerable concerns over government corruption and the government also does not fully address the social roots of the war; this may lead to the emergence of a 'failed state' again, according to Steven Ellis.²⁰ At a conference held by UNHCR on the return of refugees to African countries, it was noted that peace and conflict resolution initiatives in nine countries presented 'an unprecedented opportunity to find solutions for a number of protracted refugee situations in Africa', viz. Angola, Burundi, DRC, Eritrea, Liberia, Rwanda, Somalia, Sierra Leone and Sudan (excluding the new crisis in Darfur). However, the conference echoed that a failure to achieve socio-economic reintegration and the effective resolution of the original root causes of conflict could incur the risk of a new conflict. Ken Bacon, president of Refugees International, warned that any note of caution was completely justified, quoting the World Bank report which noted that in those countries in the first decade of post conflict peace, the risks of further conflict are huge - approximately half will fall back into conflict within the decade.²¹ The report also points out that what is needed is the co-ordination of external military peacekeeping for the first few years with the build-up of large aid programmes in the middle of the decade, both of these being conditional on government reforms.

The report also argued that 'an integrated approach involving external military support, aid and policy reform could over the course of two decades provide post-conflict countries with increased possibility of stability'. What was also needed, the UNHCR stated, was 'the four Rs' of its country programmes: repatriation, reintegration, rehabilitation and reconstruction.²² The case studies show, in their different ways, how these have been difficult to achieve. Some of the peace settlements which have 'ended' recent wars appear to be still extremely fragile: the DRC suffered a new coup attempt in June 2004, and because armed rebel groups are still attacking Tutsi refugee camps in the country, both Burundi and Rwanda have threatened to re-invade the DRC. The UN reckons that up to 10,000 rebels remain in the country, and Kofi Annan, UN Secretary-General, declared that the peacekeeping force there should be more than doubled, from 10,800 troops to 23,900, making it the largest such force in the world.²³ This is after numerous attempts at peace settlements over a number of years.

Often the first steps to be taken are ‘DDR’ – disarmament, demobilization and reintegration. This refers to rebel armies or guerrilla forces, insurgents or simply ‘bandits’ who roam the conflict area. There is also the role of quasi-government forces in Sierra Leone: one cause of continuing discontent is the differential treatment between the rebels of the Revolutionary United Front and that of the Community Defence Force (CDF) where those who had supported the government were deemed to have received less from the DDR packages.²⁴ Joanna Spear deals with these issues in her chapter, pointing out that each of these is a complex operation which may only be successful if all three are carried out. Moreover, the destruction of these weapons needs to be carried out publicly, while demobilized fighters need pay and support in what should be a rapid reintegration process into the national force. Demobilization is not enough by itself; she defines success and describes both failures and ongoing successes, in an interesting study. The DRC provides examples of the complexity of such operations: the Department of Disarmament, Demobilization and Reintegration in the UN Mission in the DRC described the recent arrival in Kikwit, south-east of Kinshasa, of a rebel force of Ugandans, Burundians, Rwandans and Sudanese, bringing their women, children and cattle with them, from Kasai Occidental Province, where they had been fighting for four years. They were to be returned to their home countries, and in Rwanda President Paul Kagame said of these Hutu rebels, ‘we are going to treat them in a manner that will encourage others to come’ and the government would explore ways of integrating the rebels into Rwandan society.²⁵ This may sound an unduly optimistic note, although a recent report by the Small Arms Survey, an NGO, stated that the downward trend in armed conflict in Africa was reducing the demand for small arms, and the numbers might not be as overwhelming as previously thought.²⁶

Reconciliation between former conflicting armies and between former conflicting ethnic or economic groups is a more lengthy task, and with so many of Africa’s civil wars ending only in recent years, nobody can hazard a guess how long this will take. Norrie MacQueen shows how very difficult this can be in the Angolan case with the peace accord being signed at Bicesse in 1991, yet peace did not really come until after the death of Savimbi in 2002. Andrew Rigby in his chapter defines what is involved as a re-framing and re-definition of the past: a process of trust, forgiveness and forgetting, which requires institutional changes as well, in the shape of restitution, justice and compensation. The same sentiment was found in Kenya, after the struggle to free themselves from colonial rule, and after the bitter war of the Mau Mau rising, when Jomo Kenyatta, then prime minister at independence in 1963, urged that ‘the foundation of our country must lie in the theme: forgive and forget’.²⁷ Reconciliation is a complex and long-term process which Rigby describes as erasing traumatic memories, employing everything from traditional healing methods and amnesties to new institutional structures such as truth and reconciliation commissions and the promotion and defence of human rights. Such matters cannot be left purely to government actions, and the role of civil society organisations is vital, especially women’s organisations and religious leaders.

Similar unease is echoed by Chris Alden in his chapter on Mozambique: the 1999 disputed elections were 'elections without democracy', so that there is a lack of genuine reconciliation. The de-militarisation programme was flawed, and whilst there has been some disarmament, criminal gangs with military-style operations continue. The new political system operates too much on a 'winner takes all' philosophy, and the peace settlement, mediated by international actors, may have been too much of an outside imposition.

Another key issue is the sustainability of the peace, and a number of key variables impinge on this process. How far have external actors played a major part in the peace process and concomitantly how far has there been full and willing participation and agreement of the warring parties (the role of the external troika in the Bicesse agreement in Angola in 1991)? How far have opposition leaders been rewarded or excluded in the deal (Foday Sankoh in Sierra Leone)? How far have leaders accepted or not the terms of the agreements? The contrast of Angola and Mozambique is apparent here. The role of external powers in mediating conflict and particularly in bringing about power sharing arrangements is one that is intrinsic to many of the case studies and an interesting perspective on this is promoted by Tull and Mehler where they argue that 'it is our conclusion that external efforts to terminate internal wars may be as much part of the problem as they are part of the solution', because the 'host of agreements in Africa since the early 1990s has ... created an opportunity structure for violent entrepreneurs elsewhere'.²⁸ The chapters on DRC, Burundi, Sierra Leone, Liberia, Rwanda and Sudan are all relevant here.

How far have the conditions that led to the war been fully or even partially addressed? Baker and May look at the progress in Sierra Leone since the end of the war in 2002 and give a somewhat depressing picture that shows that reconciliation is flawed, the economy fragile, youth still alienated and corruption still very much in evidence. Vice President Berewa of Sierra Leone in a recent meeting in London²⁹ downplayed the role of corruption arguing that a lot of the information was circumstantial but the largely Sierra Leonean audience made it quite apparent that to most ordinary citizens it was still a major feature. The Liberian case reinforces these points observing that only sustainable economic growth will sustain a lasting peace. Similar problems exist to those of Sierra Leone over youth alienation being connected to intergenerational tensions and that the government needs to look at land tenure and laws that give inordinate power to traditional land owners and that prioritise older men over youths and men over women.

Rehabilitation is part of reconciliation and peace-building, but it refers more specifically to the acceptance of former warring parties into the peace settlements. Also it involves the efforts by the state and the community to fit them back into the patterns of civilian life in peacetime. Amnesties declared by governments have sometimes provided a good start to the process of rehabilitation, relying on sufficient trust between both sides, and followed up by social and economic support in the community. As Andrew Rigby points out, civil society organisations plays a vital role here, in willingness to help in training and education for a return to the ways of peace. Former child soldiers present a

particular problem. They have been terrorised and indoctrinated into being professional killers who would attack their own families and villages if ordered to do so. Many have found it impossible to resume their former life and in some cases their own families will not accept them back. The chapters on Sierra Leone and Uganda refer to these issues. Jan Egeland, UN Emergency Relief Coordinator, recently stressed this point regarding the war in Uganda against the Lord's Resistance Army (LRA): 'At present, those who escape, surrender or are freed go to reception centres ... However, once people leave the centres and go home, there are not enough reintegration services or programmes for them'.³⁰

Earlier in this introduction we raised the role of mediation in the cessation of conflicts and the issue is picked up specifically in the chapters on Angola, DRC, Liberia, Burundi, Sudan and Guinea Bissau. What also may be seen is that multiparty mediation has become the norm. As Massey notes, quoting Zartman, 'Africa does not lack mediators'. He also observes that regional peacekeeping has a poor record in Africa and he correctly notes that mediators operate to divergent and exclusive agendas, a point sustained by the other case studies. To return to Jackson's observation over internal transformation being critical, we can reaffirm Zartman's comment that 'Africans know how to make a deal more than keep one'.³¹

Woodward's chapter emphasises the major international pressures, particularly in the case of Sudan, to make a deal but also notes the limited numbers of actors involved in that deal. Not all southern groups were party to the agreement but there was the rise of the new rebel groups in Darfur and the oilfields. The role of smaller opposition groups with less flexible agendas is also noted by Roger Southall in his detailed assessment of the protracted process in Burundi.

Woodward's chapter also highlights (*inter alia*) the point that neither side was capable of victory and that the overall position was one of military deadlock. A point also made by Cleaver: 'none of the participants was capable of securing an overall military victory'. This theme of the inability of armies, factions, rebel groups to win the war is related to the point made by Southall that in Burundi at the end the participants on both the rebel and government sides were seeking other forms of activity and had 'become increasingly aware that the Burundi population was desperate for the cessation of the armed conflict'.

Throughout the case studies, political leaders have been shown, at best, to be fallible in their judgements and at worst rapacious but with the increasing influence of African presidential and parliamentary elections, the elective process may in time have a more beneficial effect in curbing rash actions and judgements of leaders especially in the field of foreign relations: their records have come to be scrutinised more closely as they are attacked at elections and subjected to closer and more open criticism. Freedom of the press and other media is spreading, and so is accessibility, with the effect that leaders are beginning to be held accountable on a scale which had not occurred before. An aspect we do not deal with and perhaps would be the basis for further research is the role of other African states and organisations in moderating governmental behaviour. The record of the OAU with its principle of non-intervention in other states is not good and the African

Union is rather too new for judgement to be made. Much may come from the African Peer Review Mechanism (APRM) of the New Partnership for Africa's Development (NEPAD). And in the future peer pressure could be a crucial element of control. However, an emerging literature points to the debate over its potential effectiveness.³²

Notes

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PART I
GENERAL ISSUES

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Chapter 2

Africa's Wars: Overview, Causes and the Challenges of Conflict Transformation

Richard Jackson

In the twenty-first century, Africa faces a number of grave challenges: economic growth is generally poor and uneven, poverty is increasing and the continent has the lowest GNP per capita – \$670, compared to the global average of \$4,890;¹ democratic forms of governance have largely failed to consolidate and political instability remains both widespread and chronic – there have been no less than 80 violent changes of government in Africa since 1960;² disease, spread by poverty, social instability and the lack of medical infrastructure, represents a far greater threat to life than armed conflict in most African states – nearly three million Africans die every year from AIDS alone;³ and, notwithstanding the New Economic Partnership for African Development (NEPAD), Africa continues to be marginalised in multilateral fora and great power diplomacy. There is now a widespread consensus that war and unremitting political conflict is one of the key contributing factors to this situation. In May 2000, the front cover of *The Economist* depicted an armed rebel superimposed over a map of Africa; the headline asked: ‘The Hopeless Continent?’⁴ Whether or not the situation is truly hopeless, the alleviation of Africa’s wars remains a pressing task in the new millennium.

In this chapter, two central questions are examined. First, what are the causes of Africa’s wars? Are there useful theoretical perspectives for explaining the precipitants of large-scale political violence? And second, what challenges do Africa’s wars pose for conflict resolution? How does the nature of warfare in Africa affect the search for solutions? The import of these questions lies in their analytic and normative consequences. Analytically, there is little hope of discerning how Africa’s wars end if we do not first understand how they begin or what drives them. From a normative perspective, the task of prescribing solutions is at worst ad hoc, and at best merely palliative, without a proper diagnosis of the causes of war. In the final analysis, ending Africa’s wars in ways that will promote genuine conflict transformation is highly dependent upon credible and intelligent conflict analysis.

The task of applying a more effective analysis is an onerous one, not least because of the prevalence of outmoded assumptions and approaches in the contemporary study of war.⁵ Dominated by international relations scholars and

orthodox security studies experts who bring with them a largely neo-realist analytic framework, there is a widespread tendency to portray warfare in Africa in orthodox Clausewitzian terms, with its emphasis on professional military structures, 'scientific' military strategy and tactics, military technology and capabilities, and traditional war aims.⁶ At the same time, confronted by modes of warfare that fail to conform to traditional western images of interstate violence, many African wars are dismissed as outbursts of ancient tribal hatreds – the expression of some kind of 'primitive instinct for violence'.⁷ It is not uncommonly asserted that 'tribally based warfare' erupts 'where ethnic and other hatreds had long been officially suppressed but never extinguished in the hearts and minds of populations'.⁸ As this chapter will make clear, holding on to such outmoded and deeply Euro-centric assumptions and approaches is proving unhelpful in the search for a better understanding of the nature and causes of Africa's wars.

Africa's Wars: An Overview

There is no question but that Africa is the most conflict-prone region in the world.⁹ Between 1980 and 1994, nearly half of the world's war-affected countries were located in Africa, and in the year 2000, two-thirds of the 100,000 people killed directly in armed conflicts worldwide were African.¹⁰ In 2004, the situation is little changed; of the 30-40 wars and serious political conflicts currently underway around the globe¹¹, almost half are located in Africa. Although only garnering the attention of the international media in July 2004, the war in Sudan's Darfur region actually began in February 2003. Since then, more than 30,000 people have died as a result of the fighting and more than a million have been displaced. The US Agency for International Development warns that the death toll could reach 350,000 in the absence of significant humanitarian assistance from the international community.¹² However, this is only one crisis among many; almost half of Africa's population presently live under conditions of chronic political violence. In all, no less than 28 of sub-Saharan African states have experienced severe conflict since 1980.¹³

By any measure, Africa's wars have been extremely costly: since 1960, over eight million people have died either directly or indirectly as a result of Africa's wars, more than 5.5 million of whom were civilians.¹⁴ This figure does not include the estimated 3.5 million mostly civilians who have perished in DRC since 1998. The combination of 'total war' doctrines and modern weaponry has meant that non-combatants are now the primary victims of contemporary conflict; since 1945, at least 80 per cent of war casualties have been civilians. Africa also has the highest level of internal displacement in the world and some of the largest refugee flows from conflict. In 2000, there were 14 million displaced people in Africa, 11 million of whom were internally displaced.¹⁵ This number has since grown; there may be as many as 18-20 million uprooted people in Africa today.¹⁶ Unsurprisingly, Africa's refugees often become a source of insecurity themselves by placing increased burdens on their host country's infrastructure and provoking

local resentment. For example, in large part, it was the presence of millions of Rwandan refugees in eastern Zaire that sparked the current catastrophe in DRC.

The macro-economic costs of Africa's wars are almost incalculable. In the 1980s and 1990s, the wars in Angola, Mozambique, Ethiopia, Eritrea, Somalia, Sudan and Liberia resulted in war-related losses of output thought to be in excess of \$12.5 billion per year.¹⁷ The World Bank estimates that conflict in Africa is currently causing a loss of at least two per cent annual economic growth across the continent.¹⁸ Of course, most countries at war experience negative economic growth during the course of the fighting. The long-term costs to African development associated with sustained violence are likely to be even higher due to factors such as: the destruction of rural economies and the resulting loss of food production (estimated at up to 45 per cent in some countries);¹⁹ non-investment and the diversion of scarce fiscal and foreign-exchange resources to war-fighting (up to 75 per cent in some countries);²⁰ increased debt-burdens and the withdrawal of foreign investment; the destruction of basic infrastructure, such as roads, rail, ports, airports and utilities (Africa has lost more than half its transport infrastructure over the past 20 years);²¹ the long-term environmental costs associated with war, such as pollution, deforestation, land mines and the like; and the long-term social costs of physical and psychological impairment among survivors. In effect, even if all of Africa's wars ended immediately, the long-term impact on economic development would continue for many decades.

Disturbingly, Africa's wars are characterised by the large numbers of child soldiers employed by many governments and rebel groups. Of the 300,000 child soldiers presently fighting in over 30 countries around the world, there are more than 120,000 in Africa.²² Some of them are no more than seven or eight years of age; a great many of them are abductees, forcibly recruited by rebel armies such as the Lord's Resistance Army (LRA) in northern Uganda. Most are abused, traumatised, plied with drugs and then sent out to commit atrocities in their own communities in an effort to cut them off from their social networks and bind them to their captors. Children are often preferred as soldiers because they are pliable and easily manipulated, less costly to maintain than adults and their lack of awareness makes them willing to undertake greater risks in combat. Moreover, today's lightweight and easy-to-use weapons make size or physical strength irrelevant to infantry war-fighting. As yet, the long-term costs associated with Africa's child soldiers to local communities and national development are unclear; what is clear is that they will be extremely high and most likely measured in delinquency, crime, mental illness, social alienation and poverty.

Table 2.1 summarises Africa's most destructive wars. What is revealing about this data is that nearly half of Africa's worst conflicts have occurred since 1988, the period following the end of the cold war. The 1990s, far from experiencing any anticipated 'peace dividend' brought about by the end of superpower rivalry, have proved to be Africa's most conflict-ridden decade, with six destructive new wars getting underway, plus another seven already ongoing. In all, 13 of Africa's 19 worst conflicts were underway at some point during this decade. It is also notable that apart from the Ethiopia-Eritrean Border War, they were all internally-based struggles – although not without significant external involvement. The

predominant form of warfare in Africa is internally-based or intra-state. In fact, many of the wars of the 1990s were part of interlocking regional complexes: in West Africa, the Liberian conflict emerged as the centre of a zone of instability that has since overtaken Sierra Leone, Guinea and more recently, Cote d'Ivoire; the Great Lakes regional conflict system encompasses Uganda, Rwanda, Burundi, DRC and Congo-Brazzaville; and the East African regional conflict system has in recent decades taken in Somalia, Ethiopia, Eritrea, Djibouti and Sudan.

Table 2.1 Africa's most destructive wars, 1960-present²³

Conflict:	Dates:	Estimated Fatalities:
Congo Conflict	1960-65	110,000
African Territories – Portugal	1961-75	100,000+
Eritrean Seccessionary War	1965-91	450,000 – 1 million
Biafran Seccessionary War	1967-70	1 – 2 million
Ugandan Internal Repression	1971-79	500,000
Burundi Ethnic Massacres	1972	100,000 – 150,000
Angolan Civil War	1975-2002	300,000 – 500,000
Mozambique Civil War	1976-92	450,000 – 1 million
Ugandan Civil War and Insurgency	1981-present	100,000 – 500,000
Second Sudan Civil War	1983-present	500,000 – 1.5 million
Somali Civil War	1988-present	300,000 – 400,000
Burundi Ethnic Conflict	1988-present	100,000+
Liberian Civil War	1989-present	200,000+
Rwanda Civil War and Genocide	1990-1994	800,000+
Sierra Leone Civil War	1991-2002	100,000+
Algerian Civil War	1992-present	1 million
Zaire Civil War	1996-97	200,000+
Democratic Republic of Congo War	1998-present	3.5 million+
Eritrea-Ethiopia Border War	1998-2000	85,000+

In addition to the depressing number of wars, there have also been an alarming number of military coups and rebellions within sub-Saharan African states. Between 1963 and 1985, there were 61 coup d'état in Africa – an average of nearly three per year.²⁴ Overall, nearly two-thirds of Africa's countries have experienced military rule at some point between independence and 1990,²⁵ and there are 12 currently-serving African leaders who came to power in military take-overs, including: President Eyadema of Togo, President Taya of Mauritania, President Bozize of the Central African Republic, President Conte of Guinea, President Compaore of Burkina Faso, President Ben Ali of Tunisia, President Deby of Chad and President al-Bashir of Sudan – among others.

The so-called 'third wave' of democracy that washed over Africa in the early 1990s proved to be but a brief interlude from military intervention in politics. Coups, insurrections and rebellions soon raised their spectre once again with all-too familiar frequency: in October 1993, President Ndadaye of Burundi was assassinated; army pay revolts convulsed Lesotho in January and April 1994; President Jawara of Gambia was overthrown in a coup in 1994; a coup attempt in the Comoros Islands in September 1995 led to French military intervention; a coup was launched against President Ousmane of Niger in January 1996; pay revolts nearly led to the collapse of the Central African Republic in April, May and November 1996; President Kabbah was overthrown in Sierra Leone in May 1997; an attempted coup by junior officers was thwarted in Zambia in October 1997; a military revolt in Guinea-Bissau in June 1998 led to full-scale civil war; in 1999, Cote d'Ivoire, Niger and Guinea-Bissau all experienced coups; in 2001, there were three coup attempts in two months in the Comoros Islands; coup attempts led to civil war in both Cote d'Ivoire and the Central African Republic in 2002; Guinea-Bissau, Sao Tome and Principe and Mauritania all experienced coups in 2003; and in 2004, there were two coup attempts in the Democratic Republic of Congo.²⁶ As this brief survey indicates, military intervention in politics frequently results in the eruption of more serious civil violence.

The Nature of Warfare in Africa

A brief description of some of the key characteristics of contemporary warfare in Africa takes us some way towards appreciating the profound disjuncture between traditional security analyses and the kind of approaches that are needed for excavating the real causes of Africa's wars.

In the first instance, the nature of the *actors* in Africa's wars rarely conforms to the conventional conception of organised, hierarchical and disciplined professional armies who fight in identifiable military uniforms. In contrast, African wars are characterised by the involvement of a multiplicity and diversity of military and non-military actors: government military formations (both internal and external), rebels, insurgents, private militias (government established or locally organised religious, tribal and community-based militias), warlords, criminal gangs, mercenaries and private security providers, multinational corporations, local entrepreneurs and business interests, nongovernmental organisations (local and international), peacekeepers (international, regional and ad hoc) and child soldiers

– among many others. Quite a few of these actors have non-hierarchical structures, are prone to splintering and frequently engage in shifting and reflexive patterns of alliances. In such deconstructed settings, the seemingly straightforward task of identifying the main warring factions can become highly problematic, especially to outsiders. In addition, these actors are often embedded in highly complex ‘war networks’ that straddle territorial boundaries, monetary and trade zones, identity groups and epistemic communities. They may also link diasporic, transnational, nongovernmental and ethnic communities, include international and regional organisations, and have a global reach.²⁷

The diversification of active participants in contemporary warfare is both cause and consequence of the profound breakdown seen across the globe in recent years in the divisions between military and civilian actors and between combatants and non-combatants. In part, this is why the traditionally-oriented and organised American military is facing overwhelming difficulties in the deconstructed setting of post-Saddam Iraq (and why they faced exactly the same problems in Somalia in the 1990s); unable to clearly identify their opponents or to distinguish between enemy combatant and civilian non-combatant, and incapable of penetrating complex and fluid social, cultural, political and religious networks, American technological superiority is rendered impotent and falls victim to the global ‘privatisation of violence’.²⁸ At the same time, the networked nature of the new actors breaks down the neat dividing lines between the internal and external dimensions of conflict. The notion of purely civil or internal wars is no longer sustainable; most African wars are actually regional conflict formations,²⁹ as we have noted, with added global connections. The effect of these transformations is no less than the end of the Weberian state monopoly on the legitimate use of force and the diffusion of war-making capacity to the wider society.³⁰ Such a transformation poses a profound challenge to traditional security analysis.

As with the new actors, the *aims* of the protagonists in Africa’s wars also defy simple categorisation. Far from the orthodox Clausewitzian pursuit of politics by other means, the multiplicity of participants translates into a multiplicity of objectives – political, economic and cultural, as well as local, national and international. While some groups may articulate genuine political grievances, or seek state power or self-determination, others pursue chauvinistic ethno-nationalist or religious goals: ethnically or religiously pure political communities, genocide, politicide, the maintenance of elite power. Simultaneously, local actors may be struggling over access to critical resources such as water, land, grazing rights, security, profitable criminal enterprises or sources of traditional authority. Significantly, recent studies have revealed the extent to which economic agendas drive many of Africa’s wars. In a great many cases, warfare is a smokescreen for the pursuit of accumulation in the form of direct exploitation of valuable commodities such as diamonds, the monopolisation of trade and taxation, the establishment of protection rackets, the diversion of emergency aid or sanctions busting – among others. It is the fusion of war and organised crime, or the pursuit of commerce by other means. An important effect is to confound Clausewitzian teleology by transforming violence from instrument to object; that is, from a means to an end, to an end in itself. In some cases, such as illegal resource exploitation or

the provision of protection for humanitarian agencies, an ongoing state of war is more profitable than the conditions of peace. In this way, violence becomes intrinsically valuable to its practitioners and the underlying incentive structure is configured in favour of its perpetual continuance.

Africa's wars are also notable for their hybrid modalities or *strategies*: most are prosecuted employing a unique mix of conventional and non-conventional military doctrines, drawn largely from asymmetric warfare strategies. It is not uncommon to see orthodox military tactics alongside forms of insurgency, guerrilla warfare (rural and urban), terrorism, sabotage, destabilisation, gang warfare, traditional forms of ritualised warfare and forms of criminality like banditry or frontier raiding. Disturbingly, their proven utility for widespread social control and the maintenance of systems of profit and power has elevated the conspicuous use of terror and human rights abuse as one of the primary military strategies of the new warrior class. Ethnic cleansing, mutilation, murder, mass rape, forcible conscription of minors, ritual violence, the deliberate creation of famine and a great many other unspeakable practices have replaced conventional military tactics as central modes of warfare in recent decades. For example, in Sierra Leone, amputation was deployed systematically by the RUF as a strategy to disrupt government-run elections; and in Rwanda, rape was deliberately employed as a means of terrorising and degrading the Tutsi community. In essence, Africa's wars exhibit all the signs of the wider 'revolution in *strategic* affairs' that has transformed the nature of warfare around the world – and which western security managers have largely ignored to their own peril.³¹ From Somalia to Afghanistan and Iraq, the new warriors continue to baffle and frustrate their technologically superior enemies with their novel and tactically effective methods.

In sum, war in Africa rarely fits the orthodox template of unitary and disciplined military units fighting conventional battles for strictly political ends. Instead, the true nature of African warfare reveals itself as deconstructed and post-modern, networked, inherently fluid, highly complex and unpredictably novel in its modalities.³² Interestingly, Anthony Clayton has convincingly demonstrated that modern warfare in Africa shares many of the features of pre-colonial frontier war, where fluid bands of warriors fight for territory defined by informal economic resource frontiers.³³ From these perspectives, it can be argued that what is conventionally termed 'intra-state' or 'internal war' should rather be understood as 'post-modern war', in large part because these conflicts represent 'political projects which no longer seek or even need to establish territorial, bureaucratic or consent-based political authority in the traditional sense'.³⁴ In any case, until it is acknowledged that orthodox conceptions of warfare more closely reflect a particular theoretical orientation than any empirical reality, the search for explanations will fail to advance beyond their present embryonic condition. What is needed are theoretical conceptions of Africa's wars that more closely resemble the reality on the ground.

The Causes of Africa's Wars

It is commonly asserted that Africa's wars are the result of a myriad of structural, economic, political, cultural and historical factors, including: the colonial legacies of irrational national boundaries, irredentism and malformed national identity; undeveloped political institutions and the lack of governmental legitimacy; economic underdevelopment, poverty, resource scarcity and debt; external interference by former colonial powers, international financial institutions and bordering states; intervention by the superpowers and the legacy of the cold war; extreme levels of militarisation and the continued infusion of small arms; insecurity and the lack of law and order; ethnic, linguistic and religious cleavages; autocratic and repressive forms of governance; corruption, graft and patronage; military intervention in politics; environmental pressures; destabilising processes of democratic transition; and regional conflict contagion.³⁵ Unquestionably, these are all important variables in the causal matrix of Africa's wars. At the same time however, they belong to the order of general background conditions rather than proximate causal mechanisms. Virtually every African state survives under a comparable set of debilitating structures; the observation that economic failure or ethnic cleavages is precipitous to violent political conflict does not explain why Cote d'Ivoire exploded into violence in 2002, but Ghana or Zambia did not – or for that matter, why Cote d'Ivoire did not follow the way of its neighbour Liberia much earlier in the 1990s.

Fortunately, there are a number of theoretical perspectives which provide more illuminating insights into the determinants of large-scale political violence.³⁶ The first of these locates the causes of Africa's wars in the problems of the so-called 'weak state'.³⁷ Noting that virtually all post-modern wars take place in post-colonial, developing countries where the state is ineffectual, corrupt, externally vulnerable, lacking autonomy and facing a profound crisis of legitimacy,³⁸ these theories argue that Africa's wars are the result of either the long-term state building project which has always been bloody,³⁹ or the collapse and decay of the post-colonial state under the pressures of globalisation.⁴⁰ In this context, three main causal paths to violent and sustained political conflict are discernible.

In the first instance, it is noted that ruling elites in African states face highly bounded decision-making matrices; the structural constraints imposed by ineffectual institutions, economic scarcity, external interference, competing identities and alternative sources of social authority limit the strategies available for continued political survival. In effect, these conditions transform weak state politics into a recurrent process of crisis management, or what Migdal has called 'the politics of survival'.⁴¹ In particular, political elites have to manage both internal and external pressures, usually through forms of 'elite accommodation', in order to sustain a meaningful semblance of sovereignty.⁴² Internally, they have to continually secure hegemony and manage local 'strongmen' – individuals or groups who exercise power in their own right and who pose challenges to weak state rulers. Violent conflict occurs as a direct result of elite survival strategies; the manipulation of identity in electoral politics or the over-use of coercion against

recalcitrant strongmen for example, can become self-perpetuating cycles of disorder and low intensity war.

A second causal pathway focuses on the breakdown of elite accommodation in the so-called 'redistributive state'.⁴³ Maintaining state integration, as well as elite hegemony, requires the construction and maintenance of clientelistic political systems. Such systems require a steady flow of additional resources which the elite must appropriate in order to maintain power; clientelism in other words, carries inherent instabilities.⁴⁴ Political violence occurs as a result of severe interruptions to resource flows and the subsequent breakdown of the redistributive state; such disruptions can be the result of external economic shocks, debt burdens or pressures from international lenders to curb expenditure. Violent conflict erupts when elites struggle over ever-decreasing resource flows or rely on coercion as a substitute for patronage.

A final pathway to war in the weak African state lies in the terminal decline of state institutions – state collapse theories.⁴⁵ In this case, incumbent elites deliberately or inadvertently abandon their political obligations to the maintenance of the state apparatus in favour of safeguarding their own economic fiefdoms. Through chronic neglect or the calculated pillage of national coffers, the state is gradually hollowed out; over time, its ability to perform core functions precipitously declines. At a critical juncture, the state implodes at the centre or collapses under pressure from power sources in the periphery; either way, competition for power and resource access in the resulting Hobbesian vacuum is invariably violent and brutal.

Another theoretical approach to diagnosing Africa's wars focuses on the economic dimension of post-modern warfare and the emergence of 'war economies' in regional conflict zones.⁴⁶ Noting that a great many actors in the wars of the 1990s appeared to have jettisoned their former ideological motivations in favour of naked economic ambitions, it was observed that Africa's wars commonly involved organised looting and pillage, extortion rackets, trade monopolisation, labour and resource exploitation, land acquisition, the requisition of foreign aid, sanctions busting and various illegal trades, such as drugs trafficking. The central argument here is that war has become a smokescreen for the pursuit of economic as opposed to political agendas, and that the condition of war legitimises behaviour that in peace time would be considered purely criminal. In such a milieu, the aim of the protagonists is not to win the war, but to continue it so that commercial advantages can be maintained. In this respect, violence has intrinsic value and is not purely instrumental; rather, warfare is better understood as 'an instrument of enterprise and violence as a mode of accumulation'⁴⁷ – or 'the continuation of economics by other means'.⁴⁸ In some cases, war is driven by resource scarcity and the competition for its control, while in others it is the presence of large and accessible quantities of valuable resources, such as alluvial diamonds, precious hardwoods and oil.

War economies are a unique political economic formation in which a range of actors – governments, rebels, multinational corporations, local and international entrepreneurs, warlords, criminal gangs, mercenaries and external markets – come to coordinate their activities around mutually beneficial practices in a series of

complex and interlocking networks. Rather than the breakdown of normally peaceful political systems (a rationalistic and positivistic view of war), it is the emergence of a unique form of political economy which blends war and organised crime – what William Reno calls ‘warlord politics’.⁴⁹ Consequently, war economies are frequently characterised by high levels of collusion between the purported antagonists and between internal and external actors. Direct confrontations in battle are relatively rare and violence is directed instead at civilians, often for the purposes of labour exploitation and social control. In large part, it was the withdrawal of superpower patronage at the conclusion of the cold war that forced rebel (and state) militaries to become self-financing. It was not long however, before the protection of commercial networks segued into the sole *raison d'être* for sustaining local conditions of war.

Finally, ignoring the mono-causal and deeply Euro-centric ‘ancient hatred’ fictions, there are a number of useful perspectives regarding the role of identity politics in Africa’s wars.⁵⁰ These theories focus on a range of crucial variables in the construction of political conflict: the instrumental roles played by elites and so-called ‘ethnic entrepreneurs’ – local and national, political, military and religious; the historical construction and maintenance of exclusive (and often antagonistic) identities by colonial and post-colonial ruling elites for the purposes of political and social control; the perceptions of insecurity between ethnic groups in situations of emergent anarchy or state failure; and the role of language, history, symbols and culture in fomenting inter-ethnic rivalry. In essence, it is argued that inflamed ethnic passions are the *consequence* of political conflict, not the cause; that the manipulation of identity by various elites rests at the centre of Africa’s wars. Typically, the tactics of Africa’s ‘Big Men’ in these wars involve: ‘Harnessing proxies, arming ethnically based militias, cultivating warlords, propagating hate and fear, preying on ignorance, manufacturing rumours and myths, stacking the police and army with ethnic kinsmen, demonising dissidents as traitors to the tribe, or faith or “volk”’.⁵¹

Extending these analyses, more openly constructivist approaches start with a question too often ignored by security studies scholars: what makes ordinary people acquiesce to or participate in political violence directed against those they once coexisted peacefully with? Although a coherent and systematic constructivist theory of post-modern war has yet to emerge, the necessary elements of such an approach already exist in a number of studies, particularly recent treatises on the Yugoslav civil war.⁵² Constructivist ontology suggests that the causes of war lie in the deliberate creation of a society-wide ‘conflict discourse’ by political, military and ethnic entrepreneurs that structures knowledge and action.⁵³ These elites monopolise politics, media, academia, religion and popular culture, using them to reconstruct political and social discourses towards hatred, inter-group conflict and ultimately war. The main features of these discourses include: identity construction and the creation of an ‘other’; creating or drawing upon a discourse of victim-hood and grievance; creating a discourse of imminent threat and danger to the political community; and overcoming social and cultural inhibitions and norms that prohibit inter-personal violence. In the context of weak and dysfunctional states moreover,

such elite-led projects of discourse creation are relatively easy; there are often numerous ready-made grievances which elites can draw upon.

In sum, it seems clear from this brief survey that the causes of Africa's wars lie both in the structural features of the weak state – its political, economic and ideological malformation – and the politics of elite survival, including the construction of violent discourses, within a constrained context. Both are necessary conditions for the onset of war: an environment of dysfunctional politics, economic deprivation and external vulnerability permits the rise to power of military and ethnic entrepreneurs who then manipulate greed and grievance in the discursive construction of self-perpetuating forms of violent political-economy. Such approaches take us beyond the agency-structure debate to a post-dualist position that combines structural and agentic understandings of political violence.⁵⁴

Conclusion: The Challenges of Conflict Transformation

There are a number of important conclusions to be drawn from the preceding analysis. First, it is clear that a new ontology of contemporary warfare in Africa is urgently required – for both analytical and normative reasons. Orthodox analyses of Africa's wars are capable of providing only limited understandings of their causes and characteristics, based as they are on outmoded and frequently erroneous assumptions. More importantly, the failure of effective conflict analysis has too often resulted in remedial bankruptcy: misconceiving the deeper causes of Africa's wars, practitioners have repeatedly applied unsuitable or ultimately damaging solutions to conflict settlements. The conceptual failure of conflict analysis has predated the normative failure of conflict resolution.

Second, this analysis reveals the full extent of the challenges of conflict transformation in Africa's warring polities – far beyond the commonly heard calls for so-called 'good governance' and economic reform. Understanding that Africa's wars are much more complex than orthodox Clausewitzian conceptions suggest, reveals a number of specific challenges facing conflict resolution practitioners: identifying the power brokers and power holders in conflict settings characterised by fluid and diffuse actors; gaining entry to highly complex conflict networks based on political loyalty, ethnic or religious identity and powerful commercial interests; devising compromises in cases where political conflict is expressed through zero-sum conceptions of the 'other', such as ethnic cleansing or genocide; reconfiguring the incentive structures of elites in situations where scarcity militates against the possibilities of viable alternatives to war economies and criminality; disarming and demobilising highly militarised populations; reconstructing social trust following extreme human rights abuses and atrocity; mediating between the demands of justice for war crimes and the necessity for peaceful transition which may depend upon compromise with warlords and war criminals; and putting in place structures and processes that will prevent future re-eruptions of violent conflict.

The true nature of Africa's wars suggests that conflict management – the cobbling together of a political settlement among factional leaders – is insufficient

as a durable solution to endemic violence. Rather, what is required is the prioritisation of transformative approaches to conflict resolution.⁵⁵ In essence, those activities normally considered peripheral to the ubiquitous diplomatic efforts to broker settlements have to be brought into the heart of conflict intervention. For example, if the deeper structural causes of Africa's wars lie in the malformation and underdevelopment of the African state, then re-constructing weak states or 'nation-building', much maligned in great power diplomatic practice, emerges as a key conflict transformation activity. Similarly, economic reconstruction, particularly the reconfiguration of war economies, also becomes an essential element in conflict transformation – not to mention conflict prevention. Finally, rebuilding national identities and de-constructing violent identity-based discourses also emerges as an essential conflict resolution task. Unfortunately, these kinds of activities are usually marginalized within diplomatic initiatives and tend to be confined to the uncoordinated and ad hoc activities of nongovernmental organisations such as churches, grassroots movements, charities and private individuals.

In the final analysis, solutions to Africa's wars lie not in external intervention, but in internal transformation; the people and nations of Africa have to reconstruct their own realities. This is not to deny a role for external actors, nor is it an excuse to continue in studied indifference to Africa's plight or to evade the ethical responsibility to alleviate human suffering wherever it may occur; rather, it is a call for genuine partnership with Africa's local peacemakers. Clearly, a revolutionary transformation of the internal dynamics of African politics, economics and social life away from the foundational logic that currently lies at the heart of Africa's present malaise is required; and the articulation of a new and credible vision for African society by Africans is a necessary first step in this process. In spite of the grave challenges facing Africa's people, there are also genuine reasons for optimism: scholars are gradually coming to a more complete understanding of the nature of warfare in Africa, which is a first crucial step towards designing more effective solutions. Most critically, we now understand that war is at root a social and political construction rather than an inevitable condition. The implications of this are more than just ontological: if Africa's wars can be constructed by ethnic entrepreneurs, despots and warlords, then they can also be deconstructed by activists, journalists, peacemakers and the ordinary people who suffer in them. The chapters that follow are in part, a testament to the possibilities of positive transformation in Africa's violent landscape.

Notes

- 1 Carolyn Pumphrey (2003), 'General Introduction', in Carolyn Pumphrey and Rye Schwartz-Barcott (eds), *Armed Conflict in Africa*, Scarecrow Press, Lanham, p.1.
- 2 Adebayo Adedeji (1999), 'Comprehending African Conflicts', in Adebayo Adedeji (ed), *Comprehending and Mastering African Conflicts: The Search for Sustainable Peace and Good Governance*, Zed Books, London, p.3.
- 3 Peter Hough (2004), *Understanding Global Security*, Routledge, London, pp.154-155.

- 4 *The Economist*, 13-19.05.00.
- 5 See Richard Jackson (2004), 'The Social-Psychological Construction of Violent Political Discourses: The Psychopathology of Political Life', in Przemyslaw Piotrowski (ed), *Understanding Problems of Social Pathology*, Rodopi, Amsterdam and New York.
- 6 See Jeremy Black (2000), *War: Past, Present and Future*, St Martin's Press, New York.
- 7 Robert Kaplan (1994), 'The Coming Anarchy', *The Atlantic Monthly*, 273(2): pp.44-76.
- 8 Donald Snow (1996), *Uncivil Wars: International Security and New Internal Conflicts*, Lynne Rienner, Boulder CO, pp.26, 38.
- 9 See Richard Jackson (2000), 'Managing Africa's Violent Conflicts', *Peace and Change*, 25(2): pp.208-224. See also, Conflict Barometer 2003, Heidelberg Institute on International Conflict Research (HIIC), available at: http://www.hiik.de/en/barometer2003/Africa_2003.htm.
- 10 Pumphrey, 'General Introduction', p.1; Department for International Development (DFID), March 2001. *The Causes of Conflict in Africa – Consultation Document*, available at: <http://www.dfid.gov.uk/Pubs/files/conflict-africa.pdf>, p.10.
- 11 There are no widely accepted figures for the number of wars presently ongoing because there is no agreement on how to precisely define a war – as opposed to a severe political emergency, for example. The number of conflicts included in data lists of wars varies between researchers according to factors such as the minimum threshold of fatalities, the nature of the actors and the time between violent episodes.
- 12 'Sudan Militias "Using Rape as a Weapon"', 19.7.04, *Guardian Online*, available at: <http://www.guardian.co.uk/sudan/story/0,14658,1264648,00.html>, accessed 21.7.04.
- 13 Institute of Development Studies Report, quoted at id21, hosted by United Kingdom Department for International Development (DFID), available at: <http://www.id21.org/society/s1obr1g2.html>.
- 14 DFID, *The Causes of Conflict in Africa*, p.10.
- 15 *Ibid.*
- 16 Institute of Development Studies Report, id21.
- 17 Reginald Herbold Green (1994), 'The Course of the Four Horsemen: The Costs of War and Its Aftermath in Sub-Saharan Africa', in Joanne Macrae and Athnony Zwi (eds), *War and Hunger: Rethinking International Responses to Complex Emergencies*, Zed Books, London, p.48.
- 18 Quoted in DFID, *The Causes of Conflict in Africa*, p.11.
- 19 *Ibid.*
- 20 Green, 'The Course of the Four Horsemen', p.48.
- 21 DFID, *The Causes of Conflict in Africa*, p.11.
- 22 Anup Shah (2003), 'Children, Conflicts and the Military', 27.9.03, Global Issues, available at: <http://www.globalissues.org/Geopolitics/Children.asp>; see also, Rachel Stohl (2002), 'Under the Gun: Children and Small Arms', *African Security Review*, 11(3).
- 23 Adapted from Jackson, 'Managing Africa's Violent Conflicts'.
- 24 Samuel Decalo (1990), *Coups and Army Rule in Africa*, second ed., Yale University Press, New Haven, pp.1-2.
- 25 Alex Thompson (2000), *An Introduction to African Politics*, Routledge, London, p.125.
- 26 See Eboe Hutchful (2000), 'Understanding the African Security Crisis', in Abdel-Fatau Musah and J. Kayode Fayemi (eds), *Mercenaries: An African Security Dilemma*, Pluto Press, London.

- 27 See Tatiana Carayannis (2003), 'The Complex Wars of the Congo: Towards a New Analytic Approach', *Journal of Asian and African Studies*, 38(2-3): pp.232-257.
- 28 See Richard Jackson (2004) 'Between Iraq and a Hard Place', *New Zealand International Review*, XXIX(4): pp.8-10.
- 29 See Barnett Rubin and Andrea Armstrong (2002), 'Regions and Networks in Conflict Prevention and Peace Building: A Discussion Paper for the Project on Regional Conflict Formations', Center on International Co-operation/NYU, New York.
- 30 See Peter Lock (1999), 'Africa, Military Downsizing and the Growth in the Security Industry', in Jackie Cilliers and Peggy Mason (eds), *Peace, Profit or Plunder? The Privatisation of Security in War-Torn African Societies*, The Institute for Security Studies, South Africa, p.21.
- 31 Black, *War*.
- 32 These observations are not confined to Africa; they are true of contemporary warfare around the world. Recent conflicts in Europe, for example – the Balkans, Chechnya, Georgia, Armenia – exhibited the same characteristics. This implies that warfare has undergone a revolution in recent decades. However, it is a revolution in the *strategies* and tactics of warfare, rather than in military technology as the proponents of the so-called RMA (Revolution in Military Affairs) assert. See Jackson, 'Between Iraq and a Hard Place' and Black, *War*.
- 33 Anthony Clayton (2003), 'Violence in Africa Since 1950: Frontiersmen', in Carolyn Pumphrey and Rye Schwartz-Barcott (eds), *Armed Conflict in Africa*, Scarecrow Press, Lanham.
- 34 Clarence Tshitereke (2003), 'On the Origins of War in Africa', *African Security Review*, 12(2): p.2.
- 35 See: Michael Brown (1996), 'The Causes and Regional Dimensions of Internal Conflict', in Michael Brown (ed), *The International Dimensions of Internal Conflict*, MIT Press, Cambridge, MA; Ibrahim Elbadawi and Sambanis, Niclolas (2000), 'Why Are There So Many Civil Wars in Africa? Understanding and Preventing Violent Conflict', *Journal of African Economies*, 9(3), pp.244-269; Errol Henderson and David Singer (2000), 'Civil War in the Post-Colonial World, 1946-92', *Journal of Peace Research*, 37(3), pp.275-299; John Maxwell and Rafael Rueveny (2000), 'Resource Scarcity and Conflict in Developing Countries', *Journal of Peace Research*, 37(3), pp.301-322; Nicholas Sambanis (2001), 'Do Ethnic and Nonethnic Civil Wars Have the Same Causes? A Theoretical and Empirical Inquiry (Part 1)', *Journal of Conflict Resolution*, 45(3), pp.259-282.
- 36 This discussion can only be summative due to the limitations of space. More detailed discussions of the following approaches to the analysis of internal wars can be found in Richard Jackson, forthcoming, *What Causes Intra-State Conflict? Theories and Approaches to the Causes of Internal War*, Manchester University Press, Manchester.
- 37 See Richard Jackson (2002), 'Violent Internal Conflict and the African State', *Journal of Contemporary African Studies*, 20(1), pp.29-52.
- 38 See Kalevi Holsti (1995), 'War, Peace, and the State of the State', *International Political Science Review*, 16(4), pp.319-339.
- 39 Mohammed Ayoob (1996), 'State Making, State Breaking, and State Failure', in Chester Crocker, Fen Olser Hampson, and Pamela Aall (eds), *Managing Global Chaos: Sources of and Responses to International Conflict*, United States Institute of Peace Press, Washington, DC.
- 40 I. William Zartman (1995), 'Introduction: Posing the Problem of State Collapse', in I. William Zartman (ed), *Collapsed States: The Disintegration and Restoration of Legitimate Authority*, Lynne Rienner, Boulder, CO.

- 41 Joel Migdal (1988), *Strong Societies and Weak States: State-Society Relations and State Capabilities in the Third World*, Princeton University Press, Princeton, NJ, pp.227-229.
- 42 William Reno (1998), *Warlord Politics and African States*, Lynne Rienner, Boulder, CO, p.2.
- 43 Jean-Paul Azam (2001), 'The Redistributive State and Conflicts in Africa', *Journal of Peace Research*, 38 (4).
- 44 Lock, 'Africa, Military Downsizing and the Growth in the Security Industry', p.19.
- 45 Zartman, 'Introduction: Posing the Problem of State Collapse'.
- 46 See for example, Michael Pugh and Neil Cooper with Jonathan Goodhand (2004), *War Economies in a Regional Context: Challenges of Transformation*, Lynne Rienner, Boulder; Mats Berdal and David Malone (eds) (2000), *Greed and Grievance: Economic Agendas in Civil Wars*, Lynne Rienner, Boulder; Mats Berdal and David Keen (1997), 'Violence and Economic Agendas in Civil Wars: Some Policy Implications', *Millennium: Journal of International Studies*, 26(3), pp. 795-818; Mary Kaldor (1999), *New and Old Wars: Organised Violence in a Global Era*, Polity Press, Cambridge; David Keen (1998), 'The Economic Functions of Violence in Civil Wars', *Adelphi Paper 320*, Oxford University Press.
- 47 William Reno (2000), 'Shadow States and the Political Economy of Civil Wars', in Berdal and Malone, *Greed and Grievance*, p.57.
- 48 Keen, 'The Economic Functions of Violence in Civil Wars', p.3.
- 49 Reno, *Warlord Politics and African States* and 'Shadow States and the Political Economy of Civil Wars'.
- 50 See Stuart Kaufman (2001), *Modern Hatreds: The Symbolic Politics of Ethnic War*, Cornell University Press, London; Rene Lemarchand (1994), *Burundi: Ethnocide as Discourse and Practice*, Woodrow Wilson Center Press, Washington DC; Nicholas Sambanis (2001), 'Do Ethnic and Nonethnic Civil Wars Have the Same Causes? A Theoretical and Empirical Inquiry (Part 1)', *Journal of Conflict Resolution*, 45(3), pp.259-282; Christian Scherrer (1999), 'Towards a Comprehensive Analysis of Ethnicity and Mass Violence: Types, Dynamics, Characteristics and Trends', in H. Wiberg and C. Scherrer (eds), *Ethnicity and Intra-State Conflict: Types, Causes and Peace Strategies*, Ashgate, Aldershot.
- 51 Bill Berkeley (2001), *The Graves Are Not Yet Full: Race, Tribe and Power in the Heart of Africa*, Basic Books, New York, p.11.
- 52 See F. Wilmer (2002), *The Social Construction of Man, the State, and War: Identity, Conflict, and Violence in the Former Yugoslavia*, Routledge, New York and London; David MacDonald (2002), *Balkan Holocaust? Serbian and Croatian Victim-Centred Propaganda and the War in Yugoslavia*, Manchester University Press, Manchester.
- 53 Richard Jackson (2004), 'The Social Construction of Internal War' in Richard Jackson (ed), *(Re)Constructing Cultures of Violence and Peace*, Rodopi, New York and Amsterdam. See also Vivienne Jabri (1996), *Discourses on Violence: Conflict Analysis Reconsidered*, Manchester University Press, Manchester.
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Chapter 3

Post-settlement Governance Programmes: What is Being Built in Africa?

Bruce Baker

Since 1970 Africa has endured more than 30 wars, most of them intra-state. The ensuing crises have been of a multi-layered nature for war touches on every aspect of life: it destroys life and health; it devastates livelihoods and environments; it weakens social capital - the patterns of social behaviour and social institutions which facilitate interaction and exchange and hold a society together; it decimates state policing, allowing criminal and terrorist networks to establish themselves; and it disrupts the economy (The World Bank estimates that the income lost due to war in Africa 1980-93 amounted to US \$250 billion – Touré, 1998, p.53). With their multiple causes and consequences wars create an environment that has been well termed as a complex emergency (Cliffe and Luckham, 1999).

Many of these complex emergencies are now in the process of moving through the transition to peace, but the knot of cause and effect rarely unravels with a military peace agreement. In fact, even after a peace-keeping phase, some degree of violent conflict often continues, as interested parties seek to secure leverage in the settlement process. It may even happen that conflict returns despite a peace agreement (e.g. Angola, Liberia and Sierra Leone) making it safer to speak of the presumed final phase of conflict as 'emerging from conflict', or as 'post settlement', rather than as 'post-conflict'.

Complex emergencies, by definition, require complex solutions, that is, radical and comprehensive ones that are carefully sequenced. They have to address the political, security, judicial, humanitarian, reconciliation and developmental aspects of the problem in an integrated fashion. Yet it is no easy matter to seek to rapidly reform the economic and political system or reform the security and judicial systems in the absence of those institutions and agencies that are designed to achieve this. On the other hand an inadequate response may only provoke a renewed outbreak of conflict or social unrest and a crime wave. Inevitably, therefore, political issues come to the fore as a fundamental ingredient for constructing lasting settlements to internal conflict.

Why Governance was Preferred to Democracy

From the political point of view, the aim of the process of conflict resolution must go beyond the cessation of hostilities. And if democracy is seen as the political ideal (or even as the least bad of all systems of government), then the aim is to give back to the people control of the decisions that are binding on them and that profoundly affect their life experience. Such an ideal captured the imagination of many in Africa in the 1990s and following popular calls for political change and donor pressure in the form of political conditionality, democratisation became the avowed objective of African governments. Likewise donors' programmes spoke of building sustainable democracy as a 'strategic objective' (USAID) and 'core mission' (UNDP).

Yet during the 1990s two currents of analysis were already calling for the focus to be redirected away from multi-party democracy to a broadly defined 'governance' (World Bank, 1989; Carter Centre, 1989; Hyden and Bratton, 1992). First, there was the awareness that multi-party elections were rarely free and fair and were unlikely to be while people remained ignorant of electoral rules, vulnerable to bribes because of their poverty, and pressured to vote according to ethnic identity. Nor were foreign donors who paid for the elections impressed to see old autocrats recycled as elected presidents and continuing with business as usual (Baker, 1998). Democratic rules might have been adopted, but there were few changes in the rulers and their conduct.

The second current of analysis was serious doubt as to whether political democracy was a necessary condition for economic growth as had been claimed (Evans, 1992; Leftwich, 1994). In the light of the Asian tigers or even of European history, the roles of development elites that are relatively autonomous, and of non-state market and civil forces, were re-evaluated. Thus the UK's Department for International Development (DFID), cautioned: 'The existence of the formal structures of democracy – political parties, elections, and parliaments – does not guarantee the empowerment of poor people, even when they make up a majority of the population' (DFID, 2000a: p.27). It was a recognition that the state, elected or not, does not automatically work on behalf of the interests of the majority. Further, it is rarely the sole authority (particularly in the developing world) and besides, it is as much a failure of the public realm as the state that causes resources to be poorly or corruptly allocated. Rediscovering civil society meant also rediscovering how its institutions behave and promote social and economic well-being.

The donor idealism of promoting (liberal) democracy, however minimally defined, quickly gave way to these analytical currents and to the demands of Realpolitik. The latter raised the pressing domestic political need to develop and preserve global markets, and to maintain allies in an insecure world. In this context it became more expedient to talk about promoting 'governance' rather than 'democracy'. In other words, what was being sought was not a social revolution that gave power to the people, but a liberalisation that allowed free markets, efficient (corrupt free) governments, and greater individual rights under a stable government.

The shift from democracy to governance was heralded by the World Bank. In its view, how governments were chosen was less important than how they acted in office. The root of the developing world's problem was: 'arbitrary policy making, unaccountable bureaucracies, unenforced or unjust legal systems, the abuse of executive power, a civil society unengaged in public life, and widespread corruption' (World Bank, 1993). In this environment, the post-settlement goal was to establish: 'governance that is effective, participatory, transparent, accountable and equitable, and that promotes the rule of law' (UNDP, 1999).

What is the Governance Agenda?

Development agencies do not define governance with any precision and usually make no distinction between policy-making and policy implementation. DFID says governance is 'how the institutions, rules and systems of state – the executive, legislature, judiciary and military – operate at central and local level and how the state relates to individual citizens, civil society and the private sector' (DFID, 2001: p.11). It argues that the international development targets, 'are unlikely to be met by countries which cannot resolve conflict or provide safety and security for their citizens; cannot ensure the efficient provision of essential services for all; or which ignore corruption' (DFID, 2000b: p.5).

Though the DFID definition of governance is confined to the activities of the state, the UNDP definition is more expansive and includes the private sector and civil society as well, arguing that these also make decisions that shape the distribution of economic and political power. Governance, it says, is:

The exercise of political, economic and administrative authority in the management of a country's affairs at all levels. Governance comprises the complex mechanisms, processes and institutions through which citizens and groups articulate their interests, mediate their differences and exercise their legal rights and obligations (1997: pp.2-3).

Somewhere between the DFID and UNDP definition is that offered by the Institute for Development Studies (IDS). They see governance as the manner in which a country's public business is managed, mainly but not only by governments. Governance, they argue, refers:

to the sum of interactions between civil society and governments. It is thus a word which clearly has a relational dimension ... We take 'good' governance to mean (in general terms) a broad array of practices which maximize the common/public good. More specifically, this term refers to the following things, within civil society and especially within governments: transparency, effectiveness, openness, responsiveness, and accountability; the rule of law, and the acceptance of diversity and pluralism' (IDS, 1998).

What none of these definitions comes to terms with, however, are the institutions, rules and systems applied by international organisations. Intergovernmental organisations, international civil society and international private commercial

interests play an increasing role over the management of national affairs. Moore (2000) argues that a neo-liberal/capitalist agenda that seizes upon the impossibility of the state to handle governance in war-devastated societies, now commonly inserts international control. It is at the international level, too, that the contents of post-settlement governance programmes are being determined. From the early 1990s western donors have called for change of governments and civil and human rights, particularly as expressed in multi-party elections and liberal constitutions.

Democracy and governance are related, but they are not identical. The confusion of the two may be illustrated from USAID's *Handbook of Democracy and Governance* (USAID, 1998). The goal of 'democracy and governance strengthened' includes: to strengthen rule of law and respect for human rights; more genuine and competitive political processes; increased development of a politically active civil society; more transparent and accountable government institutions. These sound uncontroversial, but a closer look at the objective on the rule of law reveals that much of this has a free market agenda. Intermediate results include, 'legislation, regulations and policies in conformity with sound commercial practices'; 'effective advocacy for the promotion of a market-based economy increased'; and 'government mechanisms that promote market-based economies established'. This is a long way from strengthening the rule of law and respect for human rights, let alone democracy. But liberalised economies do open up markets to donor country industries and they do nurture political allies. A USAID report observed:

The private sector of Guinea-Bissau is realizing that they can influence economic and political decision-making. Many of these private sector groups are USAID nurtured non-governmental organizations formed for their common economic benefit. The position of Guinea-Bissau on the United Nations Security Council, where they could influence decisions on issues worldwide, makes Guinea-Bissau an important interlocutor and potential ally for the United States (USAID, 1998).

Another key political objective that is promoted under governance rather than democracy is stability. In the language of RTI International (providing local governance support in 'post-war' Iraq), local governance fosters 'social and political stability by helping meet citizens' basic needs within their communities'. Meeting citizens' need is thus not an end in itself, but a means to producing a state where security costs and risks for capital are minimalised. Weak governance impedes developing countries from dealing forcefully with internal conflict and with criminal and terrorist networks that threaten Western security (Woodrow Wilson, 2003). And in the economic arena poor corporate governance, particularly in financial areas, creates economic crises that have a global knock-on effect. Security, then, contributes to donor countries in a way that democracy could never guarantee:

Good governance in other countries helps build a more secure and prosperous international environment for Australia. We depend on others having, for example, the capacity to formulate, implement and sustain policies that detect and disrupt terrorists, liberalise trade and investment, protect the environment in ways that do not distort

trade, and respect human rights. None of these is easily possible without good governance ... The single objective for Australia's aid program is ... to advance our national interests by assisting developing countries to reduce poverty and achieve sustainable development (Commonwealth of Australia, 1997).

The emphasis on governance does not mean that liberal democratic institutions are not promoted in post-settlement contexts, but that the former has precedence. Political parties are promoted, but those that threaten stability and western ambitions by calling for an Islamist theocracy (e.g. Algeria), will be hindered from participating in elections. Accountability is headlined, but often it is managerial rather than the political; that is, it is accountability upwards to managers and auditors, not downwards to the people. The programmes talk of developing social capital, but it is the networks, management systems and advocacy skills of the professionals who dominate 'civil society' that are the chief beneficiaries. In the area of justice, it is not so much justice accessible to all that is being created by reforms to the judiciary, but justice for those (few) for whom it is accessible. Governance is satisfied if the elections are well managed, but democracy is concerned that the choice on offer is only between personalities from the same political class, all of whom will work under donor economic management. Poverty alleviation is commendable, but it is not the same as popular control for that poor majority. In these ways governance supersedes democracy.

The Challenges Facing Governance Programmes

In many international post-settlement governance programmes elections have been central. Indeed, the ultimate objective of UN operations in Angola, Mozambique and elsewhere appears to have been the holding of 'free and fair elections' to establish legitimate governments. The assumption is that elections create social stability by allowing all communities to express their opinions, including those whose exclusion may have precipitated the conflict. For donors, elections also provide a clear watershed beyond which they can consider acceptable withdrawal.

However, there is good reason to question the appropriateness of giving elections a priority over public administrative reforms. It can result in the imposition of artificial deadlines for a series of activities and skew the flow of resources towards activities geared to creating conditions for elections. Nor is there any guarantee that a fairly elected government will adhere to principles of good governance. In fact, in the political vacuum that is created in the wake of conflicts, governments may seek to weaken the opposition and restrict the freedom of the news media (e.g. Uganda). Democratic institutions do not automatically bring about democratic politics (hence the overthrow of elected post-settlement president of Guinea Bissau was not to be seen, according to Kofi Annan, 'as a single event interrupting an ongoing democratic process, but as the culmination of an untenable situation during which constitutional norms were repeatedly violated'). The priorities for good governance must, therefore, go beyond elections to what the UN now calls moving to 'second generation' interventions.

Of the many issues that governance programmes have tackled in Africa, five key ones are examined in this section. They are: strengthening the legislature; strengthening a legal framework of citizen rights; demobilising combatants; reforming public administration; and handling past human rights violations.

Strengthening the Legislature

The composition, performance and management of legislatures is central to the process of peace building, since they involve the distribution of political power and determine the rules binding on both sides of the conflict.

As regards *composition*, attention needs to be paid to the degree to which the distribution of seats in the legislature and the composition of the executive provides representation for all social groups, especially marginalised and war-affected groups. A legislature that is to have legitimacy must not be, or perceived to be, in the hands of a dominant group, whether the ethnic majority, the 'victors' in the war or the economic elite (Duffield, quoted in Moore, 2000: pp.17-18). Rather it should mediate, reconcile, and at the same time articulate society's conflicting interests.

The favoured methods of post-settlement governance programmes for achieving a fair representation are to propose either some form of inclusive power sharing (or consociationalism in which civil society organisations are co-opted into the government) or some form of electoral engineering within voting systems, such as the proportional representation (PR) which has been introduced in Angola, Mozambique, Burundi and Guinea Bissau (Luckham, Goetz and Kaldor, 2003). But PR can still produce controversial and distorted outcomes. When there are a large number of ethnic-religious parties representing geographical heartlands, PR fossilises ethnic groups as the key source of political mobilisation and may leave only one party and its respective ethnic group controlling the government. Even if no one group can achieve a majority without a coalition, the 'grand coalition' can easily become a grand authoritarian alliance (Horowitz, 1985). An alternative strategy is to seek to demobilise the identity-based divisions, through the transformation of the conditions that support ethnic/religious mobilisations. Uganda's method 1986-2003 was to outlaw ethnic political parties, to deny parties the right to campaign and to create an inclusive national Movement. Yet their draconian approach failed to create cross-cutting political organisations. Neither PR nor outlawing ethnic parties tackles ethnic minority *economic* power elites, such as the whites of South Africa, the Lebanese of Sierra Leone or the Americo-Liberians of Liberia.

Legislative *performance* measures the success among former antagonists in handling their disagreements through formal structure and rules. Here they have the opportunity to work out compromise solutions to their problems, and in so doing to develop a culture of non-violent problem solving. 'The means by which conflicts are expressed within a legislature are also the means by which conflicts are resolved' (IDEA, 1998). Donor governance programmes in Mozambique, Uganda, Republic of Congo and Rwanda have offered parliamentary capacity building, such as training legislators in legislative drafting and budget control, the

use of committees, enhanced facilities and the training of administrative staff. Despite these efforts, the non-democratic culture of parties and the personal interests of their leaders often prevent the concerns of voters from being incorporated in parliamentary debates.

Attention has also been given by governance programmes to the *management* of the legislature, from procedural rules through to organisation and skills training. After years of mistrust between antagonists parliamentary committees can be useful measure confidence-building measures. Provided the ruling party doesn't marginalize the opposition in the appointments, the opposition have a chance to be involved in the preparatory stage of decision-making and to be more informed about current issues. The First Deputy Speaker of Mozambique's Parliament boasts that parliamentary committees 'often deviate from the rule of proportionality, and are instead based on parity. This means that these organs come to their decisions by consensus and that there is no voting' (AWEPA, 2001: p.16). However, procedural rules elsewhere are problematic. For instance in Angola Government ministers cannot easily be summoned to the Assembly to give an explanation and the President is not accountable to the Assembly at all. Further, as a public document, the General Account of the State is supposed to be submitted to an Audit Court for validation of the State's policy implementation, yet no Audit Court exists and no General Account has ever been produced.

Strengthening a Legal Framework of Citizen Rights

Conflicts that have severe structural roots may need a new constitution and the replacement of discriminatory laws. Constitutions, if drafted with care and after widespread public consultation (e.g. Uganda and South Africa), can promote fundamental rights, accountability, fair representation, checks on the abuse of power and thus stability. What is required, of course, is more than a new text, but a new social contract (Uyangoda, 2003). Under-girding any new constitution there needs to be a fresh agreement by all parties of the moral and ideological bases of the state. Indeed, foundational underpinning may need to incorporate 're-envisioning' the state as a commonwealth for all communities.

Governance programmes have assisted in the rewriting of constitutions and laws (e.g. the Republic of Congo, Angola), but new legal provisions are only as strong as those who have the responsibility to enforce them. Sadly one of the regular features of violent internal conflict is the withering of the legal infrastructure and the murder of judges and lawyers, either because the professions were seen to be dominated by a particular ethnic group or because they threatened punishment for wartime atrocities. It has been necessary, therefore, to train significant numbers of court officers, magistrates and judges, ensuring not just their grasp of the principles of justice, but also of human right issues, the historical problems of justice for women, children and minorities, and the complexities of disputes arising from resettlement and reintegration of communities. Rwanda has prioritized such training and initiated the *gacaca* process (adapted local customary justice) to supplement the formal justice system. Even more difficult than training new recruits is establishing principles of justice in long standing members of the

judiciary system who have been accustomed to political interference and bribery. This has been a problem in Guinea Bissau and Sierra Leone.

Though the police are integral to strengthening a legal framework of citizen rights, the return to civilian policing is rarely straightforward. Since it was often human rights abuses by the security forces that constituted one of the causes of armed conflict, capacity-building programmes for them raise the fear of strengthening their repressive capabilities. If there has been a history of serious abuses of human rights and civil liberties by the police, as there was in Mozambique, then governance programmes need to recruit new personnel from both sides of the conflict (Baker, 2003). The challenge is to ensure that the new police force is accountable through the oversight of the courts, performance monitoring by the internal affairs ministries, and critical appraisal by civil rights organisations and the press. Unless the police force is fair, accessible, efficient and incorruptible, citizens will avoid it. Human rights training for existing police, as in Mozambique and Rwanda, might make some difference, but the unsolved question has always been how to find and finance enough qualified police to offer nationwide coverage. When the size of the police force in Sierra Leone is 6,600, in Rwanda is 4,000, in Uganda is 13,000 and in Liberia is to be 3,500 after recruitment, then reliance for internal security on state policing, even with the best donor-sponsored training and equipping, is seen to be optimistic.

In addition to the problems of inaccessible justice, governance programmes have recognised the parallel problem of citizen ignorance as to their constitutional and legal rights. They have to be taught to claim and exercise their rights and must be assured by witness protection programmes. Civic education programmes have therefore been introduced but clearly addressing these issues is a very large task.

Demobilising Combatants

Reintegrating potentially destabilising groups such as ex-combatants (and their civilian dependents), returning refugees and youth within the wider social and economic life is a central peace-building measure. In post-settlement societies, this means offering a civilian way of life to former soldiers through employment and education. Demobilisation, resettlement and reintegration into civilian life are crucial, but the factors hindering demobilisation are numerous (Wezeman, 1999: p.141). There are immense logistical problems of handling large numbers of ex-combatants, displaced from their homes and without work, at a time when the country's infrastructure is weak. In Sierra Leone the problems centred on the equity of distribution of resources and troops abandoned following their disarmament, whilst in Angola the challenges included:

a politicised ex-combatant population which at times has been less than co-operative with the authorities ... A lack of facilities, inaccessible roads, mine infestation and inadequately prepared resettlement areas ... payments by the government to ex-combatants have been irregular and not universal. About 20 per cent of ex-combatants are still waiting to be included on the payroll ... sensitisation campaigns did not take place universally, resulting in instances where communities have expelled resettled ex-

combatants and their dependents from their present locations (Kofi Annan, quoted in IRIN, 13 Feb 2003).

Demobilisation programmes are also threatened by potential spoilers of the peace accords. Such have to be 'progressively isolated along with their independent bases of power' (Orr, 2002: p.140), whether they are in the country or have fled outside its borders, as did many RUF fighters from Sierra Leone. The Somalia programme sought to do just this by rewarding communities that succeeded in demobilisation and disarming militias, such as Somaliland and Puntland, with increased international assistance.

Even combatants without a political agenda will have one eye on the security situation and employment opportunities before they abandon their arms. The harsh reality is that there are few income-generating activities that can sufficiently compensate the loss of a weapon. If demobilised soldiers come to doubt that governments will keep their promises of vocational training and help back into civilian life, then there is every danger that many will take up banditry, as has happened in Sierra Leone and Mozambique.

Demobilisation is part of a larger governance objective of removing all armed forces except a national army. The national army and any other rebel forces that may be incorporated into it as a result of the peace settlement, not only need to be under civilian rule, but to avoid any role in politics and respect the law and human rights. Thus they have to adopt norms quite distinct from those followed in the conflict. Old habits die hard, however, so that although the military in Guinea Bissau military took a position of loyalty to legally established institutions following the 1998-9 civil war and 2000 coup attempt, it is not clear,

whether the lower ranks, 80 per cent of which do not have basic education, have accepted this new approach. ... the partial payment of salaries for the last six months and the disruption of the World Bank Multi-Donor funded disarmament, demobilization and reintegration programme are clearly dangerous for security (United Nations Economic and Social Council, 2003).

Reforming Public Administration

Strategic reform, redistribution of functions and restructuring within the central government is often essential after conflict, given the new priorities, the weaker financial base and the damaged infrastructure. Current public administration thinking argues that a slimmer government with a narrower focus is more efficient and less costly, given that the recurrent costs of maintaining the existing public sector institutions usually constitute the largest portion of the national budget. Governance programmes, therefore, have sought to transfer some responsibilities of central government to local levels of government or civil society organisations or the private sector. The strong pressure to downsize, however, under conditions of weak institutional foundations, is inherently destabilising in its impact. If, despite strong political resistance, the process is driven forward by the executive it

can, as happened in Rwanda, create an impression of excessive association of the policy with the ruling party.

Downsizing only intensifies the competition for jobs created by government restructuring and by the sudden influx of cash associated with peacekeeping forces and other externally funded aid operations. On the one hand, recruitment inevitably involves taking on personnel with no experience in government. On the other hand, there is intense pressure to secure jobs in the post-settlement economy and disputes arise between rival groups over the distribution of positions. Minority groups often perceive that ultimate power regarding decision making and policy setting lie in the hands of an executive that excludes them. All procedures need to be revised that create unfair advantages for one or more ethnic, religious, tribal, clan, or other minority groups. Yet civil service reform that seeks political balance can exacerbate the problem of politicisation by extending the redistribution of power to the ranks of the civil service, as has happened in Nigeria. While dividing new civil servants between the parties may increase the confidence of those parties in the outcome of the peace process, it can have negative effects by not basing appointments on merit.

Governance programmes invariably include, alongside public service reform, initiatives to combat corruption, whether through new accounting procedures, official watchdog organisations such as parliamentary committees and Auditor General (Uganda), Anti-corruption Commissions (Sierra Leone) and through strengthening the media (Angola). These initiatives have had a few high profile successes, but it is doubtful whether there is a genuine culture change. At times the problem with the new institutions is their lack of authority. For instance, in Sierra Leone the anti-corruption commission has to transfer suspects to the office of attorney general where there is the possibility of the cases being suppressed. Elsewhere the problem concerns the diffusion of effort over many and overlapping authorities with insufficient resources. In Uganda the budgetary and planning system have seen incremental improvements since the end of civil war. However, financial management, procurement and audit systems are still very weak and the process of decentralisation has opened up fresh weaknesses, due to the chronic shortage of qualified accountants at all levels of government.

All civil service reforms assume government co-operation, but this is not necessarily so. In Guinea Bissau donors have met such resistance that they have chosen to put their money in a temporary Trust Fund. This is to 'encourage a high degree of partnership with the Government' by linking grants to governance benchmarks (United Nations Economic and Social Council, 2003). Yet even conditional aid is unlikely to break up well established clientelist networks.

Handling Past Human Rights Violations

Human rights violations are inherent in all armed conflicts, especially in inter-communal ones. They provoke conflicting calls for retribution and for amnesty as the price of peace. In the absence of a clear-cut military victory or in the case of a negotiated peace settlement, the announcement of war crime tribunals can result in the rapid unravelling of the peace, whereas the offer of immunity from prosecution

may secure the surrender and defection of faction leaders. Sierra Leone, with donor help, chose to pursue the leading war criminals. The remit of the Special Court for Sierra Leone is to try those most responsible for crimes against humanity and war crimes. It is to be hoped that the process will not get bogged down as it has in Ethiopia. Following the arrest the leaders of the Dergue in 1991, a Special Prosecutor's Office was set up to create an 'historical record' of the abuses and to punish the guilty. Yet by late 2003 some 6,426 defendants were still awaiting trial and only 1,569 decisions had been handed down. The size of the criminal justice system has not been able to cope.

Angola, despite strong public opposition, chose an alternative path. An amnesty law was passed to accompany the 2003 peace agreement. It provided immunity from prosecution for all crimes against the security of the state and military crimes committed within the conflict, except those military crimes resulting in death. Liberia is also ruling out a war crimes tribunal. The chairman of Liberia's new transitional government, argued:

The warring factions made it very clear during the talks that had we insisted on a war crimes tribunal at this time, there would have been no peace agreement ... The transitional government will have its hands full just trying to heal the nation; disarm combatants and reintegrate them into society; restore such basic amenities as electricity, water, hospitals and schools; provide humanitarian assistance to vulnerable population groups; and organize credible elections. It cannot afford to add a war crimes tribunal to that already full plate (allAfrica.com).

Another approach to dealing with past abuses is through a Truth Commission tasked with providing an accurate record of who was responsible for what. Sierra Leone's is required to produce 'an impartial, historical record of the conflict ... address impunity, respond to the needs of victims, promote healing and reconciliation, and prevent a repetition of the violations and abuses suffered'. They provide a formalised mechanism for social catharsis without recourse to punishment for crimes committed. Truth Commissions have been established with varying degrees of success in South Africa (1995), Chad (1990), Uganda (1986) and Sierra Leone (begun in 2003). The reason for their variable success is because a number of demanding conditions are required. Governments need to have established their legitimacy if they are to generate confidence that the rule of law and the personal security of witnesses and defendants will be respected; the committee members need to be chosen with impartiality and transparency; commissions need to balance the authority of a criminal court when it comes to subpoenas and searches, with flexibility in determining what types of abuses to investigate; sufficient time and resources need to be allocated to the process; a Commission has to have popular support and the commitment of all the key parties; finally, accounts have to be produced of the causes, development and consequences of conflict and the content of the peace settlement in an accessible form so that the lessons are learned by future generations. Only if these demanding conditions for success can be achieved, can Truth Commissions enable society to overcome past wrongs and move forward.

Conclusion

Few question that good governance is a worthwhile goal, even if 'practices which maximize the common/public good' (IDS, 1998) fall short of democratic ideals. Governance programmes for countries emerging from conflict are inevitably very broad in their scope and complex in their administration. They are faced with daunting tasks. Initially they must overcome a lack of experience in running modern management systems and complex institutional operations with insufficient numbers of skilled personnel. Beyond that, however, they are trying to establish new methods of governing in a context of a society deeply unsettled socially, politically, economically and morally.

The fundamental problem is that the principles of good governance, namely fairness, participation, transparency, effectiveness, openness, responsiveness, accountability, legitimacy, and rule of law are more normative than technical issues. As such they are not readily susceptible to technology upgrading, training seminars and social engineering by national governments and external donors. Even leadership, management and institutional capacity building are not wholly about skills. 'Fair' elections do not guarantee fair governments; representative electoral systems do not automatically bring 'representative-ness'; training in drafting legislation does not ensure legislators are responsive; accounting systems do not determine accountable local government officers; open markets do not create open board room decisions; human rights courses do not stop police abuse of suspects; demobilisation schemes do not remove violent armed men; Truth Commissions do not reconcile village perpetrator of violence with village victim.

Nor do governance programmes address effectively the crucial issue of social capital which in many respects under-girds good governance. Sadly mistrust, lack of communication and a culture of silence, is a common conflict legacy. The social capital of tolerance and mutual respect, open and honest communication, trust, self-restraint within the confines of the law, impartiality in conduct, abiding by majority decisions, and renunciation of all forms of human rights abuse, is likely to be impoverished. This is true at both the level of inter-personal relationships in formal and informal organisations and at the level of the norms that exist among neighbours, friends and relatives at the community level. Such social capital constitute the very essence of what is required for a society to leave behind conflict. Without it good governance institutions cannot operate effectively.

Yet how is social capital to be created by short-term formal governance programmes? How is a culture of tolerance and mutual respect to be cultivated when a history of violence and abuse has created a culture of suspicion, enmity and abuse? Is it possible to convince parties that were previously hostile that, even if they do not share common ideals, they do at least share a common well-being and future that warrants discourse to reach consensus? After years of violence or lawlessness, it is clearly time to reassert the rule of law. But how quickly will people adopt this principle of restraint and compliance entailing self-control and the absence of arbitrary coercion of others? Their experience has been one of living either without legal protection from the state or enduring a state that was itself identified with lawlessness, abuse and injustice. There will also surely be hesitancy

as regards exercising openness and transparency. When survival has for years depended on holding one's counsel, the best policy can still appear to remain silent, even though Truth Commissions call for people to step forward and tell their stories. No matter what immunity from public prosecution might be offered by such bodies, people will be mindful that the same immunity does not necessarily apply when it comes to the response of their neighbours or powerful local figures. And are they to trust a system of representation which promises that representatives will be held accountable for their actions, when only a small proportion have been held accountable for the abuses committed during the conflict? There is no easy solution for cultivating these values or translating them into institutional processes and arrangements. Training informs, management systems restrain, but what instils values of good governance?

So what has been achieved? Despite the measurement indicators of the World Governance Surveys and *Handbook of Democracy and Governance* (USAID, 1998), there is considerable uncertainty. In Mozambique, where post-settlement governance programmes have been running since 1992, the confusion is reflected in the contradictory accounts. Belgium's Ministry for Development Co-operation asserts: 'Corruption is not institutionalised and the possibility for controlling funds earmarked for Mozambique is easy and transparent', hence the move of many donors towards budget support (www.africaOnline.com, 10.4.02). However, in the same week it was claimed that:

Mozambique is very close to becoming a criminalised state. Unless there are dramatic and far-reaching interventions by the Mozambique government, this slide will lead to criminal networks, involving also top political and government figures, becoming a routine part of governance in Mozambique, operating in the shadow of the formal state administration (Gastrow and Mosse, 2002).

Good governance or criminalised state? We do not know the outcomes and we cannot be sure of the inputs. And the same uncertainty with governance programmes applies across Africa's post-settlement states.

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Chapter 4

Civil Society, Reconciliation and Conflict Transformation in Post-war Africa

Andrew Rigby

The aim of this chapter is to explore the role of civil society organisations and groups in contributing to processes of reconciliation in those societies in Africa emerging out of destructive violent conflict and division. Before developing a framework for the analysis of such activities, however, it is necessary first of all to define our terms.

Conflict Transformation and Reconciliation

As used in this chapter, the term conflict transformation refers to all those activities that are concerned with transforming destructive and armed conflict along constructive and non-violent channels. As such it refers to a very broad range of phenomena, encompassing all attempts to move beyond violent conflict at whatever level it might occur – between individuals, groups, communities and states. Typically conflict transformation initiatives are targeted either at the structural and institutional underpinnings of a particular conflict, or they seek to address the cultural dimension relating to people's perceptions of themselves and others involved in the conflict.

Within such a broad range of activities, reconciliation work refers to those activities, initiatives and processes that are primarily concerned with bringing about a restoration of relationships between those divided by conflict and enmity. So, in the context of this chapter, reconciliation can be considered as a particular dimension of conflict transformation work – that focused on the restoration of fractured relationships. As such reconciliation work can embrace both initiatives intended to bring about socio-economic and political institutional changes that might facilitate the restoration of new relationships, and initiatives aimed at changing people's perceptions of themselves and former enemies such that new constructive relationships might be created.

Considered in this manner reconciliation refers primarily to a process. The attempt to restore relationships can take place at any point during a destructive conflict, as people seek to establish bridges across the conflict lines, but it is an

activity more commonly encountered during the post-settlement phase of a conflict when the space available for such activities becomes broader.

Types of Reconciliation Work

For people to begin to anticipate and even dare to hope for a shared future after being divided by destructive conflict, it is essential that they develop the necessary degree of trust in the 'other'. For this to develop it is important that the pains of the past are dealt with in a constructive manner that lays the basis for future-oriented processes aimed at fostering co-existence.

Research would indicate that there are a number of factors that can help people break free from the dead hand of a painful past and open up the possibility of co-existence with former enemies. Consequently we can construct a typology of reconciliation work according to which of the three factors the activities are primarily focused.¹

a) *Dealing with the Past – Memory Work*

Before most people are prepared to consider re-establishing relationships with former enemies the painful legacy of the conflict needs to be addressed in some fashion. Central to much of what we can call 'memory work' is helping people learn how to live with their sense of loss.

One sought-for outcome of such a process is that people become *reconciled* to their situation. In order for people to become *reconciled* to loss, and hence in a way put it behind them, it is necessary for them to reframe or redefine the past. This involves reinterpreting their past experiences in such a manner that eases the intensity of feelings of hatred and bitterness against those deemed responsible for their loss. This process is akin to that of forgiveness.² It would seem that the capacity of people to relinquish the desire for revenge is enhanced to the degree that their loss and suffering is recognised and the perpetrators are prepared to acknowledge their culpability.

The manner in which the past can be reframed and memory reconstructed is illustrated in this observation from a Rwandan government official in 1995. When asked, 'Do you want to remember or to forget?' he replied, 'We must remember what happened in order to keep it from happening again. But we must forget the feelings, the emotions, that go with it. It is only by forgetting that we are able to go on.'³ A similar response was elicited to me by a human rights worker from Sierra Leone when I asked him about accounts of local communities accepting back into their midst members of the various militias that had terrorised local populations for so many years during the civil war. He confirmed that this was taking place, remarking 'Of course we welcome them back. We have to forget.' When I protested that you could not 'forget' the terrible things that had happened he agreed, but continued, 'It is difficult but we have to forgive. They were drugged you know'.⁴ He was able to justify the gift of forgiveness offered to these young men by reference to the fact that they were not fully responsible – 'they were

drugged'.⁵ This preparedness to distinguish between a wrong and the person who perpetrated it can be a key feature of the kind of reframing process that can open up possibilities for future co-existence between former enemies.

b) *Human Security – Peace Work*

A necessary condition for people to begin to move on and leave some of the pain and fear of the past behind is the experience of an identifiable end to the wrongs perpetrated. To begin to have hopes for the future, people must experience a degree of personal and collective security sufficient to reassure them about the future actions of former wrong-doers. Hence, a fundamental dimension of any reconciliation work must be aimed at countering the resort to violence and fostering nonviolent means of managing conflict, helping to transform a culture of violence into a culture of peace and reconciliation.⁶

c) *Making Things Right – Justice Work*

The capacity of people to relinquish the desire for revenge fed by feelings of bitterness towards former perpetrators is enhanced to the extent that they feel genuine efforts have been made to 'make things right'. This notion of restitution is at the heart of common sense notions of justice: people should not be allowed to act with impunity, whilst victims/survivors should receive some kind of compensation or reparation for the suffering endured. As Hizkias Assefa has phrased it, 'The central question in reconciliation is not whether justice is done, but rather how one goes about doing it in ways that can also promote future harmonious and positive relationships between parties that have to live with each other whether they like it or not'.⁷

Assefa's insight should sensitise us to the fact that the level of co-existence achieved between former enemies as a result of different types of reconciliation work is crucially dependent upon a range of contextual factors. Most crucial of these is the passage of time. To become reconciled to loss, to develop trust in the other, to be prepared to live in peace with former enemies – this all requires time. The length of time necessary will vary from person to person and community to community according to particular circumstances for, as we should all be aware, processes of reconciliation are not irreversible. Under certain circumstances old resentments and bitterness can resurface to fuel the desire to avenge past wrongs. Moreover, there are always those who refuse to let old memories die and who consider the establishment of constructive relationships with former enemies a betrayal of all those who suffered in the past.

Ranged against such 'spoilers', however, are the prophetic individuals and groups that look forward to a shared future and possess the courage and the vision not only to advocate reconciliation but also to implement it within the institutions that frame their lives. They can act as exemplars to others and help to legitimise the reconciliation project, opening up the symbolic and institutional spaces within which people can begin to engage in the types of encounters necessary for trust-building to take place. Whilst certain political leaders have fulfilled such a

prophetic role – Nelson Mandela is the first to come to mind – it is far more common for such initiatives for co-existence to emanate initially from the ranks of civil society.

Civil Society

As generally used, the concept of civil society refers to that area of civic life existing between the state and the domestic sphere of the family. Within this broad zone people engage in a whole range of collective activities through the medium of non-governmental and community-based organisations, social movements, and networks of interest that are wholly or partially independent from the state.⁸

For those versed in the pluralist philosophy of liberal democracy, civil society organisations and groups (CSOGs) are seen as playing a vital role in facilitating the representation of interests in society. They constitute the crucial infra-structural link between the state and the individual member of society. It is claimed that they fulfil not only a representative function but also provide important training in democracy and citizenship, insofar as they can act as vehicles for participation by those who would otherwise be excluded from the formal political arena. From such a perspective, a healthy civil society sector is comparable to the natural immune system of the body politic, a necessary feature of a functioning pluralist democracy and as such indispensable to the long-term sustainability of peace processes. Thus, the programme manager of a civic education and peace-building programme in Angola has affirmed that, 'Sustainable peace in Angola is not possible without strengthening democracy from below and the capacities of civil society to make their voices heard, express their needs, interests and concerns, and participate in the political process'.⁹

Civil society has become the buzz-word for international agencies concerned with relief, reconstruction and reconciliation. Amongst the key resources that CSOGs are believed to bring to reconciliation work, three relate to their structural location within the society. First, because of their links with the grass-roots, they can draw upon a wealth of local knowledge relating to the opportunities and obstacles to reconciliation work.¹⁰ Secondly, drawing upon John Paul Lederach's well-known pyramidal representation of three layers of actors relevant to conflict transformation work, CSOGs can be seen as occupying that all-important middle-range of leadership, capable of liaising not only with the grassroots but also with the decision-making elites at the national level and beyond, and hence acting as vital intermediaries within and between communities.¹¹ Thirdly, CSOGs can enjoy a level of relative autonomy that allows them to take initiatives for peace and reconciliation while state agencies are immobilised by lack of political will and official mandates.¹²

However, one should be wary of mythologizing the role of CSOGs in reconciliation work. Too often the focus on civil society as a collective actor in war-torn societies fails to acknowledge the entrenched conflicts within and between communities divided on socio-economic, religious and ethnic grounds. Policy makers and practitioners must never assume that civil society groups

constitute a harmonious and cohesive entity, working for the benefit of society as a whole. Indeed, within any society it is probable that the largest proportion of CSOGs are established to further the particularistic interests of one community or grouping in competition with others for scarce resources. As such they can be integral parts of the conflict dynamic rather than forces for reconciliation, whatever the label or the rhetoric they use to portray themselves to the wider world. Thus, during the civil war in Liberia one particularly brutal rebel group called itself 'Liberians United For Reconciliation and Democracy'.¹³ In conflicts elsewhere in the continent such as Somalia CSOGs have acted as conduits for funds raised by diaspora groups to purchase arms for the militias attached to different clans and factions.¹⁴ In this way community-based organisations and NGOs can constitute integral elements of the political economy of violence in divided societies.

Moreover, in so many parts of the world a high proportion of CSOGs are dependent upon external sources of funding. This means that the different groups and organisations within the civil society sector are competing against each other for financial and other forms of support. In such circumstances the particularistic institutional interests occasioned by financial penury can militate against the kind of cooperation with other groups and agencies necessary to aggregate interests into a significant force to affect government policies.¹⁵

It is also necessary to acknowledge that CSOGs can become the personal fiefdoms of ambitious and entrepreneurial individuals, acting as little more than vehicles for career advancement and social mobility for their officers and leading figures.¹⁶ In such circumstances the agendas of outside funders can have more influence on the activities of NGOs and other groups within the civil society sector than the target groups and constituencies whose interests they are intended to serve.¹⁷

Reconciliation Work by CSOGs in African Societies Emerging Out of Violent Conflict

Conflict transformation and reconciliation work is not something confined to the post-cease-fire period of a conflict. In fact, many of the more established and respected CSOGs involved in post-settlement reconciliation work in Africa established their credibility and legitimacy as a consequence of their involvement in peace-related work both prior to and during the periods of violence and war. Thus, writing about his experiences developing trauma-healing and reconciliation workshops in Liberia in the early 1990s, Barry Hart, who was attached to the Christian Health Association of Liberia (CHAL) which had provided a range of health care throughout the country, observed that his work was facilitated by the fact that 'CHAL had been highly respected before the war by Liberians in general, and by political and other leaders in particular'.¹⁸ Consequently it was easier to gain access to all regions of the country whenever the security situation allowed, and to obtain the endorsement of the relevant faction leaders.

Obviously the ability of CSOGs to operate with a reasonable degree of safety and legitimacy can become severely restricted during periods of armed conflict,

and this can have a significant effect on the range of conflict transformation activities undertaken. But as a general rule one can say that the actual types of possible activities remains reasonably consistent throughout all the different phases of a destructive conflict - prior to the outbreak of the fighting, during the violence, and after the cease-fire.

These activities can be divided into three broad categories based on the analysis of the conditions that facilitate reconciliation outlined above: memory work, peace work and justice work.

Memory Work: Dealing with the Past

Dealing with Personal Trauma

In war people can carry out, witness and be subjected to barbaric acts, the memory of which can mean that they remain trapped in and by their past, unable to move on. As one Liberian who worked with victims described it to me, 'Trauma is a normal reaction to abnormal experiences'.¹⁹

In many parts of Africa the process of helping people deal with traumatic memories is eased by reliance on indigenous methods of 'cleansing'. Particularly well-documented are the rituals and processes adopted in Mozambique where, as elsewhere in Africa, local traditional healers play a significant role in helping the ex-combatants cleanse the pollution from their traumatic past, including rituals aimed at appeasing the spirits of those killed in the conflict.²⁰

At the other end of the spectrum from the rituals involving traditional faith-leaders and healers, there are the western trauma counsellors and experts in 'post-traumatic stress syndrome', many of whom follow the orthodoxy that in order to deal with the pain of the past people should 'relieve' it, address it in order to heal it.²¹

One of the best known figures involved in 'memory work' in Africa is Michael Lapsley of the Trauma Centre for Victims of Violence and Torture in Cape Town, South Africa. Using various mediums, including drama and painting, participants in his workshops are challenged to ask certain questions of themselves: What have I done? What was done to me? What have I failed to do? The aim, according to Lapsley, is to enable 'victims' to become 'survivors' by laying 'to rest that in the past which would destroy them, and take from the past that which is life-giving'.²²

Truth Commissions

Lapsley's work has been just one of the civil society initiatives in South Africa aimed at broadening and deepening the memory work of the Truth and Reconciliation Commission (TRC). The perceived success of the South African TRC in helping the country avoid the feared bloodbath that many expected would accompany the end of apartheid has meant that other countries in Africa and elsewhere have sought to emulate its example. It would now seem as if a TRC is a

necessary dimension to any national reconciliation project. One of the latest examples is the Sierra Leone TRC, with the somewhat ambitious mandate of establishing an impartial historical record of human rights abuses during the years of the civil war, 'respond to the needs of victims; promote healing and reconciliation; and prevent a repetition of the violations and abuses suffered'.²³ To assist them in the process, the commissioners and officers of the TRC have sought the support of CSOGs in providing statements and spreading the word about the TRC's mission. A number of organisations ran training workshops and participated in public education exercises, but there is some evidence to indicate that despite such efforts at the time of its official launch there remained a considerable degree of public scepticism about the commitment and the ability of the TRC to reveal the truth and thereby help heal the wounds of a divided nation.²⁴

Peace Work: Activities Primarily Concerned with Enhancing Personal and Community Security

Early Warning and Peace Monitoring

One of the main strengths of many CSOGs is that they are embedded within an international/global network of civil society agencies. This is particularly so with human rights groups. This enables them to play an intermediary role between grassroots and concerned agencies and constituencies at national and international levels, providing early warnings and alerts about the incidence of abuse and the threats to peace, feeding the information into agencies and networks with a global reach such as Amnesty International and Human Rights Watch. The relationship with international agencies/networks is of course reciprocal. The international non-governmental organisations (INGOs) can act as important support agencies for CSOGs paralysed through violent conflict and years of authoritarian rule and repression. Indeed, it has been an increasing trend over the past decade for agencies with an international reach to identify 'partners' in different conflict zones whose work they support, rather than intervening directly themselves.

The need for monitoring of a conflict situation does not end with the signing of a peace agreement or a cease-fire. The threat of a return to violence remains real, and it can be sparked off by any number of misunderstandings or clashes of interest at any level. In a number of situations local NGOs and community groups have established early warning systems, with community-based monitors available to intervene to prevent the conflict escalating. One of the more established schemes was developed by the Sulima Fishing Community Development Project in the extreme southern corner of Sierra Leone on the border with Liberia. As refugees began to return to the area in the late 1990s they encountered a range of conflicts generated by the war: conflicting claims to property, accusations of looting and theft, disputes and suspicion between those who had left and those who had stayed, delinquency caused by drug dependency amongst young people, the lack of civil authority, disruption of traditional social and political customs and allegiances. To help deal with this explosive mix of issues each community

identified a peace monitor with the responsibility of providing early warning of conflict and intervening to manage the conflict before it deteriorated into violence. Each monitor was provided with a small salary, a bicycle and basic training in conflict-handling skills.²⁵

In many instances of reconciliation work carried out by voluntary groups and agencies in Africa, certain groups play a key role: women, community elders, and faith leaders. An example of this in relation to peace monitoring comes from the Wajir District of northern Kenya in the 1990s. It was following a wedding at which women from different clans were present that the Wajir Peace Group was formed to address the endemic inter-clan violence in the region. As it became more established it took on the role of a monitoring body, with a 'rapid response team' charged with utilising traditional methods of conflict resolution to defuse tension and to mediate in any case of conflict or violence in the region.²⁶

Human Rights Advocacy

One of the major functions of CSOGs concerned with conflict transformation and reconciliation work in Africa (and elsewhere) has been the promotion and protection of internationally recognised human rights within their own societies. Under the repressive authoritarian regimes that characterise so many African states such agencies face severe difficulties. Often you find situations such as existed in Kenya where the established Kenya Human Rights Commission acted as a 'host' for human rights groups that had been denied the right to register by the Kenyan government.²⁷

The activities of human rights groups can be increasingly circumscribed during periods of civil war and protracted violent conflict. However, established CSOGs can continue to try to defend basic human rights, appealing to warring factions to respect certain fundamental norms of conduct relating to the internationally recognised 'rules of war', particularly as they relate to the treatment of non-combatants, especially women and children. One of the best examples of this kind of work has been in northern Uganda where CSOGs have been concerned at the gross human rights abuses perpetrated in particular by the Lord's Resistance Army in Acholiland. Thus, following the abduction of 139 teenage girls from a secondary school in Aboke in October 1996, a 'Concerned Parents Association' was formed to campaign for their release and to draw national and international attention to the problems of abducted children and child-soldiers.²⁸ In similar vein the Liberian Women's Initiative was instrumental in drawing national and international attention to the plight of women caught up in Liberia's nightmare civil war.

Education, Training and Capacity-building

In Africa, as elsewhere, there are a whole range of CSOGs concerned with education and training of citizens. Focusing in particular upon those initiatives particularly pertinent to conflict transformation and reconciliation work, the European Platform for Conflict Prevention and Transformation listed 98 agencies

in its 1999 directory of African organisations engaged in conflict management activities.²⁹ There is no doubt that there has been a substantial increase in that number over recent years. Most claim to have some kind of training/capacity-building programme relating to the struggle to replace a culture of violence by one of peace.

Bridge-building

Perhaps one of the most important roles that civil society actors can play in any conflict situation is that of bridge building: the facilitation of dialogue between parties to a conflict. Once again this type of reconciliation work, seeking to create constructive relationships across the lines of division, is something that can be attempted during any phase of a conflict, although for obvious reasons it can be somewhat circumscribed during periods of actual armed conflict. It can also take place at many levels. At the grassroots level there is the example of the peace monitors in Sierra Leone referred to above. Also significant has been the work of the South African peace committees that were formed during the process of transition from apartheid to majority rule in the early 1990s. Their role was particularly significant after the assassination of Chris Hani in April 1993 when, through their network of relationships with the different communities, they were able to restrain revenge-seeking individuals and groups.³⁰ In Somalia women's networks have been the most significant actors in attempts to develop cross-clan channels of communication, hosting clan meetings, carrying information across the lines of conflict and organising marches of women from disputing sides to join together in a public proclamation for peace.³¹

Religious agencies have also been to the fore in this kind of work. Thus, the Inter-Religious Council of Sierra Leone (IRCSL), established in April 1997, became the most effective non-governmental bridge-builder between the warring factions, facilitating dialogue and seeking to build confidence among the different parties. As an inter-faith organisation within a society with a tradition of religious tolerance, the IRCSL enjoyed a degree of legitimacy that enabled it to play this role, one which had also been played by its counterpart in Liberia.³²

In general bridge-builders believe that through facilitating constructive communication between parties to a conflict a number of processes can be encouraged. There is the belief that through encounters in 'safe spaces' the enemy can be 'humanised'. Through dialogue new possibilities for peace might emerge, and consequently people from different sides of the conflict lines might join in the call for peace and an end to armed conflict and violence.³³

This is one of the many areas in which the media can play a significant role, acting as a medium to facilitate constructive communication between those who have been divided and to undermine those 'enemy images' that can drive and perpetuate conflict. One of the better known examples of this has been *Studio Ijambo* in Burundi which has been making radio programmes since 1995 which emphasise the commonalities between Hutu and Tutsi. According to two of its personnel,

Radio programmes provide an invisible meeting place for the views of people whose society prevents them from coming together, shaking hands, and sharing ideas. ... It is a place where rumours and misinformation are buried and common ground is uncovered. It is a place where stereotypes are broken down and the humanity of the 'other' is discovered.³⁴

Mobilising Peace Constituencies and Lobbying for Peace

Mobilising peace constituencies can be an integral part of the activities of CSOGs concerned with spanning the divide that separates the parties to a conflict. Before detailing some examples of this kind of work within the African context, it is worth noting once again that the opportunities for mobilising people for the cause of peace can be severely circumscribed during periods of war. People who participate in peace marches and other public demonstrations during periods of armed conflict display a degree of bravery and courage that should not be under-estimated. As a general rule it would seem that the most active in demanding peace are those that enjoy a degree of 'protection' within a society – especially women and faith-leaders. Thus, reference has already been made to the work of the IRCSL which, alongside its bridge-building efforts, engaged in a sustained dialogue with the government, urging a return to civilian rule. In 1995 the Sierra Leone Council of Churches was one of the founder members of the National Coordinating Committee for Peace which aimed to create a strong national peace constituency that would pressure the government and the rebel factions to the negotiating table. It was during this period that the Supreme Islamic Council in Sierra Leone was also urging Muslim 'clerics' to adopt a more pro-active peace stance, whilst in the same year the Sierra Leone Women's Movement for Peace organised its first peace march. Reflecting on the role of women in the Sierra Leonean peace process, Yasmin Jusu-Sheriff identified a crucial role – expanding the safe spaces within which 'heretical' views might be advocated, such as the call for peace negotiations.

Peace groups hitherto viewed with suspicion as 'fifth columnists' and rebel sympathisers acquired legitimacy through association with the women who had mobilized a mass movement and enjoyed the support of the international community. As a result of the women's intervention a negotiated peace settlement became a respectable option that offered both government and the rebels the opportunity to climb down from entrenched positions without loss of face.³⁵

An example of this process in another part of Africa has been the work of inter-faith networks and leaders in northern Uganda in districts directly affected by the revolt involving the Lords Resistance Army (LRA). The Ugandan government viewed with suspicion any group that advocated a negotiated solution to the conflict, but the commitment, courage and public standing of faith leaders in the region enabled them to organise peace-training workshops and the first public prayer for peace in 1996. This was followed in 1997 by a peace rally calling on the LRA to cease its violence and urging the government to seek a negotiated solution. In 1998 the Acholi Religious Leaders Peace Initiative (ARLPI) was formed, and one of its first actions was to convene a conference to discuss how to end the

violence, urging dialogue between the parties to the conflict. It developed its activities, seeking to mobilise ever-wider constituencies for peace, advocating specific policies to promote the possibilities of peace and reconciliation, creating a network of local peace monitors, and establishing informal contacts with LRA field commanders.³⁶

Another group of CSOGs and networks that can enjoy the degree of relative security necessary for those seeking to promote a peace agenda are diaspora groups. For example, the members of the Acholi community living overseas, particularly in London, have organised a series of conferences bringing together representatives from the Ugandan government, the government of Sudan, the LRA and other stakeholders with an interest in the conflict. The aim of these has been to create an open forum where dialogue between the parties can take place and a negotiated solution to the conflict promoted.³⁷

Reintegration of Combatants

The protracted conflict in northern Uganda has allowed the time for a range of different community-based conflict transformation initiatives to evolve. One of these has involved the welcoming of former combatants seeking to defect from the LRA and return to civilian life. Working in association with the government's Amnesty Commission one village in particular has become well-known as a relatively safe space or 'peace zone' where those seeking amnesty could go.³⁸

Justice Work

Retributive and Restorative Justice

In January 2004 the Ugandan government announced that it was inviting the International Criminal Court to investigate and prosecute the leadership of the LRA for crimes against humanity. At the same time President Museveni reiterated that his government would continue to offer amnesty to any rank-and-file LRA fighters who surrendered and gave up their weapons. In making a distinction between the leadership and their subordinates Museveni's government was following a twin-track approach to justice – a retributive stance towards those deemed most responsible for gross human rights abuses and a restorative approach towards those who might be considered as much victims as perpetrators within the context of the ongoing civil war.

It was this kind of thinking that informed the decision in Sierra Leone to establish in 2002 a Special Court to try those accused of the most serious violations of international humanitarian law in Sierra Leone since 1996. The role of CSOGs in such retributive justice processes as this would appear to be limited. Indeed, one of the complaints against the International Criminal Court for Rwanda that has been sitting in Arusha for so many years to so little effect has been that this process has been too 'removed' from the Rwandan people and from the Rwandan state as well insofar as its bench is composed of international jurists from around the

world.³⁹ Within Rwanda itself, however, a genuine effort to involve civil society in the implementation of post-genocide justice has been launched. This is the community-based method of administering justice based on the traditional gacaca system. Although the new gacaca courts have the power to punish those appearing before them according to the seriousness of the crime, there has been a genuine effort to incorporate a restorative element into the system with local people acting as legal officers and the local community sitting in witness to hear accusations and confessions relating to the horrors that took place in 1994.⁴⁰

Perhaps the most persuasive proponent of community-based restorative justice has been Desmond Tutu with his advocacy of the principles embodied in the philosophy of *ubuntu* - particularly the primacy of restoring social harmony and community health and wholeness over the retributive punishment of particular individuals. This focus in turn should remind us that 'justice work' extends way beyond the realm of criminal (and community) courts to embrace forms of reparation and restitution at the personal, community and national levels.

Relief and Reconstruction

Many of the wars in Africa have resulted in the virtual collapse of the state and with it the disintegration of the delivery of basic services, for which there is an increased demand both during the fighting and in the post-war period. In such circumstances a particular responsibility falls upon national CSOGs and international NGOs to concentrate on humanitarian relief and rehabilitation rather than upon reconciliation work as such. However, to the extent that the provision of basic services can help the victims of war adjust to their loss, removing the fear of starvation and war-related death, then relief can be seen as having a vital role to play in healing the scars of war, and thereby laying the basis for future reconciliation.⁴¹

Concluding Comments

In concluding this overview of the role of civil society in conflict transformation and reconciliation work in Africa, a number of observations seem appropriate.

1. CSOGs cannot bring about peace settlements, and their contribution to the broader reconciliation project is limited to the extent that they are denied the space to function freely and securely. For CSOGs to fulfil their potential in peace and reconciliation work it is important that they repeatedly test the boundaries of their spheres of relative autonomy.
2. In the process of testing the limits of what is possible there is a very real danger that CSOGs will be seen by state personnel as rivals for sources of external funding and international legitimacy. In such circumstances it is important that CSOGs guard against the risk of being used and manipulated by external states and regional powers.

3. CSOGs enjoy a greater degree of freedom than state agencies to advocate peace and reconciliation (and mobilise people around such issues) in the midst of armed conflict. This is one of the most vital roles that can be played by CSOGs, keeping alive the vision of peace and future co-existence.
4. Whilst CSOGs might have a limited part to play in bringing about peace settlements, they have a vital role in the deepening of post-settlement peace processes. Without their involvement and active engagement post-settlement reconciliation will remain a chimera, something that takes place at the level of international and national peace conferences but goes no deeper.
5. One of the core resources possessed by CSOGs is their links with broader civil society networks throughout the world. These networks can be an invaluable source of moral and material support.
6. It is the membership of CSOGs within this burgeoning global civil society that also presents a significant challenge to all those who seek to support the conflict transformation and reconciliation work of their partners in Africa. It is something of a painful paradox that the various agencies that can flood in to help countries emerging from war can have a detrimental effect on the vibrancy and collective strength of the local civil society. They need to evaluate their intervention in the light of questions like the following: Do they promote self-sustainability or dependence? Do they strengthen local capacities for peace or do they promote division and new lines of fracture? Do they empower their partners, or do they subject them to external priorities and unrealistic time frames?
7. One final observation and cautionary note: whatever initiatives are taken, however creative CSOGs might be in their approaches to the different types of reconciliation work, it is unrealistic to expect any sustainable progress towards co-existence so long as the members of once-divided communities live their lives within the same institutional frameworks within which the seeds of violent conflict flourished. As was observed in the introduction to this chapter, reconciliation requires not just dialogue between former enemies, it also requires institutional change. The key responsibility in this process obviously falls upon post-settlement states, but CSOGs have a vital role to play as advocates, catalysts, partners and monitors of any new nation-building project.

Notes

- 1 I am drawing on the work of Lederach and others here. See in particular Lederach, J. P. (1997), *Building peace: Sustainable reconciliation in divided societies*, United States Institute of Peace, Washington DC.
- 2 In the words of Agostino Giovanoli of the Community de Sant'Egidio, 'Forgiveness is the start of a new memory, of a new kind of memory', *Dharma World*, March/April 2001, p.17.

- 3 Hayner, Priscilla (2002), *Unspeakable Truths: Facing the challenge of truth commissions*, Routledge, London, p.1.
- 4 Conversation with author, Coventry Cathedral, 1.6.02.
- 5 Sue Cutter has quoted other Sierra Leonean sources advocating that 'we must forgive; it was our sons and daughters, brothers and sisters that did this. We are all responsible ...'. Cutter, S. (2003) *How can NGO community development programmes support reconciliation: Lessons learned from north-east Uganda*, unpublished MA dissertation, Coventry University, p.20.
- 6 From this perspective, the creation of some kind of democratic political process in societies emerging out of violence is central to conflict transformation, insofar as civil politics is one of the main ways of handling conflict and difference without resort to violence. See Bloomfield, D., et al, (eds) (2003), *Reconciliation after violent conflict: a handbook*, International IDEA, Stockholm, pp.10-12.
- 7 Assefa, H. (1999), 'The meaning of reconciliation', pp.37-45 in *People Building Peace: 35 inspiring stories from around the world*, European Centre for Conflict Prevention, Utrecht, p.44.
- 8 For example, Prendergast and Plumb have attempted to identify the parameters as follows: 'The composition of civil society varies from country to country. In general, it encompasses both formal and informal interest groups and associations larger than the family, which act independently of the state to promote diverse interests in society. Civil society can consist of religious, traditional, and business leaders, as well as women's organisations, student associations, unions and NGOs. Civil society also includes commercial actors and professional associations.' Prendergast, J. & Plumb, E., 'Building local capacity: from implementation to peacebuilding', pp.327-352 in Stedman, S. J., et al, eds. (2002), *Ending Civil Wars: The Implementation of Peace Agreements*, Lynne Rienner, Boulder CO, p.329.
- 9 Guus Meier, Conciliation Resources, www.cr.org/ (Accessed 15.6.03).
- 10 See van Tongeren, P. (1998), 'Exploring the local capacity for peace: The role of NGOs', in *Prevention and management of violent conflicts: An international directory*, European Platform for Conflict Prevention, Utrecht, pp.21-26.
- 11 Lederach, (1995).
- 12 See, for example, Barnes, C., draft of 'Western Europe Action Agenda', European Platform for Conflict Prevention (16.1.04), p.12.
- 13 Cutter, S., p.19.
- 14 See *Civil society and conflict management in Africa: report of the IPA/OAU consultation*, 29 May-2 June 1996, International Peace Academy, p.12. (www.ipacademy.org/Publications/Reports/Africa/PublRepoAfricm96Print.htm). If one includes media institutions within the category of civil society, then one can point to one of the worst cases of a CSOG exacerbating conflict – the hate broadcasts from *Radio Mille Collines* in Rwanda during the genocide of 1994.
- 15 In any society emerging out of destructive conflict, establishing an NGO with a name and a mission statement containing key words such as democracy, human rights, capacity building, and conflict resolution, can be a significant entrepreneurial activity driven by the quest for financial and material gain rather than any commitment to the general good. Moreover, CSOGs can be racked by the same kind of internal rivalries and factionalism as any other organisation or movement.
- 16 It has been estimated that within a year of the ending of the war in Kosovo in 1999, 650 new NGOs had been formed. Personal communication, Howard Clark, 8.8.01.

- 17 See Crowther, S. (2001), 'The role of NGOs, local and international, in post-war peacebuilding', *CCTS Newsletter*, 15, November, p.5. (Also available at www.cr.org/ccts). See also Edwards, M. & Hume, D. (1996), 'Too close for comfort? The impact of official aid on nongovernmental organizations', *World Development*, vol.24, no.6, pp.961-973.
- 18 Hart, B. (2000), 'Trauma-healing and reconciliation workshops during Liberia's civil crisis', pp.165-182 in Sampson, C. & Lederach, J.P., eds., *From the ground up: Mennonite contributions to international peacebuilding*, Oxford University Press, Oxford, p.171.
- 19 Personal communication, William Saa, London, 17.10.02.
- 20 See Honwana, A. (1999), 'The collective body: Challenging western concepts of trauma and healing', *Track Two*, vol.8, no.1, July 1999. Also available at http://ccrweb.ccr.uct.ac.za/two/8_1/p30_collective_body.html, accessed 8.12.03. The restoration of proper relationships with ancestral spirits and the spirits of those killed in the conflict would seem to be a relatively under-researched dimension of conflict transformation and reconciliation work in Africa.
- 21 To quote one such authority, 'In order to heal, members of victimized groups, like victimized individuals, need to engage with their experience. They need to re-experience the pain, sorrow, and loss under safe conditions. They need to receive empathy, support and affirmation from each other and, ideally, from people outside the group.' Staub, E. (2000), 'Genocide and mass killing: Origins, prevention, healing and reconciliation', *Political Psychology*, vol.21, no.2, pp.367-82, p.376. For a critique of the medicalisation of trauma as a condition, see Bracken, P. & Petty, C., (eds) (1998) *Rethinking The Trauma of War*, Free Association Books, London.
- 22 Author's notes from workshop presentation by Michael Lapsley, University of Bristol, 7.7.03.
- 23 The Truth and Reconciliation Act, Part III, 'Functions of the Commission', 22.2.00.
- 24 'Sierra Leone's Truth and Reconciliation Commission: A fresh start?', *International Crisis Group Africa Briefing*, 20.12.02, p.10.
- 25 See Massaquoi, J. & Fortune, F. (2000), 'Grassroots peacebuilding in Pujehun', pp.54-57 in Lord, D. (ed.), *Paying the price: The Sierra Leone peace process (Accord, 9)*, Conciliation Resources, London.
- 26 Ibrahim, D. & Jenner, J. (1998), 'Breaking the cycle of violence in Wajir', in Herr, R. & Herr, J. Z. (eds.), *Transforming violence: Linking local and global peacemaking*, Herald Press, Scottsdale PA, pp.133-148.
- 27 See website for Kenya Human Rights Commission (www.hri.ca/partners/khrc/who.htm), accessed 19.9.03.
- 28 See Dolan, C. (2002), 'Which children count? The politics of children's rights in northern Uganda', pp.68-71 in Lucima, O. (ed.), *Protracted conflict, elusive peace: Initiatives to end the violence in northern Uganda (Accord, issue 11)*, Conciliation Resources, London, p.70.
- 29 Mekenkamp, M. et al (eds.) (1999), *Searching for peace in Africa: An overview of conflict prevention and management activities*, European Platform for Conflict Prevention and Transformation, Utrecht, pp.439-494.
- 30 Lund, M. & Prendergast, J. (1997), *Preventing and mitigating violent conflict: A guide for practitioners*, Creative Associates International, Washington DC, p.B24.
- 31 See Bergey, B. (2000), 'The "bottom-up" alternative in Somali peacebuilding', pp.149-164 in Sampson, C. & Lederach, J. P., (2000), p.155.

- 32 See Turay, T. M. (2000), 'Civil society and peacebuilding: the role of the Inter-Religious Council of Sierra Leone', pp.50-53 in Lord (2000).
- 33 A cautionary observation seems in order at this point – encounters between people from divided groups can serve to increase hostility. For a discussion of this problem, see Ryan, S. (1995), *Ethnic conflict and international relations*, Dartmouth Publishing, Dartmouth, pp.129-152.
- 34 Slachmujldere, L. & Nkurunziza, N. (2003), 'Radio Isanganiro and Studio Ijambo in Burundi: Using radio for peacebuilding', pp.15-16 in *Conflict Prevention Newsletter*, May 2003, European Centre for Conflict Prevention, Utrecht, p.15.
- 35 Jusu-Sheriff, Y. (2000), 'Sierra Leonean women and the peace process', pp.46-49 in Lord (2000), p.48.
- 36 See Rodriguez, C. (2002), 'The role of the religious leaders', pp.58-59 in Lucima (2002).
- 37 See Poblacks, N. C. (2002), 'Kacoke Madit: A diaspora role in promoting peace', pp.62-63 in Lucima (2002). Diaspora groups can enjoy the relative freedom of host societies to publish newsletters, coordinate electronic listservs and utilise other media in pursuance of peace.
- 38 Afako, B. (2002), 'Reconciliation and justice: 'Mato oput' and the Amnesty Act', pp.64-67 in Lucima (2002).
- 39 By the end of January 2004 18 trials have been held since the first one held by the international tribunal in 1997. Seventeen of the accused were convicted and one was acquitted (www.ictj.org, accessed 2.2.04).
- 40 For a brief overview of the system, see Uvin, P. (2003), 'The gacaca tribunals in Rwanda', pp.116-121 in Bloomfield, D. et al (2003), *Reconciliation after violent conflict: A handbook*, International IDEA, Stockholm.
- 41 Sometimes the provision of relief and development aid can be made conditional upon the restoration of relationships between former enemies. However, it should also be recognised that the inappropriate provision of relief aid can exacerbate divisions within and between communities. For example, special provision for returnees can cause considerable resentment amongst those excluded by the fact that they were not displaced during the fighting.

Chapter 5

Disarmament, Demobilization, Reinsertion and Reintegration in Africa

Joanna Spear

Introduction

This chapter will seek to consider the issues surrounding current disarmament, demobilization, reinsertion and reintegration (D, D, R & R) efforts in Africa. In addition to providing a definition of terms and an overview of what has been going on, it will seek to answer a question particularly pertinent to the African continent; how is D, D, R & R affected when the war has been fought primarily over lootable resources?

The primary cases used in the chapter are the D, D, R & R programmes in Liberia, Cote d'Ivoire, Angola and Sierra Leone. These cases were selected because they are ongoing operations and because they illustrate many of the traditional dilemmas associated with D, D, R & R and also point to some new problems.

D, D, R & R programmes have experienced a new lease of life since 1989, due to the proliferation of internal conflicts in need of resolution. The first round of post-Cold War internal conflicts were fuelled by the availability of small arms and light weapons and the disinterest of America and Russia in suppressing regional conflicts that had lost their geo-strategic significance. Many of the conflicts – including those in Mozambique, Namibia, and Ethiopia – were political struggles for control of the state. Without the support of their superpower backers, these conflicts were not sustainable and parties grudgingly moved towards settlement. As the international community struggled to assist in terminating these conflicts, D, D, R & R became an important element of negotiated peace settlements where there were no clear winners. This made the task of D, D, R & R both more difficult but potentially more rewarding in terms of peace.

Not all of the conflicts in Africa initially linked to the Cold War ended in the years after its termination; some took on a life of their own. For example, the conflict in Angola proved to be self-sustaining due to the abundance of natural resources. During the 1990s a second phase of internal conflicts flared up; conflicts driven largely by competition over resources such as diamonds, timber and oil. The conflicts that broke out in Sierra Leone, Liberia and the Democratic Republic of Congo involved a complicated mix of politics and economics and fuelled a lively policy debate over the relationship between greed and grievance' in

such situations.¹ As the international community tries to bring these resource-driven conflicts to an end, D, D, R & R programmes are once again a major policy tool in the peace settlements. However, because the issue of economics lies at the heart of the fighting, the role of resources in the peace becomes crucial. The impact of resource competition on effective D, D, R & R programmes is an issue that has yet to be systematically considered in either the policy literature or more academic writings. This chapter will attempt to provide an analytical framework within which to consider this question.

Disarmament

The aims of disarmament as part of a peace settlement are to first, remove the means by which violence is perpetrated and second, to provide an environment in which a degree of stability has been achieved and therefore add to the process of confidence and security building.² However, building trust is difficult to achieve in the atmosphere of insecurity and vengeance that often persists in post-war situations. Moreover, individual fighters often regard guns as a potential source of profit and are reluctant to give them up in situations of economic insecurity.

For the best chance of building faith in the peace process, effective disarmament needs to be coupled with ensuring security on the ground through effective policing. As we know, one of the areas of weakness in the post-conflict operations that the United Nations and other international organisations have undertaken is in the provision of effective, well-trained police forces.³ Often too few police officers have been provided too late in the settlement process and have lacked common standards of policing, which has led to spotty practice. For the greatest chances of success, disarmament should be paralleled by the introduction of effective local policing, which helps to undermine the rationale for communities needing to remain armed.

In the contemporary African security environment it is difficult to see what can be achieved by disarmament alone. This is because in Africa the market for small arms and light weapons is so permissive and fluid that disarmament today is no guarantee that fighters will be without arms tomorrow; people will always be able to obtain arms on the black market and it is hard to change that situation. Therefore, what should be aimed for is a situation where the fighters do not particularly want to use the guns they have, nor want to get more. Thus, success will be the changed attitude of the ex-combatants and local populations towards guns, rather than any perfect disarmament. What this highlights is the importance of the psychological aspect of the disarmament process.

The impossibility of perfect disarmament and the centrality of economic motives to the second phase of African conflicts also points to another issue; the sequencing of the process. If disarmament will never be complete (though of symbolic importance, as is shown below) then the emphasis falls on other elements of the D, D, R & R programme and specifically on the economic reintegration of the fighters so that they do not turn to the gun to provide for themselves and their dependents. Thus, this may lead to a different sequencing of activities, for

example, undertaking demobilization and reintegration prior to or in parallel with disarmament in order to deal with the economic dimensions of the problem.

Although imperfect, disarmament has an important confidence building function – signaling intent to comply with a settlement – and can serve to help build trust. This process of building trust can be enhanced by supportive international monitoring. Verification by neutral parties is vital and provides an objective signal about progress in disarmament – positive or negative – to locals. Moreover, there has to be transparency so that all parties to a settlement can be assured that disarmament is being implemented.

A strategy of demonstrating disarmament can act as an exhortation to further disarmament. Amongst the strategies of demonstration are the turning of weapons into works of art and ceremonies to destroy weapons.⁴ Two examples serve to show how the international community has tried to use symbolism to kick-start a disarmament programme and how hard it is to move beyond that to real disarmament. In Cote d'Ivoire in February 2004 Prime Minister Seydou Diarra symbolically handed over of his weapon at a camp for ex-combatants. Diarra registered as 'ex-combatant No. 1' and declared eligible for the reinsertion programme.⁵ Sadly, he remains the only demobilized soldier as in late November 2004 the peace process was in tatters following renewed fighting. In Liberia 'UNMIL successfully launched a symbolic weapons destruction program on 1 December 2003 with arms surrendered by former government militias. But its image was dented following the fiasco surrounding the premature start of the disarmament program on 7 December'.⁶

As an environment of greater security is achieved through a combination of policing, disarmament and trust-building the monetary value of guns will go down accordingly. When this happens there will be opportunities for effective disarmament through permanently removing and destroying these guns before they circulate to other countries and regions through the black market (and potentially exacerbate conflicts elsewhere). Examples of where this opportunity was missed come from Mozambique and Namibia, where the disarmament was incomplete and soldiers sold their weapons to dealers who funneled them into the South African townships, leading to escalations in the violence involved in civil disputes such as the 'taxi wars'.⁷ On a more positive note, in 2003 there were attempts to stop the smuggling of weapons across the Sierra Leone/Liberia border in response to the stalling of the disarmament process in Liberia.⁸

There have been a number of national initiatives to remove small arms and light weapons from local groups – prior to conflict erupting. For example, Mali has been involved in a number of innovative schemes to exchange 'weapons for development'.

In addition to looking at local disarmament in the aftermath of civil wars, it is important to acknowledge some of the regional initiatives designed to stop the ebb and flow of small arms and light weapons. The most longstanding inter-state effort has occurred in West Africa. It was initiated in 1993 by Mali and has resulted in a number of agreements to halt the flow of weapons into the region, including a moratorium on purchases, combined with some disarmament. Other efforts include a South African Development Community (SADC) protocol on the control

of firearms, ammunition and other related materials.⁹ In April 2004 eleven nations from the Great Lakes and Horn of Africa regions signed the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons, the first binding agreement in this part of Africa. Amongst the measures that the state parties will implement are legislation to ban civilian ownership of automatic and semi-automatic rifles, sanctions for unlicensed gun possession and uniform minimum standards for the manufacture, control, possession, import, export, transit, transport and transfers of small arms and light weapons.¹⁰

As yet none of these regional initiatives has noticeably affected the ability of groups or states to arm themselves. The ineffectiveness of these regional initiatives is in part due to the pervasiveness of weapons in the region – Africa is awash with arms – and to the qualities of small arms and light weapons (transportability, simplicity and robustness) that gives them a long life. Additionally, the implementation of these regional disarmament measures presupposes effective state border controls and legislative effectiveness, which simply does not exist in all states. Nevertheless, the fact that states in Africa are recognising the systemic nature of the small arms and light weapons problem and seeking systemic solutions (in parallel to post-conflict disarmament) is to be applauded.

Demobilization

As Paul Collier noted in a 1994 article, with the prospects of demobilization come certain dilemmas, particularly the fears of macro-insecurity and micro-insecurity.¹¹ In a situation where soldiers are not demobilized and remain with their units, the fear is of *macro-insecurity* created by units trying to re-start the war and take over the state. For example, in Sierra Leone in April 2000 war was reignited after an incomplete D, D, R & R process that had – amongst other things – neglected the specific needs of child soldiers.

However, where ex-combatants are demobilized in order to avoid the dangers of macro-insecurity the unintended consequence may be the creation of *micro-insecurity*; trained and desperate fighting men let loose into the community with little or no support are likely to turn to crime as the only way they know to survive. Thus, in Angola by 2003 soldiers had been demobilized but had been given virtually nothing, leaving ‘a country full of soldiers with nowhere to go – a scene that is causing serious worries in the country’.¹² Therefore, demobilization alone is not enough; it needs to be coupled with reinsertion and a long-term program of reintegration.

One of the issues concerning demobilization is the speed at which it happens. There is a delicate balance to be struck between moving too swiftly and thus not preparing the soldiers properly for civilian life and moving too slowly and allowing discontent to breed. After forces are cantoned the dangers of macro-insecurity multiply the longer the soldiers remain in the camps because chains of command remain intact. As Knight and Özerdem have noted, ‘[i]ronically, the cantonment of combatants reinforces the command structures that the process is intended to dissolve, and in the case of development areas, the former combatants are

concentrated and isolated from the community when the object is, in fact, to dissipate and integrate them within the community'.¹³ In such a situation, where ex-combatants do not see positive progress, they are susceptible to appeals to return to conflict. This is why it is essential to follow demobilization with reinsertion and reintegration.

If demobilization is not undertaken fairly speedily there is also the risk of 'spontaneous demobilization'; where ex-combatants simply leave their camps and disappear, taking their weapons with them and there was a subsequent increase in banditry and crime in areas around the camps they had left.¹⁴ Although this may seem to be a solution to the problem, the failure to reintegrate these fighters may cause problems later on. In Angola, government troops who spontaneously demobilized also became involved in banditry. Moreover, uncoordinated people on the move can strain existing services. The subsequent failure of local services to deliver what was promised may actually set back peace processes and hasten some ex-combatants turning to banditry. This was certainly the fear in Angola in 2002 when ex-combatants and displaced people began to take themselves home before adequate preparations had been made for their return.¹⁵

Often demobilization is combined with selecting ex-combatants to serve in new security forces. A new military force is a form of cantonment in itself and can be an effective means of dealing with ex-combatants with no skills other than fighting, whilst putting them into a benign chain of command. Integrating fighters from opposition factions into new military units – although difficult – diminishes the possibility of macro-insecurity caused by military coups. An alternative to government service has been employment in Private Security Companies, for example, ex-combatants established two major domestic security companies, Sibuyile and Thuthuka, in South Africa.¹⁶ More invidiously, many ex-combatants from Namibia joined *Executive Outcomes* and became involved in conflicts in Sierra Leone and Angola.

In countries where ex-rebel combatants have been brought into a new, unified armed force a number of problems can occur. The first concerns the ranks accorded to ex-rebels. Often they feel that their fighting stature is not reflected in the ranks they are given, for example, this was the case with the *UmKhonto we Sizwe* (Spear of the Nation) fighters integrated into the South African military.¹⁷ However, from the perspective of the military, few officers have experience or training relevant to the conventional military.¹⁸ A second problem concerns the styles of fighting of rebel groups that have fought insurgencies; often their approach to combat is sharply at odds with the methods of the new armed force. Finally, soldiers that previously had a lot of autonomy can balk at a new life that involves drilling incessantly, being taught about issues such as human rights and the Geneva Conventions. Consequently, the military integration process is often fraught with disciplinary problems and conflict at the individual and the unit level; conflict that sometimes erupts into violence.

Reinsertion

Part of the aim of reinsertion is to break the chain of command and split fighters up, thus lessening the dangers of major conflict re-igniting. The point at which fighters are demobilized from the military is one of great economic vulnerability as the fighters have lost their normal sources of income (both through pay and informal economic extraction) and do not usually know how they will now support themselves and their dependents. This is a point when, without adequate support, ex-combatants are likely to turn to crime or war. This fear can be mitigated by reinsertion payments that can bridge the gap between military service and civilian employment.¹⁹

The aim is to return the ex-combatants to their home community – or to a new community – and provide them with some economic resources so that they are not a burden on that community. Indeed, ideally an ex-combatant returning with reinsertion payments will be regarded as an economic asset to a community. Reinsertion in itself does not mean that ex-combatants have been successfully returned, it is the reintegration phase that follows that helps the ex-combatant make the transition into a productive and self-sufficient member of the local community.

Reintegration

This tends to be treated as the ‘poor relation’ in the D, D, R & R process, but it is actually the most important element and is linked to establishing a lasting peace.

Reintegration involves economic, social and psychological dimensions. It involves finding livelihoods, supportive communities and help with the traumas of conflict. The fact that it is not strictly a ‘military’ activity *per se* accounts for its relative neglect; it is not included in peacekeeping mandates so is not funded through peacekeeping operations.²⁰ Often the most under-funded part of the process and the one where short cuts are taken, it is left to a changing roster of international actors to pull the funding together. International donors are often less willing to fund it, regarding it as the responsibility of the new state. For example, in Liberia a senior UNMIL official noted ‘disarmament is the smallest part of the peace process while reintegration will be huge. We will be in an uncertain world because there will not be enough monies or agencies ...’ to ensure effective reintegration.²¹ Nearly a year later the problem remained acute with ‘a dearth of resources – especially for rehabilitation and reintegration projects’.²²

An emphasis on reintegration recognizes that some of the motives for fighting were economic and that if the economic dimensions of the problem are not addressed, any settlement of the conflict may be short-lived: ‘... failure to achieve reintegration can lead to considerable insecurity at the societal and individual levels, including rent-seeking behaviour through the barrel of a gun’.²³ Therefore what is required is providing economic security in addition to physical security.

An effective reintegration process would involve a coordinated effort to provide social, educational and vocational support to ex-combatants (and their dependents) as they return to a home community or build a new community. Kees Kingma has noted that reintegration into rural areas is often more successful than

urban reintegration – due to stronger societal networks – and cites the case of Ethiopia as evidence of this.²⁴

The timetable for effective and lasting reintegration may be as long as four years, but often the whole D, D, R & R process has to be completed within a much shorter timetable (due to budget constraints, limited political interest etc.). This places a lot of strain on the implementing agents trying to make the process work and puts an emphasis on technical and empirical measures of success, and downgrades issues like the psychological environment. Moreover, timing and support issues can re-emerge with ex-combatants making an initial effort to reintegrate but drifting back towards urban centers within months unless properly supported for an extended period of time. This was the case in Angola, where ex-combatants left the province of Uige because of the lack of sustainable living conditions.²⁵

Reintegration involves not just ex-combatants, but also their families. For example, in Angola the 55,000 UNITA fighters to be demobilized brought with them 300,000 dependents.²⁶ The 2003 demobilization and reintegration plans of the Government and World Bank only included male fighters and not the ‘wives’ and abducted girls who had been taken by UNITA. This raised a problem because it made it extremely difficult for those women to leave the men who had abducted them because they had no independent economic support.²⁷ This was against the United Nation’s advice on D, D & R.²⁸

The need to provide livelihoods to a vast number of ex-combatants can place significant strain upon an already challenged state. For example, in the case of Angola, even when only considering the reintegration of male fighters there is a problem, for as President dos Santos acknowledged in 2004 ‘For those used to surviving by the gun, government has to be careful and solicit support from the international community to create employment as the state alone is unable to address this problem’.²⁹

Jaremeý McMullin’s work on Mozambique draws attention to a central political economy problem for the reintegration process:

... post-conflict states with impoverished economies offer little to reintegrate *into*. Mozambique, where only a tenth of the population had formal employment, was no exception, giving rise to the quip: ‘the government told us ‘now you are all equally poor. You have been reintegrated back into basic poverty’.³⁰

In attempting to solve internal conflicts with a heavy economic motivation it might be assumed that the state is at an advantage as there are – obviously – some economic resources within the territory. However, these resources often also present enticing opportunities for individual or group ‘freelancing’; ex-fighters may choose to independently mine diamonds and smuggle them out of the country rather than face the uncertainty of dependence on a weak state. This has happened in Sierra Leone, where ex-combatants have flocked to the Kono mining district and are looting and smuggling diamonds.³¹ It is rare that the state has the capacity to prevent the illicit exploitation of lootable resources such as gems or timber.

There was a tendency in the early literature on post-conflict peace building to regard disarmament, demobilization, reinsertion and reintegration as technical challenges with technical solutions. Whilst this is true to an extent, it does underplay the importance of psychology and signaling in these processes. This emphasis on psychology and signaling helps to explain the conundrum of peace settlements working despite very flawed experiences of D, D, R & R, for example, Mozambique – particularly remarkable as there was no arms embargo in place – and Namibia (although the lack of effective disarmament had negative consequences elsewhere in the region, as noted above). The converse is that there can be settlements where the process of D, D, R & R is technically correct, but still fails, for example, Liberia 1993-7. What this means is that D, D, R & R is both a science and an art, so its success cannot be simply measured in terms of guns collected and soldiers returned into the community, but also must include a judgment about how these activities have effected people's perceptions of security and safety.

The Political Economy of Conflict

In considering contemporary conflicts and peace settlements in Africa the key question is *what difference does it make if the war has been primarily about predation rather than ideology or politics?* Baldly stated, the answer is that it will be harder to reach and maintain a settlement as there are economic incentives to keep on or return to fighting. This is both a short-term and a long-term political economy problem. The political economy of conflict works at several levels of analysis.

At the lowest level are *individual fighters*, whose motivation to fight was encapsulated in Sierra Leone by the name of a rebel offensive; 'Operation Pay Yourself'.³² Nothing better expresses the distorted political economy of Sierra Leone than the popular use of the term 'sobels' to describe the phenomena of a 'soldier by day but rebel by night'. As William Reno recounts:

Underpaid soldiers, mostly young men who shared the same limited prospects as workers in the diamond mines, found they could exploit the chaos caused by rebels to extort or loot from local inhabitants. Many Sierra Leoneans suspect rogue military units, organized much like mining gangs, were behind a large number of 'rebel' attacks.³³

At the next level of analysis are *fighting units*. In many African conflicts both official armed forces and rebel forces have ties primarily to their unit. Fighting groups can arise from both top-down intervention and bottom-up development and particularly in the latter case loyalty may be more to the group than to the political cause. Both government and rebel forces can therefore be composed of rather loosely allied fighting units. These units often extract economic benefits, for example, through collecting 'protection money' or establishing checkpoints and extracting money from all seeking to pass-by.

In a conflict motivated by economics, there is a tendency to ‘splittism’ within armed forces and rebel movements, particularly where peace processes do not seem to favor the unit. In situations of incomplete hierarchical control, units on the same side are economic competitors. If there is potentially competition to predate, there will be incentives for units to preemptively defect in order to capture key resources.

The final level of analysis is *leaderships*. Leaderships gain the most from continuing economic exploitation and are usually the interface with the international political economy. The best example of this was the economic activism of warlord Charles Taylor in Liberia, whose economic network traded minerals, iron ore, gold, diamonds and timber out of Liberia and Sierra Leone.³⁴ As William Reno noted, Taylor’s ‘... political authority lay in his ability to manipulate foreign firms to secure foreign exchange, weapons and political support ...’³⁵ This economic extraction did not cease when he became President of Liberia, he continued to amass a personal fortune and manipulated the economy with the assistance of criminal networks and the collusion of parts of the international community.

On occasions you see strange forms of ‘collusion’ between enemy leaderships perpetuating the conflict because economic gain is prized more than victory. For example, ‘Conflict in Sierra Leone has involved bizarre forms of collaboration between government and rebel Revolutionary United Front forces, including coordinated movements to rob civilians, transfer of arms from one side to the other ...’³⁶ In Liberia this collusion extended to relations with the peacekeepers! Guinean officers serving with ECOMOG traded diamonds from ULIMO militiamen for weapons they had obtained from Eastern Europe.³⁷

Leaderships also face incentives to defect for economic gains. Evidence of this ‘splittism’ can be seen in Liberia, where the (ironically named) Liberians United for Reconciliation and Democracy (LURD) has undergone a leadership split.³⁸ In the Cote d’Ivoire, tensions have emerged within the ‘New Forces’ (the name adopted by the rebel forces upon cessation of hostilities) leadership over both power within the movement and control of the economic resources gained from banditry. There have been public splits between Guillaume Soro, Secretary General of the New Forces and Staff Sergeant Ibrahim Coulibaly as Soro has changed the territories controlled by commanders in an attempt to end the ‘power abuses’ (read economic freelancing) being committed in key regional commands.³⁹ Given these economic incentives to war, what are the implications for implementing a successful D, D, R & R process?

The Political Economy of Peace

A political economy for peace has to provide individuals, units and leaderships with greater economic incentives than did war. The D, D, R & R process is the first opportunity to begin to establish a political economy of peace.

A prime issue is the sequencing of the D, D, R & R process. Traditionally the major emphasis has been placed on achieving security through disarmament and

demobilization. However, in conflicts motivated by economics there is at least an equal need for efforts to create immediate economic opportunities, thus paying attention to both economic and physical security issues. This suggests a different sequencing of D, D, R & R, with the initiation of the reintegration phase before disarmament and demobilization has been completed. This is doubly appropriate given that disarmament is unlikely to be complete, but retains symbolic significance. Given that the key part of the process for success is economic reintegration, this aspect of the process needs to achieve a much higher profile and garner greater resources.

The sequencing issue is wider than this, however, as any economic reintegration as part of the D, D, R & R process has to be appropriately sequenced with macro-economic initiatives, such as those demanded by International Financial Institutions. For example, in Ethiopia, the transition from state socialism to a market economy had traumatic economic consequences including a retrenchment in public-sector jobs and a general dampening of the urban job market just at the time when there was a flood of newly demobilized soldiers seeking work. As Ayalew *et al.* noted, 'This made it harder to reintegrate urban ex-soldiers. Demobilization policies therefore need to be consistent with overall economic policy. This may imply sequencing demobilization before the start of large-scale public sector adjustment, if that is possible'.⁴⁰

Returning to our three levels of analysis, achieving political economics of peace at each level has to be considered.

The Individual Level

In mid-2004 the situation of fighters in Cote d'Ivoire provided evidence of the importance of the political economy aspects to D, D, R & R:

Idle, poorly paid, and assured of impunity, the former combatants are in fact tempted a little too easily by easy money and all manner of trafficking. Some have virtually turned into highway robbers. The prospect of having to turn in their Kalshnikovs and return to a life of ordinary work, perhaps even wretchedness, offers no attraction at all.⁴¹

These young fighters show little inclination to be productively reintegrated into the economy. They are currently in a privileged position; able to extract economic resources because of their status. 'They were able to adopt a new living standard through racketeering, robbery, and smuggling. It goes without saying that they will not consider returning to their earlier status'.⁴² The rebel's economic demands are matched on the government side by the 'Young Patriots'; youth militias loyal to President Gbagbo, who were recruited specifically for the civil war. They are demanding greater rewards than go to the rebels as they consider that '... their role and determination enabled the regular troops to face the threat'.⁴³

One of the steps taken in the December 2003 pre-disarmament process in Cote d'Ivoire involved dismantling the checkpoints that had proliferated around the country. This had a clear economic impact on the combatants (from both sides)

who had manned them. As French spokesman Lieutenant Colonel Georges Peillon noted 'A checkpoint, admittedly, is a security measure, but it is also an issue of money. When a checkpoint is dismantled, those in charge of the roadblock lose money'.⁴⁴ Predictably, when there was no substantial progress on D, D, R & R, the checkpoints re-appeared.

In Liberia the political economy aspects of D, D, R & R has been playing out in a dispute between the United Nations and local fighters. In December 2003 when the process was begun, most of the fighters were unwilling to stay in the designated camp when they found out what the D, D, R & R package entailed; food rations, psychological counseling and a \$300 stipend. They viewed it as far too little and were unhappy that the \$300 was not delivered up-front, seeing it as a 'deceit and failure of UNMIL to fulfill its promises for DDR'.⁴⁵ The combatants wanted cold hard cash. A 19-year-old member of LURD, styling himself 'Colonel Likeness', declared:

I still have my 81-mm mortar, but I have just come to see whether the UN was giving fighters who disarm something good. If they don't give good money, I will not give the rocket. So tell the people to give the boys physical cash.⁴⁶

Thousands of fighters rejected the package and '... returned to Monrovia to run riot, the guns they had meant to leave behind blazing'.⁴⁷ Subsequently the UN and the factions agreed a new timetable for the D, D, R & R programme.⁴⁸ The UN offered a new structure for the incentive payments to individual ex-combatants but kept the total payment at \$300.⁴⁹ Although there were still complaints about the payments from former fighters, they were sufficiently attractive to encourage many non-combatants to present themselves as ex-fighters in an attempt to get the training opportunities and cash on offer.⁵⁰ In 2003 the UN had estimated that the three Liberian factions had a combined total of 38,000 fighters to be disarmed, however, by September 2004 more than 72,000 had registered, with more still expected.⁵¹ As a consequence of paying out more than double the expected amounts to individual fighters, Liberia has no money for the reintegration process.

The acquisitive attitude of the Liberian rebels is in stark contrast to the D, D, R & R programme in Mozambique in the early 1990s, where food, tools, seeds, transport home and small value vouchers were all the incentive required by fighters.⁵² This comparison shows the importance of economics to both war and peace in Liberia and potentially to other resource-based conflicts in Africa.

If the D, D, R & R programmes in these countries are unable to satisfy the economic demands of the fighters, individuals will be tempted to 'freelance' to support themselves. Amongst the alternative means to provide economic sustenance in post-conflict societies are extortion and violence, mercenary activity, gun running, and resource exploitation such as diamond smuggling and illegal logging.

Even as the Liberian D, D, R & R process is going forward, problems are looming as '... fighters who have disarmed are finding little or no opportunities for gainful employment'.⁵³ Consequently there has been an upswing in illegal resource exploitation and an increase in the recruitment of Liberian soldiers to fight

as mercenaries in other countries in the region.⁵⁴ In addition, the disarmament campaign has netted limited amounts of small arms and light weapons and there is evidence of rising violent crime as ex-combatants continue to support themselves through their guns.⁵⁵

Amongst the more general development initiatives that can assist the reintegration process are 'quick impact projects' (QUIPS) that are designed to provide employment opportunities and solve community problems through restoring services. A range of international organizations such as the World Bank and NGOs such as the International Committee of the Red Cross implement QUIPS. In addition, good practice in development includes high labour intensive micro-projects for rehabilitating community structures (for example, access to clean water, sanitation, road improvement, schools, health clinics etc.) and services. However, these are general development initiatives and are not specifically designed to aid the D, D, R & R process.

Reflecting on the previous D, D, R & R process in Liberia (1996-1997), Oxfam has noted that previously 'local people did not patronize businesses run by ex-combatants'. Also, there was a danger that women who had been 'actively involved in fighting could be stigmatized and excluded from communal work'.⁵⁶ The problem here may have been that the projects were seen to favour the ex-combatants. If these development initiatives are seen to benefit the community as a whole (not just fighters), and the ex-combatants play a positive role in implementing them, this may aid the process of reintegration with former fighters seen as a positive economic benefit to the community.

The Fighting Unit Level

Two types of issues emerge when considering fighting units. The first concerns perceptions of 'favouritism' within the D, D, R & R process. In Cote d'Ivoire a crucial sector that will need to be accommodated through D, D, R & R – but were not considered in initial planning – are the militia groups that 'exploded under the Gbagbo government'.⁵⁷ As the International Crisis Group warned:

Militia demands to be included in DDR and threats to move off on their own if they are not properly taken care of by their 'patrons' need to be taken seriously. The combination of money as motivation, the training and arming of militias, and the hateful rhetoric (anti-northerner, anti-foreigner, anti-French, anti-UN) is dangerous. It has been cultivated for so long that it risks creating an autonomous sphere of freelance violence ...⁵⁸

There has to be transparently equal treatment of all fighting units across all factions in the D, D, R & R process. The use of neutral arbiters from the international community can help verify the equality of the process for all units.

The second issue concerns breaking the chains of command that bind the individual to the unit. This is not only desirable because of macro-insecurity concerns, but as a workshop hosted by the International Peace Academy noted '... ex-combatants who perceive of themselves as belonging to a group apart from the

rest of society may have trouble reintegrating socially and psychologically'.⁵⁹ The astute use of economic resources can enhance the chances of groups disintegrating and staying apart. This would involve providing attractive economic packages to individual fighters. However, the case of Namibia showed that a poorly planned economic reintegration effort had the opposite effect. The creation of Development Brigades, composed of large groups of former comrades, served to reinforce the military structures of the war and made the brigades both difficult to manage and to dissolve.⁶⁰

Leaderships

Leaderships are the group in the best position to survive in the post-conflict state. Often they retain access to the economic networks that supported them during the war and sometimes they have new government posts that enhance their economic positions. Jobs in the new government are a prime source of economic security for ex-leaderships and they become prize possessions. For example, in Liberia:

It has become evident, five months into the peace process, that some politicians are prepared to jeopardize peace for the sake of jobs. The two years of UN-led transition are seen as a moment to grab whatever is worth having of a bankrupt state.⁶¹

The international economic networks that enabled leaderships to evade international sanctions are a natural route to use for continued exploitation. New criminal networks may also develop to continue the predation process.

There is evidence from Mozambique that in the decade since the peace settlement many middle and high ranking officers have been able to provide a new economic lifestyle for themselves, albeit in the illicit economy:

The ex-combatant-criminal nexus is more apparent, however, among middle and high ranking officers, who have the stature and connections to be caught up in such services. Their involvement is viewed as particularly significant in the trafficking of drugs and arms.⁶²

Ex-combatants who entered the new armed services have been implicated in protecting the Nigerian groups running the cocaine trade and the Pakistani-Mozambicans running the hashish and methaqualone trade.⁶³ Given that this has happened in Mozambique, the prime example of a successful D, D, R & R process, but a country with limited lootable resources, it seems likely that this criminalization process will be replicated in countries where the conflict was waged over economic resources.

Establishing A Long-Term Political Economy for Peace

The question of the economic sustainability of peace processes forces the analyst to consider the place of the state in the international political economy and the

potential of the state for development. Despite the apparent success of a number of D, D, R & R process in Africa over the last decade, there are still issues as to whether the political economy of the country can provide for all citizens, particularly those who feel entitled to reward after years of struggle.

As McMullin has shown, in the case of Mozambique, there are still tensions over issues such as the failure to provide pensions to RENAMO fighters in contrast to government forces, the denial of reintegration benefits to paramilitary and governmental militia fighters, and 'high unemployment rates among former combatants do not help matters'.⁶⁴ Moreover, most ex-combatants who received training did not secure employment in that sector. This seems to have been true of the reintegration in Ethiopia too.⁶⁵

The capacity of the post-war state to provide ex-combatants with an enduring livelihood can be crucial to preventing a regression into war. With the completion of the disarmament in Sierra Leone, the emphasis is now on reinsertion and reconciliation. As Fancis Kaikai, chairman of the national disarmament committee noted, 'Ex-combatants have joined another, larger army of young people seeking gainful employment. This is a real challenge for post-conflict Sierra Leone'.⁶⁶ Despite successful D, D R & R, by 2001 about 2,500 Sierra Leonean fighters had joined factions in Liberia, apparently for \$200-500 per mercenary.⁶⁷ This puts the spotlight firmly on the country's economy; still in ruins after the war. Sierra Leone is one of the poorest countries in the world with the majority of its 5.7 million people surviving on less than a dollar a day.

The root of the problem is the overall health of post-conflict state. For example, in Liberia today 80 per cent of the population is unemployed and more than two thirds of the 3.3 million people are under 40 years old.⁶⁸ This suggests a political economy time-bomb if the economy is not revived.

Conclusion

Disarmament, demobilization, reinsertion and reintegration are complicated processes that involved considerations of both security and development. As the first post-conflict opportunity to deal with the security-development nexus, the way in which the process is handled and the two concerns balanced can have long-term implications for the establishment of a political economy of peace.

Some of the difficult dilemmas associated with 'traditional' D, D, R & R activities loom particularly large in dealing with countries where an important dimension of the conflict has been competition for economic resources. First is the problem of rewarding perpetrators; where those that have been violent are seen as being rewarded for their behaviour through favorable D, D, R & R packages that the victims of violence do not necessarily get (because they are not a threat to the peace). In situations where ex-combatants have to be handsomely rewarded for their new-found self-restraint, the problem of rewarding perpetrators is magnified. One route to avoiding this is to reward *communities* with economic development, rather than individuals. A community that reintegrates ex-combatants to enable them to become productive members of civil society should benefit in noticeable

ways, to provide incentives to other communities to do the same. This also enhances the view of ex-combatants as an economic resource rather than a drain on community resources.

The second traditional dilemma further highlighted by resource conflicts concerns land and resource ownership. For both ex-combatants and civilian internally displaced people (IDPs):

Property restitution issues and access to land are further necessary elements of an enabling return environment. Unless institutions or mechanisms are in place to deal with such issues disputes can rapidly escalate into conflict, especially if different ethnic or political groupings are polarized. Resolving land and property disputes is inevitably time-consuming, especially if records never existed or existed and have been destroyed during conflict or when traditional or legal authority has limited capacity.⁶⁹

The case of Zimbabwe, where the war ended over two decades ago but the disputes over land remain, is evidence of the enduring importance of land.

The problems of disputed titles is found in Sierra Leone where the ownership of the key economic assets – diamond mines – is contested. Over the course of the conflict the rights to work the mines were sold and re-sold as different groups successively held the territories. This has led to contested *local* claims of ownership combined with contested claims of the rights to work the mines from *international* businesses. These claims may take years to sort out.

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PART II
CASE STUDIES

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Chapter 6

Multi-party Mediation in the Guinea-Bissau Civil War

Simon Massey

The civil war in Guinea-Bissau which lasted from June 1998 to May 1999 became the locus for mediation based, for a large part, on political opportunism. These efforts resulted in an unconvincing peace agreement policed by an undermanned and resourced peacekeeping operation with ostensible humanitarian motives which, nonetheless, also was marked by strong political impulses. It has been noted that ‘the multiplication of mediators is less a matter of choice than a fact of life in today’s world’.¹ William Zartman remarks that, ‘Africa does not lack mediators’.² In the case of the war in Bissau the gamut of potential intermediaries – regional, African and *extra*-African – offered assistance. This confusion of good offices led to rival mediation efforts whose polarisation mirrored that on the battlefield.

Domestic and International Dimensions of the Civil War

The war in Guinea-Bissau, whilst not large, had a devastating effect on the lives of the country’s small population with hundreds killed, the capital destroyed and hundreds of thousands displaced. What led to civil war? By 1998 the idealism that had fuelled the war of independence against Portugal had long since evaporated.³ The notion of grassroots participatory democracy as articulated by the ideologues of the revolutionary vanguard party, the *Partido Africano da Independencia da Guiné-Bissau e Cabo Verde* (PAIGC), had been replaced by the authoritarian regime of former army commander Joao ‘Nino’ Vieira. In 1994, a donor-inspired ‘democratic transition’ produced a set of elections denounced as fraudulent by the opposition candidates and parties. Despite engineering an electoral victory Vieira’s authority was damaged – he could no longer depend on the loyalty of his former power bases in the PAIGC or the armed forces. Since independence, the country’s enfeebled economy had further stagnated. At the start of the war Guinea-Bissau was ranked 172 out of 177 countries on the United Nations Development Programme’s ‘Human Development Index’. The economy was ‘dependent on the Bretton Woods institutions’, whilst ‘the population had atomised with a multiplication of trade unions, associations, parties and NGOs seeking a new legitimacy’.⁴

Guinea-Bissau's complex foreign relations and influences represent further causal factors behind the war, whilst also helping to explain why so many different actors sought to mediate the conflict. At the international level, the country increasingly had become the target for diplomatic rivalry between Portugal as the former colonial power and France as the dominant *extra*-African power in the sub-region. A second, and connected, influence on foreign policy was regional geopolitical dynamics, in particular the difficult relations with neighbouring Senegal. Since its independence, France has looked to Senegal as a proxy in the sub-region. Conservative Senegal, however, needed little encouragement from Paris to be wary of the radical PAIGC. This mistrust was exacerbated in 1982 following the establishment of a secessionist movement, the *Mouvement des forces démocratiques de la Casamance* (MFDC), in the southernmost province of Senegal bordering Guinea-Bissau. There existed a traditional cultural empathy between the Balanta people of Bissau and the Jola of Casamance that was reinforced during the war of independence when Casamançais had sheltered PAIGC fighters. Despite denials, Dakar assumed that elements within the Vieira regime were offering covert support to the MFDC. In the early 1990s, however, relations between the two countries improved when Vieira initiated a shift from Portugal to France as Bissau's main patron. A zone of hot pursuit was created allowing the Senegalese armed forces to attack MFDC rear bases in Guinea-Bissau. In 1997, Bissau's entry into France's sphere of influence was confirmed when it joined the French-sponsored West African Economic and Monetary Union – the Franc Zone.

Despite the military agreement over Casamance weapons continued to flow from Bissau to the rebels. In January 1998 an arms shipment was seized crossing the border into Casamance. Vieira responded by suspending his army commander, Brigadier-General Ansumane Mané, from his post. Mané was born in Gambia, but had devoted his adult life to the armed struggle in Bissau. He had been instrumental in the coup d'état that brought Vieira to power. On 6 June Mané was officially replaced as army commander. A day later he led attacks on the main barracks near Bissau city and the international airport. Mané proclaimed himself head of an interim military council, the *Junta Militar para a Consolidação da Democracia, Paz e Justiça*, and called for a new set of free and transparent elections. It rapidly became clear that the rebels were gaining the upper hand, with Mané claiming that only the risk of heavy civilian casualties prevented him taking the capital.⁵ After three days of fighting Senegal and Guinea dispatched 1,300 and 500 troops respectively to support Vieira as part of 'Operation Gabou'. The intervention was justified on a humanitarian basis, but also by invoking supposed secret mutual defence pacts between the three states. The arrival of foreign forces inflamed the conflict. The 300,000 residents of the capital fled the city and international agencies warned of a humanitarian disaster.⁶ There was a general assumption that the intervening forces would subdue the rebellion. However, the *Junta* had the support of the large majority of the armed forces with the exception of the Presidential Guard. It also was receiving support from the MFDC and from retired veterans of the war of independence. The Senegalese contingent, the *Force expéditionnaire sénégalaise en Guinée-Bissau* (Forex), had a dual agenda – to bolster the Vieira regime, but also to outflank MFDC forces operating from

Guinea-Bissau. However, Forex proved ineffective, its inexperienced troops outmanoeuvred on the marshy terrain of the littoral by Mané's forces. After two weeks Senegal was forced to send reinforcements in an effort to reverse what was becoming a military disaster.

Multi-faceted Mediation

At this stage of the conflict, there was little sign of the rivalry that would develop amongst the contending mediators. Portugal and the international organisation for lusophone states, the *Comunidade de Países de Língua Franca Portuguesa* (CPLP), accepted the position of the regional body, the Economic Community of West African States (ECOWAS) that Vieira was the elected President and that the rebellion was illegal. This position was supported by the United Nations (UN), the organisation of African Unity (OAU) and the European Union (EU). Each demanded a return to constitutional government. However, censure does not solve conflicts. A negotiated settlement to the conflict was unrealistic given the mutual distrust engendered by Vieira's 'betrayal' of his former comrade and the position on the battlefield. Yet, a cease-fire was urgently needed to address the rapidly deteriorating humanitarian situation. Who would mediate the conflict?

Recent precedent suggested that the mediation would be multiple and that the key mediating agencies would be African. Chester Crocker, Fen Osler Hampson and Pamela Aall maintain that multi-party mediation has become the norm.⁷ In the Guinea-Bissau civil war several third parties sought, sometimes sequentially, often simultaneously, to mediate the conflict. Crocker *et al* have isolated various benefits and costs associated with multi-party mediation. The benefits are, however, largely dependent on the various third parties acting in concert towards the common goal of a peaceful settlement of the conflict. If this is the case then a multiplicity of mediators can advance the peace process. Different entities bring different resources at different times, opening new avenues for dialogue thereby generating a mutually supportive environment for mediation. Co-operative mediation might equally multiply potential sources of leverage and facilitate an even distribution of costs and risks.⁸ However, in the case of Guinea-Bissau there was little unity of purpose amongst the various mediators. Far from acting with a 'common vision' the mediators acted to divergent and exclusive agendas. For much of the process mediation was conducted in parallel with little shared information or analysis.

Since the ill-fated UN Operation in Somalia (UNOSOM) between 1992 and 1995 the onus for conflict management on the continent had switched from the international – the UN and 'coalitions of the willing' – to the regional – African states and institutions. In terms of mediation the logic of subsidiarity was promoted. Chapter VIII of the UN Charter was revived.

The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.⁹

The entity 'best fit' to address a conflict, usually the relevant sub-regional organisation, would be preferred as primary mediator. Yet, the obvious mediator of first recourse in the case of Guinea-Bissau – ECOWAS – had already condemned the rebellion and supported an intervention by two of its member states. At the time of the attempted coup the Assembly of Heads of State and Government of the OAU was in session in the capital of Burkina Faso, Ouagadougou. As an immediate response the Assembly issued a statement denouncing the attempted coup d'état and urging 'respect for the country's democratically established institutions', and calling 'on the people of Guinea-Bissau to rally behind the government of President Vieira'.¹⁰ Could the OAU have taken a lead in mediating the conflict? In June 1993, the OAU had established a 'Mechanism for Conflict Prevention, Management and Resolution'. At the time this pioneering initiative was heralded as a juncture in the evolution of African self-pacification. A former head of the OAU's Conflict Management Division, Chris Bakwesegha, argues that the Mechanism recognised 'the need for [Africa] to take primary ownership of its own problems'.¹¹

The Mechanism will have as its primary objective, the anticipation and prevention of conflicts. In circumstances where conflicts have occurred, it will be its responsibility to undertake peace-making and peace-building functions in order to facilitate the resolution of these conflicts.¹²

Although the OAU Secretariat and progressive African leaders hoped that the adoption of the Mechanism would see the continental body develop the capacity to intervene directly in African conflicts it became clear that lack of funding and political will amongst the majority of member states would check this ambition. Despite the emphasis on conflict prevention and mediation, the OAU's Special Envoy, Alexandre Zandemela, played only a peripheral role in mediating the Guinea-Bissau conflict. The Central Organ of the Mechanism met on 13 July and announced that it endorsed ECOWAS as the institution of first resort. In particular it backed the ECOWAS decision to support the Senegalese and Guinean intervention in Guinea-Bissau.¹³ In calling for the UN Security Council to reinforce this stance, the Central Organ warned 'the international community at large, to desist from according support, in whatever form, to the mutineers'.¹⁴ The OAU's position during the conflict emphasised the ascendance of sub-regional organisations in the context of subsidiarity, whilst once more highlighting the intrinsic ineffectiveness of the continental body in terms of conflict management.

While regional organisations are generally very successful at resolving conflicts ... in Africa they show a poor record of success. This is related to a number of inherent weaknesses, and clearly the OAU especially needs major reforms if it is to improve its conflict management role.¹⁵

In 2002 the OAU was dissolved and the African Union (AU) established. With a view to overcoming the shortcomings of OAU conflict management practice the AU has moved rapidly to construct a new framework for conflict

mediation. In May 2004 the Peace and Security Council (PSC) was inaugurated. Whilst conflict prevention and mediation are stressed, the Constitutive Act of the AU, at least prior to amendment, envisages that this new organ will have wider powers than the Mechanism to enforce and police settlements. Although the wider aims of the PSC have yet to be realised, there are positive signs – including a series of military observer missions to Africa's conflict areas – that the AU will be more proactive in its approach to conflict management than its predecessor. Yet, should the PSC become fully operational it will be politically contentious and costly. Jakkie Cillier and Kathryn Sturman caution that the hasty establishment of the PSC, at the same time as the institution of the Pan-African Parliament, the African Court on Human and People's Rights and the Economic, Social and Cultural Council, might 'over-reach [the AU's] already limited capacity, trying to do too much, too soon'.¹⁶

In Guinea-Bissau, given that the OAU was supporting the sub-regional organisation as the primary body for managing the conflict, and that ECOWAS was an actor in the conflict rather than a mediator, the first efforts to mediate were *ad hoc* approaches made by disparate African and *extra*-continental actors. The Ambassadors of Portugal and Angola in Bissau, as well as the Swedish chargé d'affaires sought to initiate dialogue between the combatants. Libya's Muammar Qaddafi also sent a high level delegation to Bissau. However, the most active individual involved in mediation on the ground was the Roman Catholic Bishop of Bissau, Settimio Ferrazzeta. Although less than five per cent of the population belong to the Catholic Church, Ferrazzeta was well respected having lived in the country since 1955. He met with members of the *Junta* in the early days of the conflict. Whilst he expressed himself 'hopeful' that a solution could be found, he recognised that Vieira would find it hard to meet the *Junta's* terms.¹⁷ Thomas Prinzen lists several potential resources available to the Vatican as a mediator – moral legitimacy; an ability to advance a party to the conflict's political standing; an international audience; a network of information and contacts; secrecy; and neutrality.¹⁸ The last issue – neutrality or impartiality – would be raised throughout the mediation process in Guinea-Bissau. Although the terms are often used interchangeably, there is a distinction between neutrality and impartiality. An impartial mediator should not discriminate between the parties to a conflict as individuals or entities, but can weigh the actions of the parties by an objective standard applied equally. A strictly neutral mediator should not allow the actions of the parties to affect mediation. This is a rare commodity in contemporary mediation.

Neutrality, in the sense of having no claims on the disputed issues, can be an asset. A mediator is more likely to be acceptable to each side if that mediator has no interests, direct or indirect, in the issues in defeat. Few major powers can make this claim.¹⁹

The notion of impartiality in mediation is problematic and contingent. It is arguable that the new perspective and resources brought to the process by a third party *must* affect the outcome of the process and hence be partial. In this respect, saliency and the ability to move the process forward and not any perceived

impartiality are what count. Ferrazzeta's position was not neutral, and possibly not impartial. As the conflict intensified, his public statements seemed to betray a greater understanding for the rebel position. On 6 July he gave a radio interview accusing the Senegalese forces of widespread looting in the capital, and stated that people in Bissau were calling for the withdrawal of the intervention force.²⁰ Ferrazzeta died of an illness unrelated to the conflict in January 1999.

A parallel mediation effort was initiated by near-neighbour Gambia. In mid-June Gambian President Yahya Jammeh made a tour of key states including Cape Verde, Mauritania, Guinea and Senegal in order to canvass regional opinion, whilst his Foreign Minister Sadat Jobe met Mané in a fruitless effort to arrange a cease-fire and mediated talks in the Gambian capital, Banjul. Gambian efforts to mediate the conflict were the result of historical, ethnic and personal links, as well as humanitarian concern. However, the prime motivation was an overarching interest in sub-regional security. The geographic proximity of the conflict to Gambia's southern border, about 40 miles, engendered fears of cross-border violent contagion and the possibility of serious refugee flows. The Jammeh government recognised the interconnectedness of the Bissau war and the Casamance rebellion. Gambia clearly had a stake in ensuring a swift resolution to the conflict and government officials stress that the main motivation for the country taking a leading role in mediating both crises was the need for a 'comprehensive peace strategy'.²¹ Gambia promoted itself as a 'small state' mediator. Randa Slim contends that 'the power of the small state as mediator usually resides in its neutrality, and its fair treatment of all parties' basic interests and concerns'.²² However, Gambia was neither neutral nor impartial. Dakar was mistrustful of Mané's Gambian connections – much of his family still lived there and he was a personal friend of Jammeh. Moreover, Jammeh shares his Jola ethnicity with the large majority of the Casamançais - his birthplace is the village of Kanilaye on the Gambia-Casamance border. There were strong suspicions that he was lending support, moral and practical, to a faction within the MFDC called the *Front Nord*.

The overtures made by the various diplomatic personalities, Bishop Ferrazzeta and the Gambian government did not halt the fighting and on 3 July Vieira made a plea to the ECOWAS Ministers of Foreign Affairs and Defence meeting in Abidjan for military intervention by the ECOWAS Monitoring Group (ECOMOG). He argued that the *Junta* showed 'a fierce determination' threatening the peace, security and stability of the country.²³ The Ministers issued a statement condemning the *Junta*, calling for a cessation of hostilities, reaffirming support for Vieira and endorsing the Senegalese and Guinean intervention. The ministers agreed that further measures, including military intervention, should not be precluded. This was hubris. ECOMOG was already engaged in a complex operation in Sierra Leone. The conditions in Bissau dictated that any intervening force would be pitted against the large majority of the Bissauan armed forces, veterans and the MFDC as the Senegalese and Guineans had discovered. An intervention could only realistically take place after a negotiated settlement and as part of a peacekeeping rather than peace-enforcement operation.²⁴ Nonetheless, an implementing mechanism, the Committee of Seven, was established.²⁵ The

meeting concluded by calling on the Committee of Seven to seek UN approval for the ECOWAS position.

Rival Mediation – ECOWAS and the CPLP

As noted, at the time of the Bissau conflict subsidiarity dictated that ECOWAS was the primary organisation with responsibility for conflict management in the sub-region – a position endorsed by the OAU. The sub-regional organisation was established in 1975 as a specifically economic institution designed to advance development in West Africa. However, the outbreak of civil war in Liberia in 1989 instigated the development of a security dimension to the organisation that has since tended to overshadow its original aims. Since its inception ECOWAS has been beset by layered rivalries. Although the creation of ECOWAS might be taken as proof that West African states had bridged the historic colonial ‘francophone-anglophone divide’, a residual suspicion remains between the anglophone bloc – Nigeria, Ghana, Sierra Leone, Liberia and Gambia and the francophone bloc – Côte d’Ivoire, Senegal, Guinea, Benin, Togo, Burkina Faso, Mali and Niger. There are also two lusophone members – Cape Verde and Guinea-Bissau. At times, a francophone axis has also set apart Nigeria, the natural regional hegemon, as a specific rival. The effectiveness of ECOWAS in the area of conflict management has been undermined by this fundamental disunity. During the ECOMOG interventions in the Liberian and Sierra Leonean conflicts, Cote d’Ivoire and Burkina Faso, acted instinctively against the position adopted by Nigeria. Eric Berman and Katie Sams comment that ‘rather than building consensus and strengthening solidarity among ECOWAS member states, these missions have underscored and exacerbated sub-regional tensions’.²⁶

ECOWAS was partial in its handling of the Guinea-Bissau conflict, siding and supporting Vieira. Even an intuitively neutral outsider such as the representative of the Catholic Church is liable to adopt a partial position, but the issue of partiality is most pertinent when the mediating entity is the regional organisation. Ole Elgstrom *et al* suggest that ‘relational partiality is probably an inherent trait in regional insider mediators, as they have asymmetrical historical ties and bonds to the conflicting parties’.²⁷ William Nhara, former Coordinator of Conflict Prevention and Research at the OAU’s Conflict Management Division, commends the regionalisation of conflict management.

Due to their cultural affinity and common social and historical configuration, the people of a region normally have more intimate knowledge of the evolution and political sensitivities of the conflict in question ... Moreover, their general sense of solidarity, arising from common histories, experiences, geographic contiguity and cultural compatibility, can play a central role in the crucial process of consensus-building in times of crisis.²⁸

Other commentators are less sanguine. Richard Jackson emphasises the downside of affinity – ‘the corollary to the advantages that regional organisations possess ...

is that they are liable to be too close to the issues and too interested in the outcomes'.²⁹ ECOWAS had an interest in the outcome of the Bissau civil war. Internal rivalries notwithstanding, the sub-regional body's default position in cases of *intra-state* conflict, for example in Liberia and Sierra Leone, has been to support, with military intervention if necessary, the sitting head of state, regardless of legitimacy. Partiality was compounded by Nigeria's unwillingness to engage with the conflict. Its new President, Olusegun Obasanjo, was eager to disengage his forces from entanglement in the Liberian and Sierra Leonean civil wars and to concentrate on domestic reconstruction. Thus, the francophone bloc within ECOWAS was allowed a disproportionate say in formulating policy. This worked in favour of Senegal's position and hence that of Senegal's patron, France. For these reasons ECOWAS could not be taken as a salient mediator in Guinea-Bissau – it could not move the process forward.

With the *ad hoc* initiatives stalled and ECOWAS unviable, there was need for a mediator of standing. The vacuum was filled by the CPLP. Portugal recognised that with Nigeria distracted, France and the francophone bloc within ECOWAS were calling the tune in terms of policy toward Bissau. At this point Portugal sought to reassert its influence in the future of its former colony.³⁰ The Statutes of the CPLP were signed in Lisbon in July 1996 by the seven international Portuguese-speaking states. Portugal had fought its way out of empire and its post-colonial diplomacy had suffered as a result. The establishment of the CPLP raised hopes that the lusophone countries could move beyond the rancorous denouement of the Portuguese Empire. However, continued suspicion of neo-colonialism and the CPLP's demographic profile had limited the organisation's ambitions. Following the outbreak of war in Bissau the *lusofonia* offered support to Angola and Portugal in their informal efforts to use their good offices to encourage a negotiated settlement. However, the organisation took the decision to attempt its own mediation effort during the CPLP summit held in Praia, Cape Verde in mid-July where a Contact Group, chaired by the Foreign Minister of Cape Verde, was established.³¹

Franco-Portuguese competition created a climate of suspicion un conducive to effective mediation. The diplomatic efforts of ECOWAS and the CPLP were described by one participant as 'sheer rivalry'.³² Charles King stresses the 'tendency of Western powers to gauge the relative success of their involvement in civil wars less in terms of the effect on the warring parties, and more in terms of the way in that such involvement affects the strategic interests (and domestic politics) of those powers themselves'.³³ As France sought to manipulate the francophone bloc in ECOWAS so Portugal influenced the CPLP's decision to involve itself in the war. Whilst ECOWAS openly supported Vieira, the CPLP tacitly preferred the *Junta* and its allies. Although he expressed a need for 'an urgent return to constitutional legality', a CPLP spokesman emphasised that 'the Praia meeting must come up with a resolution which will set up a *mediation* mechanism in Guinea-Bissau ... we have to be realistic'.³⁴ ECOWAS Executive Secretary Lansana Kouyate responded to the statement by accusing Portugal of 'neo-colonial behaviour'.³⁵ During a meeting with members of the UN Security Council in mid-July, an ECOWAS representative 'appealed to Council members to

stop Portugal from ‘undermining regional efforts in resolving the conflict as well as to avoid supplying arms to the rebels’, given that, ‘reports from the Guinea-Bissau indicated that Portugal had already supplied sophisticated satellite communications technology to the rebels’.³⁶ Despite having become a *de facto* actor in the conflict through its support of the Senegalese/Guinean intervention, ECOWAS continued to argue that Chapter VIII subsidiarity dictated that the sub-regional body should take responsibility for regional conflict management. After five weeks of fighting, a senior Western diplomat contended that the peace process had ‘stalled’ blaming rivalry between ECOWAS and the CPLP.³⁷ Yet the belief within the francophone bloc that a military solution to the conflict – the defeat of the rebels – was still possible was the single greatest obstacle to finding a settlement. Portuguese Foreign Minister Jaime Gama remarked at the time that it was not ‘possible to get a cease-fire in Guinea-Bissau right now because the logic of war has not yet ceded to the logic of peace’.³⁸

Nonetheless, by the end of July, mounting casualties on both sides and growing domestic opposition to the Senegalese/Guinean intervention allowed for the conclusion of the first of several fragile truces. Renewed effort by the CPLP following the Cape Verde summit produced results. The CPLP’s success somewhat weakened the prevailing orthodoxy that the lead actor in conflict management should be the relevant sub-regional organisation on the basis that proximity leads to mutual understanding. International organisations such as the CPLP might be held to enjoy benefits such as a shared language and heritage whilst remaining a step removed from the dynamics of regional politics. The Economist Intelligence Unit (EIU) considered the main benefits of the CPLP mediation to be ‘traditional linguistic, cultural and political ties between the [CPLP’s] Contact Group and the warring parties’.³⁹ On 26 July, following a meeting on the Portuguese warship *Corte Real* anchored off Bissau city, a Memorandum of Understanding was signed calling for ‘formal negotiations to start within eight days, a de-militarised zone around the strategically located town of Mansoa, the deployment of peacekeeping troops from Portuguese-speaking countries and the opening of corridors of humanitarian aid’.⁴⁰ Portuguese Defence Minister, Jose Penedos, offered to send troops to serve in the proposed peacekeeping force, but only under the auspices of a CPLP, rather than ECOWAS, initiative. An appendix to the Memorandum foresaw the rival forces maintaining their relative positions at the start of the cease-fire.⁴¹ The most contentious issue, the withdrawal of Senegalese and Guinean forces was not explicitly mentioned. Hostilities never fully ceased and both sides claimed that the other side had broken the cease-fire. Neither side, however, formally rescinded the agreement.⁴²

At this point the mediation process was dominated by the *lusofonia*. The Memorandum foresaw mediated talks taking place aboard the *Corte Real* or some other Portuguese naval vessel. ECOWAS might participate but only on the same level and basis as other parties such as the UN, OAU and EU.⁴³ There was a hint of triumphalism on the CPLP’s part. In Lisbon, the *Diario de Noticias* opined that the organisation was ‘reborn from the ashes’ and ‘affirmed as an organisation able to carry out an important role in the part of Africa which speaks Portuguese’.⁴⁴ The CPLP’s success in mediating the conflict had certainly put ECOWAS on the back

foot. Belatedly the sub-regional organisation accepted a need to redirect its policy with regards Bissau. On 4 August the ECOWAS Committee of Seven met in Accra. Although the meeting reaffirmed support for the Senegalese/Guinean intervention, the tenor of discourse towards the *Junta* and the CPLP was placatory. After preliminary meetings between the Committee and the warring parties, and between ministers from the two organisations, a joint ECOWAS/CPLP Consultative Meeting was held on 25 August in Praia under the joint chairmanship of the Ministers of Foreign Affairs of Côte d'Ivoire on behalf of ECOWAS and Cape Verde on behalf of the CPLP. As a result the truce of 26 July became a formal cease-fire. A Cease-fire Agreement was drafted providing for 'the reopening of the airport to allow in humanitarian assistance, an international observer force and a buffer zone along the border with Senegal'.⁴⁵

A further round of inconclusive talks was held in Abidjan in Côte d'Ivoire on 16 September. Proposals for a large-scale interposition force were stymied by the intransigence of the Senegalese and Guinean governments. Dakar envisaged a continuing military presence along the Casamance border, insisting that it would only withdraw its forces if requested by the Vieira government. The *Junta* flatly refused that demand. The meeting only managed agreement on the deployment of a small ECOWAS/CPLP observer force. Although the cease-fire held, tension between the two parties remained high. After reaching Banjul *en route* to Bissau, the *Junta's* negotiating team was stranded for three weeks as Senegal refused permission for them to overfly Casamance. The delegation only reached Bissau after the French, Portuguese and Swedish Ambassadors agreed to fly them to Bissau city in a French helicopter under the auspices of the Red Cross. Meanwhile, the Senegalese Foreign Minister, Jacques Baudin, addressed the UN General Assembly stating that his country's aim was to secure peace and end 'the threat to public security and to foreigners, and contribute to reinforcing stability and security in the sub-region and in Africa'.⁴⁶ However, in mid-October fierce fighting resumed. *Junta* forces quickly took Bafata and Gabu, inflicting serious casualties on loyalist troops, including the Senegalese and Guineans. Rebel forces fought to within 500 yards of the Presidential Palace in Bissau. There was another exodus from the capital city with over 50,000 people fleeing to Safim, Nhacra, and Bissora to the north and Prabis to the west, as well as leaving in boats for the Bijagos Islands. Some people fled to Guinea. The UN World Food Programme announced that renewed fighting would halt the ongoing delivery of rice to the scattered displaced persons from the original displacement. On 21 October Vieira was forced to declare a unilateral cease-fire and two days later, with the whole country except central Bissau city in their hands, the *Junta* accepted another truce.

Once more Gambia sought to mediate, albeit within the wider framework of the existing, flawed, ECOWAS conflict management structure. The Treaty of ECOWAS signed in Cotonou in July 1993, requires member states 'to employ where appropriate, good offices, conciliation, mediation and other methods of peaceful settlement of disputes', as well as establishing 'a regional peace and security observation system and peacekeeping forces where appropriate'.⁴⁷ A series of meetings were held in Banjul between Vieira and Mané, during which, according to a senior Gambian official, there was much 'tough talking' by the hosts

acting as mediators.⁴⁸ The key obstacles remained Senegalese fears over the security of its southern border, and the *Junta*'s determination that foreign troops leave Guinea-Bissau immediately. With an agreement pending, the Gambian mediators arranged for the two sides to be flown to Abuja where a summit meeting of ECOWAS Foreign Ministers was being held. Henceforward, the CPLP would take a nominal role. Following the closure of the summit on 31 October, talks continued between the warring parties together with Presidents Jammeh of Gambia and Abdulsalam Abubakar of Nigeria, and Foreign Ministers from Ghana, Niger, Senegal and Togo. On 1 November 1998, Vieira and Mané signed the 'Abuja Agreement'. A peace plan was framed. Senegalese and Guinean troops would be replaced by an ECOMOG peacekeeping force. The Agreement required the formation of a government of national unity to include members of the *Junta* to be followed in March 1999 by legislative and presidential elections to be monitored by ECOWAS, the CPLP and the international community. Shortly after the signing of the Agreement, a delegation of ECOWAS Foreign Ministers went to New York to brief the UN Security Council on the proposed intervention.⁴⁹ After commending the mediation efforts of ECOWAS and the CPLP, the Security Council authorised a limited Chapter VI peacekeeping intervention 'to facilitate the return to peace and security by monitoring the implementation of the Abuja Agreement'.⁵⁰ Despite funding and logistical assistance from France the ECOMOG force was slow to deploy, undermanned and proved ineffective in fulfilling an over-ambitious mandate.⁵¹ The intervention was successful, however, in its narrow aim of allowing a reasonably dignified exit for the battered troops from Senegal and Guinea. On 6 May 1999, despite the presence of the ECOMOG force, Mané chose to exercise his overwhelming military superiority. Vieira was swept from power into exile.

Conclusion

Zartman remarks that African states 'know how to make a deal, more than they know how to keep one'.⁵² The Guinea-Bissau civil war was replete with potential deals brokered by the gamut of would-be mediators. The response of the African continental and regional organisations tasked with conflict management was, however, disappointing. From the start of the conflict, and throughout its duration, mediation was often driven by the sort of *ad hoc* initiatives that have characterised conflict management in Africa since the independence era. The OAU proved unwilling and unable to mediate the conflict preferring to accept the ascendancy of Chapter VIII subsidiarity as the norm. Thus ECOWAS was promoted as the organisation of first resort. Yet, as had been the case in Liberia and Sierra Leone, the internal rivalries and divergent agendas within the regional organisation undermined the effectiveness of its mediation efforts. Moreover, on this occasion, Nigeria was unwilling because of diplomatic overstretch and domestic preoccupations to take a leading role in the peace process. This emphasises the limitations of Nigeria as regional hegemon, whilst underlining the region's reliance

on Nigeria for effective conflict management. Without Nigeria the francophone bloc directed an ill-conceived, unrealistic and ineffective ECOWAS response to the conflict with active support from its *extra*-African sponsor, France. Indeed, the peace process was notable for the continued involvement of former colonial powers in sub-regional security dynamics. France used its influence within the francophone bloc of ECOWAS to further its support for the incumbent Vieira, whilst Portugal sought to counter French influence and re-establish its own position in Guinea-Bissau by resuscitating an essentially cultural entity – the CPLP. The effect of this external sponsorship was the creation of rival mediation efforts working at cross-purposes and with different objectives. ECOWAS belatedly recognised that the Senegalese/Guinean intervention was doomed and sought to reposition itself as a mediator. At this point the prevailing orthodoxy, encouraged by the UN and OAU, that the sub-regional organisation should take primary responsibility for conflict management was restored. However, as MacQueen notes, ‘Portugal achieved as much as it could in its parallel but linked objectives: legitimising its intervention by framing it as a CPLP initiative while enhancing the standing of the CPLP itself’.⁵³ French involvement was less successful. Support for the Senegal/Guinea intervention and the futile ECOMOG operation came to nothing and the side Paris opposed – the *Junta* and its Casamance allies – came to power. Whilst impartiality is not a pre-requisite for effective mediation the degree of bias shown by ECOWAS and the CPLP hindered the conflict resolution process in this case. However, it is notable that it was the international governmental organisation rather than the sub-regional organisation that succeeded in breaking the impasse and establishing a basis for negotiation. ECOWAS once more demonstrated that internal division and inherent institutional shortcomings in conflict management process are brakes on its ability to effectively mediate conflict. The disingenuous hardline stance against military takeovers adopted by ECOWAS led to the organisation supporting a highly unpopular leader in Vieira, whilst ignoring the clear will of the majority of Guinea-Bissau’s population. Until the latter stages of the conflict it chose not to mediate, but rather acted in the conflict, becoming arguably the greatest obstacle to a peaceful solution. The CPLP’s relative success as mediator brings into question the status of subsidiarity in conflict management. The performance of ECOWAS when it was constrained to assume the role of mediator belied the OAU and UN’s assumption that it should be the organisation of first resort for regional conflict management. In terms of a multiparty approach to conflict mediation, Crocker *et al* make the point that, ‘whereas more is not necessarily better, it is not necessarily worse’.⁵⁴ This was not borne out in Guinea-Bissau. A multiplicity of would-be mediators exacerbated and prolonged the conflict. In cases where the potential mediators are as at odds as the combatants the application of the subsidiarity principle fails. Prime responsibility for mediation should revert to the wider international community. In Africa’s case – and depending on the individual circumstances of the conflict – this should be the AU or the UN.

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Chapter 7

Democratic Republic of Congo: Problems of the Peacekeeping Process

Emeric Rogier*

Introduction

With a death toll of at least 3.3 million since it broke out in August 1998, the conflict in the Democratic Republic of Congo (DRC) has cost more lives than any other since the Second World War.¹ Resulting from an intricate cluster of internal and external factors, it also probably counts among the most complex conflicts, with up to nine states militarily involved on Congolese territory and even more rebel groups brought in. Broadly speaking, the war in the DRC initially opposed two sides, composed of the Kinshasa government, its Angolan, Namibian and Zimbabwean allies as well as various paramilitary forces on the one hand, and a divided set of rebel groups (notably the Congolese Rally for Democracy – RCD and the Movement for the Liberation of Congo – MLC) and their Rwandan and Ugandan sponsors on the other.

As a result of a year-long international (mainly African) process that placed great pressure on the belligerents, a cease-fire agreement was signed by the Heads of State of the Democratic Republic of Congo, Namibia, Rwanda, Uganda and Zimbabwe and the Minister of Defence of Angola on 10 July 1999. This cease-fire agreement was then signed by the Ugandan-backed MLC on 1 August 1999 and, finally, by 50 people representing both factions of the RCD on 31 August. As its title indicates, however, the ‘Lusaka Cease-fire Agreement’ only provided for the cessation of hostilities pending a political settlement among the Congolese parties themselves. Chapter V of the agreement, which defined the parameters of the Inter-Congolese Dialogue (ICD), called for the official launch of this process of negotiations, which should lead to a ‘new political dispensation and national reconciliation in the DRC’. Yet, instead of the 90 day time frame allotted to the Congolese parties to reach agreement, the ICD lasted three months ... and three years. The aims of this chapter are firstly to provide a historical account of this

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somewhat hectic process, its actors, stages, setbacks, achievements and shortcomings; and secondly, to draw a few policy conclusions pertaining to the application of a nonetheless original conflict resolution technique.

The Lusaka Phase: A False Start

Lusaka, Gaborone, Addis Ababa, Sun City, Pretoria ... these are shorthand for only but a few of the various steps that have marked out the ICD and, as the place names testify, have made the ICD essentially an African process – though one that was rescued several times by the United Nations.² In fact, the latter observation applies to the ICD but also to the wider peace efforts deployed immediately after the break up of hostilities on 2 August 1999. During the first year of the Congo war, most of the diplomatic initiatives were taken by appointed or self-proclaimed African mediators, including Blaise Campaore (as Chairman of the Organisation of African Unity – OAU), Frederick Chiluba (mandated by the Southern African Development Community – SADC), or Muammar Al-Qaddafi (acting on his own behalf).³ Among the various African sub-regional organisations involved in these peace activities, SADC played a leading role. However, the Community was profoundly divided over the Congo war between those of its members that had rejected Laurent-Désiré Kabila's request for military assistance and the governments of Zimbabwe, Angola and Namibia that intervened on the side of the Congolese President.

Hence, as is often the case with regional organisations involved in peacemaking activities in their own regions, neighbouring countries could hardly bring about a solution, since they were part of the problem to begin with. As a result, and given its *non*-involvement in the conflict and its regional power status, the Republic of South Africa soon became involved as a moderator. While Nelson Mandela tried to bridge the gap between SADC countries, his successor, President Thabo Mbeki, put forward key proposals, such as the need for direct talks among the parties; the cessation of hostilities pending an inter-Congolese political arrangement; and the withdrawal of foreign forces after the deployment of a peacekeeping operation. These were to be agreed upon and enshrined less than one month later in the Lusaka Cease-fire Agreement.

Back to Basics: the Lusaka Cease-fire Agreement (July-August 1999)

The signing of the 'Lusaka Cease-fire Agreement' not only resulted from persistent third-party efforts, but also from contextual factors. The accord was indeed brokered at a time when the military situation had reached stalemate: the rebels and the 'uninvited' Rwandan and Ugandan forces had to admit the failure of their 'blitzkrieg' strategy and could no longer hope to topple Laurent-Désiré Kabila, while, for his part, the Congolese President had failed to push them out of the DRC. In addition, all the signatories could draw political benefits from certain, yet differing, provisions of the peace accord. While Rwanda and Uganda gained acknowledgement of the security threats that they claimed had triggered their

intervention, the DRC had it confirmed that the invading forces had an obligation to withdraw. In this sense, all the belligerent states secured a regional commitment to deal with their national security.

As far as the rebels were concerned, they obtained international recognition and an agreement that weakened Laurent-Désiré Kabila by granting them equal status in the forthcoming political negotiations.⁴ In other words, the signing of the cease-fire agreement resulted much more from an opportunistic move by each party than it reflected a general commitment to reach a political settlement to the conflict. In such a context, the inter-Congolese ‘dialogue’ took time to materialise and even longer to reach its conclusion.

The objective of the ICD was to establish a transitional administration in the DRC pending the holding of democratic elections. As stipulated in the ‘Lusaka Cease-fire Agreement’, the ICD aimed at facilitating an agreement among its participants on four issues related to power-sharing in the DRC: the formation of a new Congolese army; the future institutions of the country; the organisation of general elections; and the interim constitution and institutions that would govern the DRC during the transition period. Importantly, the transitional administration was to be ‘inclusive’, i.e. its composition should represent the various Congolese stakeholders, and it should govern the country based on the principle of consensus. In accordance with this approach, the negotiations should not only include the Government of the DRC and the main rebel groups (at the time, RCD and MLC), but also opposition political parties (the so-called ‘non-armed opposition’) as well as representatives from civil society (the ‘*forces vives*’). All parties were expected to participate with equal status in the talks. The dialogue would take place under the aegis of a neutral facilitator who would be responsible for organising the negotiations, consulting the parties, and conducting the discussions.⁵ However, the appointment of the neutral facilitator came as the first stumbling block as the parties proved unable to agree on a candidate. Sir Ketumile Masire, former President of Botswana, was finally appointed on 15 December 1999, two months after the deadline given to the participants to conclude the dialogue. Still, after Sir Ketumile took up his functions in January 2000, the ICD stalled for another 12 months – obstructed by Laurent-Désiré Kabila.

From Laurent-Désiré to Joseph

Several features of the Dialogue infuriated the former DRC President. First of all, Laurent-Désiré Kabila could not stand seeing his rule put into question. The ICD not only gave ‘equal status’ to each of his armed and unarmed opponents but was basically intended to result in a new power sharing arrangement within the DRC. Instead, the self-proclaimed President wanted a new constitution to be adopted and elections to be held (under his control) to provide him with some degree of legitimacy. In addition, Kabila refused to open discussions on the future of the DRC as long as the country remained under foreign occupation. Contrary to the terms agreed upon in Lusaka, he demanded that the withdrawal of the ‘aggressors’ be the prerequisite, not the consequence, of national dialogue, a factor which would obviously weaken the position of the rebels. In this respect, Laurent-Désiré

Kabila had the backing of UN Resolution 1304 (2001), which required that Rwanda and Uganda withdraw without delay, and he tried, although in vain, to use this text to release himself from the commitments binding him to the dialogue.

Kabila Senior therefore did everything in his power to obstruct the holding of the ICD. At first he rejected the facilitator and even ordered the closing of his office in protest against the fact that his proposal to appoint a (French-speaking) co-facilitator had been rejected. Then, on 6 June 2000, after months of consultation with Congolese and other interested parties, a preparatory meeting was finally convened in Cotonou (Benin). However, the Government delegation refused to attend and failed to provide representatives from unarmed opposition and civil society with the necessary travel authorisations. Simultaneously, Laurent-Désiré Kabila promoted the newly established Constituent Assembly (composed of 300 members nominated by himself) as the appropriate forum for a national dialogue.⁶ He persistently assaulted public and political liberties in a way that was hardly compatible with the requirements of a broad and open dialogue. However, while Kabila's obstructionism did not allow the ICD the slightest chance to begin, things almost immediately ran more smoothly after he disappeared from the political landscape.⁷

While his own appointment had raised much perplexity, Joseph Kabila (Laurent-Désiré Kabila's son) was aware that the Congolese authorities had little to gain in appearing to be the main obstacle to peace and he therefore radically changed direction. Externally, he permitted Sir Ketumile Masire to continue (or rather start) his work; internally, he repealed the decrees restricting activities by political parties.⁸ This new climate facilitated the holding of several preparatory meetings during 2001. On 4 May, the three Congolese belligerent parties reconvened in Lusaka in order to renew their commitment to the Dialogue, agreeing on a number of general principles that would serve as a basis for the negotiations. Meanwhile, the office of the facilitator sent a technical mission to the field to assist the other two (civilian) components of the dialogue, namely the unarmed opposition and the *forces vives*, in selecting their representatives. This was a difficult but useful task given the heterogeneity of these groups and the fact that they were subjected to harnessing attempts. In the end, the ICD preparatory committee comprised seventy-four delegates from the five components, who managed to agree by the end of August 2001 on the agenda, the structure, the rules, the place and the dates of the dialogue. Yet, the first session of the ICD, which was convened in Addis Ababa on 15 October 2001, resulted in complete failure.

The Abortive Dialogue in Addis Ababa (October 2001)

The chief reason of this failure did not relate to unbridgeable political differences, but to representation issues that prevented the discussions from starting. Indeed, having only limited financial resources at his disposal, the neutral facilitator found himself compelled to reduce the number of delegates to 15 per group instead of the 60 previously agreed upon. This reduction to one quarter impinged on the representativeness and thereby on the credibility of the process. In addition, it appeared that the overall participation in the ICD needed to be broadened further in

order to reflect the diversity of the Congolese population and include groups not adequately represented in the five components. It was thus decided that the ICD should also incorporate representatives from the local Mayi-Mayi militias; religious orders; traditional chiefs; as well as other groups from the armed and non-armed opposition. Yet, discussions on the best way to accommodate these various interests dragged on and the Government delegation, irritated by the overall situation, eventually decided to withdraw its participation. This first meeting of the Inter-Congolese Dialogue eventually lasted only five days instead of the proposed 45.

The Sun City Phase: Failed Outcome

At this point, the ICD was basically still-born. At the initiative of UN Secretary-General Kofi Annan, the three main parties (the DRC Government, the RCD-Goma and MLC) attended an informal meeting in New York in November 2001 where they agreed to re-launch the process. However, crucial funding, representation and political issues had to be resolved in order to revitalise the ICD. Financial resources were first secured (with contributions from, inter alia, South Africa, the European Union, the USA, Canada, Japan and Belgium) to ensure the participation of a much larger number of delegates for a much longer duration than in Addis Ababa. Meanwhile, during a meeting held in Abuja in December 2001, the three main parties made significant progress on the issue of the composition of the delegations. Nevertheless, the Belgian Government had to re-motivate and provide guidance to the representatives of the unarmed opposition and civil society who were infuriated by the arrangements made without their consent and which impacted on their own delegations. In addition, the discussions held in Abuja revealed strong disagreements on substantial issues, in particular concerning the presidency. While a pre-summit between the leaders of the three main belligerent parties (Joseph Kabila, Adolphe Onusumba and Jean-Pierre Bemba) might have helped outline a political deal on the most sensitive issues, no such meeting could take place before the official opening of the dialogue.

The Sun City 'Talk Show' (February - April 2002)

The real negotiations took place in Sun City, South Africa, from 25 February to 19 April 2002.⁹ The 362 delegates represented five different 'components' (the three Lusaka signatories; the unarmed opposition; and the '*forces vives*') and three 'entities' corresponding to three additional belligerent groups (RCD-ML, RCD-National and the Mayi-Mayi). These delegates split into five technical commissions devoted respectively to: political and legal matters; security and defence; social, cultural and humanitarian affairs; economy and finance; and, finally, peace and reconciliation. Ultimately, 34 resolutions were negotiated and approved by consensus within these commissions. In particular, the delegates agreed to create a number of new institutions of 'support to democracy' (such as an independent electoral commission; a national observatory for human rights; a truth

commission; a higher authority for the media; etc.) that could later potentially help with rebuilding the DRC on a 'healthy' basis.

Nevertheless, these technical commissions failed to shape a solution to some of the key issues at the heart of the conflict and instead tasked the interim institutions with resolving them. The citizenship issue and the commercial contracts signed during the wars, for example, were thus to be examined by the future parliament. Furthermore, while the latter three commissions mentioned above exhausted their agenda, the former two (on political and security matters respectively) did not, due to the belligerents' inability to reach agreement on the weightiest issues before them: the political and military power they would enjoy during the transition period.

Indeed, when the negotiations opened, the three main parties had incompatible objectives that largely prevented a compromise. Joseph Kabila was ready to call for elections at the end of the transitional period and was open in the meantime to appointing opposition and rebel leaders at high level positions within the interim institutions; but he also aimed to be confirmed as Head of State during the transition – a position he deemed neither vacant nor negotiable. On the other hand, the rebel leaders wanted to seize the opportunity created by the dialogue to unseat the current president (hence, the MLC's proposal of a revolving presidency every three years).

The structure and command of the future national army gave rise to the same kind of dispute. All sides agreed in principle that the Congolese army should be restructured to incorporate forces from the three belligerent parties. However, in order to stay in command of the army and ensure the break up of rebel groups, the government delegation wanted their forces to be integrated into the existing *Forces Armées Congolaises* (Congolese Armed Forces) and was not ready to grant rebel leaders anything more than low-ranking leadership positions. On the contrary, the rebel movements demanded that the three armies be completely merged on the basis of a quota system and claimed their share of the command structure.

Enter Mbeki

The lack of agreement on these power sharing issues meant, very simply, the failure of the Inter-Congolese Dialogue and the continuation of the war. In desperation, Sir Ketumile Masire appealed to South African President Thabo Mbeki to try to broker a last minute deal. South Africa had indeed many reasons to support the successful conclusion of the dialogue, which largely explains its mediation efforts in the DRC. As the host country, South Africa was obviously willing to maintain the momentum due to the significant financial investment it made in the ICD. As a regional power, it was eager to achieve a success that could only increase its prestige and reinforce its image as peacemaker. As a commercial power, Pretoria was also aware of the business opportunities that would open to South African companies once peace was restored in the DRC. Finally, as a military power, the South African government feared being pushed to send peacekeepers to a hazardous environment and was therefore anxious to see a peace agreement brokered. However, South African leaders have often been seen as

biased in favour of the Rwandan camp. While this positioning may have provided Pretoria with some leverage, there was a potential for backlash, which was realised in Sun City.

President Mbeki submitted successively two plans related to the allocation of key power positions during the transition period. The first one, officiously called 'Mbeki I', was rejected by the two rebel movements. The second one, 'Mbeki II', was amended in a sense so ostensibly in favour of RCD-Goma that it allegedly offended the Congolese nationalist sense of most delegates and was ultimately rejected by Kinshasa and the MLC. Thus, this initiative not only failed but may even have been counterproductive by spurring the government delegation and the MLC to come quickly to a deal under their own terms.

The 'Accord de Sun City'

The Kinshasa government and the MLC concluded a bilateral power-sharing deal on the sidelines of the ICD, which enabled Kabila to be confirmed as president for the transition period (and to obtain thereby the long-awaited resumption of international aid) but also to gain a military advantage on RCD-Goma by encircling its zones and symbolically reunifying two thirds of the Congolese territory. For his part, Jean-Pierre Bemba was allotted the seat of prime minister (and reportedly other financial benefits) and could see himself becoming one of the most prominent political leaders of the country. This '*Accord de Sun City*' was subsequently signed by a majority of delegates (including representatives of RCD-ML and RCD-N) but crucially not by the RCD-Goma, nor by a number of opposition parties. Those delegates dissatisfied with the outcome later formed an Alliance for the Preservation of the Inter-Congolese Dialogue. In so doing, civil society groups aligned themselves with particular armed groups in a move that contradicted the search for a new political order as well as their struggle for the democratisation of Mobutu's Zaire in the early 1990s.¹⁰

The fact remains that up to this stage the ICD did not result in the all-inclusive agreement that was expected. To sum up, several factors contributed to this failure. First, the negotiations appear to have been poorly prepared: much time was devoted to solving representation issues before the opening of the ICD (and again during the first two weeks of the session) in detriment of more substantive issues on which no pre-deal could have been concluded. In that respect, the ICD facilitator has drawn much criticism for the minimalist conception that he may have held of his role, while the last-minute intervention by President Thabo Mbeki was also scarcely effective. Fundamentally, however, the failure to reach an all-inclusive agreement should be ascribed to the parties themselves, in particular to the Rwandan camp. The RCD-Goma could not resign itself to Kabila's renewed presidency and was even less willing to agree to an outcome, which allowed the latter to continue to provide support to Rwandan Hutu extremists (including ex-FAR and Interahamwe elements) based in the DRC. In fact, the RCD-Goma was probably prevented from concluding a deal by the Rwandan government, which had given up the idea of controlling Kinshasa but not the Kivus, and was therefore not ready to accept the re-establishment of the DRC's sovereignty throughout all

the Congolese territory. Clearly, Rwandan short-term benefits from resource exploitation and long-term objectives of creating a zone of influence in eastern Congo were not compatible with the restoration of the DRC's unity, which an all-inclusive agreement could have heralded. Hence, inter-Congolese affairs remained strongly influenced by outsiders.

The Pretoria Phase: A Fool's Game?

While the Inter-Congolese Dialogue ended in failure in April 2002 and the peace process seemed to have then reached stalemate, significant developments nonetheless occurred during the second half of 2002, whose convergence might have outlined a potential way out from the Congolese labyrinth. The Sun City Accord produced mixed reactions within the international community. For his part, the facilitator repudiated the agreement (in the negotiation of which he played no part at all) on the basis that it was non-inclusive and had been concluded outside the legitimate framework of the ICD. Yet, while certain countries supported that position and called for the resumption of the dialogue, others accepted the agreement at the risk of undermining further the facilitator's authority. Eventually, the deal concluded between Kabila and Bemba proved short-lived as both parties displayed their inability to agree on a constitutional basis and to put into operation an agreement that was very vague in nature. These developments encouraged the United Nations and South Africa to put the process back on track and to continue searching for a comprehensive agreement involving all Congolese stakeholders. Such an agreement was not only necessary to restore peace in the DRC, it also seemed within reach given the fact that the ICD had not failed to produce consensus on the principle but only on the modalities of power sharing. Still, the poor performance of Sir Ketumile Masire led the UN Secretary-General to grant Mustapha Niasse, his Special Envoy to the DRC (who had chaired the Political and Legal Commission of the ICD), a six-month mandate (later extended until March 2003) to broker the long-awaited all-inclusive agreement.

Enter Niasse

Between June and October 2002, Mustapha Niasse conducted three missions in the region during which he discussed with all parties concerned their views pertaining to power sharing during the transition period. At the end of his third mission, the Special Envoy was already optimistic about the prospects for reaching an agreement.¹¹ In fulfilling his mandate, he was helped by two critical factors. First, the UN Special Envoy benefited from the crucial support of the South African government's team, led by Sidney Mufamadi, Minister of Provincial and Local Government Affairs, in his capacity as representative of the Presidency-in-office of the African Union. Although Mbeki's unsuccessful intervention at Sun City made it difficult for South Africa to play a prominent role (hence, the appointment of a French-speaking mediator), Pretoria remained nonetheless highly committed to the process. This time the South African government made the most of its privileged

relationship with Kigali to try to convince the RCD-Goma and its sponsors to reach a deal.

Second, the overall context in the latter half of 2002 proved much more conducive to peace efforts than the situation that prevailed a few months before. In July and September 2002 respectively, separate agreements were concluded between the DRC and Rwanda (Pretoria I) as well as between the DRC and Uganda (in Luanda), which paved the way for the withdrawal of foreign forces from the Congolese territory. At the time, the Rwandan leadership in particular seemed to have reconsidered its involvement in the DRC.

Pretoria I: Rwanda's New Departure (July 2002)

When an accord was announced on 30 July 2002 on the withdrawal of Rwandan troops from Congolese territory and the dismantling of the ex-FAR and Interahamwe, very few expected it would ever become a reality. In fact, signed by the President of South Africa and the UN Secretary-General as witnesses this four-page protocol added nothing new to the agreement concluded three years earlier in Lusaka, nor even dismissed any of its loopholes. In particular, it remained a mystery as to how the targeted armed groups would be disarmed and who would take on this responsibility. Conversely, being made conditional upon the simultaneous implementation of 'effective' (but yet-to-be-defined) measures to address its security concerns, it seemed all the more unlikely that the Rwandan withdrawal would take place within the 90-day timeframe. Yet Rwanda's President Paul Kagame pulled out his forces without even waiting for Kabila to live up to his own commitments. This sudden shift, a few months after preventing the RCD-Goma from making a deal at Sun City, deserves some explanation. First, it appears that after the failure of Sun City, for which the Rwandan leadership was widely held responsible, it felt increasingly isolated. Not only had Kabila concluded an accord with the Ugandan-backed MLC, but Kigali's instructions to the RCD-Goma generated the impression that Rwanda preferred a quasi-permanent partition to the potential reunification and reconstruction of the Congo. Added to the overwhelming conclusions of the UN Panel of Experts on the exploitation of natural resources in the DRC, Kigali's obstructionism at Sun City fuelled the interpretation that, in the final analysis, the Rwandan Patriotic Army had not invaded the DRC in (self-)defence of Rwandan borders, nor even to grab hold of Congolese resources, but simply to annex the Kivus. Thus, while the post-1994 Rwandan regime, as an embodiment of the survivors of the genocide, has long enjoyed a form of international immunity status, Kagame's intransigence and possible duplicity started to raise criticisms and attract international (including US) pressure. Furthermore, the RCD-Goma became implicated in war crimes committed in Kisangani in May 2002 during the put-down of a mutiny. Although the Rwandan army denied any involvement in the events and insisted it had no troops in the city since June, Rwanda continued to control the city through its proxy and bore responsibility, as the *de facto* occupying power, for the atrocities committed in the region. In the end, there was probably no better way for Kigali to defend itself against the accusations of obstructing peace efforts, plundering

Congo's resources and abusing human rights than by withdrawing its forces. This step was also consistent with the new policy the Rwandan regime had developed for the Kivus, according to which while the two provinces may not have to remain under its direct military occupation, they still constitute a zone of influence. The power-sharing deal brokered by Mustapha Niasse did not seem incompatible with this objective either.

The 'Global and All-Inclusive Agreement': Unfinished Business (December 2002)

On 17 December 2002 in Pretoria, the main Congolese parties to the conflict, including the DRC's government, RCD-Goma, MLC, RCD-ML, RCD-N and the Mayi-Mayi, finally signed the Global and All-Inclusive Agreement on the Transition in the DRC (also called 'Pretoria II'). Short of addressing the causes of the conflict, this agreement reflected a deal between the principle warlords as to how they would share power at the governmental level during the 24-month transition period, at the end of which elections should be held. In brief, President Kabila would remain Head of State (and Supreme Commander of the Armed Forces) but would be assisted by four Vice-Presidents in charge of governmental commissions, each comprising ministers and deputy ministers. A political commission would be chaired by the (new) leader of the RCD-Goma (Azaria Ruberwa); an economic and finance commission by the (former) leader of the MLC (Jean-Pierre Bemba); a reconstruction and development commission by a member of Kabila's government (former foreign minister Abdoulaye Yerodia Ndombasi); and a social and cultural commission by a representative of the political opposition (former international civil servant Arthur Z'ahidi Ngoma). In total, the transitional government would include no less than 36 ministers and 25 deputy ministers. In addition, the signatories also agreed on the structure and composition of the parliament, which would consist of a national assembly (comprising 500 members and presided over by an MLC representative) and a senate (comprising 120 members and presided over by the '*forces vives*'). Civil society would also head the five independent institutions 'in support of democracy' whose establishment was decided at Sun City, including the independent electoral commission.

Although this deal was a necessary step on the road to peace and may eventually mark the beginning of a new era in the DRC, the Pretoria II agreement did not stem from the political will of the signatories but was achieved, just like the previous ones, after protracted negotiations and under intense international pressure exerted in particular by the United Nations, South Africa, and Western countries. In the end, the parties' motives for signing were to avoid being marginalised and to have their share of power preserved, confirmed or recognised, but probably not to offer the DRC an opportunity to rise from its ashes. Each party's likely motives is summarised below.

RCD-Goma: Given its strong military position and the fact that certain political issues deemed important by some of its members were not adequately addressed in the agreement (such as citizenship), the RCD-Goma had no strong incentives to conclude a deal. However, the rebel movement was well aware of its

lack of popular support in eastern Congo, even less in Kinshasa, and probably expected to gain some legitimacy from participating in the transitional government. In addition, RCD-Goma was granted the ministry of defence, an allocation consistent with its ambition (as well as Kigali's objective) to control the Congolese state security apparatus. Finally, it is all the more likely that RCD-Goma complied with the instructions of its Rwandan master, itself under the pressure of the international community.

MLC: Compared to the RCD-Goma, the MLC was far less unpopular in the DRC, especially in Kinshasa, as it appeared less obviously subjugated to the will of neighbouring countries. Although sponsored by Uganda, the MLC comprised a number of former Mobutists and ex-supporters of Laurent-Désiré Kabila within its ranks, making it a more credible Congolese political force. However, Bemba had seen his position rapidly weakening since the end of the Sun City meeting. Not only did the deal concluded with Kabila not materialise, but Bemba's credibility was seriously undermined by human rights abuses perpetrated by his troops in Mambasa (Ituri district) and reported on by the national and international media during the summer of 2003.¹² The MLC was further weakened on the military front by the fall of its Central African ally Ange-Felix Patassé, who was overthrown by François Bozize on 15 March 2003, with the help of the Congolese Armed Forces. As a result, the MLC lost its supply base in CAR and felt further threatened by the defence accords that Bangui and Kinshasa agreed to revive in June. With his political and military room to manoeuvre shrinking, Bemba was less demanding in the negotiations and saw no better exit strategy than signing an accord which guaranteed him a safe position in power. In so doing, the MLC leader also obtained the lucrative position that he (and his Ugandan mentors) aimed at: the vice-presidency for economy and finances.

RCD-National: A similar calculation was made by the leader of the RCD-National. Since the *raison d'être* of this movement was mainly to attract more positions for the MLC within the transitional administration, Roger Lumbala disposed of no armed forces as such except Bemba's troops. He nonetheless was implicated in the Mambasa affair and was therefore happy to leave the bush in exchange for some form of political immunity.

RCD-ML: Finally, in spite of Kinshasa's support, RCD-ML troops found themselves in an increasingly difficult military situation as they were encircled from all sides. Mbusa Nyamwisi, who had already concluded a deal with Kabila at Sun City, also reached the conclusion that time had finally come to move to Kinshasa.

The Final Act (April 2003)

The Pretoria II agreement could be described as 'global and all-inclusive' in so far as the distribution of political positions and privileges had been negotiated to the smallest detail among those stakeholders considered the major national players. However, the agreement failed to address at least three outstanding issues. These were: the integration of all armed forces into a united national army; the personal security of transitional government leaders; and, finally, the interim constitution for

the transition period. It was to resolve these pending matters that technical committees were convened once again in Pretoria on 24 February 2003. After eleven days of discussions, on 6 March 2003 the ICD delegates approved three additional documents.

First, a 'Memorandum regarding the mechanism for the establishment of a restructured and integrated national army' was signed, which in fact was nothing more than a declaration of intent. No agreement had yet been found among the belligerent parties on the sharing of military responsibilities during the transition period. Discussions on this contentious issue dragged on until a deal was brokered on 29 June by UN Special Envoy Mustapha Niasse, assisted by former Canadian Armed Forces Chief of Staff, General Maurice Baril. Under this agreement, which was signed in Kinshasa, President Kabila would nominate the armed forces chief of staff and the head of the navy, while RCD-Goma and MLC would head the ground forces and the air force respectively.

In the second document approved in March, entitled 'Memorandum regarding the security provisions during the Transition', the signatories requested the international community to provide for their personal safety in Kinshasa. Rebel leaders in particular agreed to come to the capital in order to take up their functions, but wanted assurances that their security (and that of their relatives) would be guaranteed at all times. This proved to be another contentious issue, as President Kabila could only receive with scepticism the proposal made by RCD-Goma and MLC to make up a police force of their own soldiers. The international community was therefore approached to 'protect the transitional institutions', and ensure security in the Congolese capital – a task the United Nations Mission in the Congo (MONUC) would actually take on.

Thirdly, the final round of discussions led to the adoption of the transitional constitution. However, just as the memorandum on the army missed out the crucial command issue, the transitional constitution was silent on a major aspect of the DRC's conflict: the granting of Congolese nationality in general and the status of the Banyamulenge in particular. Article 14 of the constitution states that all ethnic groups and nationalities constituting Congo at the time of independence are equal as citizens before the law. Yet, it leaves it to a future nationality act to spell out the conditions under which Congolese nationality is to be recognised, acquired, lost or recovered. In this matter, the constitution proves specific only in precluding double nationality, a provision that may alienate Rwandan Hutu and Tutsi minorities in the DRC. In the same vein, the transitional constitution does not contain any indication concerning the future constitutional order and level of decentralisation in the DRC. While the RCD-Goma and autonomist movements in the Kivus (backed by Rwanda) support federalism as a way to secure control over eastern Congo's resources, the government component will seek to re-establish control over all the territory, and especially over the rebel areas.¹³

This unfinished deal nevertheless paved the way to the final session of the Inter-Congolese Dialogue, held in Sun City on 1-2 April 2003, during which the Final Act was signed, endorsing all agreements approved until then. Ironically, the leader of the RCD-Goma, Dr Adolphe Onosumba Yemba, was this time the only one of the three main belligerents to attend this session, which Kabila, irritated by

the choice of location (Sun City instead of Kinshasa), decided to boycott, followed by Bemba. The official ICD facilitator, Sir Ketumile Masire, attended the ceremony but did not deem it relevant to refer in his speech to the role played by the UN Special Envoy in the outcome. Yet, as illustrated by the fact that key agreements, including the latest ones, were secured outside its framework, it is quite clear that the Inter-Congolese Dialogue did not live up to expectations and would have ended in failure without external interventions.

Conclusion

Initially, the Inter-Congolese Dialogue could have been seen an appropriate conflict resolution tool that would address both the contextual factors of the Congo war (in particular the failure of Mobutu's Zaire) and the greedy motives of most belligerents. While bad governance and democratic deficit had characterised the Mobutist state and eventually caused its collapse, the launching of a nation-wide dialogue open to non-belligerents seemed a first step towards establishing a new political order based on popular consent and inclusive participation. This broad-based dialogue also indicated that the belligerent parties were not considered the only relevant political actors, but that political legitimacy could also be acquired without resorting to violence. At the end of the day, however, although a few resolutions were approved at Sun City that might later reveal their peace-building value, key issues for the reconstruction of the Congo were not adequately (if at all) addressed during the whole process. The ICD can thus be considered a failure in spite of the signing of the 'global and all-inclusive' agreement, and in fact *because* of the signing of this very agreement. Not only was this peace deal (and the subsequent memoranda) negotiated largely outside the framework of the Inter-Congolese Dialogue, but the nature and shortcomings of the Pretoria II agreement indicate that, far from laying the foundations of a new Congo, the ICD was reduced to a bargaining forum between warlords and predatory leaders. How to explain this failure?

First, one should admit that given the nature of the Congolese conflict – that is, a conflict fought over the control of the central government by belligerent factions devoid of any other political manifesto- some kind of power sharing deal (in the narrowest sense of the term) was probably inevitable to stop the fighting. However, even if an 'elite pact' might be necessary to end the war, it is not sufficient to build peace. The trouble is that the ICD talks were gradually reduced to that narrow objective while the number of contestants simultaneously, and correlatively, kept growing. Greedy warlords indeed managed to 'shoot their way' to the negotiating table, thereby increasing the difficulty of finding an agreement and impoverishing further the contents of the talks. Hijacked by belligerent factions, the ICD was locked in a vicious circle.

Second, responsibility for the failure of the dialogue is must also be partly borne by the *'forces vives'* and the unarmed opposition. True, most of the substantial resolutions adopted at Sun City were initiated by civil society organisations. True also, these organisations found it difficult to find their way in

the forum while belligerent factions were simultaneously engaged in parallel discussions, and even determined the composition of their delegations. However, by eventually aligning themselves with certain armed groups, the '*forces vives*' and the political parties gave up the peacebuilding role they were expected to play by polarising further and reducing the scope of the talks.

Third, in spite of its designation, the ICD was not purely 'inter-Congolese'. Neighbouring countries played a major role in the Congo war and continued to exert their influence during the ICD process through their proxies. It is thanks to the support provided by Rwanda and Uganda that armed groups could shoot their way to the negotiating table and raise the bidding. Likewise, this support enabled foreign sponsors to limit the rebels' room to manoeuvre and keep the ICD at least partly under their control. While the ICD aimed ultimately at reunifying the country and re-establishing the sovereignty of the DRC over all the Congolese territory, neighbouring countries could not be expected to support the process as long as they perceived these goals would be achieved at their expense.

Finally, the ICD was without any doubt weakened by the lack of international involvement without which African solutions can hardly be sustainable. Whether the severe criticisms to Sir Ketumile Masire were well grounded or not, the facilitator's performance could only have benefited from timely financial and political support. That the ICD process was several times rescued by the UN indicates both its inherent weaknesses and the need for a *continued* international commitment.

The failure of the ICD does not necessarily mean that this kind of conflict resolution strategy should be dismissed. On the contrary, enlarging the negotiations to non-armed actors remains a valid option to avoid peace processes being monopolised by (often obscure and non-representative) armed groups. A few conditions should be met, however, for this strategy to be more effective. First of all, negotiations should not be held against the background of continued fighting. While the ICD was designed to take place only after the Lusaka cease-fire agreement had entered into force, in practice hostilities continued in eastern Congo throughout the negotiations. As seen above, new armed groups have emerged and tried (successfully) to force their incorporation into the dialogue. The lesson is that a cease-fire agreement should not only be signed but strictly enforced (with the assistance, if needed, of a robust international peacekeeping force) and participation to the talks should then be limited to the signatories of the agreement. Instead of incorporating new factions, those who violate the cease-fire should not be allowed at the negotiation table. While peace spoilers usually come from splinter groups, such a policy may induce would be spoilers to stay within the mainstream, even more so if their actions are met with adequate military response. By the same token, such a policy would punish, not reward, the resort to violent means; avoid propelling obscure and/or non-qualified leaders to power positions; and enable talks to be held in a more conducive climate.

The rules of the game thus defined, the experience of the ICD also shows that such a process requires careful preparation. Ideally, the composition of the delegations should be determined well in advance, funding should be secured, and preliminary discussions should have been held on the most sensitive issues before

the official opening of the talks. These three conditions require, in turn, that the facilitator/mediator be granted unambiguous political and technical support by external actors. Such a support may entail providing guidance to non-armed actors so that they play a constructive role, compelling belligerent parties to commit to the negotiation process, and preventing, through the use of ‘carrots and sticks’, neighbouring countries from jeopardising peace efforts. Having largely failed to do so in the DRC, the international community is now faced with the daunting task of rebuilding democratic institutions with former war leaders and profiteers who are more likely to concentrate on entrenching themselves in power, than on contributing to the reconstruction process.

Notes

- 1 According to the International Rescue Committee, the aid agency responsible for these estimates, ten per cent of the victims died violently while the rest died from starvation and disease because of the various armed groups’ activities, DRC Conflict Deadliest since World War II – Aid Agency, *IRIN-DRC*, 8.4.03.
- 2 The final report of the neutral facilitator of the Inter-Congolese Dialogue and all documents approved within the framework of the ICD are available online at www.drcpeace.org/docs.
- 3 Former Senegalese Prime Minister Mustafa Niasse may be added to the list although he acted as Special Envoy of the United Nations Secretary General (himself a Ghanaian national).
- 4 International Crisis Group, ‘The Agreement on a Cease-fire in the Democratic Republic of Congo’, *DRC Report* No 5, 20.8.99, pp.4-17.
- 5 In this regard, see *Lusaka Cease-fire Agreement*, Chapter 5.
- 6 *Report of the United Nations Secretary General*, S/2000/1156, para.23.
- 7 Laurent Kabila was mysteriously assassinated in Kinshasa on 16 January 2001. His cohorts appointed his son, the then 29 year old Joseph, as President. Joseph Kabila was sworn in on 26 January 2001.
- 8 *Report of the United Nations Secretary General*, S/2001/373, para 6 and 18.
- 9 A detailed account of the negotiations at Sun City can be found in International Crisis Group, ‘Storm Clouds Over Sun City: The Urgent Need to Recast the Congolese Peace Process’, *Africa Report*, no.44, 14.5.02.
- 10 Stressed by Henri Boshoff and Martin Rupiya, Delegates, Dialogue and Desperadoes. The ICD and the DRC Peace Process, *African Security Review*, 12(3), 2003, pp.34-36.
- 11 *Report of the United Nations Secretary General*, S/2002/621, para 18 and S/2002/1180, para 3-7.
- 12 Bemba’s MLC and RCD-National troops were held responsible for wide-spread human rights abuses and inhumane acts, including acts of cannibalism, committed during the ‘*effacer le tableau*’ (wipe the slate) campaign launched in Ituri in October 2002. See Human Rights Watch, Ituri: ‘Covered in Blood’, *Ethnically Targeted Violence in North-eastern DR Congo*, July 2003, pp.36-38.
- 13 On Rwanda’s support to autonomist movements, see International Crisis Group, *The Kivus: The Forgotten Crucible of the Congo Conflict*, Africa Report No 56, 24.1.03 January 2003, pp.3 and 9.

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Chapter 8

Uganda: The Struggle for Peace

Oliver Furley

Uganda is an unusual case: the southern two thirds or more of the country is at peace and has done much in reconstructing the political and economic systems, while the northern part is suffering from a war that still persists and delays the peace process. During the last 25 years, Uganda has seen war and devastation in almost every quarter of the country at one stage or another. After the Tanzanian invasion to oust President Idi Amin from power in 1978, it was only a short time before hostilities began again, when Yoweri Museveni began his guerrilla war to overthrow Milton Obote's second regime. This involved fighting in various places but above all in the 'Luwero Triangle', an area to the west of Kampala. Museveni had his headquarters there but this meant devastation and heavy civilian casualties by Obote's forces. Visitors are still shown 'shrines' of collected skulls and bones in some villages, preserved to mark remembrance of this terrible period: preservation of history can sometimes be a form of reconciliation.

The Continuing War in the North

Museveni's victory in 1986 unfortunately did not bring peace for the northern part of Uganda: his army failed to clear up the remnants of opposition to his take-over, and in the north several guerrilla groups sprang up, some of them led by leaders outside the country, but the main group was the Holy Spirit Movement, led by Alice Lakwena, which later became the strangely-named Lord's Resistance Army (LRA) led by Joseph Kony. It is this group which continues the fight against Museveni, and his army, the UPDF, has so far found it impossible to defeat. Kony is a mystical figure, inspired by the Bible, and he claims he is fighting to establish the rule of the Ten Commandments in Uganda. His methods of murder, abductions of children as recruits, his destruction of farms, the massacres of bus passengers etc., belie his avowed intention of founding a new order based on Christianity. There is another side to his appeal however, in that he is leading a northern revolt against what is considered southern rule. Uganda has long suffered from this much debated notion of a north-side divide in the country, and Museveni's regime, characterized mainly by his supporters in the south and south-west, is resented by northerners, who come from a different ethnic culture and stock. Museveni began with a 'broad-based' government, but it has gradually acquired a southern bias in its composition.

The LRA fight on, and the huge costs of this war, the casualties, the destruction and disruption, make attempts at rehabilitation and reconstruction extremely difficult. Thousands of children have been abducted and forced to become child soldiers or slaves and wives of the LRA, and many more thousands of civilians have been obliged to live in displaced persons' camps. The government took to arming and training new bands of militia to fight the LRA, such as the Teso 'Arrow Group' – which in itself tends to escalate conditions of civil war and is criticised in Parliament as it is feared it could create future warlords.¹ Teso also suffered from a guerrilla movement in the 1990s which caused the UPDF to take drastic measures against the civilian population, forcing them into 'protected camps'. To the north of Teso, Karamoja, always a district dominated by cattle-raiding and internecine warfare, and which is awash with small arms and suffused with a gun culture, continues in this tradition. The government, which previously tried to pacify the district by calling in the arms, appears to have given up and instead is arming those warriors it can trust, to fight the spreading LRA war.² Finally, in the south-west of Uganda, the 1990s and up to 2002 saw another guerrilla war, fought by the Allied Democratic Force (ADF) led by dissidents based in nearby Rwanda and the Democratic Republic of Congo (DRC). This again led to huge numbers of internally displaced persons (IDPs) in the Bundibugyo area and up to Fort Portal. Ironically, it was Uganda's own involvement in the DRC's civil war, for somewhat dubious purposes, which caused the ADF to lose its bases. Its hitting power has therefore declined and at one time it vanished – one victory which Museveni could claim, and which he always said was his aim in entering the DRC war. Even this group, however, has re-emerged to cause a new threat in the west.

Ending the Northern War

Can this war be brought to an end by Museveni? He has made attempts but it is proving a difficult process. For a long time the LRA was getting funds and weapons from Sudan, whose leaders saw Museveni as a rival for influence in the region, and, though Muslims, they apparently saw no incongruity in backing a fanatical Christian guerrilla group. In turn, Museveni was believed to arm and support the Christian SPLA forces in southern Sudan. In May 2000 some progress was made when an agreement was signed, both sides promising to end support for each other's guerrilla forces. Further progress was made in February 2002 when Sudan actually permitted access to the UPDF to the southern Sudan, to chase up LRA fighters still based there. In March the UPDF duly launched 'Operation Iron Fist', to drive out these remnants. They achieved this, but the effect was to drive these fighters back into Uganda, where they stiffened up what had been a somewhat declining campaign.

Museveni had long refused to meet and talk to LRA leaders, saying he did not talk to brigands and murderers. Peace talks had already failed once, in 1994. The Amnesty Act, passed in 1999, also failed to bring in many LRA fighters to claim amnesty from the government, until much later. However, the unpredictable Kony

let it be known that he would consider talks for a cease-fire, in January 2003. This overture was welcomed by such peace groups as the Acholi Religious Leaders' Peace Initiative, the Coalition of Civil Society Organisations for Peace in Northern Uganda (CSOPNU who had first met with the LRA in July 2002) and international bodies such as the Office for the Coordination of Humanitarian Affairs (OCHA) and African Rights, UK. Museveni had already established a six-member team to investigate this possibility, and it included Norbert Mao, MP for northern Gulu, who said this was a sign that the government was changing its tough military approach to the conflict: 'Although it is important to win a war, how you win it is also important. That moral imperative is becoming clear'.³ It was reckoned that by this time over half a million IDPs were living in camps round the northern Acholi subregion, causing the massive destruction of Acholi society. Refugees International and NGOs, trying to help, declared that the current armed conflict 'was destroying the gains made from years of rehabilitation, with communities previously self-sufficient now once again unable to cope'.⁴ Prospects for peace fluctuated wildly with the periodical escalation of the LRA attacks.

International attention was also focused on the increasingly desperate plight of children in the war zone, who had taken to walking to towns or villages at night to sleep – the so-called 'night commuters' – as they knew they were targets for kidnapping in the LRA raids. It was symptomatic of the social distress and chaos of this war, which continues to be a threat to the government's efforts to bring about rehabilitation and reconstruction in Uganda as a whole.

Difficulties in Reconciliation and Reconstruction in the North

Economic reconstruction in the war zone is well-nigh impossible: new farms are soon looted, new schools are vulnerable to attack and destruction. However, there is much scope, and much activity, in the efforts at rehabilitation and reconciliation in the north. From the thousands of children who are abducted, many manage to escape and return. Many others were forced to become child soldiers, and in the heat and confusion of battles and skirmishes they escape and turn up in villages and camps, desperate for food, medical aid and security. Often they find it in the Christian missions which cater specially for their needs, such as World Vision. Here they get food and shelter, and in addition great efforts are made in training schemes, plays, songs and games to begin the long process of rehabilitation. Very many local volunteers, usually women, assist in this lengthy process, to restore them to society. Reconciliation with the local people has to be a two-way process: not only do the returned children need to adjust to civilian life again, but the local communities have to forget their fear and suspicion of former child soldiers. After the former have committed atrocities and violence against their own villages and even their families, there is often a tendency to treat them as outcasts and refuse to welcome them back. All kinds of women's organisations, such as the Gulu Support the Children Organisation (GUSCO), supported by USAID, and the Kitgum Women's Association, help in this reconciliation work, along with UNICEF and other international organisations.⁵

The war in the north has been called 'the forgotten war'. It is scarcely that, but the government can be criticized for a casual approach to the severe humanitarian crisis which the war has created. For instance, after the particularly savage massacre of over 300 civilians in Barlongo, a so-called 'protected camp' in Acholi,⁶ Parliament resolved that the war zone be declared a disaster area. The government refused to comply, and it continues to leave the relief work in the area very largely in the hands of the NGOs and international bodies. A recent report by one of these bodies puts the number of displaced persons in the North at 1.4 million, including 80 per cent of the Acholi population. Uganda has the third largest IDP population in the world, after Sudan and the DRC. Relief delivery to some of the camps is very difficult, with no regular access to camps in the Kitgum District, and others only accessible with a military escort.⁷ Uganda's commitment to remedying these issues in the North may be questioned: the problem threatens the unity and whole development of the country.

Internal Security Threats

Museveni's victory in 1986 did not ensure that Uganda henceforth was to be free of internal strife and insecurity. Idi Amin's soldiers had fled to the north of the country, where a number of officers and men had hopes of rallying an opposition force among the peoples of northern Uganda. Obote's regime had been a predominantly northern one, with northerners enjoying the fruits of power. Now, the position was reversed. Museveni came from the south-west, and although he took pains to appoint a 'broad-based' government – which meant appointing people from all the main regions and tribes – there was inevitably some resentment among those who felt missed out. The north-south divide was bound to re-emerge in the political rivalries of the day. Even in his army itself, some of the officers defected. These have been comparatively minor irritations for Museveni, but two groups have caused much more trouble and seriously affected his record of reconciliation, peace and the building up of a democratic state.

The lesser of these was the Allied Democratic Front (ADF), already mentioned, based chiefly in the north-west. They consisted partly of disaffected civilians and deserters from the army, and they were strong in the Fort Portal and Bundibugyo area, but they also had contacts in Kampala itself, and had the advantage of being able to hide in Rwanda or in Zaire, later the DRC. ADF raids in villages in Kabarole and other western areas caused thousands of people to leave their homes and flee to camps, in the years 2001-2. Parliament criticized the government for its heavy involvement in the Congo war while leaving parts of Uganda exposed to such depredations. Fortunately for Museveni, as the ADF lost its bases in the Congo when the civil war began to subside in 2002, and similarly in Rwanda as Uganda patched up its disagreements with that country, he was able to announce that the threat of violence from the ADF was over, and security was much improved. His claim appears to be partly true, though occasionally there is still some evidence of the ADF's continued existence.

2001 was the year of the Presidential and Parliamentary elections, when the demand for a peaceful solution by negotiation intensified, both for the LRA war and the ADF in the west. The Kacoke Madit, an Acholi diaspora organisation, issued a Manifesto for Peace, calling on Presidential candidates to declare their commitment to resolving Uganda's violent internal conflicts through political dialogue and peaceful democratic processes.⁸ In the event, the Presidential candidates did not pay very much attention to efforts to end the war in the north, though all except Museveni were critical of Uganda's involvement in the Congo war, and urged withdrawal from that.⁹ Museveni won the election with a strong result and this enabled him to continue his tough policy towards the LRA. In June and July 2001 there was some hope of peace talks, and the government re-affirmed its commitment to them, with LRA personnel meetings some district leaders in Gulu. Alex Apecu, the district commissioner, advised the government and UN agencies to hold talks with LRA field commanders, if necessary ignoring their unco-operative leader, Kony. He said Kony could only be defeated by dialogue, not by war.¹⁰ Dialogue was difficult, however, while the LRA had no political wing, and no spokesman. Few leaders were able to say exactly what their demands were apart from the removal of Museveni. By mid-2002, there was a strong move for non-government groups to take a hand in urging a peaceful solution: the Acholi Religious Leaders' Peace Initiative was one, while a new coalition of such groups was formed called the Coalition of Civil Society Organisations for Peace in Northern Uganda, to end the escalating 'cycle of violence' as they declared. Grassroots democracy was springing up in the face of what was seen as government intransigence and heavy-handed strategies. Another group was the Civil Society Organisation for Peace in Northern Uganda, consisting of both national and international NGOs. MPs from Acholi told a conference at the Parliament that they would not support the defence budget, because the army had failed to wipe out the LRA, and 'Museveni must swallow his pride and talk to Kony, not because he is a good man, or he is fighting for a good cause, but because we want to save the Acholi'. They claimed that soldiers had deserted the protected villages, where the rebels were attacking without facing resistance.¹¹

The year 2003 saw a gradual decline in LRA attacks however, and towards the end of 2004, although Kony was still not captured, the war appeared to be nearing its end, according to government claims.

Museveni may have muddied the waters when he invited the International Criminal Court at the Hague (ICC) to probe the atrocities committed by the LRA, in December 2003. The Court issued a warrant for Kony's arrest. Leaders in northern Uganda have disagreed with this move, claiming that it has complicated the fragile peace talks. They also said it appears to be in contradiction to the Amnesty Law of 2000, pardoning any rebel who denounced the insurgency and voluntarily surrendered to the army. Now, the LRA leaders faced a threat of indictment by the ICC. The failure to bring the war finally to an end, by peace negotiations or by military means, remains a blot on Uganda's record.

Foreign Diversions and Help from Abroad

Issues of foreign policy have figured very largely in Uganda's struggles to achieve a more representative style of government. Parliament and the press have voiced strong criticisms of the government's foreign policy on many occasions and the question arises whether this amounts to any effective control or influence in such matters.

Certainly the 1995 constitution which had been closely debated and agreed by the Constituent Assembly after Museveni came to power, makes it quite clear that Parliament is intended to have a control over declarations of war and major treaty-making or agreements with foreign countries. This gave only partial control to Parliament, and was one of the reasons for the attacks in Parliament of Museveni's employment of troops in the DRC.

Support from the western world was strong: there was one country in particular that cultivated Museveni's image and, to a lesser extent, still does so.

Museveni won the approval of Britain for his policies at an early stage after establishing his government. The idea of 'no-party rule' was thought best for a temporary period at least while the country settled down, and his broad-based government on avowedly non-tribal lines was praised. The democratic elections to local Resistance Councils, and the creation of the Inspector-General of Government's post, well-received, and especially the establishment of the Uganda Human Rights Commission, as one of the first in Africa. The British-based Minority Rights Group praised this, saying Ugandans now had greater security and respect for their rights than for many years past. Aid from Britain as well as from the IMF and the World Bank started arriving in Uganda as early as May 1987, and donor countries, while they were critical of the slow pace of Uganda's constitutional reform, nevertheless supported Museveni's gradualist approach to the process of re-building the nation. In particular, he received close support from Linda Chalker, Britain's Minister for Overseas Development. While she was in post Uganda was sure of strong British support. Of course it meant that Uganda's international debts mounted up, but again, when the IMF, World Bank and other aid donors devised the debt relief scheme for third world countries in 1997, Uganda was the first beneficiary of it. The willingness to support Museveni with aid was echoed by USA, France, Germany and Scandinavia chiefly among the international donors, though some critics said their support was 'over-enthusiastic': they said Museveni continued to run a virtual one-party state, and international pressure to bring in multi-party democracy was failing to achieve much. Colin Legum said this in 1995, and Chester Crocker, former US Assistant Secretary of State for African Affairs, said 'backing Africa is fine where they have the possibility of leading to durable and legitimate outcomes' but he thought the policy was not working, in Uganda among others.¹² The feeling was that Museveni was temporising with his international backers: he was professing to make progress in democratisation, but in fact it was very slow. Douglas Anglin called it 'donor democracy', that is, when African leaders fix elections and other processes so that there appears just enough democracy to keep the aid-givers happy.¹³ In truth, the

focus of aid tended to be on economic development rather than political development.

By this time, however, Uganda was viewed by the donors less euphorically and perhaps more critically. 'Donors' Darling Losing its Allure', was a headline in the *Financial Times*, and donors at a business forum gave Uganda a warning that poor banking supervision, lack of clear objectives in privatisation and inefficient tax administration were damaging Uganda's business environment. However it was still acknowledged that the mid-nineties' growth rate was an excellent eight per cent, inflation had been held to five per cent, and steady progress in agriculture and industry had earned Museveni international acclaim. The only political comment was that Uganda's involvement in the Congo war, and the high level of corruption, was constraining private development.¹⁴ In broader terms, however, Uganda's international standing abroad was still high. The visit of US President Clinton to Uganda was a great boost for Museveni, and likewise his meetings with President George W. Bush. Members of the House of Congress and Senate in America have upheld his high profile: he 'continues to be regarded as one of the United States' most favoured nations in Africa'.¹⁵ It remains to be seen how far Museveni can respond to the continued international pressure for genuine democratic reform. An opposition party, the Uganda People's Congress, gave the other side of the picture when they noted that both Ireland and Denmark had expressed impatience with Uganda's lack of political progress and had reduced their aid accordingly. The UPC said Britain should do the same.

To sum up this section, we can say that Britain, USA and other western donor countries did apply some pressure on Museveni to make swifter progress in democratisation and establishing a multi-party system, but that pressure was slight and it was rendered ineffective, because Museveni continued to obtain his grants and loans even though he could show little progress in these objectives. This is because his reputation as the bringer of peace, security and tolerance was still broadly accepted and admired by the donor community, and with few reservations they were happy to support him.

An Interventionist Foreign Policy: the Great Lakes

Museveni's involvements with Rwanda and the Congo dented his image as a leader of the new and so-called 'enlightened' leaders in Africa. He involved Uganda in long and costly campaigns which in the end were of little advantage to Uganda, and called forth much criticism in Parliament and the country. This sprang in part from civil wars in both Congo and Rwanda, over which of course he had no control.

In the Rwanda civil war, the invading force of the RPF triumphed and took control of the country, driving the Hutu militia and the young Hutu extremists, the Interahamwe, into neighbouring Zaire and also to Tanzania and Burundi. For Uganda, this was a mixed blessing: Museveni had gained a new ally, and the new Rwandan government owed something to his support. But Museveni was accused

by some critics of having 'imperialist' designs of Ugandan predominance in the region, and he was now drawn further west into the second civil war, in Zaire.

This was not entirely a policy of his own making, but a consequence of defending Uganda against the incursions of the armed guerrilla group, the Allied Democratic Front (ADF). The NRA had scored successes against them and this had the effect of driving them over the border into Zaire. Both Uganda and Rwanda sent forces across the border into Zaire to try to flush out their respective enemies. Museveni justified his policy in many public pronouncements, saying that the aim was to defeat and destroy the ADF.

However, he was tempted to expand this policy, to penetrate much further into the huge country of Zaire (DRC). Uganda's army, now called the Uganda People's Defence Force (UPDF), played a part in this, and some officers landed lucrative business contracts. Ordinary Ugandans did not benefit from this, and Museveni's adventurism in the DRC was not popular. The nadir was reached when Ugandan and Rwandan forces actually fought each other, in fierce battles over the control of Kisangani in eastern DRC. Uganda and Rwanda both still had large numbers of troops in the Congo, and both declared that they would keep them there, until a peace settlement that satisfied their concerns regarding security on their borders – which had been their original aim.¹⁶ This was to prove a long process, and meanwhile Museveni's policy in the Congo drew much criticism in the Uganda Parliament and the press.¹⁷ By July 2002 however, Rwanda and Uganda signed peace deals with DRC, which involved the gradual withdrawal of all their troops from that country.

Parliament: a Watchdog with Some Teeth?

Uganda's successive Parliaments, after the Constituent Assembly and when the 1995 New Constitution came into force, have proved to be very active in certain fields though not always successful in exerting the controls it hoped to achieve. Many of the elements to be expected in a modern parliament were assuredly there – direct elections, on a reasonably well-proportioned size of constituencies; regular elections (though sometimes 'marred by violence'); freedom of speech in Parliament; the efficient ordering and recording of Parliamentary business, and many other recognised features in any modern democracy. Generally, outside observers have commented favourably on this institution and its activities: the *International Herald Tribune* called it 'a lively Parliament' which was becoming increasingly valued as one of the key gauges of a country's democratic development.¹⁸

Multi-party democracy was still not allowed, and party activities were banned, but the Parliament was dubbed a 'multi-faction Parliament', because there were many shades of opinion expressed in the debates and evident in the many unofficial groups formed among the members. These were all meant to belong to Museveni's National Movement – which constituted in effect a one-party state.

Thirty-nine seats had been designated for women, one for each district, which became forty-six after the district reorganisation. There were of course some

women in addition who had been elected in openly contested seats. Other 'special interest' seats were reserved for trade union members, youths, and the disabled. This was a notable feature of Museveni's notions of democracy and springs from his awareness that his National Resistance Army derived support from these groups in his guerrilla campaign. Significantly, the army was also strongly represented, in ten reserved seats.

Women MPs were criticised for not doing enough to promote women's interests, especially regarding the debate on the 1998 Land Act and the 'co-ownership clause' in particular; this clause was proposed as an amendment by MP Miria Matembe and she succeeded in getting it passed, for the provision of co-ownership of property by women of the matrimonial residence – 'a major accomplishment' as women did not own or have rights to land. But, when the Act was promulgated finally, the amendment was omitted.¹⁹

MPs found themselves subjected to criticism in public in a very open fashion. At the time of debates on the Referendum Bill many members were absent and accusations were made that it was passed without a quorum and was successfully challenged in court.

The pay and allowances of MPs was another subject which aroused public criticism. When the new Parliament (the seventh) sat for the first time in July 2001, 80 MPs agreed to press the government for a pay rise and new allowances. The new rises did not escape comment both inside and outside the House. Emmanuel Tumusiime, Chairman of the Forum for Integrity in Democracy, said it was lamentable that leaders who know better than their electorates are the ones demanding more privileges. The Monitor chimed in, 'These demands are unreasonable, unaffordable, selfish and unacceptable. They also undermine democratic governance and public confidence in the situation of government and effective management of public affairs'.²⁰ The same complaint about awarding themselves high levels of pay could, of course, be made about many parliamentary democracies.

Often the relationship between Parliament and the National Executive Committee (NEC) of the Movement could be strained. Was Parliament beginning to pull against the reins by which the NEC still tried to exert full control? President Museveni had said Parliament should work with the executive and not against it. One of the crucial points at issue was whether political parties should be allowed to open offices and branches at village level. Museveni held the view very firmly that party activities should be restricted to the national level, and this was the verdict of the Referendum of June 2000, on the future political system of the country. A NEC resolution reminded Parliament of this, and no doubt the 70 members of the NEC, who currently were in Parliament, out of the total of 304 MPs, would support this, yet in the view of many members the debates on the Political Organisations and Parties Bill, 2001, opened up the question again, and many were in no mood to take instructions or advice from the executive on the matter. The chairman of the sessional committee on legal and parliamentary affairs, Adolf Mwesigye, said Parliament was not bound by the resolutions of the NEC ... 'we shall treat the resolution like any other recommendation by any group ... we have a reasonable degree of independence. We can agree with the NEC

resolution or disagree with it, and if we agree with it, that is the way we shall have seen it, not that we have been influenced by the NEC'.²¹ This was merely one step in the government's long struggle to get the Political Organisations and Parties Bill passed, but the importance of this expression of independence is noteworthy. The Bill eventually passed which severely limits the activities of political parties, and remains a source of great contention.

Parliament may lay some claim to 'a reasonable degree of independence' but in fact the President has remained in control as the executive head. We have already noted how foreign policy was very much in his hands even though the constitution had given a major role to Parliament. Through his executive ministers, the president could control the budget, the social and economic development of the country, security and almost every aspect of overall governance. He appointed and dismissed ministers, he commissioned enquiries, appointing the commissioners and decided when and whether to publish their results; he could ignore Parliament's efforts to impose accountability on wayward ministers, even though on occasion he would concede that a minister had overstepped the mark and had to go. Even then, there have been several instances where a dismissed minister has 'bounced back' in a different role. The President had a huge patronage network at his disposal. There is always a natural tendency for a Ugandan President to favour people from his own region, and although the NRM in its early days proclaimed the virtues of a 'broad-based' government, with ministers from a mixture of all the regions, Museveni has been no exception to this tendency.

Nevertheless Museveni is not able to control Parliament all the time. There have been occasions when MPs have made a show of strength. The *East African* newspaper claimed that backbenchers have foiled the executive many times, but the President used clever tactics to overcome many of their protests. One such tactic was to call the recalcitrant committee or group of MPs to informal meetings at his country estate, to persuade them to change their minds. There was of course no article in the constitution forbidding these 'charm schools'. Another tactic was to spread the rumour that a cabinet re-shuffle was soon to take place. 'At such times even the most independent-minded of MPs take trouble to appear co-operative and supportive of the President's agenda'.²²

Part of the difficulty the President has with Parliament was the result of the NRM's own creation, the 'non-party' government system. The Movement grew so large and complex, consisting of many shades of opinion (as indeed was the boast of its supporters) that it meant MPs were difficult to control when new groups sprang up and aligned themselves together to oppose certain issues. This was indicative of the gap in confidence between the executive and Parliament that had grown up under the Movement system.

The constitutional review committee, set up to explore change as promised previously in the Constitution, heard plenty of harsh criticisms. At the same time MPs in the Presidential and Foreign Affairs Committee nearly threw out the Prime Minister's office budget for failing to explain crucial issues. This was shortly before the presidential and parliamentary elections of March and June 2001, both of which saw considerable violence but which returned Museveni as President and elected the seventh Parliament which was even more aggressive than the sixth. A

fifteen-member committee drew up sharpened regulations regarding the impeachment of a President, proposing revisions to Article 107 of the 1995 constitution, so that in future a single MP could initiate the impeachment process, and the stages to be followed were outlined. The new rules also detailed the procedure for censuring a minister.²³

Cabinet appointments could of course be the most useful source of patronage for the President, and Museveni used these powers to the full. Since he came to power, he had always maintained a large cabinet, and dismissed criticisms of the expense involved. This was originally limited to 21 cabinet ministers except with the approval of Parliament, according to article 113(2) of the constitution. After the 1996 elections, it was the largest cabinet ever, with no less than three deputy prime ministers, 42 Cabinet Ministers, and 21 ministers of state. Aggrey Awori, MP, always a sharp critic of government extravagance, urged a reduction in ministerial posts. There was a shortfall of Shs.43 million in revenues the year before, and many MPs considered that some ministries should go.²⁴ In fact, ministers, and sometimes ministries, came and went in quick succession. An observer claimed that Uganda had 'probably the highest turn-over of ministers in Africa', and that Cabinet re-shuffles had been almost an annual ritual in the 13 years up to 1999.²⁵ After the 2001 Parliamentary elections, which still returned a strong majority of 'movementists' (230 out of 282), Museveni appointed a 66-strong cabinet which had 17 new entrants, and slightly less than half – 29 – ministers retained their portfolios. It is also notable that Museveni enabled some of his old supporters to 'bounce back' after they had previously faced charges of corruption or censure against them, in particular Brigadier Jim Muhwezi, Sam Kutesa and Kahinda Otafire. Also, ten new ministers who had failed to win seats in the election but who can hold office by presidential appointment were brought in.²⁶ An observer noted that 'The Parliament of this dirt-poor country on Thursday approved a motion authorising the President to increase the number of ministers from the constitutional limit of 42 to 66!'.²⁷ MPs did rally together to criticise another type of presidential patronage however, in attacking the ever-growing number of Presidential Advisers which Museveni appointed, reported to be a 'staggering 34' in 2001.²⁸ They were alleged to be appointed for political rewards and 'were a parallel structure to the Cabinet', and MPs recommended that they be scrapped. The chairman of the Legal and Parliamentary Affairs Committee said there was no legal basis for them.²⁹ Further, in 2005 a referendum overwhelmingly endorsed a return to a full multiparty system – which may usher in a new era.

Financial Control

The Uganda Parliament, through its public accounts committee, has a commendable record in this, though the government has many ways of evading or ignoring criticism in financial matters. Foreign observers usually express a favourable view. The *International Herald Tribune* wrote on 29.9.99 that although Parliament's oversight of some key areas of the economy 'has sometimes slowed down the decision-making process, the benefits of greater accountability should be

seen in the resumption of substantial investment in the economy, the upsurge in power generation and other vital services'. Further, 'An energetic press keeps its readers well fed with well-researched exposés and investigations', for example in the previous year the network of corruption in some banks and in the privatisation process was revealed, and the government was obliged to take quick action. International donors, and Britain in particular, as we have seen, have shown much confidence in the government's handling of the economy, and they have admired the commendably high growth rate, 7.8 per cent p.a. in 1998/9 and around 6-8 per cent during Museveni's period in power (starting from an admittedly low base rate in the previous regimes). Parliament knew that Uganda enjoyed a fortunate position regarding international aid, and concentrated its interests in financial matters more to do with efficiency, fairer distribution, and the elimination of corruption. This was not always likely to have much effect, but the chairman of the standing parliamentary committee on national economy lamented, 'We have passed very beautiful pieces of legislation in this House, but they are not implemented at times'.³⁰ This illustrates an important weakness in Parliament's control: the government could twist and turn, evading some of the legislation it did not like, and Parliament did not always hold them to account. Major John Kazoora, MP, criticized the Ministry of Agriculture, saying it was a ghost, it did nothing. Other MPs 'lambasted' the Ministry yet they approved its budget.³¹

Parliament had a major difficulty in that under Museveni's regime there was almost a parallel system of government based on the Movement, with its own National Council and Secretariat, responsible for much of the country's expenditure. 'Parliament has no love for the Movement Secretariat', declared Fred Mukisa, Minister of State for Fisheries, and he accused it of blocking allocations of funds.³² The Movement's Secretariat's continued existence emphasized the military origins of Museveni's government, and non-movement MPs were increasingly antagonistic. In 2001 Parliament rejected the Movement's Budget, as not comprehensive, contradictory, and not satisfactorily accounting for last year's expenditure. In a very critical debate they asked why the Movement appeared responsible for foreign affairs, refugees or disasters.

To sum up, the constitution gave clear indications where financial control lay, but Parliament was still far from achieving the level of control to which it aspired, and this remained a potent source of friction between Parliament and government. 'Parliamentary government' was established after Museveni's guerrilla war, but by 2002-2003 it was clearly creaking and groaning, particularly under the stress of a one-party system which allowed virtually no activities for other political parties. Further, it should be noted that Colonel Kizza Besigye, a strong rival candidate for the 2001 Presidential election, thought it necessary to flee into exile after losing. While Museveni got Parliament to amend the Constitution so as to give him a third term of office, Besigye had returned to try his chance, and other candidates are emerging. The latest event, in November 2005, is that Besigye has been arrested and charged with treason; this may be a shattering blow to the whole peace process in Uganda.

Economic Reconstruction and Progress

When President Museveni came to power in 1986, Uganda had suffered a huge downturn in economic progress. Idi Amin's rule had caused chaos and economic deprecation, especially after his expulsion of the Asian population, which deprived Uganda of its professional, business and commercial community. Exports suffered, especially cotton, as peasants ceased growing the crop in order to survive on their own subsistence needs. Factories closed and such activities as copper mining and the cement industry closed down. The Tanzanian invasion to remove Amin from power achieved that but caused widespread damage in the south and south-west of the country, especially in the towns. Kampala still showed the scars with bombed-out shells of buildings remaining for many years afterwards. President Obote succeeded Amin for his second period of office, but was faced with Museveni's guerrilla campaign from 1980 to 1986. This slowed any real economic recovery and indeed led to devastation in some area such as the 'Luwero Triangle', to the west of Kampala. Museveni's National Resistance Army was a disciplined force but inevitably the civil war brought further economic chaos.

When he came to power with his Ten-Point Programme pledging democratic reconstruction and an era of reform and modernisation, the euphoria was palpable and he was assured immediately of international goodwill and assistance. He wrote:

The economic situation we inherited was extremely difficult. The infrastructure of the country, especially the roads, had almost totally collapsed. Most of the country was inaccessible and, in any case, there was a critical shortage of trucks for transporting goods from place to place. Large numbers of trucks had been either destroyed or stolen by the withdrawing armies of former regimes. The whole communications network – roads, railways and telephone services – was in a terrible state of disrepair. Utilities, such as water and power supplies, had severely deteriorated ... Manufacturing plants were either closed or operating at very low rates of capacity. As a result, there was a total lack of basic consumer goods. Goods were being smuggled in and out of the country and sold on the parallel 'black' market. The economy had become completely informal and speculative and bringing it back to function in the formal sector was clearly going to be a very big battle indeed.³³

By his liberal and tolerant approach to the political issues facing Uganda, and his commitment to building democracy and developing a mixed economy, Museveni won over the international donor community. International aid soon started coming in, from the World Bank and the IMF, USA and Britain, the European Community and the Scandinavian countries. It went on increasing and the donors have never lost faith in Uganda's commitment to economic restructuring and development in every sphere. By 2002 the country was still getting a large share of aid to third world countries: more than Kenya or Tanzania were receiving and it received the second largest allocation among all African countries, Nigeria being the first.³⁴ 1998/99 was for example a good financial year, when the economy grew by 7.8 per cent, agriculture by 8.1 per cent and manufactures by 11 per cent. Total aid from international donors for the current budget was \$341 million.³⁵ The

snag about this was that Uganda was still too dependent on foreign aid (amounting often to 50 per cent of the budget annually) and this could cause tensions to arise over certain aspects of policy. The most prominent example was regarding expenditure on the military, which donors thought was too high, and they resisted Museveni's requests to increase the percentage of the budget on it. Britain especially had been critical of this percentage, and in August 2001 Museveni wrote a letter to Clare Short, Secretary for International Development, explaining the needs of the army in the continuing war against the LRA in northern Uganda. This illustrated the implications that a degree of control by donors could impinge on the national sovereignty of the recipient state, but it remained at the level of advice rather than control. Again, in 2003, Uganda's donors endorsed the government's unilateral increment in the defence budget, but urged that next year funds earmarked for the Poverty Action Fund must not be reduced. 'If Uganda failed to meet these conditions, it risked losing budgetary support in the 2003/2004 financial year.' Already the government had been obliged to cut the budgets of several ministries by some 23 per cent, in order to boost defence expenditure which it insisted was vital. Uganda has an agreement with its key donors that binds it to spend no more than two per cent of its gross domestic budget on defence.³⁶ The donors were concerned that Uganda was under-financing some social and economic programmes, but clearly they have to guard against a tendency to exert any form of outside control as this would have grave political implications. By late 2005, it is noteworthy that Uganda was taken off the list of countries in need of further aid from the IMF.

One budgetary problem is that the income tax base has remained very narrow. Civil servants, public employees and major entrepreneurs pay income tax, but the tax revenue is very small – around six per cent of the budget in the early 1990s. There is a growing middle class in Uganda, but the vast majority of the population are peasant farmers – some 90 per cent – so that possibilities for increasing tax revenue are limited. In contrast the private sector has increased rapidly, encouraged by the government policy of allowing economic freedom to flourish. The city of Kampala has grown hugely in recent years, where the 'informal sector' of private businesses flourishes. The zeal of Ugandans for private enterprise is allowed a very free hand, and the feeder roads round Kampala are jammed with roadside workshops of every kind. The circulation of money is therefore rapidly expanding: the government's task is to secure more of it in terms of revenue. It has set a target for economic growth of 7 per cent per annum. This was achieved in the early 1990s but for the last decade it has averaged rather lower, at 6.7 per cent.³⁷ Uganda has been praised since this rate is one of the highest in Africa. Political stability and a mixed economy have helped, though it should be remembered that from 1986 Uganda started from a very low base. The World Bank stated that Uganda 'is the most consistent good performer in Africa'.³⁸

The regime's economic policy, however, has some stern critics. Prof. Yash Tandon, Executive Director of the South Eastern Africa Trade Initiative, criticized Uganda's 2002-2003 budget for taxing the poor to pay for the rich. He said that the 'trickle down' theory, in which the creation of wealth gradually filters down to the poorer communities, has never worked. Also, privatisation is the wrong

strategy, transferring assets from the poor to the rich.³⁹ Privatisation had been a key factor in the government's reconstruction policy. Many of the large parastatal marketing boards and financial institutions had become top-heavy with under-employed personnel and inefficient methods: privatisation seemed the best answer and has been carried out on a wide scale. However, several of these bodies were sold off at knock-down prices to government supporters, so the public felt, and some poor deals were made, several of which came in for severe criticism in Parliament. The well-known Ugandan journalist, Andrew Mwenda, was also a critic of the trend in Uganda for the government to retain and increase the support by political predation. Thus political representation has been increased at all levels, from ministries (65 cabinet ministers, now 67), a large secretariat for Museveni's National Resistance Movement, down to the more humble paid representatives in the hierarchies of local councils – all salaried politicians. Museveni's original aim of building 'grassroots democracy' has grown to such an extent that it takes a large slice of the budget. Mwenda points out that in that year some of the budget allocations were:

The President's Office	Shs.47.3 billion
State House	Shs.46 billion
Movement Secretariat	Shs.7.5 billion
Agriculture	Shs.14 billion

Agriculture remains the pillar of the economy, yet its budgetary allocation for development is shown as proportionately very low.⁴⁰ A study by the UK-based Overseas Development Group and the Makerere University Economic Policy Research Centre had similar criticisms, that the burden of taxation on smaller businesses and poorer people was ten times higher than on richer ones, and 'the local tax system had an anti-poor bias in practice'.⁴¹ The government responds with measures to strengthen the small and medium-sized enterprises, which, it acknowledges, make up 90 per cent of the country's business activity, and constitutes the core of the Poverty Eradication Plan.⁴²

Poverty Continues

Uganda, like most of African countries, still has a problem with rural poverty, and also in the towns to some extent. In *Developing Uganda*, Michael Twaddle and Holger Hansen point to the reservation about Uganda's story of growth in Museveni's time, namely the continued persistence of widespread poverty. Agricultural cash incomes have been slow to rise, especially with such events as the recent slump in coffee prices, and some 90 per cent of the population are subsistence farmers who have seen little if any rise in prosperity. Shortages of food and malnutrition persist in some areas, especially in the war-torn north.⁴³ Only half the population has access to safe water, and only 30 per cent have proper sanitation. Only 5 per cent have access to electricity. The proposed Bujagali Dam project may provide this for 15 per cent – but locals ask, will they be able to afford

the price?⁴⁴ A recent estimate by CARE says 38 per cent of the population live below the poverty line, and 63 per cent in the north.⁴⁵ At least this overall figure has declined since 1992 when it was 56 per cent, and Uganda has earned praise from the World Bank for its 'substantial poverty reduction' since then.⁴⁶ In water supply and sanitation, for example, Uganda 'showed the best performance in poverty diagnostics, sector reform, monitoring and evaluation' in sub-Saharan Africa.⁴⁷

The conclusion for economic growth has to be a mixed one. In the last four years, the rate of growth in per capita income has disappointingly declined. Uganda's external debt has risen in the past two years, and poverty appears to be rising: Ugandans living on less than a US dollar per day rose from seven million in 2000 to nine million at the end of 2003. The economy has continued to grow (though the rate has slowed to an average of 3 per cent for the past three years), but the gap between the rich and the poor grows wider.⁴⁸ Government officials admit there has been a turn-down since 1997, but attribute this to a combination of causes – the severe fall in coffee prices, adverse terms of trade, the continuance of agricultural subsidies by the west – and, one should add, the drain of corruption and the heavy military expenditure in the northern war and previously in the Congo.⁴⁹

Civil Society

Since Museveni took power, many of the elements of civil society have improved remarkably in variety and quality. Universal primary education has been introduced, albeit with very large classes; secondary and technical education have grown; universities have multiplied, with a huge expansion in student numbers especially at Makerere University, Kampala. Human rights are safeguarded in the Constitution and the Uganda Human Rights Commission produces magazines and organizes training seminars for police and security forces, who nevertheless still regularly abuse human rights.⁵⁰ The press and the media are largely free though occasionally the government punishes them for issuing 'false news', and editors have to exercise caution.

Uganda is foremost in Africa in its campaign to reduce the rate of infection with AIDS, for which the government has won wide praise. Democracy and parliamentary government, as we have seen, are still only partially established; but Museveni, even during his guerrilla campaign, insisted on setting up 'grassroots democracy' in the form of local councils as he progressed through the country. The hierarchy of local councils, and the measures for decentralisation in the 1990s, have devolved considerable powers, including budgeting, planning and tendering, to the district councils. At the very local levels, LCI or LCII, citizen participation varies greatly (though my colleague Dr Bruce Baker was impressed by what he saw of them in 2004).⁵¹

There are large numbers of active women's rights groups in Uganda, and women's empowerment has made considerable progress since 1986. The women's movement is 'one of the most co-ordinated and active social movements in

Uganda, and one of the most effective women's movements in Africa'.⁵² Politically, they have quite a strong input, with over 50 MPs, and one third of local government seats. Uganda was the first African country to have a woman as Vice-President, with a significant number of others in ministerial office or holding key posts in civil society. Even so, Sylvia Tamale, Dean of the Law Faculty at Makerere University, maintains that women's participation in decision-making from grassroots to national level 'have largely failed to eradicate entrenched cultural, religious and traditional authorities which implicitly discriminate against women'. The failure to pass a new land and property legislation to recognise fully the right of women to own land and property is a case in point.⁵³

More generally, human rights are promoted and defended by a plethora of non-government organisations (NGOs), both national and international. These have flourished widely in Uganda. The Human Rights Network (HURINET) is an umbrella organisation for nine human rights groups, and has published newsletters since 1995. The prime minister, Apollo Nsibambi, declared that NGOs had been given a constitutional framework in which they could operate without interference from the state.⁵⁴

Lastly, Uganda plays a commendable part in hosting the large numbers of refugees from neighbouring countries, especially the Democratic Republic of Congo, Sudan (171,000) and Rwanda (18,000). There were brushes with UNHCR and Refugees International when the Ugandan government tried to force some refugees to relocate⁵⁵ but overall the record is good. UNHCR officials say that Rwandan refugee camps in south western Uganda were 'so successful in self-sufficiency and a decent quality of life that the refugees have ended up not wanting to go home'.⁵⁶

Conclusion

A balanced conclusion is difficult: since the victory in 1986 ended Museveni's guerrilla war, his government has won praise in many respects, for its toleration and the efforts to convert a military regime into some form of constitutionalism, and for a good record in economic recovery. However, democracy is still flawed: Parliament is not fully effective as a democratic institution; foreign policy lurched into a wasteful side-track in the Congo war, while the army seems incapable of ending the long civil war against the LRA in northern Uganda, though it may at last be petering out. Museveni's bid for a third term of office as President, which involved amending the constitution, lies ahead. One feature remains constant: he has the strong support of the vast mass of the peasant population.

Notes

- 1 IRIN, 8.9.03.
- 2 IRIN, 9.9.03.
- 3 OCHA via IRIN, 6.11.02.

- 4 OCHA via IRIN, 17.10.02.
- 5 For a detailed survey, see Chris Dolan (2000), 'Views on the Northern Uganda Conflict from Inside the War Zone', and 'What do you remember? A Rough Guide to the War in Northern Uganda, 1986-2000', Accord.
- 6 IRIN, 16.3.04.
- 7 Roger Perischino, Action Against Hunger International, Washington DC, 9.3.04.
- 8 Kacoke Madit, 'Ending Violent Conflict in Uganda: a Manifesto for Peace', a document forwarded by Andy Carl, Co-Director, Conciliation Resources.
- 9 *The Monitor*, from Presidential Manifestos, 13.2.01.
- 10 *New Vision*, 15.6.01.
- 11 *New Vision*, 3.7.02.
- 12 Colin Legum, in *The Independent*, 2.8.95 and Chester Crocker, in the *New York Times* and *The Times*, 26.9.98.
- 13 Douglas Anglin (1998), 'International Election Monitoring: the African Experience', *African Affairs*, 97, no.389, October.
- 14 *The Financial Times*, 9.12.98.
- 15 *The East African*, 3.6.02.
- 16 Panafrican News Agency, 28.11.98 and IRIN, 24-31.12.98.
- 17 For an overview, see Bruce Baker (2000), 'Going to War Democratically: the Case of the Second Congo War', *Journal of Contemporary Politics*, vol.6, no.3.
- 18 *International Herald Tribune*, 29.9.99.
- 19 Rosemary McNairn, Review of Sylvia Tamale, *When Hens Begin to Crow: Gender and Politics in Uganda*, *East African Journal of Peace and Human Rights*, 6, no.1, 2000, p.3, and *New Vision*, 5 and 8.2.00.
- 20 *The Monitor*, 31.10.01.
- 21 *New Vision*, 3.1.02.
- 22 *The East African*, 1-7.9.97.
- 23 *The Monitor*, 25.3.02.
- 24 *The East African*, 1-7.9.97.
- 25 Tom Gawayategulle in 'Tracing Museveni's Trail', *The Monitor*, 16.4.99.
- 26 IRIN, 28.7.01.
- 27 Samuel Apedel, in the *New Vision*, 15.7.01.
- 28 *The Monitor*, 5.11.01.
- 29 *New Vision*, 9.5.02.
- 30 *New Vision*, 29.11.97.
- 31 *The Monitor*, 23.8.00.
- 32 *The Monitor*, 13.12.99.
- 33 Yoweri Museveni (1997), *Sowing the Mustard Seed. The Struggle for Freedom and Democracy in Uganda*, Macmillan, p.180.
- 34 *The East African*, 11.2.02.
- 35 *International Herald Tribune*, 29.9.99.
- 36 *The East African*, 31.3.03 and IRIN, 21.3.03.
- 37 *The East African*, 15.9.03.
- 38 *The Times*, 24.7.03. I am indebted to my colleague, Dr Shinder Thandi, for his comments on this section.
- 39 Yash Tandon, *The Monitor*, 17.6.02.
- 40 *The Monitor*, 17.2.02.
- 41 *The East African*, 23.2.04.
- 42 *The Monitor*, 17.2.04.

- 43 M. Twaddle and H. Hansen (1998), *Developing Uganda*, James Currey, Introduction and especially Vali Jamal's chapter on 'Changes in Poverty Patterns in Uganda', pp.73-97.
- 44 *New Vision*, 15.2.02 and DFID's *Developments*, no.23, 2003.
- 45 IRIN, 5.2.04.
- 46 IRIN, 3.4.02.
- 47 ODI Briefing Paper, April 2004.
- 48 *The Monitor*, 16.7.03 and All.Africa.com, 11.11.03.
- 49 Wairagala Wakabi, 'Poverty Rising in Uganda despite Economic Growth', *The East African*, 1.12.03, and his more upbeat despatch, 'IMF: Uganda Economy on the Right Track', *The East African*, 5.4.04.
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- 53 Sylvia Tamale, interview, Kampala, February 2004 and UN OCHA report, 'Little Change for Women despite Affirmative Action', IRIN, 19.12.02.
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Chapter 9

Elusive Settlement: Angola's 'Peace Processes', 1975-2002

Norrie MacQueen

The end of the Angolan civil war, not far short of thirty years after it began, can be seen either as a sudden unpredicted 'event', or as the culmination of a process that had been underway for at least a decade. Which of these interpretations is favoured depends largely on the significance given to the death of the leader of the Union for the Total Independence of Angola (*União Nacional para a Independência Total de Angola*: UNITA), Jonas Savimbi, in February 2002. His killing can be seen either as the essential – indeed the only – precondition for peace or, alternatively, as merely a side-effect of UNITA's inevitable defeat at the hands of the forces of the Popular Movement for the Liberation of Angola (*Movimento Popular de Libertação de Angola*: MPLA). In a sense of course both views have some validity. A clear and unequivocal end to the conflict had looked to be impossible as long as Savimbi's baleful influence remained an element in the situation. But this influence was dramatically diminished by the beginning of 2002 and there was little prospect that UNITA could regain the initiative it had held throughout the so-called 'peace process' of the 1990s. The 'end' of the war had in fact been proclaimed on at least three earlier occasions since the mid-1970s.

From Alvor to Bicesse

A combination of ethno-territorial circumstance and the underlying sympathies of the Portuguese transitional administration had left the MPLA in control of the capital Luanda when the last colonial forces made their hasty getaway in November 1975. The MPLA traditionally drew its support from the Mbundu people of the Luanda area as well as the capital's considerable mixed race (*mestiço*) population. At the same time, the MPLA's Marxist-oriented programme was favoured by the radical Portuguese soldiers who had made the 1974 revolution in Portugal and who throughout 1974 and 1975 dominated Lisbon's febrile politics. It was not supposed to have been like this. The revolution and the promise of African independence which came with it had triggered a violent power struggle among Angola's three separate nationalist movements. In January 1975 this was apparently resolved when the movements and the Portuguese negotiated a supposedly orderly transfer of authority to a power-sharing administration to be

formed jointly by the competing groups. This blueprint for post-independence Angola – the Alvor Agreement – which was supposed to have brought peace unravelled almost immediately, however. A full-scale civil war broke out and, largely because of the accident of its local strength, the MPLA managed to expel its rivals from Luanda. Subsequently, a powerful challenge was mounted from beyond the capital by UNITA, with its power base among the Ovimbundu people of Angola's central plateau. This threat to the MPLA was enhanced by a tactical alliance between UNITA and the (then much larger) National Front for the Liberation of Angola (*Frente Nacional de Libertação de Angola*: FNLA) which drew its support from the Bakongo people of the north.

The two anti-MPLA movements were backed by South Africa which had a visceral fear of the consequences of a pro-Soviet regime in Luanda. This alliance though was outfought by the combined efforts of the MPLA and a rapidly despatched Cuban intervention force and by the middle of 1976 it appeared that the issue was settled, the MPLA regime consolidated and the civil war ended. But UNITA, with strong external support (overt from South Africa, covert from the United States and others) sustained its challenge to the MPLA and the Cubans. By the mid-1980s the Angolan conflict had assumed a central role in the post-détente 'second cold war'. In 1985 at the urging of the Reagan White House, the US Congress repealed the so-called Clark amendment which constrained American support for UNITA and which, when passed at the beginning of 1976, had effectively ended the covert anti-MPLA intervention engineered by President Ford's secretary of state, Henry Kissinger. Military aid was once again lavished on UNITA through supply lines from Mobutu's Zaire.¹ Meanwhile, at the other end of the country, South African air and ground incursions in support of UNITA had become routine and could be carried out with the impunity bestowed by the 'constructive engagement' pursued by Washington at that time in its relations with Pretoria. At the same time, the Cuban presence in Angola had grown steadily since 1975 until by the mid-1980s it stood at about 50,000.

The next apparent breakthrough in conflict resolution came as the cold war was rapidly ending, rendering supposed proxy wars like that in Angola increasingly irrelevant to the global balance. Initially, the focus of the peace initiative at this time was on the issues of South African and Cuban involvement. 1988 was both an election year in the United States (with George Bush Sr. campaigning to succeed Reagan as Republican incumbent) and a high point of Mikhail Gorbachev's *glasnost* in the Soviet Union. Global conditions were, therefore, right for the Angolan war to be 'allowed' to end. Following an inconclusive but protracted and massively destructive battle between the MPLA and the Cubans on one side and UNITA and the South Africans on the other around Cuito-Cuanavale in the south-east of Angola, local conditions too were in place for movement. Under strong superpower pressure therefore, an agreement was reached by which South Africa agreed to finally 'decolonize' Namibia. This would serve to create an independent state as a buffer between South Africa and southern Angola. It would also remove South Africa's 'justification' for intervention on behalf of UNITA: pursuit of the main Namibian nationalist guerrilla movement, the South West Africa People's Organization, which operated

across the Angolan border. Cuba for its part agreed that the removal of South Africa from the equation would create conditions for its own withdrawal. Consequently, Namibia was to be come independent in 1990 and Cuban troops would be withdrawn from Angola by 1991.²

In the background to the agreement on Namibia and the Cubans was an interpretation of the Angolan civil war as a simple artefact of global bipolarity. The key assumption here that the end of the cold war would lead sooner rather than later to a resolution of the local 'difficulty'. Tacitly, it was assumed that UNITA, without its essential external support, would wither on the vine and the 'status quo' at the time of Portuguese withdrawal in would become the settled outcome. In April 1990 secret talks were held between MPLA and UNITA delegations in Evora in Portugal. Subsequent negotiations went on until May 1991 under Portuguese chairmanship in the presence of American, Soviet and UN representatives. Finally, on 31 May 1991, a week after the withdrawal of the last Cuban from Angola, an agreement was signed by the MPLA and UNITA at Bicesse near Lisbon under pressure from the troika of 'Observer States', the United States, the Soviet Union and Portugal. Once again, the end of the Angolan war was proclaimed.

The Bicesse agreement – or the '*Acordos de Paz*' (peace accords) as it became known – involved the creation of a unified national army (*Forças Armadas Angolanas* – FAA) drawn from both sides. It also laid down a timetable for national elections. To contest these UNITA would 'convert' itself into a political party and become the main opposition to the MPLA in a pluralist democracy. Savimbi himself would run for the post of president against the incumbent, the MPLA's José Eduardo dos Santos.³ Optimism remained high, at least initially. The apparently intractable problems of Namibian independence and the extrication of Cuba from Angola had, after all, been achieved in the burgeoning 'new world order'. Moreover, the Bicesse agreement itself had been relatively easy to broker and, more concretely, had been followed by a well-observed cease-fire. A United Nations peacekeeping force – the second Angola Verification Mission (UNAVEM II) – had been established to oversee the process. Following the success of the UN operations which had overseen the Namibia-Cuban settlement, confidence in the international structures put in place was high.⁴

This optimism was fatally misplaced, however. The *Acordos de Paz* were fundamentally flawed in a number of respects. For one thing there was no effective relationship between their military and political dimensions. As with so much else associated with the process, the assumption was that an irresistible momentum towards settlement now existed with the removal of the external dimension to the conflict and that therefore co-operation could simply be taken for granted. As a result, no leverage on the key issue of demobilization was provided to the United Nations. This situation was aggravated by the very short time-scale laid down in the *Acordos de Paz*. The final phase of the agreement – the electoral process – was to be completed by November 1992, little more than a year after the peace process had begun. This was not a practical chronology within which to end a civil war which had been underway for sixteen years. Even with a longer time frame, however, the fundamental expectation of the process was dangerously misconceived. The elections were supposed to result in a victory for one side

which would then form the post-settlement government. This winner-takes-all approach was extremely dangerous in that it simply translated the battle-lines of the armed conflict into the political realm. The contest remained a zero-sum game. A form of power sharing for at least a transitional period (as envisaged by the original Alvor agreement in 1975, in fact) would have shifted the terms of the MPLA-UNITA conflict towards a more positive 'nation-building' culture. Lastly, the UN operation which was supposed to manage this process was insufficiently resourced to operate effectively even in a much more co-operative setting. At its full strength in the middle of the elections UNAVEM II had only 350 military observers and 126 civilian police deployed to cover the entire country.

Despite all this, the electoral process was completed on schedule. The UN electoral team had registered five million voters in a few frantic months and in September 1992 the elections for the 220-seat National Assembly were held with a turnout of 91 per cent. The MPLA was the clear winner with 129 seats against UNITA's 70. In the first round of the presidential contest dos Santos took almost 50 per cent of the vote against Savimbi's 40 per cent. The process had apparently, against all the odds, been successful, and only the second round of the presidential elections remained to be completed. This looked to be little more than a formality given dos Santos' lead in the initial poll. This 'end' of the Angolan civil war proved no more durable than the previous ones, however. The failure to co-ordinate the demobilization of fighters with the political process now came together with the win-lose character of the contest to tempt Savimbi back to war. The UN presence, confronted with combined rival forces of about 150,000, was helpless to prevent this.⁵ The resumed conflict was more ferocious and destructive than at any time since it began.

The Lusaka 'Settlement'

The next phase of the peace process began almost exactly a year after the return to fighting when the UN secretary-general's representative, the former Malian foreign minister Alioune Blondin Beye, brokered talks between the MPLA and UNITA in the Zambian capital Lusaka. UNITA's grudging agreement to co-operate in this process was at least in part due to the UN Security Council's threat of sanctions against it.⁶ At Lusaka, Savimbi appeared to accept the proposition that the 1992 elections were valid, and by the beginning of 1994 the talks were centred on the nature of post-settlement government.⁷

Although affirming as a matter of principle the legitimacy of the 1992 election result, the Lusaka process was built around a crucial advance on the earlier 'settlement'. It acknowledged that the winner-takes-all character of the Bicesse plan should be supplanted by a commitment to power sharing. As always, however, Savimbi's true position remained opaque and it was far from clear that even the prospect of having a stake in power would be sufficient to secure his commitment. And, however successful the progress of the Lusaka talks may have seemed, the war continued on the ground. Indeed, fighting appeared to intensify as both sides sought to create 'facts on the ground' in anticipation of a final

settlement. At the end of October 1994, however, agreement seemed to be reached, paving the way to the signing of the 'Lusaka Protocol'.⁸ Ominously, though, Savimbi's own signature did not feature on the document. His claim that security concerns had prevented him travelling to Lusaka was diplomatically accepted, but regarded with foreboding by the sponsors of the process.

The Lusaka Protocol, although a significant advance on earlier settlement attempts was nevertheless, as we have said, explicitly cast as a development on, rather than a substitute for, the Bicesse *Acordos de Paz*. This was a necessary gesture towards the legitimacy of the 1992 elections, which the MPLA insisted upon. But we have also noted that there was a significant qualification to this. Political progress was to be achieved by a joint commitment to power sharing by the MPLA and UNITA rather than by the formation of a government by the MPLA alone which a strict implementation of the 1992 election result would have required. Instead there was to be a government of unity and national reconciliation (*Governo de Unidade e Reconciliação Nacional* – GURN). The seventy UNITA deputies elected to the legislature in the 1992 poll were to take up their seats and the presidential election (which dos Santos had narrowly failed to win outright in the first round before Savimbi returned to war) was to be completed. UNITA was to have four ministries and would provide deputy ministers in seven departments under MPLA ministers. In another crucial departure from Bicesse the issues of the demobilization and disarmament of fighters on the one hand and the political settlement on the other were now interlinked, progress on the latter depending on movement on the former. The United Nations and the troika of observer states – the United States, Russia (as it now was) and Portugal – would guarantee the process and arbitrate in any disputes over its implementation.

Although the terms of the Lusaka Protocol and the care with which they were elaborated represented a significant advance on Bicesse its apparent acceptance by the parties was not accompanied by the optimism around the earlier agreement. In part this was merely an inevitable consequence of the collapse of the *Acordos de Paz* and the return to war, which had created a much more cautious, even pessimistic, mindset at the UN and among the three observer states. But the continued uncertainty surrounding Savimbi's position was also a factor. And, of course, there had been no temporary 'good will' truce in the run-up to the signing of the Protocol as there had been during the Bicesse negotiations. The fighting had if anything been worse in the period of negotiation and right up to the hour fixed for the cessation of hostilities. Significant violations of the cease-fire when it did come, moreover, were recorded long after it should have been in full effect. There was in fact a feeling on both sides that the 'settlement' might amount to no more than a temporary relief during which forces could be rested and regrouped. The MPLA leadership in particular nursed deep resentment at UNITA's renegeing on the 1991-92 process and were distrustful of its intentions, not least those of Jonas Savimbi himself. In the view of many FAA field commanders, UNITA had been on the ropes militarily before the Lusaka Protocol and should have been destroyed on the battlefield. In this view, the Lusaka agreement would merely produce one of two undesirable outcomes. It would either provide UNITA with an essential respite or if the peace did prove more durable, it would bestow a wholly

undeserved political reward on it. Within UNITA there was fear that the movement might simply fail as a democratic political organization because its electoral prospects had been fatally damaged by its behaviour after the 1992 elections. Savimbi himself continued to send out contradictory signals about his own position on all of this.⁹

If the Lusaka Protocol sought to correct the flaws of Bicesse in respect of the military-political link and the nature of the post-settlement regime, the United Nations itself was also anxious to learn from its earlier mistakes. A new 'verification mission' was established (UNAVEM III) but in contrast to its sparsely resourced predecessor it was to have formidable forces at its disposal. The Security Council authorized a maximum strength of 7000 troops as well as 350 military and 260 police observers.¹⁰ It remained to be seen, however, whether force numbers alone could remedy the failures of the previous settlement attempt without a fundamental commitment to peace on the part of the protagonists.

The following three years were ones of painstaking, frustrating and ultimately unavailing diplomacy on the part of the UN and the troika of observer states. At the centre of the problem stood the increasingly unpredictable figure of Jonas Savimbi. The UN persisted, unsuccessfully, in attempts to arrange a face-to-face meeting between him and dos Santos in order to 'seal' the Protocol.¹¹ Characteristically though, Savimbi managed to resist any such commitment without rejecting it outright. Increasingly, the warnings of the MPLA hard-liners at the time of the conclusion of the Protocol seemed prescient. Even when a direct meeting did eventually take place in May 1995, it seemed only to be an attempt by Savimbi to divert external pressure.¹² While reasonably cordial, the encounter did nothing to move the process on and no concrete commitments were undertaken to accelerate progress on the implementation of the Protocol.¹³ Subsequently, UNITA reverted to its now 'standard operating procedure' of deliberate delay punctuated by minor movement.

Ominously, the main problem of implementation brought echoes of a fundamental defect of the Bicesse process: the mutual disengagement of opposing forces and the cantonment and demobilization of UNITA forces. Without this a return to war would always remain an option. In August 1995, despite the UN having by then deployed the greater part of its peacekeeping force, the Security Council remained greatly concerned at the slow pace of the military aspects of the Protocol.¹⁴ While the UN secretary-general, Boutros Boutros-Ghali, sought to put the best diplomatic gloss on the lack of progress, it was clear that the delay was simply the result of the now fixed position of UNITA which recognized that maintaining forces in preparedness was now its only remaining lever.¹⁵ When UNITA elements did present themselves for cantonment they were few in number and brought only obsolete weapons.¹⁶

MPLA frustrations mounted throughout 1995. At the end of that year the entire process was in jeopardy when UNITA suspended its 'co-operation' in the process, alleging offensive actions by government forces. It would now, it announced, 're-evaluate the whole application process of the Lusaka protocol'.¹⁷ The UN mission managed to resolve the crisis, but to the fury of the MPLA only at the price of concessions to UNITA. The original timetable for the completion of

military issues agreed at Lusaka soon became meaningless, and was formally extended in January 1996.¹⁸ The consequence of this was yet greater disaffection on the part of the MPLA which, the following April, itself threatened to withdraw co-operation from the UN's attempts to implement the Protocol. The mounting frustration of the secretary-general and the Security Council with UNITA, however, had no effective expression beyond ritual condemnation.¹⁹

The UN was faced by a major dilemma in judging its response to developments – or the lack of them. The over-arching question it faced was how to interpret the behaviour of Savimbi and UNITA. Were their tactics deliberately designed to sabotage the entire peace process? Or, were they simply the result of genuine uncertainty and caution? If the former, then the process should not continue and, by default, the issue would have to be resolved on the battlefield. If the latter, however, a real settlement was still achievable and should be pursued. It is of course possible – even probable – that Savimbi himself was unsure of what objective he was actually seeking to achieve by his behaviour. If this was the case, the UN had to persist with the process, however frustrating and unproductive that might be in the short-term.

Delay and obstruction was not confined to the military aspects of implementation, however crucial that was. UNITA was equally unco-operative on the political side as well. As we have seen, Lusaka required that the UNITA deputies elected to the legislature in 1992 under the Bicesse process take their seats in Luanda. UNITA was also required to nominate the ministers, deputy ministers and governors to fill the posts that had been allocated to it at Lusaka. And, Savimbi's own political role in Angolan politics remained to be determined. The principle of power-sharing which guided the Lusaka process (in contrast to the win-lose arrangement of the 1991 *Acordos de Paz*) implied that Savimbi should have a formal position.²⁰ The UN, aware from past experience of the dangers of allowing the military and political aspects of the settlement from going their separate ways, sought to use progress on the political aspects to reinvigorate the moribund military process. Once again, UNITA responded to the immediate pressure and the names of its nominees for ministerial posts were submitted to the UN. The mere publication of a list of names on its own, however, was not a major concession. While it may have had some impact earlier in the process, now it did little to impress an increasingly sceptical United Nations.²¹

The formal status of Jonas Savimbi himself however remained highly problematic. Realistically, there could be no doubt that dos Santos was destined for the presidency, even though the formality of the 'delayed' second round in the election had still to be played out. Even Savimbi appeared to accept this, but he offered no co-operation in the establishing an appropriate constitutional role for himself in the new disposition. Initially he seemed to suggest that he wished to remain outside of national government. This, though, would have been dangerous for the peace process, as it would have left him untied to the structures of post-settlement Angola. Binding him to the process had been an important objective at Lusaka where his capacity to make freelance mischief was well understood. In August 1995 therefore Savimbi was offered the post of Angola's vice-president.²² Although it was first reported that he had accepted the proposal, he soon reverted

to his more usual delaying tactics.²³ These continued until mid-1996 when he finally rejected the idea.²⁴ With the phased withdrawal of the peacekeeping force determined by the Security Council at the end of 1996, it was becoming urgent that some arrangement be reached.²⁵ For a time it appeared that Savimbi might accept a newly conceived position of 'principal adviser' to the president, a post which would have given him effective control over several ministries.²⁶ But, unsurprisingly, this was not acceptable to the MPLA which had, after all, a mandate dating from 1992. There was though an appreciation within the government that the unresolved issue of Savimbi's role might sabotage the formation of the new 'unity and reconciliation' administration – and a suspicion that this was his intention. As a result, a largely undefined 'role' was patched together with the UN.²⁷ Savimbi was to be simply 'Leader of the Largest Opposition Party'.

The unity government (the 'GURN') which was the centrepiece of the Lusaka process, was inaugurated on 11 April 1997 – in the absence of the Leader of the Largest Opposition Party who again cited security concerns.²⁸ More positively, though, UNITA's nominees had at least arrived to take up their posts. The MPLA retained the positions of president and prime minister but UNITA nominees occupied the four portfolios agreed at Lusaka. These included two key economic ministries, Mines and Trade, as well as Health and Tourism. A UNITA nominee was also appointed to the new post of vice-president which had earlier been rejected by Savimbi. The apparently successful installation of the GURN however disguised some very grave circumstances undermining the supposed settlement.

The Collapse of the Lusaka Process and the End of Savimbi

Kofi Annan, who had succeeded Boutros-Ghali as UN secretary-general at the beginning of the year, reported in June 1997 just as UNAVEM III was being withdrawn that despite the terms agreed at Lusaka UNITA retained control of significant parts of the country. These included the diamond fields of the northeast which provided it with a major resource capable of funding continued conflict.²⁹ Beyond Angola itself, the situation was further destabilized by the revolutionary upheaval then underway across the border in Zaire where the long ruinous rule of Mobutu Sésé Séko was in its final days. Although the end of the Mobutu regime, a historical enemy of the MPLA, was in many respects a major blow to UNITA, the generalized chaos in the Congo added to the climate of instability in the areas of northern Angola to which the MPLA sought to extend central government control. As well as these problems on the northern border the process of integration of UNITA fighters into the FAA and police was making little progress by mid-1997. In short, major issues around the implementation of the Lusaka Protocol had still to be resolved, and proclamations of peace in Angola were, once again, premature.

The Security Council did not leave Angola entirely without external support when UNAVEM III was withdrawn in 1997. A more modest operation, the United Nations Observation Mission in Angola (*Missão de Observação das Nações Unidas em Angola*: MONUA) was established to pick up at least some of the

threads left hanging by the withdrawal of the verification mission.³⁰ Annan justified the reduced UN presence on the rather disingenuous grounds that at least some progress had been made in the implementation of Lusaka. But the reality was that the Security Council was simply no longer willing to resource a major intervention (UAVEM III was costing about one million US dollars a day) in a situation which to all appearances remained intractable. The danger in this situation was that the lessons of the Bicesse experience were being ignored. The key military and political objectives of the settlement had simply not been achieved and the external 'force' which was supposed to pursue them was being diminished to a point at which it could not effectively intervene to prevent backsliding on those areas where some limited progress had been made.

The new UN mission took over from UNAVEM III in June 1997 with an initial strength of 3,500 (drawn from personnel already deployed in the country). However, this still relatively robust presence was to be reduced rapidly over the following year to just over 1,000 and then to 500 at the point of its termination at the beginning of 1999.³¹ As if in response to this downgrading of Angola in the priorities of the international community, the process now slowed from even its already glacial pace. According to Annan in August 1997, the 'peace process in Angola (was) experiencing some of the most serious difficulties since the signing of the Lusaka Protocol'. The blame for this was placed clearly at the door of UNITA which was failing in its 'fundamental obligations'.³²

The response of the Security Council was to activate much threatened but repeatedly delayed sanctions on the UNITA leadership. All states were now required to refuse entry and transit to UNITA officials, to close UNITA offices abroad and to deny landing and over-flight permission to aircraft originating in Angola other than those approved by the Luanda government.³³ These measures were in addition to an arms embargo against UNITA in force since 1993. There was no obvious sign that this new pressure was having any effect, however, and UNITA's already scant compliance with its Lusaka obligations virtually ceased. In this political limbo violations of the cease-fire increased in frequency and seriousness until, stage-by-stage, the country returned to full-scale war. Fighting between the MPLA and UNITA in the north of Angola soon reverted to pre-Lusaka levels. In his January 1999 report to the Security Council the secretary-general finally acknowledged that Angola was now back in a state of civil war and that the peacekeeping effort had become meaningless. Consequently, he recommended that MONUA be rapidly withdrawn.³⁴ The end of the UN's decade-long military presence in Angola came with the withdrawal of the last troops in mid-March 1999. Despite a continued but much reduced political mission, the reality was that the protagonists had been left to get on with it.

Even more than in the past, the renewed conflict was fed by Angola's enormous natural wealth. UNITA, now almost bereft of external sponsorship, used its control of the northern diamond fields to fund its war through relationships with sanctions breaking commercial arms suppliers.³⁵ The MPLA in turn continued to devote the country's offshore oil wealth (or that proportion of it not earmarked for personal bank accounts abroad) to the war.³⁶ Yet inexorably the pressure was beginning to tell on UNITA. Savimbi's increasingly capricious and

brutal personal leadership had led to either the liquidation or the defection of most of his most able lieutenants. A faction of UNITA's parliamentary deputies opted to defy Savimbi's orders and remain in post in Luanda. With the encouragement – to a great extent financial – of their 'opponents' in the MPLA this group formed 'UNITA-Renovada' ('Renewed UNITA') headed by two of Savimbi's one-time closest associates, Eugénio Manuvakola and Jorge Valentim.³⁷ In June 1998 UN sanctions were further tightened by the freezing of UNITA's external assets, a ban on travel to UNITA held territory other than with UN permission, and an international embargo on the import of all Angolan diamonds not authorized by Luanda.³⁸ While these measures were widely breached, they were not as useless as many critics – and even the UN itself – calculated at the time.³⁹ A cumulative effect was building, and by the end of the decade UNITA found itself ever-more isolated abroad and increasingly beleaguered on the ground.

It was in this grim environment that the war he had sustained by his megalomania and irrationality finally caught up with Jonas Savimbi in February 2002. As we have suggested, however, his death was not just a random and unexpected 'result' for the FAA. UNITA's prospects both in Angola and internationally had been declining steadily since the return to war in 1998-99. The end of the Mobutu regime in Zaire/Democratic Republic of Congo (DRC) has already been touched on. More generally, however, Savimbi had simply alienated his one-time friends in the west by his intransigence. France, traditionally sympathetic along with its fancophone allies in Africa to UNITA, was moving ever closer to the Luanda government because of its oil interests.⁴⁰ In Washington its once considerable support base had diminished during the Clinton administration to a small group of right-wing Congressmen.⁴¹ Certainly UNITA's fighters were still capable of scoring occasional military victories against the FAA and with its diamonds the movement had little difficulty in keeping them supplied.⁴² But the general trend was one of decline and the year 1999 proved pivotal. A series of UNITA successes in the first months came as something of a shock to Luanda but by the end of the year fortunes had changed with the FAA's capture of Savimbi's long-standing headquarters at Bailundo and of his birthplace, Andulo. The notion of a new peace process, in which Luanda would obviously negotiate from strength but which would still leave some residual power in UNITA's hands now emerged from disparate sources. The new, neo-conservative influenced, administration of George W. Bush was one, but, more intriguingly, a home-grown peace movement was emerging in Luanda, pointing to the unexpected emergence of a genuine civil society in the MPLA's own heartland.⁴³

These political pressures had no time to build, however. A series of devastating offensives by the FAA in the first weeks of 2002 saw several UNITA military leaders killed or captured and its forces in general retreat eastwards through Moxico province towards the Zambian border. Then, on 22 February, Savimbi himself died when his own retreating column was attacked near Lucusse, about 700 kilometres east of Luanda.

Reviving the Process: 'Negotiation by Dictat'

The MPLA government was suddenly presented with some unexpected dilemmas by Savimbi's demise. Clearly, the way to a final resolution of the war was now open. But there was no obvious map to follow. By the time of his death Savimbi had reached such a stage of paranoid autocracy that no meaningful leadership structure or chain of command existed at the top of UNITA. Likely rivals had either been liquidated or, as in the case of the UNITA-Renovada leadership, had defected. While superficially this organizational disorder might have seemed an asset to the MPLA, in reality it brought difficulties and potential dangers. Responsible and authoritative interlocutors were a pre-requisite for any enduring peace agreement. Multiple and dispersed centres of power with control of fighters and arms would, alternatively, be a recipe for continuing chaos. President dos Santos was himself subject to conflicting pressures. His own military hard-liners in the FAA were pushing for the moment to be seized and UNITA to be finally and totally destroyed. Abroad, however, powerful diplomatic voices, including the European Union and Washington, were pressing for a negotiated settlement.⁴⁴ It was the latter pressure which prevailed, helped by the fact that despite initial apprehensions UNITA forces showed no enthusiasm for any final showdown after the baleful influence of Savimbi had been removed.

The leadership issue within UNITA though was not quickly resolved. The first to present himself as successor to Savimbi was his official deputy, António Dembo. Almost immediately, however, Dembo's own death was reported.⁴⁵ Initial contacts between the two sides therefore tended to be fragmentary. But by the middle of March formal talks were underway in the town of Luena in Moxico involving the next leadership claimant, General Paulo 'Gato' Lakamba, UNITA's secretary-general.⁴⁶ These negotiations were based on a fifteen-point plan produced by dos Santos on 14 March which was notably conciliatory in character. The elements of this, which included an immediate pause in combat operations by the FAA, the prospect of an amnesty for all acts committed during the war, a re-integration programme for UNITA fighters and preparations for early elections, drew heavily on the original Lusaka plan.⁴⁷ Importantly, the United Nations was quick to legitimize the process and to cast it in terms of the original Lusaka agreement. The Security Council acknowledged the 'positive initiatives of the Government of Angola', and UNITA urged 'to recognize the historic nature of this opportunity with dignity, to give a clear, positive response to the Government's offer of peace (and) to implement fully the Lusaka Protocol ...'.⁴⁸

In the event, the choice for dos Santos between the final military extirpation of UNITA and a diplomatic route to peace was not as stark as first appeared. As we have seen, post-Savimbi UNITA appeared to have no appetite at all either for continuation of the war as a unified force or for violent fragmentation. At the same time, early concerns about General Lakamba's hard-line image were dispelled. In fact, his very reputation probably helped lubricate the process of negotiation, removing concerns about the rejection of agreement by more radical factions. By the end of March 2002, therefore, the MPLA had every prospect of seeing the end

of UNITA as a military threat while at the same time maintaining the favour of powerful external actors pressing the route of peaceful settlement.

The government showed some skill in exploiting this general political and diplomatic environment to maintain the unexpected momentum in the process. In the first week of April attention moved from Luena to Luanda where more formal talks began in pursuit of a permanent settlement. Here Lakamaba sought to put as brave a face as possible on UNITA's plight. UNITA, he said 'did not come ... with a rope around our necks or a knife at our throats'. The peace negotiations were, he insisted, Savimbi's own idea conceived shortly before his death. After analysing 'the national and international situation (UNITA) decided that negotiation would be the best option – but it was not the only option'.⁴⁹ It was a far from convincing claim, but in the climate of the time no one was inclined to jeopardise the forward movement of the peace process by gainsaying it. Consequently it took only the briefest of 'negotiations', before the formal agreement ending one of world's longest civil wars was signed. Witnessed by representatives of the United Nations, the United States, Russia and Portugal, it was done so in a mood described by one observer as 'less of triumph than relief', surely the only appropriate one after a war that had killed at least half a million people.⁵⁰

The grounding of the agreement in the dormant Lusaka agreement was made explicit in its title: 'Memorandum of Understanding Addendum to the Lusaka Protocol for the Cessation of Hostilities and the Resolution of Outstanding Military Issues under the Lusaka Protocol'. Its key points included:

- an amnesty for all crimes committed during the conflict (this had now been passed by the national legislature after being proposed in the government's fifteen point plan of the previous month),⁵¹
- modalities for a permanent cease-fire;
- plans for the disengagement, cantonment and demilitarization of UNITA forces;
- proposals for the inclusion of elements of UNITA at appropriate levels in the FAA and national police and for the re-integration of other UNITA elements into national life.

The agreement created an institutional structure to implement its component parts. The Joint Military Commission (JMC) was to have overall responsibility across the range of objectives. It was to consist of government and UNITA representatives along with observers from the UN and the three observer states. The JMC was to be assisted by a Technical Group (TG) which would deal with the details of implementation. The TG like the Military Commission was to consist of both government and UNITA members as well as the external observers. While the UN and the troika states would have a watching brief in the process, they would have no formal monitoring or verification role.⁵² The Angolan parties would be ultimately responsible for the implementation of their own plan, in other words. International support was, though, considerable. In August 2002 the UN Security

Council authorized the replacement of the small United Nations Office in Angola (which had been put in place as a very limited gesture after the withdrawal of MONUA in 1999) with a much more substantial United Nations Mission in Angola (UNMA).⁵³ This was not a follow-on peacekeeping operation; it had no military dimension. But it represented a substantial commitment of resources to the implementation of the April agreement. While it became ever more evident that UNITA was simply a spent force militarily and that there would be no return to war, the government was careful to avoid flaunting the extent of its victory by provocative shows of triumphalism. But the absence of conflict provided only a precondition for peace in the fullest sense. The work necessary to implement the April 2002 agreement was immense.

The process of cantonment and demobilization of UNITA fighters was perhaps the most pressing issue for post-conflict management because it had both humanitarian and security aspects. By the end of 2002 there were approximately 425,000 ex-combatants and their dependants in 33 camps. (Only 5,000 UNITA personnel were to be integrated into the post-war FAA and police force.) Although there was no likelihood, as there had been in earlier cantonment ventures, of fighters slipping away to resume to war, the resources and logistical capacity necessary to properly care for such numbers were immense. The situation was aggravated by the remote and inaccessible locations of many of the camps and there was a danger that the whole exercise could turn into a humanitarian disaster. And, while there might be little threat of this leading to a re-ignition of organized conflict, it could very easily result in random and chaotic violence and banditry which, cumulatively, could threaten the entire peace process. Moreover, cantonment of fighters was just one part of the process; at least as important was their speedy reintegration into 'normal' society if the camps were not to become simply long-term UNITA 'settlements'.⁵⁴ By the beginning of 2004 the government had spent about US\$187 million on the process - but with a focus on the 'security' side of demobilization rather than reintegration. At this point, however, the World Bank stepped in with a commitment of US\$33 million specifically for reintegration programmes and these were further boosted by a range of other external donor contributions.⁵⁵ The problem of the reintegration of UNITA fighters was itself only part of a larger issue of post-conflict population adjustment. By the end of the war around one third of Angola's population - about four million people - had been displaced by the war. The full scale of the humanitarian catastrophe, though long suspected, only became clear when fighting ended and access by aid agencies to all areas of the country became possible. By June 2002 only emergency aid was keeping three million people alive in Angola. The difficulties involved in re-settling the internally displaced were not merely logistical. There were considerable psychological barriers to the return of traumatized populations. The problem was further compounded by an estimated fifteen million landmines still in place the length and breadth of the country.⁵⁶ Again, external intervention proved crucial in tackling these issues. This was not because of a lack of government financial resources (the oil revenues continued to flow and now no longer needed to be directed to the war), but due to lack of

organizational capacity and a general legacy of mistrust, particularly in areas which had been under long-term UNITA control.

Although developments at the internal political level were generally positive in the months following the end of fighting, difficulties were soon to emerge here as well. While the consolidation of peace had eased internal divisions in the MPLA, particularly those between war 'hard-liners' and 'moderates', UNITA has struggled to reinvent itself as an effective political party. Its position as the dominant opposition to the MPLA is not in doubt but it has not been notably effective in carrying out this role. Clearly, its effective defeat in the war vitiated its political authority. But it has also had to deal with a number of structural difficulties. The military-dominated group which led the settlement talks in March and April 2002 eventually gave way to a more obviously 'political' leadership under Isaias Samakuva but there was still a deficit of political experience and skill at the top of the movement. There has also been a difficult 're-unification' between UNITA and UNITA-Renovada. Although the latter brought valuable experience from its time in parliament and government to the movement, tensions between the factions remained, with many in mainstream UNITA still despising their new 'colleagues' as traitors.⁵⁷ The long-term political settlement was built around a radical constitutional revision. To the dismay of UNITA the government argued that this (and an associated new electoral law) would not be ready for elections which were originally planned for 2004, and announced a delay until 2006. UNITA was faced by a major dilemma here. Its only real bargaining counter was its membership of the government of national unity and reconciliation (the 'GURN' established by the original Lusaka Accords) but any withdrawal from this would have left the party's internal weaknesses further exposed as well as leaving national power wholly in the hands of the MPLA. Understandable, this was a route that it chose not to follow, but its opposition appeared rather plaintive and unassertive in consequence.⁵⁸

Beyond the enormous social and political difficulties of reconstruction and reconciliation left by the civil war other major problems still confront Angola. Oil wealth, upon which so much of the country's post-conflict hopes are built, has been a cruel liability as well as an asset in that it was perhaps the key prize keeping the country at war for so long. The easy wealth it bestowed also provided the backdrop to the gradual destruction of the revolutionary rectitude and discipline which once characterized the MPLA. The most staggering levels of corruption and greed among the party's have supplanted this – and therefore the nation's – leadership.⁵⁹ The grip of corruption will not be broken in the near future, given the extent to which it has become rooted in Angolan political culture and society. And, though Angola's civil war has now been settled in its main theatre, political violence persists in what had been a secondary, though no less enduring, conflict in the Cabinda enclave. In October 2002, when it was wholly clear that UNITA presented no military threat, the government attempted to finally extinguish the decades-old separatist insurgency in Cabinda (which is separated from Angolan territory by a thin finger of DRC territory). This offensive proved no more 'final' than several others launched since the mid-1970s.⁶⁰ Nor do the unresolved conflicts to the north in the DRC and in Congo-Brazzaville – in both of which

Angola has intervened – provide an ideal regional environment for post-conflict reconstruction.⁶¹

Whatever the obstacles faced by post-conflict Angola, however, it is apparent that the civil war ended with the death of Jonas Savimbi in February 2002. Savimbi was thirty-two years old when he broke with the FNLA (his original political home) along with a group of Ovimbundu supporters and formed UNITA. He died at the age of sixty-seven after a lifetime of more or less permanent war leadership. This traversed two distinct historical phases of African guerrilla activity: from collectivist anti-colonial 'liberation struggle' to wealth-hungry 'warlordism'. In this respect Savimbi was undeniably a historical figure. But does this life and the evidently decisive consequences of its ending require us to accept a 'great man' interpretation of the Angolan civil war? Certainly, when the trajectories of the two superficially similar conflicts in Angola and Mozambique separated in the 1990s, the personality of Savimbi compared to the unimpressive leader of the Mozambique National Resistance (Renamo), Afonso Dhlakama, was often advanced as a distinguishing factor. But there were other, more fundamental differences which militated towards settlement in Mozambique and continuing violence in Angola. Quite simply, by the early 1990s in Mozambique both the government and Renamo desperately wanted an end to the conflict. It was unclear indeed if either side had the material capacity to fight on by this stage, particularly with the seismic changes underway across the border in South Africa. Savimbi, in contrast, was prepared to continue the war if denied what he considered to be his and UNITA's proper 'rewards' for ending it. Yet he could not have done so if UNITA as a whole had, like Renamo, lost its instinct and, equally importantly, its material capacity to resume the war, whether in 1992 or in 1998. And, intimately related to this psychological and material appetite for further conflict was the economic dimension to the war in Angola in contrast to that in Mozambique. Angola's readily exploitable wealth is enormous compared to that of Mozambique, making the ultimate prize in a winner-take-all conflict dangerously irresistible.⁶² Savimbi alone, however autocratic and capricious he may have become in his personal leadership, could not have driven the struggle on without the support of others with their eyes focused on the special spoils of victory in Angola.

By 2002 however the prospects of winning these spoils was becoming ever more distant. The country's wealth which had driven the war was now in fact becoming an element in the push towards its settlement because crucial foreign interests recognized the dwindling prospects of UNITA and came to regard the conflict as militating against profitable economic relationships with the government. Savimbi himself of course would not have readily acknowledged this change in the fundamental dynamics of the conflict. But the fortunes of UNITA had reached such a low point by the beginning of 2002 that, whatever the precise truth of claims that Savimbi himself had planned to sue for peace immediately before his death, it was clear that time was fast running out for UNITA. Savimbi alive may have kept some momentum behind the war for a little longer - and would most assuredly have drawn out the final peace process - but the underlying political and economic forces in play far exceeded any power he may have had to change anything fundamentally by force of personality. Undeniably though his removal

hugely simplified the situation. And, crucially, the superstructure of external support for peace-making, in the shape of the United Nations, the troika states and other international actors, was in place. In fact, it always had been in one form or another since the Bicesse *Acordos de Paz* of 1991 and through the Lusaka Protocol of 1994. Now, however, in the post-Savimbi environment it could be manoeuvred into place without obstruction.

Notes

- 1 American policy at this time is explored by Wayne S. Smith (1986), 'A trap in Angola', *Foreign Policy* 62, Spring, pp.61-74. Also George Wright (1997), *The Destruction of a Nation: United States Policy towards Angola since 1975*, Pluto, London, pp.61-77.
- 2 On the superpower diplomacy surrounding the agreement see G.R. Berridge (1989), 'Diplomacy and the Angola/Namibia accords', *International Affairs*, 65 (3), pp.463-479.
- 3 The Bicesse *Acordos de Paz* were issued as UN document S/22609, 17.5.91.
- 4 The first United Nations Angola Verification Mission (UNAVEM I), mandated to oversee the withdrawal of Cuban military personnel, was deployed in January 1989 and completed its task in May 1991. The United Nations Transition Assistance Group (UNTAG) which oversaw the independence of Namibia began its work in April 1989 and ended in March 1990. UN documents S/RES/626 (1988), 20.12.88 (UNAVEM I) and S/RES/629 (1989), 16.1.89 (UNTAG).
- 5 The British international civil servant, Dame Margaret Anstee, who had been the secretary-general's representative during the attempts to implement the *Acordos de Paz* has written a lengthy and comprehensive account of this phase – *Orphan of the Cold War: The Inside Story of the Collapse of the Angola Peace Process, 1992-93*, Macmillan, London, 1996.
- 6 UN document S/RES/864 (1993), 15.9.93.
- 7 Wright, *The Destruction of a Nation*, p.188. The international pressure for agreement was now augmented by the authority of Nelson Mandela who had become president of South Africa in 1994.
- 8 The text of the Lusaka Protocol was issued as UN document S/1994/1441, 22.12.94.
- 9 See *The Economist*, 18-24.2.95.
- 10 UN document S/RES/976 (1995), 8.2.95.
- 11 *Ibid.*
- 12 UN document S/PRST/1995/18, 13.4.95.
- 13 *The Economist*, 15-21.7.95. Considerable – though misplaced – significance was attached at the time to Savimbi's reference at the meeting to dos Santos as 'my president'.
- 14 UN document S/RES/1008 (1995), 7.8.95.
- 15 UN document S/1995/1012, 7.12.95.
- 16 *Ibid.* By 1 December 1995 only 363 UNITA 'fighters' had registered a quartering centres.
- 17 *The Financial Times*, 6.12.95.
- 18 UN document S/1996/75, 31.1.96. UNITA was roundly condemned in a Security Council resolution as a result – UN document S/RES/1045 (1996), 8.2.96.

- 19 UN document S/RES/1055 (1996), 8.5.96; UN document S/RES/1075 (1996), 11.10.96.
- 20 *The Economist*, 18-24.6.94.
- 21 In his last report on Angola, Boutros-Ghali (soon to be replaced by Kofi Annan), warned that the rapid establishment of the unity government was essential if the 'willingness of the international community to maintain its extensive involvement in Angola' was to be maintained. UN document S/1996/1000, 2.12.96.
- 22 This was not perhaps as dramatic a concession as it appeared. There was to be a second vice-president nominated by the MPLA, and the functions associated with the post were not elaborated.
- 23 *The Financial Times*, 12.8.95.
- 24 *The Economist*, 14-20.9.96.
- 25 UN document S/RES/1087 (1996), 11.12.96.
- 26 UN document S/1997/115, 7.2.97.
- 27 UN document S/1997/304, 14.4.97.
- 28 *Africa Confidential*, vol.38, no.11, 23.5.97.
- 29 UN document S/1997/438, 5.6.97.
- 30 UN document S/RES/1118 (1997), 30.6.97.
- 31 *Ibid.* The establishing resolution had indicated an even more rapid draw-down, with the 'expectation of full completion of the mission by 1 February 1998'.
- 32 UN document S/1997/640, 13.8.97.
- 33 UN document S/RES/1127 (1997), 28.8.97.
- 34 UN document S/1999/49, 17.1.99.
- 35 UNITA's foreign supporters had by this time dwindled to a few west African francophone states. Côte d'Ivoire, Togo and Burkina Faso permitted the trans-shipment of weapons despite the UN sanctions. The principal sources of these arms were identified by the UN as Ukraine and Bulgaria. See the 'Report of the Panel of Experts on Violations of Security Council Sanctions against UNITA', UN document S/2000/203, 10.3.00.
- 36 Angola's oil wealth – real and potential – is immense. It has the largest reserve growth rate in the world, placing it first among 'oil finders'. All of the principal international oil companies are involved in the country including Total Elf Fina, Chevron, Exxon Mobil, BP, Texaco and Shell. See João Gomes Porto, 'Angola: once again facing the difficult challenges of peace – a case for cautious optimism', in *Business in Africa Magazine*, June 2002.
- 37 See *Africa Confidential*, vol.40, no.19, 24.9.99.
- 38 UN document S/RES/1173 (1998), 12.6.98.
- 39 See for example David Cortwright and George A. Lopez (2000), *The Sanctions Decade: Assessing UN Strategies in the 1990s*, Lynne Rienner, London, pp.159-60. Also, the 'Report of the Panel of Experts on Violations of Security Council Sanctions against UNITA'.
- 40 *Africa Confidential*, vol.38, no.17, 29.8.97.
- 41 *Ibid.*, vol.40, no.19, 24.9.99.
- 42 Again, francophone states were implicated in trading diamonds either for arms or the money to purchase them. In 2000 the United Nations singled out Togo and Burkina Faso for particular criticism.
- 43 *Africa Confidential*, vol.41, no.16, 4.8.00.
- 44 By coincidence dos Santos had an official visit to Washington scheduled for the week following Savimbi's death, where President Bush urged him to 'seize the opportunity' to bring peace after twenty-six years of war'. *O Público* (Lisbon), 28.2.02.

- 45 There was considerable speculation about the circumstances of Dembo's death, but it is probable that it was as a result of long-standing health problems rather than foul play as speculated at the time. See *The Guardian*, 5.4.02.
- 46 *Agence France-Presse*, 26.3.02.
- 47 *Angola Peace Monitor*, vol.8, no.7. Found at www.actsa.org/Angola/apm/apm0807.htm.
- 48 UN document S/PRST/2002/7, 28.3.02.
- 49 BBC African Service, 4.4.02.
- 50 *The Guardian*, 5.4.02.
- 51 The United Nations and various non-governmental organizations objected to the amnesty as it undermined the principles of international humanitarian and criminal law. At the signing of the agreement the UN secretary-general's representative entered a formal reservation on the issue. 'Report of the Secretary-General to the Security Council on Angola', UN document S/2002/834, 26.7.02.
- 52 South African Institute of Security Studies African Security Analysis Programme, *Angola at DD+040*, Situation Report, 4.6.02. Found at www.iss.co.za/AF/current/AngolaA+DD040.html.
- 53 UN document S/RES/1433 (2002), 15.8.02.
- 54 See 'Interim Report of the Secretary-General on the United Nations Mission in Angola', UN document S/2002/1353, 12.12.02.
- 55 IRIN (UN Office for the Co-ordination of Humanitarian Affairs) report, 27.1.04. Found at www.irinnews.org/report.asp?ReportID=39164&SelectRegion-Southern_Africa?S... These funds were spent on the provision of 'kits' of farm tools and seeds to each demobilized fighter as well as on larger scale projects.
- 56 On conditions in Angola at the beginning of 2003 see the article by the International Crisis Group, 'Angola: Exorcising Savimbi's Ghost', in *Current History*, May 2003, pp.206-214.
- 57 UNITA-Renovada was badly weakened in July 2002 when Eugénio Manuvakola stepped down as leader to be replaced by the less popular and less able Jorge Valentim. See *Africa Confidential*, vol.43, no.20, 11.10.02.
- 58 See *Angola Peace Monitor*, vol.10, no.5, 23.2.04. Found at www.actsa.org/Angola/apm/apm1017.htm.
- 59 The NGO Transparency International placed Angola 124th out of 133 states in its 2003 Corruption Perceptions Index. See www.transparency.org/pressreleases_archive/2003/2003.10.07.cpi.en.html.
- 60 See IRIN report on Cabinda, 14.10.03. Found at www.irinnews.org/report.asp?ReportID=37207&SelectRegion-Southern_Africa&S...
- 61 On Angola's role in the conflicts in the two Congos see Norrie MacQueen (2001), *Angola*, in Oliver Furley and Roy May (eds), *African Interventionist States*, Ashgate, pp.93-117.
- 62 For a fuller discussion of the comparisons and contrasts between the conflict resolution processes in Angola and Mozambique see Norrie MacQueen (2002), *United Nations Peacekeeping in Africa since 1960*, Longman, London, pp.165-167.

Chapter 10

A Separate Peace: Mozambique, State Reconstruction and the Search for Sustainable Democracy

Chris Alden

Mozambique's second elections in December 1999, heralded as a sign that democracy was firmly rooted in what is widely viewed as one of Africa's emerging post-conflict economic success stories, unexpectedly triggered a national crisis. The poll, which saw the governing Frelimo party win a second term on a narrower mandate, was bitterly disputed by the leading opposition party, Renamo. Having won a majority of the votes in six provinces, Renamo's legal challenge of the electoral process, boycott of parliament and call for some form of representation in governing structures met with obstruction by the government. Their subsequent national campaign of protest brought temporary havoc in some areas and, following a violent response by the police, the death of dozens of its followers in jail in November 2000. Adding to the uncertain climate was the assassination of veteran Mozambican journalist Carlos Cardoso in the midst of his investigation into the multi-million dollar theft that accompanied the privatisation of a state bank, which served to highlight the frailty of legal system, economic crimes and a rise in criminality.

The crisis in governance surrounding the 1999 elections threatened to jeopardise the hard fought gains of the peace settlement of 1992, subsequent rapid economic growth and democratisation itself in Mozambique. While some observers would assume a partisan position and point to Frelimo's arrogance or Renamo's intransigence as being at the heart of the country's problems, careful analysis of the situation suggests that the causes are deeper and reside in the nature of the post-conflict settlement in Mozambique as well as the Mozambican political actors themselves.

1 A Review of Conflict and Its Resolution in Mozambique

The cycles of conflict and resolution in Mozambique have been a feature of the integration of the peoples and territory of the south eastern region of Africa into the global economy since at least the tenth century. The international dimension of

this phenomena saw the Omani sultanate and its localised expressions in East Africa had gradually given way to Portuguese rule by the sixteenth century around the coastal belt in the central and northern portions of the country. Domestically, the conflicts between local ethnic groups and, in the seventeenth and eighteenth centuries, the Afro-Portuguese dynasties in the Zambezi river valley over land, the slave trade and various commodities, coupled to the widening impact of the *Mfecane* in the region in the early nineteenth century, marked both the importance of the 'international' in shaping (if not instigating) localised conflict as well as the centrality of actors to the process of sustaining it.¹ The resurgence of European interest in Africa, commencing with the new era of exploration and continental balance of power politics which allowed a weak state like Portugal to fend off German and British territorial usurpation in the favour of informal dominance through financial control, solidified Portugal's historical claim to the territory.² The period of conflict between European colonists came to an end with the defeat of Gungunhana in July 1897 and with that, the onset of modern Portuguese colonial rule with its heavy reliance upon British capital and the opportunities provided for labour remittances from the South African mining sector and transport links via the capitol, Lourenco Marques.

By the mid twentieth century, the rising challenges to European colonialism in Africa had penetrated the sovereign walls of Portuguese territory with the founding of local groups petitioning the government for support for greater political and economic rights. The failure to win concessions from the colonial authorities convinced Mozambican nationalists, reinforced by the massacre at Mueda in 1960 and suppression of black trade union activists, that their cause would require firmer measures.³ After organising a meeting of leading nationalists in Tanzania, the Front for the Liberation of Mozambique (known by its Portuguese acronym, Frelimo) was founded in 1962 with Eduardo Mondlane as its leader and its first armed incursions into the territory were launched two years later. Though gains were made against the Portuguese in subsequent years, especially in the northern parts of the country, it was only with the sudden collapse of the fascist regime in Lisbon that Frelimo managed to position itself as the leading nationalist group. The hasty negotiations with the left-leaning Armed Forces Movement which had assumed control in Portugal in the aftermath of the military coup, confirmed the movement's status as the sole representative of the Mozambican people and heir to the colonial state.

Independence in 1975 did not, however, bring about the expected prosperity nor political cohesion that had thus far alluded Mozambique. Declaring itself to be a vanguard Marxist-Leninist party in 1977, the new Frelimo government's efforts to strengthen its nominal hold on the state through the imposition of nation building schemes and production strategies drawn from the socialist experience, namely the collectivization of peasant agriculture and the construction of the 'new socialist man' in Mozambique, merely served to weaken its position with the bulk of the population.⁴ Despite its growing isolation from the Mozambican people, Frelimo pursued an internationalist policy solidarity that reflected the centrality of struggle politics and included the closing of its border with Rhodesia and the concurrent hosting of guerrilla bases for Zimbabwean liberation movements in

1976, measures which contributed enormously to the economic collapse of the central region of the country.

The emergence of a counter-revolutionary force, the Mozambican National Resistance (known by its Portuguese acronym, Renamo) initially based upon the remnants of black soldiers in the old Portuguese colonial army and related security forces, with the backing of the Rhodesian regime was another outgrowth of this situation.⁵ By the mid-1980s, when South African military support was at its height, Renamo was able to build sufficient local support to put it in control of much of the central provinces except for major towns as well as huge swathes of territory in the South. The death of Samora Machel in October 1986, coupled with the growing military stalemate and the fiscal restraints imposed through a structural adjustment programme, brought the two opponents into a series of indirect negotiations starting in 1987. So-called modernising forces within the party led by Joaquim Chissano, which took over leadership after Machel, moved Frelimo away from its ideological predispositions and elevating black (as opposed to white and *mestizo*) Mozambicans to senior positions in the government. Finally, after much internal debate, in 1990 the government promulgated a new liberal constitution based on pluralism and market values (steps that were apparently resisted by the population in a government consultation exercise that preceded its ratification).⁶

By 1991, the impending rupture in foreign military support as well as the debilitating effects of a drought, compelled Frelimo and Renamo together in Rome where they negotiated a series of protocols which ultimately formed the General Peace Agreement.⁷ It was signed in October 1992 and authorised the United Nations to conduct a peacekeeping operation in the country while overseeing the implementation of its components on demilitarisation, humanitarian assistance and elections.⁸ The UN mission, under the able guidance of the Special Representative for the Secretary General, Aldo Ajello, managed to keep the recalcitrant parties to the terms of the peace agreement (though there were significant deviations in the area of demilitarisation) up to the elections in October 1994. Despite the last minute effort by Renamo's leader, Afonso Dhlakama, to pull out of the elections, the first democratic votes were tallied giving Frelimo's president Joaquim Chissano 53 per cent to Dhlakama's 33 per cent and Frelimo itself 129 seats in the national assembly to Renamo's 112.⁹

2 The Limits of Peace From Above

The withdrawal of the UN mission a month after the elections marked the end of formal international oversight of the peace process and the beginning of the post-conflict reconstruction phase. While the Rome agreement, in conjunction with the ongoing structural adjustment programme and the introduction of a market economy, provided the template for state building, the elite character of the transition and its institutionalisation compromised the possibility of achieving much more than the form of electoral democracy. Indeed, the crisis facing Mozambique in 1999 had its roots in the shortcomings of the internationally-

mediated peace settlement, the accompanying electoral process and the subsequent post-conflict reconstruction of the state.¹⁰

Elections without Democracy

In spite of having held three national elections and deeply flawed municipal elections, in many respects democracy in Mozambique appears to retain the characteristics of an outside imposition. The unwillingness by the government to pursue the 'South African solution', that is to say power-sharing (about which more is said below), can be viewed as symptomatic of the absence of 'ownership' of a process that was promoted by the international community. Lacking a genuine spirit of reconciliation, the two parties have been in conflict and, in selected cases, worked beyond the legal boundaries in order to push political agendas (such as Renamo-inspired protests in northern districts).

Part of the origin of difficulties lay in the outcomes achieved at the Rome talks through the astute management of the peace process by Frelimo, and in particular Chissano and his chief negotiator, Armando Guebuza. Though forced to the negotiating table through deteriorating circumstances both domestically and internationally, Frelimo was determined to undercut its opponents' – in keeping, naturally, with the hard politics of conflict – capacity to win support locally around the government's socialist past. It unilaterally promulgated a liberal constitution which won the backing of the international community that, as it later became apparent, gave Frelimo the means to retain its position of absolute primacy within government without a serious challenge to its status. So democratic elections were tied to a structure that favoured the ruling party in power and, as was to become clearer with each election, allowed Frelimo to conduct domestic and foreign policy without any reference to opposition concerns.¹¹ More concerted international effort to question and critique the 1990 constitution, especially in the context of severe displeasure on the part of Renamo during the peace talks, would have limited the scope for the kind of 'democratic authoritarianism' that precipitated the 1999 crisis.

Adjustment without Prosperity

In spite of the acclaimed double-digit growth figures in the late 1990s – which annualised over the decade since the end of the war measure eight per cent – Mozambique remains a country dominated by grinding poverty and deprivation. It has been under an internationally-imposed structural adjustment programme (SAP) since 1987 that encourages wholesale privatisation of state enterprises and foreign investment as the solution to the country's severe economic problems.¹² Privatisation in particular has proven to be a source of rent-seeking behaviour amongst the ruling elite, emulating the classic cases found in other parts of the continent. The decision to allow Frelimo party members the right to own public and private assets taken at the seminal fifth party congress in July 1989 set the stage for the increasingly voracious conduct of leading government officials in pursuit of personal enrichment (see below).¹³

The creation of a positive environment for foreign direct investment, ultimately the centre piece of any SAP, did coincide with major investments in Mozambique. The Mozal project, which involved a multinational consortium investing US\$1.3 billion into the construction of an aluminium smelter facility and the Pande natural gas project in Inhambane involving a further multi-million dollar investment. However, the scope for job creation and training of local Mozambicans was limited in both cases, with reportedly 9,000 Mozambicans employed at the height of the construction phase of Mozal and approximately 1,000 are involved in the technical and management components.¹⁴ As one local observer points out, 'The mega projects (such as Mozal and Pande) have almost exhausted the capacity of Mozambique to supply skilled workers,' underlying the continuing shortcomings of education and training in the country.¹⁵

Factors such as the high level of debt servicing that Mozambique and other countries face have only recently been acknowledged by international financial institutions as impediments to development. It should be pointed out that while the debt issue galvanises international attention, its impact has been felt most acutely in the low levels of basic social services (sometimes non-existent in remoter areas) like primary health care and education. The cashew industry, which saw local producers of semi-processed cashews forced out of business by IMF-imposed cuts in state subsidies, is one egregious example of the undermining of local capacity, employment and entrepreneurship through misguided policies which have the effect of favouring international business concerns over that of local needs.¹⁶ While the basic standard of living has improved in Mozambique since the ending of the conflict, it is difficult to say whether this is attributable to peace itself or the overall benefits of the SAP.

Peace without Security

The proliferation of small arms and concurrent rise of criminal gangs, both products of the flawed demilitarisation programme, underscored the failures of the international peace process to put into place the necessary conditions for lasting peace. The UN peacekeeping operation, with its mandate to oversee disarmament and demobilisation, was notably lax in fulfilling its responsibilities as it did not manage to collect hundreds of thousands of light weapons. Indeed, within two years of the termination of the UN mission, over 100 undeclared arms caches had been discovered containing some 22,000 functioning weapons.¹⁷ As it has come to be known subsequently, these have fuelled the illegal weapons trade between Mozambique and South Africa and contributed to the regional spiral of violence. Furthermore, there is evidence that the absence of adequate provisions for middle ranking officers within the demobilisation scheme, whose education and stature made them unlikely candidates for the UN's 'hoe, seeds and off to the machamba' approach to reintegration, have drifted into the ranks of criminality.¹⁸ With skills and knowledge to manage military-style operations, these criminal gangs are credited with serving as the 'middleman' for stolen automobiles, drugs and other clandestine activities as well as, in the process, developing a network with their regional and international criminal counterparts. The police force remains in many

parts of the country undisciplined and subject to corruption despite training and additional (if still inadequate) resources.

Perhaps the bright spot in this area has been the fact that, after some initial disturbances in 1995 inspired by everything from pay disputes to complaints of discrimination by ex-Renamo combatants, the newly reintegrated military (Forças Armadas de Defesa de Mocimbeque) has settled back into the barracks.¹⁹ With fewer than 10,000 of the expected 30,000 soldiers signing up to continue on with the military, the once ubiquitous presence of the army across the country has now finally been removed from public life.

3 The Limits of a Reluctant Peace

While the international settlement's shortcomings set the parameters for failure of the post-conflict peace building, the actions of main political parties – but especially, given its position of responsibility, the governing Frelimo party – have served to exacerbate problems inherent in the agreements struck during the peace process.

Winner Takes All

Unlike South Africa, there was no 'grand compromise' that accompanied the negotiations in Rome or the build up to the elections in 1994. This was in spite of the fact that the international community sought assurances in advance of the elections that Renamo would have a place in the government and, after early tepid promises of consideration by President Joaquim Chissano, Frelimo adopted the hard line approach on power sharing that would remain its position to this day. Indeed, it is clear that the government entered into the peace negotiations in Rome with the expectation that, once Renamo's military orientation had been dispensed with through demilitarisation programmes, the opposition would not coalesce into a political force of any consequence. While Renamo certainly has experienced difficulties in developing its political programme and party apparatus, rather than collapse the time in opposition has given it an opportunity to hone its parliamentary skills and begin to build coalitions with other opposition members, a process that culminated in the fielding of the Renamo-Uniao joint ballot in the 1999 national elections.

Frelimo's intransigence on the question of power sharing may have, as ministers are keen to point out, a basis in legal principle but it looks increasingly like a missed opportunity from the perspective of domestic stability. From the point when a shift to pluralist politics was first discussed in party circles in 1989, the spectre of a split within Frelimo has worried its leadership.²⁰ More recently, fear has been growing within Frelimo about the emergence of 'third way' politics, that is to say a party or movement which could tap into popular dissatisfaction with both major parties – even to the point of the leadership expressing private concern about the intentions of Graca Machel's foundation activities and presumably Cardoso's proposed Movement for Peace and Democracy as well. The polling of

independent candidates in the truncated local elections of 1998, which involved 33 designated municipalities and were conducted in spite of a Renamo boycott, managed to underscore the level of discontent within the urban and semi-urban bastions of traditional Frelimo support. Renamo's subsequent electoral support in the 1999 national ballot, building upon its performance in 1994, brought renewed calls by its leader Afonso Dhlakama for Chissano to appoint Renamo governors to those central and northern provinces in which a majority of the population had voted for Renamo. Indeed, the opening of secret talks between Renamo party stalwart, Raul Domingos, and Frelimo party secretary, Tomaz Salomao, in 2000 seemed initially to suggest an openness to compromise on the question of provincial level representation. A case in point was the situation in Sofala province, where Renamo had performed well and where the government could have settled on an ex-Frelimo governor who had quit the party and ran as an independent in the 1998 municipal elections – as a compromise candidate that would have conceivably met Renamo's concerns halfway.

All of this posturing on the part of the government, of course, gives credence to Renamo's position as an aggrieved outsider and fuelled the wave of protests in the central and northern provinces this year which culminated in imprisonment and death. That being said, the spectacle of Dhlakama's sacking of Domingos, once a trusted aide and one of the most respected members of the party, for his alleged illicit contacts with Frelimo (despite having authorised the move) demonstrates that autocratic tendencies are a feature of intra-party politicking. Dhlakama's unwillingness to participate as an MP in the National Assembly, coupled with his attempt to limit the contacts that Renamo representatives have with their Frelimo counterparts, serves to undermine the ability of the opposition to develop its parliamentary skills as well as reinforcing its self-perception as outsiders to the governing process. His systematic undermining of individuals who with a public profile, such as Domingos or Anselmo Victor, contributes to the overall weakness of the party.²¹ Furthermore, there remain legitimate concerns as to the ability of Renamo to manage the complexities of governance as well as exhibit tolerance of democratic and legal procedures (witness the storming of district offices in the North in the aftermath of the disputed 1999 elections). The inclusion of a new educated class of politician in the provincial offices as well as amongst parliamentarians suggests that there may be greater capacity than in the past (though, of course, this capacity has never been seriously tested).

A reflection of the poor judgment exhibited by Renamo leadership may be seen in the decision to boycott the 1998 municipal elections. While numerous concerns and shortcomings in the process contributed to the party's pullout of the elections, a serious opportunity for achieving regional representation was ignored by Renamo effectively undermining their ability to deliver some benefits to local supporters as well as hurting their case for provincial level representation generally.²²

Political Entrepreneurship and South over North

The 'winner takes all' approach to political power has its corollary in the economic sphere. The spectacle of self-enrichment by some senior Frelimo party members in the wake of the privatisation of state assets – in which officials are brought on as board members of banks, multinational corporations and investment companies – has introduced a degree of economic disparity within society not seen since the departure of the Portuguese. Perhaps the most shocking aspect of this phenomenon, especially given the historical roots of the independence struggle amongst the peasantry in the North, is the overt alienation of the peasantry from the land by government officials. Confusion over land title, exacerbated by local and national officials who seek, has resulted in tens of thousands of hectares being given over on a concessional basis to outside interests.²³ The brazen manner in which the government has colluded with international investors to set about disenfranchising the small farmers is illustrated by two examples in the area of tourism. In the first instance, an American billionaire, James Blanchard, was given the right to develop the Inhaca peninsula, which – in addition to scotching an apparently completed arrangement with South African forestry and paper multinational, Sappi – threatened to summarily displace local peasant farmers.²⁴ More recently, the environment minister, John Kachimila and South African real estate investors have announced the development of a luxury resort (in which the minister has admitted a significant stake) in the Vilanculos area next to the marine parks of Bazaruto islands which will require clearing out the area's original inhabitants.

And while much is made of the flow of FDI into Mozambique, as noted above the bulk of it is directed towards a handful of projects in the Maputo area or southern provinces. The result of this process has been to exacerbate the existing divide between the urban southern provinces and the central and northern provinces. The opening of a titanium mine in Nampula in 2004, which is expected to contribute 2.4 per cent to the total Mozambican GDP and employ 1,200 people may signal a change in the region's fortunes.²⁵ Nonetheless, according to the UNDP Human Development Report 1999, Maputo city has levels of human development comparable with a country like Botswana while the provinces in the centre and north are equivalent to Sierra Leone.²⁶ This economic disparity (which to some extent mirrors ethnic divisions) has translated into political divisions, which themselves had been a contributing factor in the civil strife of the 1980s, and is therefore all the more worrisome.

Justice for All?

The weakness of the legal system, already notorious for its case backlogs and court delays, was further highlighted by the apparently deliberate mismanagement of the investigation in to the assassination of Carlos Cardoso. With indications that the case threatened to reveal links between top Frelimo officials and criminal elements, it has only been the outrage and organisation of a coalition of Mozambican elites and international supporters that has kept the case falling victim to the usual

instances of lost paperwork and other examples of shoddy police work. The contrast between the response of the government to Cardoso and that of the detention and asphyxiation of some 80 Renamo supporters in Montepuez, Cabo Delgado province – where the inquiry stalled inexplicably before it found against the local officials – is sadly reflective of the influence of the donor and foreign community within official circles. Lacking a commitment to providing all Mozambicans with recourse to open inquiries and due process, governing officials essentially act to further erode the already fragile faith in democracy.

More generally, the judiciary remains understaffed and under resourced, typically unable to process its case loads which themselves increase year by year.²⁷ And, though the constitution itself allows for the creation of a separate Constitutional Court to review matters of a constitutional nature, the government has never chosen to establish it. In lieu of this, the Supreme Court, which is composed of judges appointed by the government and the National Assembly (where Frelimo has a majority), is the highest court in the land. Perhaps not surprisingly, when the same legal system was asked to rule on matters of controversy involving the 1999 elections it produced no judgments which fundamentally challenged government interests.

4 The 2004 National Elections

The elections of December 2004, resulted in an overwhelming victory for the Frelimo candidate, Armando Guebuza, and a surprising defeat for his opponent, Afonso Dhlakama. The national results were two million votes for Guebeza to one million for Dhlakama, representing a fall in Dhlakama's support of nearly one million votes. At the provincial level, Frelimo made gains into what had been bastions of Renamo support such as Manica and Nampula provinces while Renamo retained its support in Zambezia and Sofala provinces. A host of Renamo splinter groups founded by ex-figures from within the opposition, were tipped to influence the outcome by siphoning away traditional Renamo supporters from Dhlakama. In fact, Raul Domingos and his Partido para a Paz, Democracia e Desenvolvimento (PDD) garnered under five per cent of the national total while Yaqub Sibindy's Muslim-based party scored even lower.

The reaction of Dhlakama to the electoral results was predictable:

I don't want to win the elections by force, but I demand justice and transparency. My party and I are ready to accept defeat and support the winner if the results are not fabricated.²⁸

Frustrated Renamo officials actively blocked vote counting in Tete and Cabo Delgado, causing delays in tabulating the results.²⁹ However, like the 1999 elections, there was considerable evidence again of tampering with ballot boxes in some of the provinces (especially Tete) and deliberate confusion over the use of electronic counting such that the government finally was forced to abandon it and revert to manual procedures.³⁰ Anecdotal corroboration along with post-electoral

surveys pointed to a replication of some of the problems of past elections experienced by local Renamo officials in exercising their responsibilities at the polling stations, whether due to intimidation or through poor training and ignorance.

At the heart of the outcome was, as in previous electoral contests, the organisational strengths of Frelimo and its supporters, coupled to its experience and position within government structures, that gave it an important edge over its opponents. Concurrently the progressive drop in voter turn out for national elections from a high of 88 per cent in 1994 to 45 per cent in 2004 seemed to directly benefit Frelimo at the expense of Renamo supporters.³¹ The government strategy of denying administrative positions to Renamo at any level of government irrespective of the vote count in previous electoral contests, and through that the possibility of patronage, appears to have borne fruit.³² Unable to demonstrate any concrete improvement in their lot, Renamo followers were apparently unwilling to expend the necessary time and effort – both not inconsiderable in rural areas which provide the party with the bulk of its votes – to register their support for Dhlakama.

5 Mozambique and the Future

In spite of having experienced a decade of peace and pluralist politics, Mozambique remains in certain crucial respects an unconsolidated democracy built upon a fragile economic base. Frelimo has had an unbroken hold of the levers of power for thirty years, though since 1994 through the ballot box (and with manipulation where necessary), thus disallowing the possibility of opposition challenges in the management of the country's affairs. Of equal concern is the fact that while the international perception of the condition of the economy suggest it is a success, persistent poverty and disparities between regions as well as urban and rural populations tell a different story for the overwhelming majority of Mozambicans. Both of these dimensions of the post-conflict settlement have important implications for the manner in which the government will respond to future disputes and challenges.

The elite character of the transition and, more especially, the fact that it fundamentally has been driven by Frelimo throughout, remains a problematic feature of the political system to this day. Renamo's inability to play an active role in governing, beyond its opposition functions in the National Assembly, both hamper its development and concurrently the deepening of democratic process and institutions. To an extent, as the post-Chissano period commences, we are beginning to see certain important changes to this. For example, the fallout from the disputed 1999 election, as well as anticipation in some Frelimo circles of an opposition victory in the next presidential elections, ultimately resulted in new provisions incorporated into the constitution in November 2004. These established, on the one hand, a more centralised structure in the form of a State Council with extra-ordinary powers to dissolve parliament, declare war and a state of emergency; on the other hand, the National Assembly's powers were increased through the right to impeach the president. Furthermore, the creation of

separate provincial level legislatures raised the possibility of addressing the representative disparities between North and South which had so exercised Renamo and even supporters of the government; however, as these decentralisation measures will only come into being in the next national election in 2008.³³ Finally, symbolically, the country's national anthem which had – like the government itself – been co-terminus with Frelimo's own party anthem was abandoned and a new anthem was introduced underscoring the break with the past.

The nature of the post-conflict economy, built upon FDI aimed primarily at mega-projects, as well as the growth in regional tourism, needs to diversify in focus and in content if it is to become sustainable. Enclave economies based on commodities with limited impact upon the host populations come to occupy a precarious position within society, skewing the socio-economic structures towards themselves but also acting as a 'prize' to be captured through political office that – once attained – tends to render all other potential considerations and constituencies as secondary.³⁴ Equally, having a discernible regional basis for economic growth reinforces differences within a society and can fuel marginalisation and discontent. To combat these effects, more of an effort needs to be made to expand economic opportunities to the population as a whole. For instance, human resource development, through better provisions of education at all levels and an extension in social services for the bulk of the people, needs to be made a priority. Upgrading the country's infrastructure so as to allow agricultural goods to reach urban markets more easily is another area of importance that would serve to expand opportunities within Mozambique. Finally, though there is evidence of this already taking place, mega-projects nonetheless need to be more fully integrated into the local economies so as to amplify their impact.

At the same time, one cannot lose sight of the fact that the peace negotiated in Rome ten years ago has in fact held firm. In doing so, it has allowed some degree of 'elite habituation' to occur thus affirming non-conflictual patterns of resolving disputes, be they strictly political or involving resource issues, within society.³⁵ And yet, for all the successes that can be pointed to, from a broader perspective there remain numerous instances where an apparent peace achieved through negotiation is exposed as having only a tenuous grip on society and conflict has reasserted itself. Zimbabwe, of course, is the clearest example of this phenomena but the rise in popular discontent in Namibia and South Africa points to the shallowness of many negotiated transitions away from conflict when it comes to addressing underlying economic issues. A common denominator of those states which have succumbed to political violence is the failure of post-conflict reconstruction to incorporate fundamental issues of political economy into the peace settlement itself or allow for the establishment of mechanisms that could address these issues.³⁶ While Mozambique does not have the white settler issue to contend with as such, if one takes the centrality of continued privilege and poverty in the context of government promises as being at the heart of the renewal of conflict, then the parallels are closer. Coupled to the growing evidence of disillusionment with the post-conflict political system amongst the urban and rural population, seen first in the turnout for municipal elections in 1998 and more recently in the 2004 elections, there is a case for the emergence of popular

alienation.³⁷ For this reason, it can be said that Mozambique's peace has held and will continue to do so as long as the elite consensus which guided the transition from conflict is allowed to develop and economic conditions remain at least unchanged. Should either of these features begin to corrode, the forces of history and the patterns of the past will begin to reassert themselves and challenge the post-conflict state.

Notes

- 1 Malyn Newitt (1995), *A History of Mozambique*, Indiana University Press, Bloomington, IN, pp.298-316.
- 2 See John Hammond (1966), *Portugal and Africa, 1815-1910: a study in uneconomic imperialism*, Hoover University Press, Stanford CA.
- 3 See Jeanne Penvenne (1995), *African Workers and Colonial Racism: Mozambican Strategies for Survival in Lourenço Marques, Mozambique, 1877-1962*, Heinemann Social History of Africa Series, Portsmouth.
- 4 See, for example, Joseph Hanlon (1984), *Mozambique: the revolution under fire*, Zed, London, pp.128-130.
- 5 See Alex Vines (1991), *Renamo: terrorism in Mozambique*, James Currey, Oxford.
- 6 Carrie Manning (2002), *The Politics of Peace in Mozambique: post-conflict democratization, 1992-2000*, Praeger, London, pp.126-128.
- 7 For an eyewitness account, see Cameron Hume (1994), *Ending Mozambique's War: the role of mediation and good offices*, US Institute of Peace, Washington DC.
- 8 ONUMOZ did not take responsibility for the election process until it became clear that Mozambican government would not be able to do so with any credibility.
- 9 Chris Alden (2001), *Mozambique and the Construction of the New African State: from negotiations to nation building*, Palgrave, Basingstoke, pp.64-65.
- 10 Dennis Jett, the former US Ambassador to Mozambique, provides the most comprehensive critique of the shortcomings of the peace process in Mozambique. See Dennis Jett (1999), *Why Peacekeeping Fails*, Palgrave, Basingstoke.
- 11 Giovanni Carbone (2003), 'Emerging Pluralist Politics in Mozambique: the Frelimo-Renamo party system', Working Paper No. 23, Crisis States Programme, London School of Economics, March, pp.18-19.
- 12 Paul Fauvet (2000), 'Mozambique: growth with poverty', *Africa Recovery*, 14:3, Economic and Social Council, United Nations, New York, p.17.
- 13 Anne Pitcher (1996), 'Recreating Colonialism or Reconstructing the State? Privatisation and politics in Mozambique', *Journal of Southern African Studies*, 22:1.
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- 15 'Can Mozambique Gain from Investment?', BBC News, 12.9.04.
- 16 Margaret McMillan, Dani Rodrik and Karen Horne Welch (2002), 'When Economic Reform Goes Wrong: Cashews in Mozambique', NBER Working Paper No. 9117, August.
- 17 *Africa Recovery*, Economic and Social Council, United Nations, New York, December 1994, p.14.
- 18 See Chris Alden (2002), 'Lessons from the Reintegration of Demobilized Soldiers in Mozambique', *Security Dialogue*, 33:3, September.

- 19 *Indian Ocean Newsletter*, 27.5.95.
- 20 Carrie Manning (2002), *The Politics of Peace in Mozambique: post-conflict democratization, 1992-2000*, Praeger, London, pp.126-127; more generally see Carrie Manning (1998), 'Constructing Opposition in Mozambique: Renamo as political party', *Journal of Southern African Studies*, 24:1.
- 21 Giovanni Carbone (2003), 'Emerging Pluralist Politics in Mozambique: the Frelimo-Renamo party system', Working Paper No. 23, Crisis States Programme, London School of Economics, March, p.12; Carrie Manning (2002), *The Politics of Peace in Mozambique: post-conflict democratization, 1992-2000*, Praeger, London, pp.184-185.
- 22 For an overview of the decentralisation issue, see Oscar Monteiro (1999), 'Governance and Decentralisation', in Bernardo Ferraz and Barry Munslow (eds.), *Sustainable Development in Mozambique*, James Currey, Oxford, pp.40-41.
- 23 According to an authoritative study, the amount of land provided to foreign interests on a concessional basis, amounted to a quarter of the country's land mass. Gregory Myers (1994), 'Competitive Land Rights, Competitive Claims: land access in post-war Mozambique', *Journal of Southern African Studies*, 20:4, pp.609-610.
- 24 *The Star* (Johannesburg), 8.12.97. He subsequently died and the deal fell apart.
- 25 Agencia de Informacao de Mocambique, No. 286, 27.10.04.
- 26 UNDP (2000), *Mozambique: national human development report 2000*, UNDP/SARC, Maputo, pp.12, 25-27.
- 27 See, for example, reports in the official government information news agency, Agencia de Informacao de Mocambique, no.132, 21.4.98; Agencia de Informacao de Mocambique, no.154, 23.3.99.
- 28 *IOL On-Line*, 6.12.04. www.iol.co.za/index.php?set_id=1&click_id=84&art_id=qw1102341781416B252.
- 29 'Renamo delays count', *Mozambique Political Process Bulletin*, no.23, 11.12.04, www.mozambique.mz/awepa/issues.htm
- 30 'STAE to bypass audited software: what credibility is left?' *Mozambique Political Process Bulletin*, no.25, 13.12.04, www.mozambique.mz/awepa/issues.htm
- 31 'Guebuza 2.0 million, Dhlakama 1.0 million' *Mozambique Political Process Bulletin*, no.26, 14.12.04, www.mozambique.mz/awepa/issues.htm
- 32 The fact that voters' roles were not updated to exclude the estimated half a million deaths between 1999 and 2004 elections, and instead was merely added to, meant that statistics on voter turnout were skewed.
- 33 Agencia de Informacao de Mocambique, 16.11.04, cited in allAfrica.com.
- 34 Commodity based economies in the developing world generally suffer lower rates of political pluralism precisely because of these economic conditions. See Michael Ross (2001), 'Does Oil Hinder Democracy?' *World Politics*, 53, April, p.342.
- 35 The phrase is used by Carrie Manning. See Carrie Manning (2002), *The Politics of Peace in Mozambique: post-conflict democratization, 1992-2000*, Praeger, London, pp.205-215.
- 36 The 'willing buyer, willing seller' model, for example, coupled with the constitutional defence of property rights forecloses any real means of addressing land access disparities for all but the wealthiest of governments.
- 37 Graham Harrison characterises peasant strategies of 'sabotage and subterfuge' as means of giving political expression to their views under conditions of oppression. Graham Harrison (2002), *Issues in the Contemporary Politics of Sub-Saharan Africa: the dynamics of struggle and resistance*, Palgrave, Basingstoke, p.46.

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Chapter 11

Peacemaking in Sudan

Peter Woodward

Conflict in Sudan has a very long history. Many writers put the roots of conflict in the beginnings of the imperial era when Turco-Egyptian forces penetrated the southern Sudan in the 1840s (Johnson, 2002). Some go further back still pointing to the processes of development in northern Sudan over previous centuries that had scarcely touched what became in the nineteenth century the south. The most obvious of these processes had been the spread of Islam and Arab identities in the north, and years of British imperial rule from 1898 to 1956, that encouraged the spread of Christianity and African identity in the south (Beshir, 1968). Yet behind these obvious points of differentiation between north and south there were also processes of economic imbalance as the north took ever greater control of Sudan's resources, in conjunction with the international penetration of the country's economy, while the south lagged behind feeling first neglected and then increasingly exploited. These differences of perceived identity and exploitation were to grow over the years.

Tension was present from the attainment of independence in 1956 and as the situation deteriorated sustained civil war developed in the early 1960s. It was to last for 10 years until in 1972 peace was agreed at Addis Ababa that offered the south regional autonomy. That peace agreement survived for a further decade until a new outbreak of conflict began in 1983, this time to last for over 20 years (Alier, 1990). Though the 1972 agreement ultimately failed, it contained two useful lessons. The first was that if the circumstances were propitious there was experience of negotiating peace that could prove useful. The second was that the perceived shortcomings of the 1972 agreement could inform the later processes and perhaps contribute to a more robust formula for peace.

The war that began in 1983 was to involve an intensification of the differences mentioned above. The growing Islamist movement in northern Sudan had led to the involvement in government from 1977 of the leader of the Muslim Brotherhood, Hasan al-Turabi, and in 1983 President Nimeiri introduced *sharia* (Islamic law). It was to have a dramatic impact on the whole country, including an almost wholly negative effect on southern Sudan. However the position enunciated by the emergent southern guerrilla force, the Sudan Peoples Liberation Army (SPLA), put as much emphasis upon the economic and social issues. Partly because the SPLA was led by a trained economist, John Garang, accusations of economic exploitation by the northern business elite were prominent: but so too

was the identification of that elite as 'Arab', in contrast to the 'African' self-perception of the SPLA (Garang, 1987). The gap was to widen with the coup of 1989 that brought the National Islamic Front (NIF), the political party of the Muslim Brotherhood, into power. The coup itself was to forestall the possibility of a peace agreement that would have at least diluted *sharia*. And more was to come: the new rulers proclaimed their leadership of an Islamic movement that would transform the whole of Sudan and East Africa and prove a beacon for the whole Muslim world (they also hosted Osama bin Laden from 1991 to 1996 as he developed the al-Qaeda network) (Woodward, 1997; Burr and Collins, 2003). The war in the south inevitably intensified with both sides giving greater prominence in the struggle to religious themes and identities; they were also increasingly supported by radical Muslims from various countries who were greeted by the government on the one hand, and evangelical Christians especially from the US and Norway welcomed by the SPLA on the other (Lesch, 1998).

The State of Play

There appeared to be little in the conflict to encourage hopes of peacemaking in 2001, indeed the reverse appeared to be the case. Memories of a negotiated end to war in 1972 had kept alive flickering hopes for a repeat, but the record of the 1990s had been depressing. Following 1989 there had been efforts by the former US president Jimmy Carter, and by Nigeria, but none had achieved a breakthrough and there were doubts about the seriousness of the combatants to achieve peace (Wondu and Lesch, 2000).

In 1994 the intermittent peace negotiations had moved to the auspices of the Inter-Governmental Authority on Drought and Development (IGADD - later Drought was dropped from the title). IGADD had been set up in 1986 following the drought and famine in the Horn of the early 1980s, and was inspired by attempts at regional cooperation in West Africa following the western sahel droughts of the previous decade. IGADD eventually was comprised of Djibouti, where its headquarters were established, Eritrea, Ethiopia, Kenya, Somalia, Sudan and Uganda. However, IGADD had little to show in the field of environmental development, not least because of the high levels of conflict across the region. It thus turned its attention to seeking cooperation between member states in conflict resolution. With an ongoing, if unsuccessful, series of talks Sudan seemed an obvious candidate. In 1994 there was a series of meetings in Kenya and although no agreement was reached they did produce the Declaration of Principles (DOP) drawn up by the mediators. The DOP called for a secular state in Sudan, but said that if this could not be agreed, then the southern Sudan should have the opportunity of self-determination in a referendum; and it included the possibility of secession for the region as had happened shortly before in Eritrea. At the following meeting the Sudan government struck out the reference to independence, but in any case there was no overall agreement in 1994. However, the idea of self-determination stuck, and in 1997 it surfaced again: this time with the agreement of the Sudan government (El-Affendi, 2001). The government had decided to launch

its own strategy of peace from within, one of the results of which was the Khartoum Peace Agreement. It was designed to sidestep both the SPLA and the international community by a peace deal with non-SPLA southern factions. The terms of the agreement included a right of self-determination and potential secession. However in subsequent years the internal agreement collapsed, while conflict with the SPLA persisted. Indeed the levels of conflict in the south rose by the end of the decade as the prospect of finally exploiting the oilfields in Upper Nile became a reality: oil had fuelled the outset of the conflict in 1983, and it was no surprise that it was having an effect once more.

'Ripe for Resolution'

By the start of the new millenium IGAD's efforts had brought some advances. The DOP was accepted by both parties; a Sudan Secretariat had been set up; and there was growing international support for a possible peace process, especially in Britain and Norway. However US commitment was also vital and came as it was increasingly recognised that past confrontation with Sudan had been ineffective and there was increasing recognition in Washington that the situation might be 'ripe for resolution' (Deng and Zartman, 1991).

The starting point was the military situation itself, in which it appeared that neither side was capable of victory. The government had tried and failed in the early 1990s and the SPLA had hopes towards the end of the decade, but few thought a clear victory looked likely by 2001. It was true that the start of oil revenues was helping the government side to acquire new armaments; but there were also reports that the SPLA was stronger, and had friends that would not tolerate its defeat. Thus although there might be the customary ebb and flow of conflict, generally with government advances in the dry season and SPLA counter moves with the onset of rains, the overall picture was one of military deadlock.

The failure to achieve a breakthrough in the military deadlock was matched by a lack of political advance on either side. Following the failure of the Khartoum Peace Agreement the government's main ally, Riek Machar, had become increasingly frustrated at his lack of any real power and he defected later rejoining the SPLA. The government side was also weakened by divisions resulting from a power struggle between President Beshir and Turabi, which the former won and led eventually to the latter's detention. Meanwhile, in the opposition there was also factional and party manoeuvring. A minority of Unionist Party had left the opposition umbrella, the National Democratic Alliance (NDA) to return to Sudan; and later the former prime minister and Umma Party leader, Sadiq al-Mahdi, had also quit the NDA and returned home as an internal opposition to pressurise the government.

The military and political deadlocks not only indicated lack of overall success for either side, they were also hurting the leaderships. Oil revenues may have been flowing to the government, but they were less than peace could deliver. There were areas for exploration and exploitation that remained insecure, and the wealth there was denied while war continued. At the same time the oil companies operating

were mainly Asian with limited technological capabilities, and the conflict had allowed them to strike unfavourable deals from the government's point of view. The chances of attracting major western companies to invest, especially from the US where the government was imposing sanctions, were low to negligible, and Sudan's relations with major international financial organisations were also constrained while conflict continued. Politically as well any earlier ideological enthusiasm for war had largely dwindled, and conscription was very unpopular. As for the SPLA, while some of its leaders had done quite well from the war (including slave redemption scams), they were aware that the local conflicts in the south as well as the confrontation with the government were causing great suffering and war weariness among the very people they claimed to represent. Church groups and others in what was optimistically called 'civil society' were repeatedly calling for peace.

At the same time, the failed talks of the past had produced some overlapping points around which negotiations might take place. Central to this possibility was the DOP that had begun life in 1994. The issues of religion and secularism were contained there and would need to be addressed again. So too was the question of self-determination for the south, to which the government had signed up in 1997. These may have been the rocks on which past peacemaking efforts had foundered, officially at least, but they also indicated what had to be addressed in the future, including the core of a possible way forward through the self-determination formula in the event of continuing disagreement on religion and the state.

The Bush Administration

The process of American policy re-appraisal was in its early stages when at the end of 2000 the US elections eventually brought forth a new Republican president. At the outset, the election of George W. Bush was not expected to herald an administration with much interest in the world at large. Furthermore it gave every indication of being averse to becoming involved in peacemaking or peacekeeping anywhere; and after his father's experience in Somalia certainly not in Africa, in which Sudan had been judged more difficult than Somalia in 1993. Nevertheless it was soon to emerge that President Bush did have time for Africa, and that amongst the items at top of his agenda for the continent was the conflict in Sudan (alongside HIV/AIDS and international terrorism).

A mixture of motives was involved. Bush himself had mentioned southern Sudan in a speech shortly after his election; and Secretary of State Colin Powell, who was questioned on Sudan during his confirmation hearing, said that, 'There is perhaps no greater tragedy on the face of the Earth today than the tragedy that is unfolding in the Sudan' (*Washington Post*, 11 March 2001). Probably the greatest influence on Bush himself has been that of the religious groups well represented in and around the capital. There were a number of Congressmen, especially evangelical Republicans, who felt passionately about southern Sudan where some had had personal involvement. It was though a cross-party issue, and the Black

Caucus was also concerned not only about the conflict but allegations of Arab slaving in southern Sudan.

Outside government circles an important voice with Bush was that of Franklin Graham who had been invited to preach at Bush's inauguration. He also headed a US charity called Samaritan's Purse International that worked in southern Sudan, as well as in the non-government controlled area in the east of the country: it had the highest profile of a number of American evangelical NGOs working in non-government areas of Sudan. The evangelicals were also supported by other Christian voices, including the Catholics, for Rome had long had an interest in a region where missionary work had been underway for many years. The issue of slavery had caught on with Catholics in the north-east United States in particular, as was reflected in the coverage of the *Boston Globe*. While there is no reason to doubt the spiritual commitment of Bush to the Sudan, there was also a domestic political impetus. White evangelical Christians accounted for approximately 40 per cent of the Republican presidential vote in 2000 and were thus a constituency to be cherished. Presidential advisor Karl Rove in particular saw the value of good relations. As well as the Christian and anti-slavery groups there were voices such as Human Rights Watch that raised concerns about abuses in all parts of the country. It was a longstanding concern going back well before the NIF seized power, but one that had grown in the light of Sudan's worsening record. In particular the number and condition of Sudan's political detainees had attracted much adverse attention, especially with the publicity brought by the growing number of asylum seekers in the West.

The various groups came together in a loose grouping known as the Freedom House Coalition. The views of many of the above, if not all, were also reflected in influential reports by 'think tanks' around Washington. Amongst those that were most active were the Center for Strategic and International Studies (CSIS, 2001), which had produced an important report recommending a solution along the lines of 'one country two systems'; the International Crisis Group (ICG, 2002); and the United States Institute of Peace (USIP, 1999).

Under the influence of all the coalition voices Bush made it clear that he wanted the war stopped. Secretary of State Powell had already shown his concern over Sudan, and in spite of scepticism on the part of National Security Adviser, Condoleezza Rice, Powell believed that peace might be achievable and was certainly worth a try. Below him the baton was passed to the new Assistant Secretary of State for Africa, Walter Kansteiner. Within the State Department, debates had been underway about Sudan policy. The department felt some frustration that it had no permanent representation in Sudan; and that in the later Clinton years there had been drift at the highest level, especially with the Eritrean-Ethiopian war.

All involved in the Sudan situation, on whichever side and for whatever reasons, knew that the events of 11 September 2001 made it more intense. Sudan was still on the US list of states sponsoring international terrorism; it had housed Osama bin Laden and al-Qaeda for several years; and it had its own record of supporting Islamist activities in the Greater Horn of Africa. According to

Washington sources, Sudan was not only at the top of the US Africa agenda, it was also one of the top 10 (if not top five) issues in the world.

US Engagement in the Peace Process

It was Sudan that was the instigator of contacts with the US over terrorist intelligence in 2000, while Clinton was still in office. Intelligence had been offered at the time of Osama bin Laden's exit from Sudan in 1996 (when the government even appeared to offer bin Laden himself to the US), and then again after the US embassy bombings in East Africa two years later, but it was not until May 2000 that US agents made a first visit to Sudan when material was exchanged. The 9/11 attacks brought a new urgency to both the US and the Sudan government. Sudan was motivated largely by the fear that the US might decide to strike out quickly against states such as those on the terrorism list (it had after all suffered a US missile attack in 1998), and was very soon sending signals to Washington that it was ready to cooperate. The US for its part was keen to glean whatever intelligence it could and agents were dispatched to Khartoum, from where they returned with large amounts of material. Cooperation over intelligence may have helped ease relations somewhat - though not enough to lift US sanctions on Sudan, or the country's place on the US list of states supporting terrorism - but the central theme was to emerge as US engagement in Sudan's stuttering peace process. It was judged that there was groundwork on which to build and the administration was soon to start testing its strength.

Thus the climate in Washington had been changing even before the arrival of the Bush administration; and once it was in place a review of policy on Sudan was soon held that concluded that the US should be more involved. On his first trip to Africa after being installed as Assistant Secretary of State, Walter Kansteiner, met with SPLA leader John Garang in Nairobi, and announced that Bush would be appointing a special envoy to Sudan. A few weeks later on 5 September 2001 (before 9/11) he was named as John Danforth, a former Republican senator for Missouri and an ordained Episcopal minister. Danforth emphasised from the outset that he was looking at the ongoing situation, including the IGAD process, and that there was no US plan that he was about to seek to implement. He may not have had a peace plan, but he did have original tactics to help in the assessment of the situation. He put forward four proposals that could be used to judge the seriousness of the intent of the two main parties to the conflict, the Sudan government and the SPLA, with regard to peace.

The four tests that Danforth proposed were cleverly devised and targeted. The first was for a ceasefire in the Nuba Mountains to be followed by humanitarian and development assistance. The Nuba Mountains are an area of hills in the centre of Sudan between north and south that are culturally and historically distinct from either region. In calling for international verification Danforth was testing the willingness of the combatants to allow foreign peace observers into Sudan, something that had never happened before, even in the peace settlement of 1972 or in earlier short-lived ceasefires in the second war. There was also an international

dimension to the second test, which was that an international commission be set up to look into the allegations of slavery and abduction and to recommend practical steps to prevent such practices. Third was his call for cessation of fighting in selected areas, described as 'zones of tranquility', so that there could be mass vaccination against polio and rinderpest. Finally Danforth called for greater protection for civilians from military attack including bombing.

Even as Danforth outlined his tests there were warnings of other pressures on the Sudan government side. In Congress there were moves to block oil companies operating in Sudan from participating in US financial markets, under the title of the Sudan Peace Act 2002. It was carried 422-2 in the House. However the Bush administration eventually moved to block the proposals on access to US capital markets, not from sympathy for Sudan but on the grounds that such denial would set a dangerous precedent. Danforth returned to Sudan in January 2002 in order to assess the progress, if any, that had taken place with regard to the four points and decided that it was sufficient. Though Danforth had recommended that the US become engaged in Sudan's peace process, there were other international dimensions to be addressed as well. One was the US relationship with IGAD, which had two dimensions: the member states of IGAD itself; and the IGAD Partners' Forum.

Amongst the IGAD members, four states stood out: Eritrea, Ethiopia, Uganda and Kenya. Eritrea and Ethiopia, at war with each other and with the latter in particular having improved relations with Sudan, might now be expected to encourage negotiations. As for Uganda, its own failure to put an end to the Lord's Resistance Army (LRA) activities in the north, and the knowledge of the importance of southern Sudan for the rebel activities, meant that, however reluctantly, there was a recognition of the need to deal with the Sudan government. Not that Uganda was about to abandon the SPLA, the links were too strong, but it would endeavour to promote peace on terms acceptable to the SPLA. Kenya had hosted the previous IGAD talks on Sudan and was keen to play a leading role again.

All through the process of engagement the US was encouraged by its fellow members of the IGAD Partners' Forum, especially Britain and Norway. The latter pair had been actively seeking agreement on Sudan for some time, but lacked the political weight or resources that the US could bring. In an effort to draw in the US, Britain and Norway took the initiative in suggesting a 'troika' of the three countries to press harder for peace. The troika was to be an important coordinating body throughout the months of negotiations, with Britain and Norway working away behind the scenes while the US generally had the higher profile with a succession of big name visitors up to and including Secretary of State Colin Powell.

More challenging for US diplomacy were to be Egypt and Libya, two north African neighbours with both Sudanese and regional interests. Egypt was concerned about the establishment and development of IGADD from the outset. In particular it saw a potential threat to the Nile waters, on which agreement existed only between Egypt and Sudan (last signed in 1959), and a greater use of which was coveted by the upper riparian states, especially Ethiopia. The latter in

particular was chronically suspicious of Egypt's intentions in the Horn, and it was largely for that reason that Egypt had been deliberately omitted from involvement in IGADD. Egypt and Libya had not always been allies, but the latter was keen to improve relations with the aim of gaining greater international respectability and eventually the lifting of sanctions that could lead to fuller development of its oil resources.

Neither Egypt nor Libya was a friend of Sudan for much of the 1990s. Sudan's Islamism had been a threat to Egypt, and also to Libya that had a small underground Islamist opposition to its ideologically maverick ruler. However both came to accept Sudan's apparent change of direction after 1995, and also were concerned at the direction of IGAD, once it appeared that those talks might become serious. The problem for Egypt in particular lay in the DOP, especially self-determination for southern Sudan. A possible separation of the southern Sudan could enhance the problems of water development on the White Nile and the very idea had always been anathema to successive Egyptian governments. Libya did not hold such firm views, but saw strength in standing with Egypt on the issue.

Thus in 2001 the Joint Libyan-Egyptian Initiative for peace in Sudan was launched. The new plan called for a conference of all Sudanese parties (and not just the government and the SPLA) in order to establish an all-party transitional government. It also called for an immediate ceasefire that gained general popularity amongst the suffering Sudanese. It deliberately made no mention of secularism and self-determination that were so central to the IGAD process; and this had the appreciation of the Sudan government. Cynics saw the new initiative as a deliberate spoiler of the IGAD process.

The only country in a position to exert effective leverage on the IGAD members and Egypt was the US. The situation was fully appreciated, and after Danforth had been to Egypt and other diplomatic efforts, including British contacts with Libya, the Libyan-Egyptian initiative was effectively put on ice in order to permit the progress to what was clearly to be the most serious international pressure for peace in Sudan since the ongoing war had started in 1983.

IGAD Peace Process

Once Danforth had reported and the Bush administration had committed itself, there was no delay in pressing ahead with talks. An impetus had developed not only in Washington but in Sudan itself with the implementation of Danforth's four tests, and it needed to be built on (Adar, 2002; Danforth, 2002).

Kenya was the obvious place for the talks to be held. In addition to providing the locations for talks, Kenya also contributed General Lazaro Sumbeiywo who chaired the meetings. Sumbeiywo had past experience of IGAD negotiations on Sudan; as representative of the Kenyan government he could talk to the Sudan government representatives; while as an African soldier he could be on easy terms with the SPLA. As mentioned the DOP had set the agenda for the negotiations, and central to it had been the questions of religion and the state and self-determination for the south. Thus the two thorniest questions in principle, on which

successive negotiations hitherto had foundered, became the starting point for negotiations. To considerable surprise there was agreement and the Machakos Protocol was signed on 20 July 2002. The Protocol was a compromise between the positions of the two parties. The government had been seeking to create an Islamic state; while the SPLA's position had long been that the state would have to be secular if it was to remain united. The Protocol stated that, 'Nationally enacted legislation having effect only in respect of the states outside southern Sudan shall have as its source of legislation Sharia and the consensus of the people.' The south was to 'have as its source of legislation popular consensus, the values and customs of the people of Sudan including their traditions and religious beliefs, having regard to Sudan's diversity' (IGAD, 2002).

The fact that agreement was reached that did not include the whole state becoming secular then triggered the south's right of self-determination, so the Protocol said that after a period of six years and six months from a comprehensive peace agreement there would indeed be an internationally monitored self-determination exercise. The Protocol met with a varied reception, but the consensus was that though it had limitations and ambiguities, it was, in the words of the South Sudan Democratic Forum (a voice of civil society), 'a step in the right direction'.

The next step was a Memorandum of Understanding on 18 November agreeing a 'cessation of hostilities' (rather than a full ceasefire). Conflict had continued after the Machakos Protocol and there were fears that it could bring the protocol down so a standoff was agreed and subsequently renewed at intervals. The memorandum also referred to a government of national unity in the transitional period to include free and fair elections for a bi-cameral parliament.

Throughout this process the international pressure continued. The Bush administration was also determined to show the Sudan government's many critics in America that it was not going soft for the sake of making peace, and on 21 October 2002 the Sudan Peace Act was finally signed into law by the President. The final act was tied very directly to the peace process and after six months the President would be asked to decide whether the government was negotiating in bad faith, or had 'unreasonably interfered with humanitarian assistance efforts'. In that event a number of sanctions would come into play. The US would oppose any funding to Sudan from the IMF, the World Bank or the African Development Bank. The US would suspend diplomatic relations with Sudan. The US would also take, 'all necessary and appropriate steps to deny the GOS [Government of Sudan] access to oil revenues' to ensure that it 'neither directly nor indirectly utilizes any oil revenues for the purchase of military equipment'. Finally the US would seek a United Nations' Security Council arms embargo against the Sudan government. However, while putting pressure on the government the act effectively meant that the SPLM could dig its heels in and feel that it could afford not to offer many concessions in the negotiations.

Progress remained difficult, but President Bush decided to report to Congress that it had been made and that the US should remain involved. In doing so the Memorandum of Justification stated that the US viewed the government side more critically than the SPLA, adding that, 'The United States sees the south as the

aggrieved party in the civil war'. Nevertheless, 'The GOS and SPLM have gradually and grudgingly allowed the concept of a partnership to take hold and, as a result, we have seen a quantifiable increase in compromise and flexibility in recent talks' (The White House, 21 April 2003).

The progress continued, if at times with difficulty, through the remainder of 2003, with important agreements on future military arrangements including separate forces in north and south as well as a combined force and international monitoring. That was followed by agreement on wealth sharing with oil revenues to be divided 50/50 with a supervisory board to oversee the arrangements. In the New Year US pressure increased to resolve the remaining issues of the disputed areas bordering north and south- Southern Blue Nile, Nuba Mountains and Abyei- before moving on to power sharing in the transitional period. In September security arrangements were agreed with separate forces in north and south, and a joint force on either side of the border. The timetable for the final overall agreement kept stretching out in 2004, but eventually under growing international pressure, that even included a special UN Security Council meeting in Kenya in November, the last steps were taken, initialled on New Year's Eve and finally concluded on 9 January 2005.

Good Peace?

Even as the expected final stages of the peace process were taking place questions were being asked about the future of the agreement once it had been signed. If making peace had been hard enough, implementing it looked an even more difficult prospect.

The concerns were numerous and related to all aspects of the agreement. There were allegations that it was an imposed peace driven by the international community, especially the US. The fear was that once peace had been achieved the international community might switch its attention away, and that some Sudanese might feel less than bound by what they could claim had been forced upon them. There was also concern that the agreement had been made by only two parties – the NIF-dominated Sudan government and the SPLA – and that they might endeavour to monopolise power for themselves north and south, an outcome likely to produce polarisation and eventual division for the country rather than cooperation and integration. The intensification of conflict in Darfur in 2003 appeared to be related to this fear, and it was also held by other political forces across the country. Agreement on the military was accompanied by concern at the number of militia active on the ground, notably in Darfur and the oil fields of the south, and whether effective moves would be taken to disarm them. The international monitoring forces would need to be of a substantial scale to operate across such a vast country in large parts of which law and order had long since broken down. It was also noted that wealth sharing had focussed on oil revenues when questions of water and land were also vital: indeed the disputed area of Abyei in particular included the displacement of Dinka from the area. Such displacement was but one aspect of the numerous human rights abuses committed

over many years by both sides on which the agreement was silent. Many Sudanese would be expecting redress in some form or another if agreement were to be accepted by the majority. Finally there was concern that the period of six years before the south's referendum would take place allowed too much time for the whole process to be de-railed by developments not only in Sudan but by the many problems of the country's regional context.

Events following the signing of the CPA certainly appeared to support a number of these criticisms. The international community did not lose interest in Sudan, but the unity that had been so important for peacemaking showed cracks both within and between the main actors. The US had been the single most responsible country and in the State Department and USAID retained its involvement. Under-Secretary of State, Robert Zoelick, visited Sudan four times in 2005, while a former USAID official, Roger Winter, was appointed as the US special envoy. The US also voted to keep up pressure over Darfur by continuing its own sanctions on Sudan to try to bring about peace in Darfur as well as the south. However that pressure was offset by the continuing closeness of the CIA and Sudan's security officials, with the latter's chief, Salah Ghosh, being invited to Washington, to the chagrin of Sudan's many critics there. At the same time US efforts to harden UN sanctions in the light of continuing conflict over Darfur were frustrated in the Security Council by the resistance of China and Russia, both of which have strong commercial links with Sudan.

The fear of the exclusivity of the CPA had contributed to the rebellion in Darfur in 2003, almost two years before the agreement was finally signed. Talks continued intermittently, but so too did the violence, especially as it became ever clearer that the AU monitoring force in Darfur was inadequate. It deployed slowly, had too few troops and lacked logistical support. The decision to handle Darfur separately from the IGAD peace process that had produced the CPA was thus seen as disappointment for both the region itself and also the AU that had been entrusted with it. At the same time the power sharing in the Government of National Unity proceeded slowly and hesitantly. Though eventually the Democratic Unionist Party agreed to join, the Umma Party and the Popular National Congress chose to stay outside and deliver repeated criticisms of the CPA.

The failure to address the problem of government-backed militias also continued to arise. In Darfur the *janjaweed* militias were still operating in a climate of immunity in spite of the well-attested human rights violations in which they had been involved. Instead by the end of 2005 it appeared that the government was endeavouring to incorporate them more formally into the armed forces and the police. In the south there were concerns that the government would continue to seek to use the Southern Sudan Defence Forces (SSDF) in an attempt to weaken the SPLA. However the new leader of the south, Salva Kiir, who had succeeded John Garang following the latter's death in a helicopter crash in July 2005, was alert to the problem and made progress on improved relations between the two forces. There were also fears of a new revolt in the east, fuelled by similar sentiments of marginalization and neglect to those in Darfur, and after a number of violent clashes in 2005 the government held talks with representatives of the rebels from the region.

All this is not intended to write off the Sudan peace process indeed a good deal of work was taking place in various organisations to address at least some of these problems. Such efforts were in effect recognising that what is perceived as a great achievement for Africa is not concluded until it is successfully implemented, with the many possible pitfalls safely negotiated. Peace is better than war, but a bad peace may only lead to further conflict as many in Sudan recall followed the Addis Ababa agreement of 1972, and fear of which contributed to the revolt in Darfur in 2003. It is to be hoped that a more lasting achievement has been reached in 2005, but it will need to be one that moves on to address Sudan's deep regional problems across the country and not just the north-south relationship.

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Chapter 12

Liberia: A Durable Peace at Last?

Gerry Cleaver and Simon Massey

In the autumn of 2004 Liberia appears to be entering a new era of peace after fourteen years of war and kleptocratic rule that left the country's population traumatized and its economy devastated. The slope down which Liberia slid into mayhem was well and truly greased by the decade of Samuel Doe's rule and prior to that the seeds of conflict had been sown and nurtured during the domination of the Americo-Liberian elite that followed the establishment of the country in 1847. Given all this historical baggage can something approaching a functioning state emerge from the peace process begun in August 2003?

Liberians have been promised peace many times since the start of the civil war in 1989, most recently and emphatically in 1997 after 'elections' that saw Charles Taylor voted into office as President. That 'peace' proved to be a mirage, possibly inevitably, given Taylor's personality and the nature of his government. The prospects for peace in Liberia are directly linked to those for the West African region as a whole and are of course a reflection of the concern shown by that nebulous entity, the 'international community'.

Background

The Americo-Liberian elite that had dominated Liberian politics since its inception was overthrown in a coup in 1980 led by Master Sergeant Samuel Doe. The former President, William Tolbert, and a number of his political allies were messily executed by Doe. The immediate causes of the coup were economic, particularly food riots that had led to the deaths of more than 40 people.¹ However there had been an almost permanent tension between the indigenous population and those arriving as freed slaves in the nineteenth century. The latter formed an Americo-Liberian elite that benefited most from the country's close relationship with the United States, particularly after the establishment of massive rubber plantations by Firestone in the 1920s. The indigenous African population were frequently treated as second-class citizens and Doe himself was a representative of this disgruntled majority being born into the Krahn ethnic group.

Doe's administration, if it can be called that, was characterised by incompetence, corruption and cruelty and thus followed the pattern set by most of his contemporaries. One of the many people Doe fell out with was Charles Taylor whom he accused of embezzlement. Taylor fled the country and established an

anti-Doe movement, the National Patriotic Front of Liberia (NPFL), in neighbouring countries.² In December 1989 he launched the NPFL into an invasion of Liberia from Ivory Coast.

The NPFL made rapid progress against Doe's forces that were primarily recruited from his own Krahn ethnic group. The fighting degenerated into the now all too familiar massacres of civilians, the use of child soldiers, belief in potions that would ward off bullets and general barbarity. The masks, amulets and weird costumes of many of the combatants give the whole thing a comic opera air. However the killing and suffering were all too real. The pattern was set for the conflicts that would dominate Liberia, Sierra Leone and other parts of West Africa for the next fourteen years.³

Throughout the early months of 1990 Taylor's NPFL overran much of Liberia causing an exodus of refugees. Some fled to neighbouring countries but a large number gravitated to Monrovia, which itself soon became the last embattled outpost under Doe's control. The suffering of the civilians caught between the warring parties attracted the attention of the media and ensured coverage on the major news programmes. The usual cries for 'something to be done' inevitably followed. Unfortunately for Liberia the attention of the international community was focused on the growing crisis in the Middle East where Saddam Hussein was casting covetous eyes and making thinly veiled threats towards Kuwait. Inexorably, the Economic Community of West African States (ECOWAS), the regional economic grouping, found itself sucked into the vacuum of inactivity created by this international disinterest. Realising that their own vital economic and political interests were directly threatened by the Liberian war, they decided to intervene militarily to attempt to enforce a cease-fire between the combatants. The basis for this intervention was shaky. Negotiations between Doe and Taylor sponsored by ECOWAS had been inconclusive, no real cease-fire existed and the intervention was largely a Nigerian initiative, tentatively supported by the other Anglophone ECOWAS members but with little real support from the francophone members of the organisation.

The intervention was unlikely to bring peace to Liberia in the short term. The largely Nigerian force was seen by Doe as allies come to save him and by Taylor as enemies determined to rob him of what he considered to be his rightful victory. ECOMOG, as the intervention force was known, struggled to establish control over Monrovia and suffered a major embarrassment when Doe, on a visit to their headquarters was kidnapped by a splinter group of the NPFL led by Prince Johnson. Doe was brutally murdered, the whole process lovingly videoed by his tormentors. The Nigerians now took over command of ECOMOG and launched a full-scale military campaign to bring more of Liberia under its control. Far from being a peacekeeping force ECOMOG became just another faction in the Liberian war. Over the following years more factions emerged making resolution of the conflict more problematical. Various interim governments were formed and failed. A plethora of agreements were signed between the various factions to bring about a cease-fire, but none of them seemed to work. Neighbouring states supported one group or another and the faction leaders appeared to have little real control over

their followers. Throughout all this Taylor remained the major aspirant to power in Liberia.

As the conflict dragged on the plight of the ordinary people became increasingly desperate. The outflow of refugees was having a serious impact on Liberia's neighbours and the conflict itself had spilled over its borders, especially into Sierra Leone. The faction leaders were systematically plundering the natural resources of Liberia and showed little inclination to bring to an end a conflict, which they were finding particularly profitable for themselves. The failure of ECOMOG to bring the war to a satisfactory conclusion was a cause of much embarrassment for the leaders of ECOWAS, as it seemed to demonstrate an inability on the part of Africans to deal with their own problems.

Finally in August 1996 by using a mixture of threats and incentives and by increasing the size of ECOMOG, the leaders of ECOWAS managed to get the faction leaders to stick to a cease-fire agreement. Elections were scheduled for the following summer. In the meantime ECOMOG undertook to disarm the various factions. This process was not entirely successful as many fighters handed old and broken weapons and many just kept theirs out of sight. The elections of July 1997 were declared free and fair by international monitors and were won by Taylor. However large areas of Liberia were unvisited by the monitors and there were subsequent accusations of large scale intimidation of voters by the NPFL. To what extent the votes for Taylor were positive endorsements of him as a candidate or just expressions of weariness with war and a case of voting the least worst option, will never be determined. It was rather naively hoped by all concerned that Liberia might now enter a period of peace and stability.

President Taylor and his Downfall

Any hopes that Taylor's election to the Presidency would inaugurate a new era of peace democracy and stability were quickly dashed. Taylor acted like a graduate of the Al Capone School of Government and effectively ran Liberia like the leader of an organised crime syndicate. He systematically plundered the nation's natural resources for the benefit of himself and his cronies. He ruled through violence and intimidation in the best tradition of post independence African leaders. Given his background and history no one should have been surprised at his behaviour once in power. During the campaign for the 1997 elections one of his slogans had been 'He killed my Ma, he killed my Pa, but I will vote for him'.⁴

The civil wars in Liberia are intimately linked to the conflicts in neighbouring Sierra Leone, Guinea and Ivory Coast. Taylor had been an ally of Foday Sankoh's Revolutionary United Front (RUF) in Sierra Leone since its inception in 1991. He had hoped that its activities might hamper ECOMOG in Liberia since it used Sierra Leone as a base of operations. Of course he had also profited greatly from the opportunities for plunder opened up in the RUF areas of Sierra Leone – particularly diamonds.⁵ His accession to the Presidency of Liberia did not in any way cause Taylor to modify his behaviour with regards to his neighbours. At one time or another he meddled in the affairs of all three, whilst at the same time

accusing them of giving succour to his own Liberian opponents. Although these accusations smacked of the pot calling the kettle black, there was more than a grain of truth in them. Nearly all the governments of the region operated on the principle that 'my enemy's enemy is my friend'. However Taylor's abject failure in failing to even attempt a *modus vivendi* with his neighbours eventually led to his downfall. It was from first Guinea and then Ivory Coast that the rebel forces attacked in 2003, an onslaught that finally overthrew him.

Shortly after his election in 1997 Taylor accused one of the Liberian faction groups, Ulimo-K, of using Sierra Leone as a base from which to destabilise his government. This was an excuse for his support of the RUF and the Armed Forces Revolutionary Council (AFRC), which had overthrown President Kabbah's government in Sierra Leone earlier that year. With their defeat at the hands of the Nigerian led ECOMOG force early in 1998, many RUF and AFRC troops fled to Liberia. It was alleged that their flight into Liberia was often covered by the Liberian military. The Sierra Leonean rebels continued to enjoy Taylor's support and were able to recruit amongst Sierra Leonean refugees in Liberia. Taylor meanwhile used the profits from smuggled diamonds to enrich himself and to purchase arms both for his own use and to supply the RUF.

A concocted and somewhat spurious peace deal was signed between Kabbah and Sankoh in 1999. The United Nations forces sent to monitor this 'peace' found themselves under attack and unable to function properly due to the many breaches of this agreement by the RUF. The international community increasingly came to hold Taylor responsible, at least in part, for this behaviour due to his continuing support for the RUF.

At the same time as he continued to meddle in the affairs of Sierra Leone, Taylor increasingly found himself embroiled in cross border warfare with Guinea. In April 1999 Liberian rebels from the Liberians United for Reconciliation and Democracy (Lurd) group attacked the northern town of Voinjama.⁶ The fighting led to the displacement of 25,000 people and counter-attacks by Liberian forces against villages in Guinea. Increasingly the war in Sierra Leone intensified and cross border raids between Guinea and Liberia continued. It was the refugees seeking shelter in Guinea that found themselves caught between the various warring factions and armies. In September 2000 the Liberian military launched a major attack towards Macenta in Guinea with the aim of destroying the Liberian rebels they accused Guinea of sheltering. The attack was not a success and served only to worsen relations between the two countries. With British military intervention beginning to turn the tide against the RUF in Sierra Leone, pressure increased for the United Nations to impose sanctions against Liberia as a punishment for Taylor's continued support of these rebels. In May 2001 the United Nations imposed an arms embargo on Liberia in an attempt to cut off the supply of arms to the RUF purchased with diamonds smuggled from Sierra Leone.

By 2002 the focus of conflict had shifted from Sierra Leone and Guinea to Liberia and Ivory Coast. In February Taylor declared a state of emergency as Lurd forces advanced from the north. Tens of thousands of refugees were displaced as the Lurd rebels reached the outskirts of Monrovia before being pushed back. Meanwhile in Ivory Coast Liberian fighters were accused of intervening on the

side of anti-government rebels in the west of the country. As the year progressed the fighting in Liberia subsided to a degree and Taylor felt confident enough in September to lift the state of emergency.⁷ If he believed that his troubles were over, at least as regards Lurd, he was greatly mistaken. He had in fact less than twelve months left in charge.

In March 2003 Lurd launched a renewed offensive from their strongholds in the north of Liberia. At the same time a new rebel organisation calling itself the Movement for Democracy in Liberia (Model) launched a series of attacks from the Ivorian border in the East. In an ironic reflection of the events of 1990, Taylor's military forces proved as incapable of stopping this offensive as Doe's had been of halting the advance of the NPFL. As usual it was mainly the civilians who became casualties of this fighting. Many were killed and many more were forced to flee their homes. Once again Monrovia began to take on the appearance of a large refugee camp. In a matter of weeks the capital was all the territory that Taylor could claim to effectively control.

A number of cease-fires were proposed and came to nothing. ECOWAS became involved and talks were held in Accra, Ghana in June. These talks were overshadowed when Taylor himself was indicted by the United Nations Special War Crimes Court for Sierra Leone, although the Ghanaian government was reluctant to arrest him and he was able to return to Liberia vowing to fight on against the rebels.

Many within Liberia wished to see intervention by US forces in the belief that they could bring the fighting to a swift conclusion. Despite the historical ties between the two countries the Bush administration was reluctant to become embroiled in Africa whilst at the same time heavily committed militarily in Iraq. The US forces stationed off the coast of Liberia did act robustly to protect their own nationals and their embassy. In July the battle for Monrovia intensified in ebbs and flows with territory changing hands several times. As civilian casualties increased ECOWAS members agreed to provide a peacekeeping force.

In mid-August the first Nigerian peacekeeping troops arrived supported by a limited number of US forces. The rebels had made it clear that as a precondition of any cessation of hostilities, Taylor would have to resign as President. After considerable prevarication, on 11 August 2003, Taylor handed over to his deputy, Moses Blah,⁸ and left for exile in Nigeria. A week later, in Accra, the Blah government, Lurd and Model signed a Comprehensive Peace Agreement (CPA). As part of the agreement Blah was to hand over power in October to an interim power sharing government. The person chosen to be Chairman of this new administration was a Monrovia businessman, Gyude Bryant, who had no connections with the warring parties.⁹ The mandate for this transitional government is to run to January 2006 when an elected government was to be sworn in. Key elements in the agreement were the establishment of an international peacekeeping force, the setting up of a truth and reconciliation commission and disarmament of the warring factions.

As Bryant assumed the post of Chairman of the transitional government, the United Nations launched a major peacekeeping operation in Liberia – UNMIL, with an authorised establishment of up to 15,000 military personnel.

The Cast of Characters

Having reviewed the process that hopefully brought to an end 14 years of civil war and political instability, it is important to take a closer look at the principal characters involved in that process and in the subsequent attempts to stabilise the situation in Liberia. An obvious division exists between the national and international actors and so to avoid unnecessary complication I will abide by this. Firstly I will examine the character and roles of the national actors and then those of the international ones.

Charles Taylor

Charles Taylor is undoubtedly the dominating character throughout the entire history of the Liberian imbroglio. Taylor embodies many of the personality traits typically associated with Africa's post-independence leaders. Appearing on the scene at a time when there was much optimistic talk of a new wave of democracy and responsible leadership sweeping Africa, he seemed to be something of an anachronistic throwback to the heyday of Africa's dictators. In reality it turned out that he accurately reflected the continuing trend of despotism amongst Africa's leaders.

Taylor has been accurately described as being something of a showman. He has often used costume to great effect. He once appeared at a West African regional conference in Burkina Faso decked out in full combat uniform and surrounded by suitably caparisoned bodyguards who struck the necessary intimidating poses.¹⁰ Though to many Western eyes this might have appeared somewhat comical, in a continent obsessed with symbolism, this posturing gave out the unequivocal message that here was a leader who commanded significant military muscle and therefore could not be ignored. How many other African leaders have revelled in parades and the ostentatious display of military power. Intimidation has always been a favoured political tool of the despot. On another occasion when accused by the United Nations of being an arms and diamond smuggler, he played the role of the 'innocent' victim. Using his position as a lay Baptist preacher, Taylor presided over a mass prayer meeting clothed in virginal white and prostrated himself whilst praying for forgiveness from his Lord.¹¹

He surrounded himself with the obligatory praetorian guard of thugs, decked out in mirrored sunglasses and latterly mounted on new Harley Davidson motorbikes.¹² The actor in him could not resist announcing his presence by travelling in a flashy cavalcade of limousines and outriders. Although obviously pandering to his ego, such displays also serve as a visible demonstration of the power and control exercised by the leader. A very necessary political statement in systems of one-man rule.

Taylor is also on very intimate terms with that other traditional mainstay of the African political scene, corruption. Having studied in the United States, he returned to Liberia after Doe's coup and secured a lucrative position in the government which gave him control over a significant amount of the national budget. He was later accused by Doe of stealing at least \$1 million and he fled

back to the United States where he was, for a time, imprisoned on a Liberian extradition warrant. During his time as leader of the NPFL and later as President he acquired a reputation for avarice, especially when it came to plundering the natural resources of Liberia and Sierra Leone.

In common with a number of other African leaders Taylor has found it expedient to Africanise his name in order to broaden his popular appeal. Born into the Americo-Liberian elite he has no direct ethnic connection with the bulk of the indigenous population. In later years he added the middle name 'Ghankay',¹³ in an attempt to appear more authentically African. His efforts in this respect appear to somewhat half hearted and certainly more conservative than such contemporaries as Mobutu. His lack of a broad ethnic support base remained a source of weakness in his struggle with the rebels.

Over the years Taylor has made alliances of convenience with a variety of political and business leaders as it suited him and them. However he came to be increasingly isolated internationally largely because of his association with the murderous RUF in Sierra Leone. By the end he had become something of a pariah and was seen as an obstacle to the establishment of a lasting peace in the region. Nevertheless as it became increasingly clear in the spring and early summer of 2003, that he would have to go, he attempted to control the timing and method of his departure. He left it almost to the last minute to leave and boarded the plane with an almost Nixonesque gesture to the onlookers. There was almost an element of the 'I'll be back' in the way that he prevaricated and changed the date of his departure.¹⁴ He may be thinking along those lines but I doubt that it is a sentiment currently shared by many Liberians. He attempted to manipulate the succession by handing over to his deputy, Moses Blah. However this ruse also failed due to the most crucial fact that caused his downfall, he had lost all chance of achieving even a military stalemate, never mind victory.

Interestingly like many despots he chose exile, in Nigeria in this case, rather than face the wrath of his fellow countrymen or the judgement of the international community. The fate of Ceausescu has not been lost on them. Although exiled abroad Taylor is still capable of exercising a baleful influence on Liberian affairs. There have been rumours of mercenaries plotting his kidnap¹⁵ and he and his supporters have been blamed for recent disturbances in Liberia.¹⁶ If nothing else he remains a bogeyman for the current and future leadership in Liberia.

The Rebels

The rebel movements involved in the ultimately successful bid to oust Taylor, had clear antecedents in the factions that opposed him in the civil war, which was supposedly concluded in 1997. In reality that war continued throughout Taylor's presidency even if at times it was a latent rather than actual conflict.

The first rebel group to launch a significant attack on Taylor's regime were Lurd – Liberians United for Reconciliation and Democracy. Their main aim appeared to be a simple one of replacing Taylor and taking over the running of the country. Although espousing the usual litany of lofty ideals they have given little indication of how they would actually set about governing the country and

regenerating its economy. Cynics might argue that that was an indication that they merely wanted their turn at the trough to plunder the nation's natural resources.

Lurd draws most of its support from the Mandingo ethnic group.¹⁷ These were implacable foes of Taylor. Lurd's vice president is the younger brother of Samuel Doe. Lurd's leader was one Sekou Damate Conneh Junior but his wife, Ayesha, played a powerful role in the organisation. She claims to be the adopted daughter of the President of Guinea, Lansana Conte, whose presidential guards were often to be seen protecting her residence in Conakry. Guinea has openly supported Lurd with arms and equipment, partially as a response to Taylor's support for anti government forces in Guinea.

After Taylor's removal, as part of the agreement between the various factions, Lurd took up a number of positions in the interim government. Sekou Conneh engaged in some political posturing saying that he could not work with the government's leader, Gyude Bryant. However he received a rather public slap down from his wife who said she had replaced him as leader and was prepared to work with Bryant. She apparently had the support of a number of Lurd's military commanders.¹⁸ Although he apparently 'survived' this particular threat to his position he faces a significant challenge to his desire to stand for the presidency elections in 2005. A large dissident faction within Lurd would like to see him replaced by the interim justice minister, Kabineh Janneh.

Model – the Movement for Democracy in Liberia, are a smaller group supported by Ivory Coast, who find their ethnic support amongst the Krahn people.¹⁹ They appeared towards the end of the conflict and possibly emerged as a breakaway faction of Lurd. Their leader Thomas Nimeley was nominated as foreign minister in the transitional government. Perhaps because of their fewer numbers Model have been more co-operative in playing their part in the interim government. In January 2004 Model distanced themselves publicly from calls made by Lurd for Bryant to stand down.

Individually neither of the two rebel forces was capable of toppling Taylor. However their combined efforts together with defections from his own forces and external pressure was enough to persuade him to accept the escape option offered by exile in Nigeria. Both groups must have realised that they were incapable of achieving and securing power through military force alone, hence their participation in the interim government. Nevertheless their continued desire for power has manifested itself in assorted 'disputes' with the various peacekeeping and intervention forces, which can at best be described as petulant. There have also been a number of spats within the interim government as the rebel leadership jockey for political advantage in advance of the elections scheduled for October 2005. In this contest they are likely to face competition from other groups and individuals and may well feel that the spoils of their 'victory' could be denied them. In these circumstances the temptation to use military muscle to influence the electoral outcome, as Taylor did in 1997, may become overwhelming.

ECOWAS

ECOWAS (Economic Community of West African States) has a long and troublesome history of involvement in the Liberian civil war. It deployed an intervention force, ECOMOG, to Liberia in 1990, became bogged down in the civil war and effectively became just another warring party. Divisions within ECOWAS hampered its efforts and it was only when there was a consensus that the war was damaging everyone's interests, that decisive action was taken and a peace deal cobbled together. ECOMOG unfortunately earned a reputation for thievery which tarnished its image in the eyes of the Liberian population.²⁰ In 2003 ECOWAS was not really in a position to mount a large scale peacekeeping operation. Nevertheless the deployment of Nigerian forces under the auspices of ECOWAS in early August 2003 was crucial in bringing the conflict to a relatively peaceful conclusion. Their arrival persuaded Taylor that it was safe to depart for exile. They also paved the way for the arrival of both aid and the much larger United Nations peacekeeping force in September. Many of the forces deployed by ECOWAS as ECOMIL were then reassigned to the United Nations force – UNMIL.

The United Nations

The United Nations had had a small mission to Liberia during the earlier phase of the civil war. Unfortunately its effectiveness had been rather limited due to its dependence on ECOMOG for transport and protection. Thus in the eyes of many Liberians it became tarred with the same somewhat unsavoury brush. Also at that time the United Nations was undergoing a major crisis with regards to peacekeeping operations. There were spectacular failures in Somalia and Rwanda and what was effectively a US disengagement from United Nations operations.

In 2003 the prospects for success were better. Sufficient forces were promised and the atmosphere seemed positive. Additionally the relatively successful conclusion to the Sierra Leone war seemed to bode well for operations in Liberia. Resolution 1509 of 19 September established UNMIL with a total authorised military strength of 15,000. The original Head of Mission and Special Representative of the Secretary General (SRSG) was Jacques Klein from the United States and the force commander the very experienced and well respected, General Daniel Opande from Kenya.²¹ SRSG Klein has since been replaced by Alan Doss from Britain, the former Deputy Special Representative to Côte d'Ivoire, whilst Opande has been replaced by General Joseph Owonibi from Nigeria.

Mano River Union

The Mano River Union was established in 1973 with the objective of sub-regional economic integration. It has failed in large part to achieve this aim, although in its early days it introduced a common external tariff and free trade in goods of local origin within the Union. Although its title is often used as shorthand for the security nexus in the sub-region, the Union was essentially moribund during the

civil war and failed to provide a platform for negotiation between its three members. In May 2004, it was reactivated at a summit meeting of Heads of State at which hope was expressed that the Union could act to promote confidence-building measures in the sub-region, as well as strengthen its original economic development goals. At present its administrative infrastructure is inadequate and, although potentially it could play a vital role in bringing peace to Liberia and the sub-region, the Union will be reliant on increased external funding if it is to play a role in post-conflict settlement.

Civil Society Organisations

Civil society played an active role in the Liberia's peace process. Members of Liberia's professional organisations were also involved in the founding of dynamic sub-regional groupings, notably the Mano River Union Civil Society Movement and the Mano River Union Women's Peace Network. The period of interim government between 1990 and 1994 saw the establishment of a number of human rights and democracy organisations including the Liberia Human Rights Chapter, the Catholic Justice and Peace Commission, and the Centre for Law and Human Rights Education. At the same time a vigorous independent press was established with titles including *Plain Talk*, the *Inquirer* and *Liberia Age*. A particularly significant development was the growth of women's groups such as the Association of Female Lawyers and the Liberia Women's Initiative with an advocacy agenda promoting women's and children's rights. The effectiveness of civil society organisations and the independent press was severely damaged by Taylor's election in 1997, following which harassment and arbitrary arrest became common place. Civil society organisations have been slow to recover from their marginalisation during Taylor's rule.

The Post-settlement Environment

The National Transitional Government of Liberia (NTGL) under the chairmanship of Gyude Bryant was sworn into office on 14 October 2003. After some contention over nominations for ministerial posts, a government was formed including members of Lurd, Model, the former Taylor Government of Liberia (GoL), representatives of civil society and some opposition parties. It faced a colossal task. Fourteen years of war had led to the collapse of the Liberian state, militarization of the country, dislocation of the economy, destruction of infrastructure, displacement of a large section of the population and the extension of insecurity to neighbouring states.

A fundamental priority was the establishment of a stable environment in which rehabilitation could take place. The onus for providing security fell on the international community. In essence UNMIL fulfils two roles – security and protection. In terms of security it is mandated to support the implementation of the CPA, provide humanitarian and human rights assistance and assist with security sector reform. In terms of protection it is mandated to protect UN personnel and

ensure their freedom of movement and protect civilians under imminent threat of physical violence. To address its mandate, UNMIL set itself a number of implementation goals in the areas of peace and security, Disarmament/Demobilisation/Rehabilitation/Reintegration (DDRR), the rule of law, human rights, state authority, information and humanitarian assistance. These broad areas are interrelated and the overall aim of establishing peace and security is reliant on the effective accomplishment of the other goals. Restoration of civil authority throughout Liberia's territory was always going to be challenging. At the time of writing, large parts of the western and south-eastern counties where UNMIL forces are not yet fully deployed, remain under the effective control of the factions. More worryingly, despite operating under a robust peace-enforcement mandate authorised under Chapter VII of the UN Charter, there have been reports that atrocities have been committed in the vicinity and sometimes presence of UNMIL soldiers.

A primary security responsibility for UNMIL, the DD element of the demilitarisation process, was launched on 3 December 2003. In accordance with the CPA, all combatants were to be disarmed and demobilised with the existing Armed Forces of Liberia (AFL) confined to barracks and their arms and ammunition placed in armouries and storage bunkers. The programme was run by UNMIL in collaboration with the National Commission for DDRR (NCDDRR) a body drawn from all national and international stakeholders in Liberia. Phase One of the programme started at Camp Scheffelin on the outskirts of Monrovia and was largely aimed at the GoL combatants who controlled the area. The response overwhelmed the UNMIL personnel who lacked numbers and adequate facilities. Amos Sawyer, the interim president of Liberia between 1990 and 1994, refers to the 'eclectic implementation' of the DDRR programme, perceiving 'a failure to fully engage Liberians as partners in the design and implementation of these activities, treating them instead as observers'.²² Following the experience at Camp Scheffelin the programme was suspended whilst wider consultation took place. As a result the number of UNMIL personnel was augmented and the number of combatants per cantonment site was regulated to about 250 each day.²³ Phase Two of the programme restarted in April 2004 and concentrated on Monrovia and the surrounding area and covered combatants from all three major factions, whilst Phase Three, which started in July, was based in the Zedru area and targeted mainly Model fighters. The process officially concluded at the end of October, although it unofficially continued at sites in Lofa and Maryland Counties to disarm and demobilise Lurd fighters. In January 2005, UNMIL announced that a total of 103,109 combatants had passed through the DD part of the programme. In terms of gender and age, during the three phases, 68 per cent of the total number disarmed were adult males, 21 per cent adult females, nine per cent boys and two per cent girls. The break down in terms of faction affiliation is presented in Table 1.

Table 12.1 Consolidated disarmament of ex-combatants by factions after Phase 3 of DD²⁴

<i>Faction</i>	<i>Phase I</i>	<i>Phase II</i>	<i>Phase III</i>	<i>Total</i>	<i>Relative %</i>
AFL	4,164	6,888	1,188	12,240	12.28
Lurd	48	19,742	9,686	29,476	30.04
Model	11	2,863	10,254	13,128	13.38
GoL	11	5,231	10,344	15,586	15.89
Others	8,889	17,246	1,548	27,683	28.22
Total	13,123	51,970	33,020	98,113	

Disarmament and demobilisation in Liberia has revealed a number of difficulties that may impact on the peace process. Before the programme began UNMIL estimated that there were about 38,000 fighters to be disarmed whereas almost three times that number arrived at the cantonment sites. Although UNMIL insist that it did not run a 'weapons buy-back' programme, independent observers, after interviewing the combatants, question this claim.²⁵ The high percentage of those disarmed falling into the category of 'other' implies that a significant number of those handing over weapons were not valid combatants or camp followers, but were enrolling for DDRR mainly to receive the benefits of the rehabilitation and reintegration part of the programme. Faction commanders accompanied the combatants throughout the programme, purportedly to verify their identity, but in reality to maintain contact with the fighters in order to take a share of any benefits and to be aware of their whereabouts should they need to be re-recruited. As a result of the higher than expected number of combatants enrolling for DD, the time allotted for processing each individual was decreased from 21 to five days and the money set aside for induction was decreased from \$1,400 per person to under \$800. The International Crisis Group (ICG) have cautioned that there is a possibility that 'non-fighters are being "disarmed" and "demobilised" instead of, rather than with, the most hardened combatants, some of whom have been under arms for ten years or more'.²⁶ A further concern is the type of weaponry being surrendered. Only 3.3 per cent of armaments handed over were heavy weapons such as mortars, anti-aircraft guns or large-calibre machine guns, whilst 88.8 per cent of surrendered arms were AK-47 rifles or Rocket Propelled Grenade launchers, readily available throughout the sub-region. There were indications that the heavier weapons were being moved across neighbouring borders, to Guinea in the case of Lurd and Côte d'Ivoire in the case of Model, prior to the commencement of the DD programme. A further issue is the low percentage of fighters who have given in weapons – just 21 per cent of Lurd fighters and 24 per cent of GoL fighters. This leaves a plentiful supply of weaponry left in reserve for possible use in the future.

As the UN Under-Secretary General, Ibrahim Gambari emphasises, 'lasting peace requires more than just disarming combatants'.²⁷ He argues that the RR part of demilitarisation be expedited, offering combatants 'real opportunities to make a living and real incentives to abandon the track of destruction and turn to a

rewarding civilian lifestyle'.²⁸ The programme is operational, but behind schedule. It has three strands: start up and relocation of combatants to their home communities, transitional payments to assist the repatriation of foreign combatants, and a social services plan including educational and vocational training and outreach. It is estimated that 85,629 fighters will go through the RR programme. Under the programme, on presenting him or herself, the combatant is transferred to a cantonment where he or she surrenders personal weapons, registers for the programme, receives an ID card and is given a Transitional Safety Net Allowance (TSA) of US\$300. The combatant also is offered the opportunity to acquire basic skills. A categorisation of the choices made by combatants shows 47 per cent opting for vocational training programmes, 41 per cent entering formal education, four per cent expressing the wish to become farmers or fishermen and 0.65 per cent choosing public works employment. However, establishing the programme and its constituent sub-programmes has been problematic. By 1 October 2004 only about a third of those registered had been accepted by schools or on approved projects. This disparity between the DD and RR parts of the CPA demilitarisation strategy is largely a result of insufficient funding. Out of the original funding of \$13.5m put aside for the entire DDRR programme, \$10.2m was spent on Phases One and Two of DD, leaving little for Phase Three of DD and the whole RR effort. Those combatants, many young adults and child soldiers, who have disarmed and are waiting for inclusion in a RR programme are swelling the numbers of refugees and Internally Displaced Persons (IDPs) already living in camps outside Monrovia. As one humanitarian source remarked to the ICG, 'young men will remain dangerous as long as they don't have a project'.²⁹ Festus Aboagye and Alhaji Bah warn that 'unless the funding gap is speedily plugged ... there is bound to be a setback in the DDRR programme with dire consequences not only for the Liberian peace process, but for the stability of the entire Mano River Basin'.³⁰

At the time of the signing of the CPA there were about 21,000 child soldiers, both boys and girls, in the country.³¹ All the three main factions recruited children. Procedures were put in place, in principal, to put children in Interim Care Centres (ICCs) in order to separate them from adults during DDRR, and to deliver counselling, family tracing, medical care and skills training. However, the past experiences of children who passed through programmes set up in the wake of the first civil war are not encouraging. Interviewed by Human Rights Watch, child soldiers reported that they could not return home, or were ostracised if they did so, as a result of their activities.³² Traumatized by the war rehabilitation proved difficult and many drifted into criminality. In the case of the current programme, many child soldiers remain vulnerable. Figures given by the NCDDRR after the conclusion of Phase Three indicate that 8,498 boys and 2,414 girls had enrolled in the DDRR programme, about half the estimated number of child combatants. Even if the children receiving DDRR are looked after adequately, this still leaves thousands of children in refugee camps around Monrovia, in Sierra Leone or Guinea, or living as best they can in parts of the country still effectively under the control of the factions where they remain at risk of re-recruitment in the event of conflict re-igniting in any of the countries in the sub-region. The problems attached to the TSA given to adult combatants equally apply to children. Commanders

encourage child soldiers under their command to enrol in DDRR in order to take a portion of the TSA and to leave the ICCs quickly in order to get access to the money. As with the adult combatants the proximity of commanders to child soldiers increases the chances of re-recruitment with the added incentive that as child soldiers they are a more valuable asset in any future conflict and again might be eligible for future DDRR pay-outs. Some commanders presented children for DDRR who had not previously fought in armed conflict. About half of Liberia's 3m people are under 18 years old. Liberia's leaders have in the past marginalised the country's youth and failed to create viable employment. Only sustainable economic growth will underpin a lasting peace. One key question is why do so few combatants opt for agriculture as a post-conflict source of income? Problems connected with intergenerational tensions and access to land constrain young men used to the self-reliant rebel lifestyle. A young fighter who has spent years under arms is unlikely to want to return to the poverty, restrictions and parochialism which he or she had left behind. However, the RR education and vocational projects are at best a short-term distraction, at worst they are liable to fuel future discontent when graduates from these programmes realise their new qualifications and skills do not lead to meaningful employment. Given that economic sectors such as tourism, services and technology will not become established in the near future, agriculture remains the most viable basis for a non-violent way of life. The government that emerges from the elections needs to assess the status of land tenure laws that give inordinate power to traditional 'landowners' and local customary law that prioritises elder men over younger men, and men over women. Recently women lawyers in Monrovia have sought to advance new laws banning traditional practices that marginalise women in village life, although enforcing such laws will be difficult. On another level, Liberia's young people need to be shown a life that is not mired in poverty or conflict. Most donor funding is channelled to education and vocational training. Yet it might be as profitable to provide basic recreational resources, such as satellite dishes, computers and sports equipment, in an effort to persuade the youth that village life is not a dead end.

For peace to last beyond the withdrawal of UNMIL Liberia needs to build a functioning security apparatus. The ambitious target for Security Sector Reform (SSR) is to establish sustainable, non-partisan and law-abiding security forces capable of defending Liberia's territorial integrity, restore law and order and return the monopoly on the legitimate use of violence to the state. A programme of reform for the armed forces was first envisaged by the 1996 Abuja Agreement concluded at the end of the first civil war. Taylor, however, obstructed ECOMOG's remit to restructure the armed forces established at Abuja, and ensured that the AFL became his personal militia. Shortly after assuming his post, the UN's SRSG Klein suggested that Liberia should follow Costa Rica's example, do without an army and concentrate on developing effective police and border security forces. The suggestion was not acted upon. Reorganisation of the AFL began in July 2005 and is being underwritten by the US at a cost of \$35m. The training will be carried out by the State Department's implementing partner DynCorp, a private security company that the US administration has previously contracted to train new police forces in Bosnia, Afghanistan and Iraq.³³ The aim is

to train 4,000 soldiers. The company, based at Fort Scheffelin, is looking to recruit Liberians with at least Ninth Grade secondary education and who have no human rights violations against their name. If combatants fulfil these conditions they will be eligible to apply. DynCorp hope to have trained one battalion of the new army in time for the handover to the newly elected government in January 2006.

Reform of the police is further advanced. As of June 2005, the police component of UNMIL was made up of 1,060 civilian police officers (CIVPOL). Its mandate is to assist in the maintenance law and order and to train and restructure the Liberian National Police (LNP). As with the army, Taylor had embedded his supporters within the LNP, fatally compromising the neutrality of a force already despised by the general population for its corruption and human rights abuses. As a result it was decided to disband the LNP and replace it with a new force. In an effort to restore public confidence, officers that joined the LNP after Taylor came to power may not take the new training course. The Police Training College reopened in July 2004 to begin teaching a first intake that would form the basis of a new Liberian Police Service (LPS). The College had trained 1,900 officers by the time of the elections. The course lasts nine months with three spent in the classroom and six in the field. The intention is to bring the force up to internationally recognised standards and to replace the ranking system based on politically motivated appointments with a meritocratic hierarchy. Recruits are vetted for human rights abuses and their names and photographs published in the Monrovia press. At present, the LPS co-deploys with its CIVPOL counterparts at all levels allowing for the international police officers to adopt the role of mentor, to monitor the progress of the new force and if necessary to augment police numbers. In the case of both the armed forces and police, if a return to corruption is to be avoided, the donor community must put in place funds for a sustainable defence budget that provides for a living wage for soldiers and police officers of all ranks.

A prime causal factor undermining political stability has been the way in which Liberia has been governed. The constitutional basis for government and the manner in which successive regimes administered the country and its resources led to state failure. In calling for the establishment of an interim executive and legislature the CPA ensured a measure of Liberian ownership for the reconstruction process. These institutions, however, have little capacity to exert authority and the real power on the ground resides with the two 'proconsuls' – UNMIL's Head of Mission and its force commander. Although UNMIL has a presence throughout the country, albeit tenuous in many areas, the factions that make up the backbone of the NTGL have shown little interest in extending government authority beyond the capital, preferring to maintain control in their own strongholds through proxies. The CPA reserved the two senior government positions for civilians. The NTGL is led by Monrovia businessman Gyude Bryant, little known until he was chosen for the post. His Vice-Chairman is Wesley Johnson, a university lecturer. The government is made up of representatives of all those present at the Accra peace talks – the rebel groups, the GoL and representatives from political parties and civil society. A National Transitional Legislative Assembly (NTLA) has been appointed to temporarily replace the pre-

existing bicameral legislature – the House of Representatives and the Senate. Each of the main factions and the political parties were allocated twelve seats in the Assembly, with representatives from each of Liberia's fifteen counties, seven seats reserved for special interests and six for civil society. If it was the intent of the CPA to replace the dominance of factional politics with non-factional, non-partisan civilian rule, the plan has not worked.

In terms of governance, the NTGL has failed in two ways. Firstly, by allowing the warring parties to dominate the ministries and the parastatals, the interim government has repeated the mistakes that followed the flawed peace agreements of the 1990s under which the factions carved out rent-seeking opportunities from the resources under their control. Bryant has been unable to exert authority over the NTGL, capitulating at an early stage to demands by the factions for greater access to government through the creation of junior ministerial posts. UNMIL's mandate does not allow for oversight of the administrative process. As envisaged by the CPA, in June 2004 a Governance Reform Commission (GRC) under the Chair of Ellen Johnson-Sirleaf was set up with UN funding to develop public sector management reform and ensure transparency and accountability in government. Its impact in either matter has been minimal. Liberia remains subject to UN Security Council sanctions prohibiting the importation of arms and the exportation of timber and diamonds. Despite these restrictions, in February 2005, a special investigative Panel of Experts to the UN Security Council discovered that the interim government had signed a secret deal with the mysterious West African Mining Company (WAMCO) for a ten-year monopoly on diamond production.³⁴ The ministers involved were linked with Model and Lurd, whilst another signatory represented Chairman Bryant. In April, the NTGL signed a deal with the American-owned Firestone Plantation Company that has tapped rubber in the country since 1926, to extend its concession for a further 36 years. Although the WAMCO deal has since been cancelled, the Firestone contract stands. In signing the deal the NTGL seemingly exceeded its mandate under the CPA, whilst the clandestine WAMCO affair highlights the systemic and endemic corruption that exists within the interim government in the absence of effective control. As a response, in mid-2005 the donor community, including the UN, US, EU and ECOWAS, proposed a package of anti-corruption measures – the Liberia Economic Governance and Action Plan (LEGAP). The wide-ranging plan would limit the government's authority to grant contracts, ring-fence key sources of income, place international technocrats in core ministries with the power of veto, and bring in judges from abroad. Alluding to 'trusteeship' and 'neo-colonialism', the plan has been rejected by the interim government, but also by Johnson-Sirleaf. The second way in which the NTGL has failed is in the area of governance reform. As Sawyer notes, 'rethinking of governance has not occurred, making governance reform the missing component in all of Liberia's post-conflict transition programmes'.³⁵ After the NTLG hands over power to the winner of the October elections, Liberia will revert to the political system that existed prior to the signing of the CPA. Although based on the American system, under the 1986 Constitution, amended in 1988, the President exercises sweeping powers of appointment and sole control over public expenditure without an effective system of checks and

balances. Historically, the legislature and judiciary have acquiesced or actively supported presidential directives without debate or scrutiny. Sawyer concludes that 'the struggle to transform Liberia's constitutional order from a highly centralised, predatory and often repressive autocracy has been at the heart of the political struggles for over thirty years'.³⁶

The weight of domestic and international opinion concurs with the CPA stipulation that the 1986 Constitution should be restored when an elected government assumes power in January 2006. However, as Thomas Jaye remarks, 'the history of elections in Liberia is not encouraging'.³⁷ Would an honest politician emerge capable of refraining from abusing the power of the presidency? The two leading candidates for the 2005 election, out of a total of twenty-two, were the GRC Chair Johnson-Sirleaf, known as the 'Iron Lady' and the former European and World Football Player of the Year, George Weah. In a varied career, Johnson-Sirleaf was Finance Minister in the 1970s, as well as an international banker and a senior official at the UNDP. She supported Taylor during the civil war only to sever links in government. The political novice Weah, financially independent and untainted by association with any faction, was seemingly the preferred candidate of the youth and former combatants, although his participation was initially challenged on the basis of his suspected dual French-Liberian citizenship. That these two leading contenders had spent much of their careers abroad emphasises the pivotal role of expatriates in the reconstruction process. The number of Liberians in America has been estimated at between 150,000 and 600,000 people. Although several African countries, such as Mozambique, Chad and Cape Verde, allow foreign-based citizens to vote this was not be the case with the Liberian elections. Money from those working abroad kept the Liberian economy afloat during the civil wars, and each presidential candidate had his or her support group in America. There has been no census in the country for twenty years. The electoral roll was drawn up by the National Electoral Commission, effectively run by UNMIL's electoral wing. There were about 1.34m voters on the list split almost equally between men and women. The average age of voters was 34 years, but those under 27 years constituted 40 per cent of the total. Some argued that Liberians were not yet ready to go to the polls. Pointing to the absence of constitutional change, as well as the unreliable electoral roll, Yarsuo Weh-Dorliae proposed the postponement of the elections until a 'roadmap' for a structured transition including political decentralisation has been put in place and a census was completed.³⁸ Holding elections risked opening up fault lines between the factions, between ethnic groups and/or between the indigenous population and the Americo-Liberian elite. Given that Liberia's own security forces were not yet in order, the role of UNMIL in preserving the peace during the campaign was crucial.

The opinion polls proved accurate. Following a first round of voting on 11 October, Weah with 28 per cent of the vote and Johnson-Sirleaf with 20 per cent progressed to a run-off. Despite an apparent momentum behind Weah, the electorate chose experience over glamour and Johnson-Sirleaf was returned with 59 per cent of the vote against Weah's 41 per cent to become the first female elected African Head of State. The climate in which the elections were held was remarkably calm and the polls were declared free and fair by domestic and

international observers. Although Weah made a formal complaint of electoral malpractice to the National Electoral Commission following his defeat, the objection was dismissed.

The *eminence grise* in the elections was Charles Taylor. Although the CPA called for the establishment of a Truth and Reconciliation Commission in Liberia, it is more likely that if he is to face justice it will be at the Special Court for Sierra Leone (SCSL) based in Freetown. Although the UNDP has embarked on a training programme for magistrates and judges, the current judiciary is inadequate in numbers or competence to hear cases that have come up since the signing of the CPA, still less war crimes. Moreover, it is doubtful that a specific Liberian Special Court would be helpful to the process. With the experience of the SCSL in mind, Abiodun Bashua remarks that, 'whereas TRCs should continue to be used in documenting and healing wounds, through open discussion of the root causes and course of conflicts, setting up war crimes tribunals simultaneously seems to have the opposite effect'.³⁹ Taylor has been placed under indictment by the SCSL, however Nigeria's President Olusegun Obasanjo has said he would only extradite the warlord from his retreat in the Nigerian resort of Calabar if an elected Liberian government made the request. In August 2005, however, Chairman Bryant joined with his Mano River Union counterparts to request that Obasanjo review the terms of his residency. The appeal was a response to mounting evidence that Taylor was seeking to disrupt the election campaign. He has apologists in Liberia, and not just amongst the GoL members of the interim government and legislature. He keeps in touch with supporters by mobile telephone and it seemed certain, UNMIL efforts notwithstanding, that he would endeavour to manipulate the result of the polls. He also has a military component. A group including RUF fighters from Sierra Leone, Guinean dissidents and former members of the Liberian security services are reported to be training in camps on the border with Côte d'Ivoire.

Johnson-Sirleaf faces three immediate, and interconnected dilemmas. The economy, especially how to deal with the contracts signed by Bryant's NTGL and whether to accept overview of her administration by LEGAP. What to do about Taylor? And, how to avoid Liberia being sucked back into conflict?⁴⁰ Arms, fighters and conflict goods flow across the porous borders of the sub-region. After the first civil war, stability depended on events in Sierra Leone. The success of the UN Mission in Sierra Leone (UNAMSIL) and the involvement of Britain in peace-enforcement and reconstruction created the environment for a solution to the Liberian conflict. Future stability now depends on the solidity of the cease-fire in Côte d'Ivoire and the course that the increasingly insecure Guinea will take.

Conclusions

Liberia's second civil war finally came to end for a variety of reasons. Firstly none of the participants was able to secure a conclusive military victory that would have left them securely in control of the country. Thus negotiation became the only practical route to the achievement of at least some of their aims. Charles Taylor realised that he could no longer hold onto power and so, reluctantly, slunk off into

exile, where no doubt he is plotting his return, hopefully in vain. The various rebel leaders are no doubt no less disreputable individuals than he was. Given the opportunity they would have behaved just as badly as he did. Their rebellion was mostly motivated by a desire to plunder the nation's wealth for their own benefit. In this they were thwarted by their own military weakness. There is evidence to show that they are still plundering what resources they still control and the problem for Johnson-Sirleaf's government will be the establishment of real control over the whole country.⁴¹

The problems facing Liberia are daunting. Disarming the factions, especially locating and destroying heavy weaponry, will continue to be a problem especially as there are of course no records of exactly how many weapons there were in Liberia in the first place. Moreover, on a continent where arms are often cheaper to buy than food, keeping disarmed fighters 'disarmed' is another problem. The programme to rehabilitate and reintegrate combatants, including the many child soldiers, has faltered and will need renewed effort following the inauguration of the new government.

At the time of ECOMIL's deployment, SRSK Klein voiced his opinion that for reconstruction to succeed Liberia would need to become a de facto UN trusteeship. That has not happened. There has been no fundamental reform in terms of governance and the NTGL, in larger part, maintained the record of previous corrupt and kleptocratic Liberian governments – 'same car, different driver'. The difference has been the window of opportunity created firstly by the end of the Sierra Leone conflict and secondly by the removal of Taylor from power. These factors remain contingent and the potential for instability spreading from the fragile Côte d'Ivoire and Guinea remains acute. The election was no panacea, but possibly a first step in a long road to recovery. That said, the international community will need to remain in Liberia both to enforce the peace and rebuild the country.

Notes

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Chapter 13

A Long Prelude to Peace: African Involvement in Ending Burundi's War

Roger Southall

The Arusha Peace and Reconciliation Agreement of 28 August 2000 between government and rebels was hailed as marking out the road to peace in the deeply-troubled, conflict-torn central African country of Burundi. Brokered by African mediators, initially Julius Nyerere of Tanzania and subsequently Nelson Mandela of South Africa (SA), the Agreement laid down the framework for a transitional settlement culminating in the holding of elections. However, it was also widely recognized that some signatory parties had considerable reservations about the Agreement's provisions, whilst key rebel groups declined to sign the document at all and opted to continue their armed struggle. These difficulties were to lead to delay in implementation of many aspects of the Agreement, and result in continuing violence and the need for further external mediation, which henceforth was to be led by Deputy President Jacob Zuma of SA as facilitator of the Burundian cease-fire negotiations and President Yoweri Museveni as Chairman of the Regional Initiative on Burundi. Their efforts were eventually to bear fruit during 2003 and early 2004, so that there is now apparent prospect of the Burundian conflict drawing to a relatively early end.¹

Its clearly imperfect nature was to attract much comment to the effect that the Arusha Agreement was 'fundamentally flawed' (eg. Curtis 2003: p.1). However, the recent progress towards peace supports the counter-argument of the African facilitators that the Agreement was, for all its limitations, 'the only game in town' and has provided a necessary foundation for peace.

The Nature of Conflict in Burundi

The civil war in Burundi 'began' in October 1993 with the assassination of President Melchior Ndadaye the first democratically elected president, by Tutsi army officers. Freely and fairly elected just months previously, Ndadaye was the first Hutu to serve as head of state in a country where the minority Tutsi had historically been dominant. The civil war which followed was to claim up to 350,000 lives and defy numerous efforts to secure peace.

The most prevalent view of the Burundian war is of one that is primarily an ethnic conflict which has ranged the majority Hutu 75 per cent against the minority Tutsi (14 per cent), with the one per cent Twa (pygmy) completely marginalized. According to this perspective, Tutsi dominance is an historical product of the Burundian kingdom which predated the establishment of first German, and later Belgian, colonial rule. Thereafter, it was to be entrenched and manipulated during the colonial period, and to be further reinforced after independence in 1962, following which Tutsi elites, especially from the southern province of Bururi who continued to dominate political, military and economic structures, overcame violent challenges by the Hutu majority. The conflict, from this perspective, is viewed as one which is a product of the threat to the Tutsi minority represented by 'democracy'. The inherent danger of the latter is viewed as intimately related to developments in neighbouring Rwanda, which shares a similar history and social structure, where a 'Hutu revolution' in 1959 led to the flight of hundreds of thousands of Tutsi into exile and eventually to the 1994 genocide, in which some 800,000 Tutsi (and 'moderate' Hutu) were slaughtered.

The view of the war as an ethnic conflict has to be mediated by recognition of the way in which both Tutsi and Hutu identities have been utilized instrumentally by elites, and how they have been exacerbated by conflicts in Zaire/Democratic Republic of Congo (DRC) as well as in Rwanda, the involvements of other regional countries, urban-rural divisions, and the problem of a politicized military, whose rule for significant periods has been sustained, directly or inadvertently, by international aid and loans. However, no attempt to comprehend these dynamics can be made without reference to a basic outline of Burundian post-colonial history.

From Independence to War

Belgian preparations for the independence of Burundi were minimal. It was as late as November 1959 that Belgium committed itself to a constitutional reform whereby legislative authority would be devolved to an indirectly elected council serving under the *mwami* (king) as constitutional monarch. These arrangements were buttressed by the creation of a territorial guard, soon to become the national army, in which at first both Tutsi and Hutu were reasonably represented.

Counter-revolution in Burundi: The Confirmation of Tutsi Minority Power

Ruanda-Urundi had become a mandated territory of the League of Nations, administered by Belgium, after World War I. Like the Germans, the Belgians treated the kingdoms of Rwanda and Burundi as separate sub-regions, ruling through the two Tutsi monarchies. The two countries were subsequently ruled as Mandated Territories following the creation of the United Nations (UN).

During the 1950s, the arrival of a new generation of Belgian Catholic priests and administrators who were more open to egalitarian ideas had brought about a reorientation of attitudes towards the Hutu. In Rwanda, by 1957, this had encouraged the development of Hutu-led movements which, in terms of a *Bahutu*

Manifesto, depicted the Tutsi as an alien 'race'. In 1959, aided by Belgian administrators, Hutu elites revolted against their Tutsi overlords, and after protracted violence, established a provisional government which proclaimed the triumph of 'democracy' over 'feudalism'. The monarchy was abolished in January 1961, and independence was granted in 1962 under a 'Hutu ethnocracy dressed up as a populist majoritarian democracy that excluded 'the Tutsi race' from the political order' (Melson 2003: p.331). Henceforth, the Tutsi were subject to systematic discrimination. By 1964, 336,000 Tutsi refugees had fled to neighbouring countries, creating a Tutsi diaspora which, in time, was to provide the recruits for guerrilla forces which were to overthrow the Hutu government after the 1994 genocide.

Events in Burundi were hugely influenced by those in Rwanda. The first party to form was the *Union Pour le Progress National* (UPRONA). Under the leadership of Prince Rwagasore, the *mwami's* eldest son, this moved rapidly from an initial traditionalist orientation to a genuinely nationalist platform, which in response to the Hutu revolution in Rwanda, attempted to span the Tutsi-Hutu divide. In so doing, it lost the support of the Belgians, who depicted it as pro-communist, and who established a rival party, the *Parti Démocratique Chrétien* (PDC), which formed a provisional government. However, UPRONA won an overwhelming victory in the country's first elections in September 1961, and Rwagasore became Prime Minister. His assassination a month later by agents of the PDC split UPRONA and destroyed the national cohesion that he had sought to foster. Henceforth, Tutsi elites embarked upon a pre-emptive counter-revolution.

To contain tensions, the *mwame*, Mwambutsa, attempted to balance the proportion of Hutu and Tutsi in four successive governments between 1963 and 1965. However, Hutu candidates won new elections in 1965, only to find that the king chose to appoint a Tutsi prime minister. This provoked an attempted coup by Hutu army and gendarmerie officers, which was bloodily suppressed by troops led by Captain Michel Micombero. In the mayhem that followed, the *mwame* fled to the Congo, the army and gendarmerie were cleansed of all but a handful of Hutus, and the Hutu political class was virtually wiped out.

After initially serving as Prime Minister, Micombero overthrew the monarchy in 1966, and appointed himself President and leader of UPRONA. The suppression of another attempted Hutu coup in 1969 then set the stage for the massacre of up to 200,000 Hutus following a further insurrection in 1972, with a further 150,000 fleeing into exile.

Although Micombero's coup had extended Tutsi domination, the Tutsi ruling class was itself subject to divisions, as demonstrated by an attempted coup by non-southern Tutsi officers in 1971. Micombero survived this challenge, but in 1976 was overthrown by his cousin, Colonel Jean Baptiste Bagaza, who initially presented liberalizing reforms. However, these were swiftly exposed as a façade, and following an 'election' in 1982 in which Bagaza 'won' 99 per cent of the vote, his regime was guilty of gross abuse of human rights. The resultant withholding of development aid by donors, notably Belgium and France, was then a catalyst for a further coup, led by Major Pierre Buyoya (born in the same village as both

Micombero and Bagaza), who appointed himself President at the head of a government of whom only four ministers were drawn from the army.

The 1993 Elections and Transfer of Power

Buyoya relaxed political constraints and freed hundreds of Hutu political prisoners. However, after a fresh outbreak of violence in the north of the country in October 1988 in which a number of Tutsis were killed, some 20 000 Hutus died at the hands of the army, which on this occasion was restrained from relapsing into full-scale genocide by international pressure.

Subsequently, Buyoya responded to external demands for liberalization through a series of further reforms, not least the appointment of a Hutu prime minister and a government composed equally of Hutu and Tutsi ministers, which sought to rebuild national unity. Although opposed by Tutsi military hardliners, who chanced unsuccessful coup attempts between 1989 and 1992, Buyoya edged the country towards a new constitution, under which Tutsis would enjoy key protections as the country moved towards a return to democracy through elections in 1993.

The elections recorded a victory for a new party, *Front pour la Democratie au Burundi* (FRODEBU), which proved able to mobilize the majority of Hutu, included followers of the outlawed Hutu nationalist PALIPEHUTU. Its leader, Ndadaye, handsomely defeated Buyoya (standing for UPRONA) in the presidential election, and assumed office at the head a new government of national unity which incorporated representatives of both ethnic groups.

Remarkably, the 1993 elections had provided for a peaceful transfer of political power from a Tutsi to a Hutu president. However, Tutsi dominance of the army remained intact.

The Creeping Coup and Civil War

On 21 October 1993, a small group of officers attacked the presidential palace in Bujumbura and assassinated Ndadaye and high ranking officials of FRODEBU, including the Speaker and Deputy Speaker of Parliament (who were constitutionally next in line to succeed to the presidency). However, the coup lacked the backing of key elements of the military, who were influenced by strong international and donor condemnation. Hence it was that the FRODEBU-led government remained in formal control. Nonetheless, the death of Ndadaye unleashed revenge attacks against Tutsi across the country, provoking a backlash by the army.

In the subsequent power vacuum, opposition Tutsis, with the complicity of the army, undertook what amounted to a 'creeping coup': supporters of FRODEBU were subjected to widespread intimidation via brutal 'pacification'; the government, notably FRODEBU, was accused of organizing a Tutsi genocide; UPRONA judges on the Constitutional Court declined to endorse the election of Cyprien Ntaryamira, formerly Minister of Agriculture, by the National Assembly, as interim President, provoking a crisis which resulted in the Assembly dismissing the Court and

declaring Ntaryimana President; and systematic violence by Tutsi extremists against Hutu politicians and civil servants, which the army did nothing to constrain, resulted in successive concessions to UPRONA and Tutsis within government.

In effect, the creeping coup restored the Tutsi elite to power under a Hutu president. In a situation of mounting Hutu anger, an uneasy peace was rendered yet more unstable by the death of President Ntaryamira when the plane in which he was traveling with President Habyarimana of Rwanda was shot down over Kigali in April 1994. The perpetrators of the attack were unknown, but the assassination of Habyarimana was the signal for the launch of the Rwandan genocide, which was only brought to a halt by the capture of Kigali later in 1994 by the Rwandan Patriotic Front (RPF), led by General Paul Kagame at the head of an army of Tutsi exiles and Hutu opponents of the genocidal regime.

Alarmed by the horror in Rwanda, Burundian Tutsi were hugely assured by the victory of the RPF, even whilst they conceded a further presidency to FRODEBU in the person of Sylvestre Ntibantunganya under the terms of a compromise brokered by the UN in September 1994. However, the ‘creeping coup’ had alienated more radical elements of FRODEBU, who in August had created the *Conseil national pour la défences de la démocratie* (CNDD) with the *Force pour la defense de la démocratie* (FDD) as its military wing. The fragmentation of both FRODEBU and UPRONA into myriad smaller parties, many with radical agendas, fanned the flames of division and plunged Burundi into a decade of civil war.

The Arusha Negotiations: The African Effort to Restore Peace

In August 1995, the UN Security Council passed resolution 1012 which mandated an international commission to make recommendations for bringing to justice persons guilty of offences against humanitarian law in Burundi and for promoting national reconciliation. However, despite this international engagement, the crisis continued to worsen. Erstwhile supporters of FRODEBU and other Hutu militants were now arguing that the Tutsi political class had to be militarily defeated if Hutus were to enjoy democracy, and their sentiments were endorsed by the thousands of displaced Rwandan Hutus who swelled the refugee camps in Zaire and Tanzania. Their ready access to arms and the resulting provocative activities of Hutu militias persuaded Ntibantunganya to move the army against them. This provided the latter with licence to engage in uncontrolled action against the Hutu population, which became increasingly alienated from the government. By mid-1996, some 150,000 people had been massacred over the previous three years. However, whilst the UN warned of the dangers of impending full-scale civil war, the Burundian army rejected any external intervention.

Ntibantunganya had encouraged international efforts to prevent the descent into outright war. Through the offices of former US President Jimmy Carter and the OAU, Julius Nyerere - who had retired from the Tanzanian Presidency in 1985 and whose contacts with Burundian politicians went back to the 1960s – emerged as the most acceptable candidate to lead a peace mission. Following extensive contacts

with the Burundian government, parties, army and civil society, as well as key international actors, Nyerere convened early meetings between FRODEBU and UPRONA in Mwanza in April and May 1996 to begin negotiations. These made no progress, as the former declined UPRONA's demands that it condemn the Hutu militias, and the latter refused Nyerere's insistence that the government treat with the rebels. However, at Nyerere's instigation, regional heads of state called a summit on Burundi in Arusha.

Arusha I: June-July 1996

Smaller parties, as well as UPRONA and FRODEBU were invited to the summit, at which Nyerere and Presidents Museveni of Uganda and Mkapa of Tanzania persuaded a reluctant Ntibantunganya to accept the intervention of a regional peace-keeping force. However, this was a step too far for the army, which on Ntibantunganya's return to Bujumbura removed the government, and once again installed Buyoya as president, citing the need to restore order.

Regional leaders denounced the coup, yet made no moves to dispatch an intervention force, partly because they were reluctant to pit their armies against the Burundian military, partly because Nyerere had ascertained that the necessary logistical support from the UN would not be forthcoming. Reluctantly, therefore, regional leaders accepted Nyerere's insistence on talking to Buyoya, which they proceeded to do at a reconvened summit on 31 July 1996. It was there that they decided upon the imposition of a blockade of Burundi, stating that it would only be relaxed with the restoration of constitutional order. This provoked the withdrawal of the Burundian government from the negotiations, and inflamed Tutsi allegations that Nyerere was partial to the cause of the Hutus.

The Road to Arusha II, August 1996-June 1998

Whilst denying he was reacting to external pressure, Buyoya attempted to reach his own internal settlement. He lifted the ban on political parties in September 1996 and announced the reinstatement of the 1993 Assembly, and opened unilateral talks with rebel forces, including the CNDD. When these deadlocked in May 1997, he opened negotiations with FRODEBU elements who had remained in Burundi. These culminated in FRODEBU rejoining the government, albeit at the cost of an internal split and condemnation by external members of the party.

Nyerere concluded that without sanctions, parties would have remained banned, parliament would have remained in abeyance, and the CNDD would have been actively collaborating with the Interahamwe (the genocidal, Rwandan Hutu militia). He therefore insisted on a continuation of the blockade, to which at last Buyoya responded by agreeing to re-engage with regional governments at a second round of negotiations in Arusha beginning in June 1998. These were attended by 19 delegations from Burundi, 17 from political parties, and one each from government and the National Assembly. Also present, reflecting regional concern, were Presidents Museveni, Moi (Kenya), Bizimungu (Rwanda) and Mkapa, along with the Prime Ministers of the Ethiopia and the DRC.

Arusha II: July 1998-August 2000

Nyerere's wish was to bring Burundians together from across the political spectrum. However, the attempt to make the talks fully inclusive fell down when early efforts to bring in significant armed groups failed. The difficulty lay with divisions within both the CNDD and PALIPEHUTU, when factions commanding the loyalty of the bulk of their armed wings, the FDD and *Forces national de liberation* (FNL), broke away from their own representatives at Arusha. Unable to break a deadlock within the rebel ranks as to who should represent them, Nyerere ultimately chose to recognize the existing leaderships and to exclude those who had turned against them. This was a crucial moment, for the major elements of the FDD and FNL now remained at war, at odds with the Arusha process.

Serviced by officials from the Mwalimu Nyerere Foundation, Tanzanian civil service and confidantes of Nyerere, the talks made uneven progress, constrained by the absence of the larger faction of the FDD and FNL as well as reservations which Tutsi delegations continue to harbour about Nyerere.

Nyerere's death in October 1999 provided the opportunity for a new mediator who could rise above the suspicions of the different participants. The choice fell upon Nelson Mandela, who had recently stood down from the South African presidency. He came with the considerable advantages that, as well as being a regional outsider, he was famed as a reconciler of opposites as demonstrated by his key role in negotiating the South African settlement (1990-94). Less expected by the Burundians was his toughness, and his bluntness in blaming fractious politicians for squabbling when thousands of people were dying. He rapidly gained respect for even-handedness, for condemning the government's policy of *regroupement* for civilians (whereby they were separated from the rebel groups they supported), and for being equally vocal in his criticism of rebel groups for ignoring cease-fires and killing civilians.

Mandela was insistent that renewed efforts be made to include the excluded rebel groups in the peace process. This resulted in early talks with both the CNDD-FDD and FNL, and won the praise of Buyoya, who agreed to meet the rebels in SA. However, Mandela's efforts to draw them into an agreement ran up against their constant prevarications, and he too eventually resolved to proceed without them. However, his determined efforts to achieve their participation greatly enhanced the legitimacy of the subsequent Accord, and weakened the standing of the rebels internationally.

Mandela used a mix of international pressure, arm-twisting and argument to propel the talks to a conclusion. Whilst cautious in the use of the South African analogy, he was more prepared than Nyerere to analyse the Burundian conflict in ethnic terms, and hence to advocate ethnic, power-sharing solutions. Crucially, too, borrowing from the South African negotiation process, he introduced the notion of 'sufficient consensus', thereby depriving small parties of the ability to block progress in committees. He also stressed the importance of international financial assistance for addressing humanitarian and development needs, using the carrot of a donor's conference (held in Paris in December 2000) to impress upon Burundian

delegations the prospects for a better future. Furthermore, he imposed a deadline for signing the agreement of 28 August 2000, and overcame all sorts of tactics devised by various delegations (notably Tutsi hard-liners) to prevent it going ahead. In the event, only 13 out of the 19 delegations acceded to the accord on the chosen date, at a ceremony attended by US President Clinton as well as by Salim Salim, General Secretary of the OAU, regional heads of state and Deputy Vice-President Zuma of SA (who was soon to build upon Mandela's work).

The six parties which stayed out were Tutsi-dominated ones, but after being roundly condemned by Mandela and subjected to regional pressure, they too added their signatures to the Agreement at a further summit in Nairobi on 20 September.

The Arusha Accord

The Agreement provided for:

- a transition led by an interim government to culminate in democratic elections
- the creation of a Senate and amendments to the composition of the existing National Assembly
- judicial reform to decrease Tutsi domination
- military reform to decrease Tutsi domination and facilitate the integration of rebel armed forces into the army
- the establishment of a Truth and Reconciliation Committee
- An international military force to assist the management of the transition; and
- An independent investigation into alleged crimes of genocide.

The Accord provided for a 30 month power-sharing, but many of the details of a transitional constitution were not decided until after it had been signed. After tortuous negotiations, during which Mandela impressed upon Hutu parties the necessity of allaying the fears of the army, it was agreed that Buyoya would act as interim president for 18 months from 1 November 2002, with Domitien Ndayizeye of FRODEBU serving as Vice-President and then succeeding him on 1 May 2003.

The Post-Arusha Peace Process

Following the signing of the Accord, Mandela sought to secure a cease-fire while preparing the ground for the establishment of the transitional government. It was during this period that SA began to assume a more central role.

South Africa's Centrality to the Burundian Peace Process

While operating with the support of his Government, Mandela had undertaken his role as mediator in his personal capacity. However, following the signing of the Accord, the South African presidency was to become centrally involved in the Burundian peace process. There were two principal reasons.

First, Mandela had managed to persuade President Mbeki to agree to the deployment of South African troops as the key component of the international military force on the grounds that no other African countries had either the capacity or willingness to undertake this key role. (Senegal, Nigeria and Ghana had all declined to participate in the absence of a cease-fire.) In October 2001 it was therefore announced that SA would dispatch two battalions (around 1,500 troops) to Burundi.

Second, it was recognized by Mbeki that the peace process in Burundi was a vital accompaniment of SA's concurrent initiative to mediate peace in the DRC. This major exercise was to culminate in the Inter-Congolese Dialogue, which began in February 2002 and was brought to a conclusion in March 2003 with agreement of competing DRC groups on an interim constitution, this following agreements by both Uganda and Rwanda to withdraw their troops from that country. In this context, the bringing of peace to Burundi and the neutralization of its domestic politics was seen as a significant contribution to the cause of stability throughout Great Lakes.

The first detachment of South African troops arrived in Bujumbura in November 2001. Their specific role was merely to provide protection to formerly exiled politicians who were returning to the country. They had to overcome both the suspicions of the Burundian army, which was concerned that they would impinge upon its autonomy, and of the rebels, who were to go on to accuse them of operating in *de facto* alliance with that military! In the event, the South African contingent earned a reputation for neutrality, and established a co-operative relationship with the local population in Bujumbura. It was therefore able to avoid all but minor entanglements with forces on either side of the divide. However, while it clearly played a stabilizing role, its extremely limited mandate meant that at this stage it could not play a more extensive peace-keeping role, and could do nothing to provide protection to civilians during occasions when the capital and its environs became a battleground between army and rebels. However, in terms of the Accord, the SA contingent was to be reinforced by troops from Ethiopia and Mozambique, and to form the core of the AU's African Mission in Burundi, which in time would assume responsibility for preserving peace between army and militias, and overseeing the restructuring of the military.

The South African military role was accompanied by Deputy President Jacob Zuma picking up the baton as facilitator of the Burundi peace process. Together with regional leaders, he had no illusions that the signing of the Arusha Accord merely provided a foundation for progress, and that no settlement would be viable unless the various rebel groups could be brought home to participate in the transition. The subsequent peace process was one of bewildering complexity, characterized by broken promises, violated cease-fires, and continuing war between rebel groups and the transitional government which continued to bring untold misery to the population.

Early Efforts to Stabilise the Transition

Over 20 meetings, between September 2000 and early 2003, hosted variously by SA and/or regional governments sought to address the failure of armed rebel groups to join the Arusha process. However, these efforts were to be complicated by divisions amongst the rebels themselves. These latter were differentiated into four principal groups:

- *The original CNDD-FDD led by Jean Bosco Ndayikengurukiye:* this was rejected by a dissident faction led by Jean-Pierre Nkurunziza, following a summit in Pretoria in October 2001. Ndayikengurukiye's faction was more amenable to joining the Arusha process, and eventually agreed to a cease-fire in September 2002, following which its leader and senior officials returned to Bujumbura to participate in the transition.
- *A small faction of the PALIPEHUTU-FNL led by Alain Mugabarabona:* this joined with Ndayikengurukiye's CNDD-FDD in agreeing to a cease-fire in September 2002 and returning to Burundi.
- *The major faction of the CNDD-FDD under Nkurunziza:* during negotiations this argued variously that the facilitation team should recognize it as the legitimate CNDD-FDD and refuse to deal with Ndayikengurukiye, and that they could only conclude a deal with the Burundian army, which they argued was the power behind the transitional government. However, Nkurunziza's objection to dealing with the latter was largely pragmatic, and during its multiple meetings with facilitators, his CNDD-FDD appeared less opposed to the principles embodied in the Arusha Accord than it was concerned to use its armed strength to secure a favourable political and military position relative to both UPRONA, its rival Hutu parties and the army. Hence whilst it was involved in numerous sets of talks, and actually signed a cease-fire agreement with the government in December 2002 (which it swiftly suspended on alleged grounds that the army was continuing hostilities), it continued thereafter to play for time and position, whilst managing to convey the impression that it was ready to end its war if the government made sufficient concessions.
- *The major faction of the FNL under Agathon Rwaswa:* Embodying various millenarian religious elements, and close to the position of the Rwandan Interahamwe this grouping was the most intractable (albeit smaller than Nkurunziza's CNDD-FDD). While at times they were drawn into official or unofficial talks with facilitators, it held strongly to the position that the transitional government was dominated by Tutsis, that Hutu parties which had joined it were sell-outs, and that it would only negotiate with the Burundian army.

The sum of these parts was that well over two years after the signing of the Accord, the two major rebel movements remained at war with Bujumbura. It was therefore not surprising that SA and the regional presidents placed so much emphasis upon the implementation of the transitional process within Burundi.

The Transitional Government: From Buyoya to Ndayizeye

The government which took office under the continued presidency of Buyoya on 1 November 2002 was composed of a coalition of Group of Seven (G7) parties (Hutu) and Group of Ten (G10) (Tutsi) parties, but centered around UPRONA and FRODEBU. Implementation of the Accord was slow, as the attention of the government was distracted by both the external negotiations with rebels and fears that the army would intervene to prevent the scheduled transfer of presidential power to Vice-President Ndayizeye. Consequently, in the lead up to the handover, which was deemed to be symbolic of a new era of ethnic power-sharing, enormous pressure from SA, the regional presidents and the local representatives of the AU, EU, UN agencies and the US was put upon Buyoya to ignore the blandishments of those among the military and the Tutsi political class who wanted him to stay on. Ironically, however, the Hutu rebel movements seemed just as eager to prevent the transition in order both to undermine the Arusha process and weaken FRODEBU by depicting it as subject to Tutsi domination. Hence it was that in the weeks and months preceding the appointed date for the presidential transition, the level of violence around the country increased, with major assaults being launched by the rebel movements, notably the FNL, upon the capital. This in turn meant that, in order to stem a drain of support from FRODEBU to the rebels (especially the CNDD-FDD which was floating the idea of a new, pan-Hutu party to challenge Tutsi might), Ndayizeye himself needed to flex his own muscles within government, rendering the latter yet more fragile.

Buyoya himself recognized the gravity of the situation, and matched public announcements that he would indeed stand down with gestures of assurance to Tutsis. He also nominated an UPRONA candidate for Vice-President after 1 May, and announced he would retire to the Senate whilst preparing a bid for a return to the presidency in future elections. Hence it was that, amidst a highly combustible mix of diplomatic fanfare and political tension, Domitien Ndayizeye ascended to the Presidency on schedule.

Ndayizeye rapidly took moves to convince skeptics of the substance of his power. A key plank of his strategy was the drafting of a new electoral law in preparation for the election due to be held, according to the Arusha schedule, at the end of October 2004. Many argued that, in the absence of a proper cease-fire, this was premature and designed by UPRONA and FRODEBU to further their own interests. However, its passage subtly changed the dynamics of power, for whilst it would be clearly impolitic to conduct an election which excluded the rebels, it placed pressure upon the latter to join the electoral process for fear that, if they did not, FRODEBU in particular would be stealing a march upon them in terms of electoral organization. Meanwhile, a start was made to the cantonment process envisaged by the Accord, whereby soldiers from the armed militias would be encamped prior to their demobilization or their integration into a reformed army.

Importantly, too, the presidential transition was accompanied by the return of some few thousand refugees from Tanzania ahead of an official repatriation plan. To be sure, their return was more than offset by forced internal population

movement, notably the flight of many thousand more civilians from their homes to the towns to escape clashes between the army and the CNDD-FDD (in the north) and FLN (in the south-east). However, the key point about the refugees' return was that it signified increased pressure upon the CNDD-FDD (hitherto allowed informal freedom by Tanzanian authorities to use refugee camps as rebel bases) to throw in their lot with the transitional government. This in turn was merely a reflection of the growing impatience of regional leaders for a wider, peaceful settlement.

From Impasse to Inclusion?

After the failure of the government and the CNDD-FDD to implement their December 2002 cease-fire, they were subject to major pressures from SA and the Regional Initiative to resume peace talks. However, the protagonists remained deeply divided over the status of the Arusha Accord, the government insisting it was a satisfactory framework for a settlement, the CNDD-FDD insisting that it needed to be renegotiated. Meanwhile, both the CNDD-FDD and FNL raised the stakes by a series of attacks upon the government throughout the country, this climaxing in a week long, assault up FNL on Bujumbura in July 2003.

The intractability of the rebels hardened the regional resolve. Indeed, Uganda and Tanzania were by now veering towards a military solution, whereby a regional force would be deployed against the FNL and the Burundian Government and the CNDD-FDD would be cajoled into resolving their differences (a stance which implied accession to Nkurunziza's insistence that the Arusha Agreement be opened up to provide for a new charter of transition). In contrast, SA backed Ndayizeye's position that the CNDD-FDD should seek to gain access to the transitional government as presently constituted.

These differences were deepened through early 2003, as Museveni in particular sought to convince Zuma that deployment of a regional force would balance and strengthen the African Mission in Burundi. A military solution to defend the Burundi peace process would simultaneously pressure the FNL whilst reassuring the CNDD-FDD, which accused the SA military involvement of being pro-Tutsi. In contrast, Zuma argued that such a regional force would inflame hostilities, and efforts should rather be geared to strengthening the African Mission (a view which gained support from Rwanda, which was anxious to contain any extension of Uganda's regional influence). These contrasting perspectives were to accentuate tensions at a regional summit in Dar es Salaam in July 2003 at which, although it was agreed immunity would be granted to representatives of the CNDD-FDD enabling them to work with a Joint Cease-fire Commission in Bujumbura, it was only with difficulty that SA contained Ugandan and Tanzanian urgings that if the government and rebels could not negotiate an end to the conflict, peace should be imposed by force.

What Ugandan and Tanzanian militance did do was to shift the government towards significant concessions. During the weeks that followed, intense negotiations ensued during which the government agreed to increase the number of ministries and other senior political positions on offer to the CNDD-FDD, whilst also indicating that it was prepared to offer up to 50 per cent of positions in the

army to the rebel movement. These and other potential carrots then set the scene for consultative talks in SA in August between Ndayizeye and Nkurunziza designed to lead up to a regional summit. At this encounter, negotiations faltered over the CNDD-FDD's demand for a second Vice-Presidency (which was symbolic of wider differences around 'power-sharing', notably about the structuring of military reform).

Postponed by the discord, the regional summit was at last convened on 15-16 September 2003, and brought together the presidents of SA, Tanzania, Uganda and Mozambique to finally secure agreement between the government and the CNDD-FDD. Major preparatory work had been done to narrow gaps, and the mediators put forward a proposal whereby the CNDD-FDD would be awarded 40 per cent of the seats in parliament and 40 per cent of posts in the army, whilst there was an added suggestion that Nkurunziza might be awarded a specially created post of Prime Minister. However, Nkurunziza rejected this suggestion, and stuck to his demand for a Second Vice-Presidency, this prompting a walk-out by Ndayizeye.

The reasons for the summit's collapse were threefold: first, although Ndayizeye was increasingly desperate to draw the CNDD-FDD into the transition, he was wary about rewriting the transitional constitution and upsetting the delicate ethnic balance that had already been obtained. Second, he was determined to provoke the international community into providing adequate financial support for the African Mission, hitherto largely dependent upon South African largesse, whose credibility had hitherto been undermined by the inability of Ethiopia and Mozambique to deploy promised forces for financial reasons. Finally, the CNDD-FDD remained anxious vacating the field of battle to the FNL. Hence it reckoned that playing for further time, would see the FNL subject to military action by the African Mission, Burundian army and regional governments, while simultaneously Ndayizeye would be forced into making further concessions.

The intransigence of both Ndayizeye and Nkurunziza reckoned without the determination of the SA government, which in October 2003 brought the two leaders together in Pretoria and subjected them to major arm-twisting. Both now made further concessions: Nkurunziza dropped his demand for a second Vice-Presidency, while Ndayizeye now allowed for increased representation of the CNDD-FDD in government, and conceded the abolition of the *gendarmerie* (a particular object of rebel hatred) and its merger into the army and police.

The outcome was momentous, for on 8 October 2003 the government and CNDD-FDD agreed to implement the cease-fire of December 2002 and signed a Protocol on Political, Defence and Security Power Sharing in Burundi. This provided for CNDD-FDD joining the transitional government on a basis whereby, inter alia: the CNDD-FDD would have four ministries, one of whom would be a Minister of State, who would rank third in seniority to the Vice-President and who would be consulted on all key matters; CNDD-FDD combatants would move to areas designated by the Joint Cease-fire Commission under the supervision of the African Mission, as would the Burundian Army (save for exemptions relating to 'necessary security tasks'); a newly integrated army would draw 60 per cent of officers from the existing army and 40 per cent from the CNDD-FDD, although

command posts would be allocated on the basis of a 50:50 ethnic balance; new police and intelligence forces would be restructured according to a broadly similar basis; and provisional immunity from prosecution for political crimes would be granted for both the CNDD-FDD and government security forces (perhaps subject to later provisions of a commission for truth and reconciliation). The agreement received international acclaim, and drew the explicit backing of international community as preparations were now made for the CNDD-FDD to join the transitional government.

Yet the problem remained that the FNL remained outside the deal, prompting critics to argue that Arusha remained a shaky foundation for peace. Their doubts were reinforced by the repudiation of the latest agreement by the FNL and its launch of a further round of violent attacks upon the government. These included another major assault upon Bujumbura, during which FNL fighters also now began to attack the CNDD-FDD.

However, the gloom was fairly rapidly to lighten with the news in January 2004 that the FNL had agreed to meet with Ndayizeye. This major turn around was prompted by the international furore which had greeted the assassination in December of the Papal Nuncio to Burundi, Monsignor Michael Courtney, who had been hugely respected for his humanitarian work and commitment to peace. Although it stridently denied responsibility, the FNL met with a barrage of condemnation that illustrated its increasing isolation.

The encounter, facilitated by the Dutch Government, took place in the Netherlands and represented a major reorientation by a movement which had long insisted that it would only treat with the country's Tutsi political and military leadership, even though the FNL insisted that it was meeting Ndayizeye as 'Father of the Nation' rather than as president. Nonetheless, a statement was issued which announced that a climate of dialogue should be promoted between all parties to bring an end to the violence. This appeared to be a major advance which was suggestive that the Burundian conflict had reached the beginning of the end.

Crises on the Road to an Uncertain Finale

In December 2003 Deputy President Zuma had declared the peace process 'irreversible' and made an urgent plea for increased and direct international assistance. His promptings resulted in pledges of more than \$1 billion in aid from the European Union, World Bank and other players (albeit subject in reality to the FNL actually joining the peace process) and a February 2004 trip to Burundi by a UN evaluation team which recommended the conversion of the African peace-keeping mission in the country into a UN operation. It was subsequently announced that from 1 June, the African Mission in Burundi would become UN troops, which within a matter of months would increase to some 5 650 from Pakistan, Nepal, Angola and Mozambique as well as SA alongside some 200 military observers, 125 staff officers, up to 120 civilian police and additional personnel.

This augured well, yet as the time-table relating to the transition became compressed, so major players began to recalculate how they should play the end-game. However, the stakes they were playing for suddenly increased by an

overflow into Burundi of violent instability from the DRC. In short, the CNDD-FDD began to present itself as the future government; FRODEBU began to back pedal and play for time; the FNL resumed its efforts as a spoiler; and UPRONA and smaller Tutsi parties urged a reconfiguration of power-sharing in their favour.

A major factor in propelling the CNDD-FDD into the transitional government when it did had been fear that, were it to delay, it might lose political ground to the UPRONA-FRODEBU coalition in the run-up to an election. However, in climbing abroad the Arusha Agreement, it played a dual game. On the one hand, it successfully presented itself as the dominant party representative of Hutus, and within weeks, it was manifestly draining support from FRODEBU, inclusive of major floor-crossings from the latter within parliament. This was combined with tactics of brinkmanship which, *inter alia*, saw it temporarily withdraw from the transition in protest against the alleged failure of the government to honour the terms whereby it had joined the peace process. The government's favourable response to its demands was sufficiently speedy to prevent severe damage to the transition, yet simultaneously underlined FRODEBU's declining authority. Meanwhile, on the other hand, the CNDD-FDD's adherence to required demilitarization procedures was deliberately tenuous. It worked jointly with the army in various operations against the FNL, and collaborated with the military in devising and implementing integration (even though there are indications that the latter led to the formation of parallel rather than unified command structures within the armed forces). Yet at the same time, the CNDD-FDD challenged the nature of the prescribed cantonment process by assembling its forces at places of its own choosing rather than at sites determined by the Joint Cease-fire Commission, thereby increasing its chances for political mobilization of its supporters around the country. To put it another way, the CNDD-FDD seemed to be positioning itself ambiguously, prepared to accept a political settlement if it secured an electoral victory, but prepared to return to the bush if a political outcome was not to its liking.

For its part, the weakening of FRODEBU's position within the transitional government saw Ndayizeye seeking to postpone the intended election beyond the end-of-October date prescribed by the Arusha Agreement. He put this request to a regional summit held in Dar es Salaam on 7 June 2004 and at successive meetings in Pretoria. There were a host of sound logistical reasons for postponing the contest, for running an election for which virtually no preparations had been made in a war torn country was likely to be as difficult as it would be dangerous. As it happened, the regional leaders – as guarantors of the Arusha process – remained adamant that the election would have to proceed, clearly concerned that if they upset the prescribed timetable they would provide excuses for the Tutsi parties and others to cry foul. Yet as time moved on, without a resolution to outstanding problems, the election timetable was to look increasingly impossible, hence allowing FRODEBU more time to calculate whether it wanted to retain its links with UPRONA and Tutsi parties by playing up to its reputation as the party of 'moderate' Hutus, or to use its control of the governing apparatus to strengthen its position relative to the CNDD-

FDD, hence increasing its leverage to negotiate a larger role within a post-election power-sharing coalition.

For the FNL, the stakes in the end-game were even higher. Although now talking to both Ndayizeye and the regional negotiators, the FNL was continuing to reject the Arusha Agreement as a basis for peace. Yet as the deadline for elections grew nearer, and the possibility of a power-sharing agreement fully inclusive of the CNDD-FDD loomed larger, so did the prospect of its being completely shut out of the process – by the army, by a probably CNDD-FDD post-election led government, and by regional leaders. It therefore now sought to enlarge its room for manoeuvre by polarizing the Arusha parties along ethnic lines, undermining the basis for power-sharing, delaying the election and thereby wrecking the peace process.

It was enabled to do this in large part because of a highly volatile situation within the DRC, where a post-Mobutu, post-Laurent Kabila transitional government, composed of President Joseph Kabila's *Parti pour la Reconstruction et le Développement* (PPRD), the Ugandan backed *Movement pour la Liberation du Congo* (MLC) and the Rwandan backed *Rassemblement Congolaise pour la Democratie* (RCD) had taken office in July 2003 following protracted negotiations in Pretoria. The transitional package included an agreement between the DRC and Rwanda whereby the latter would withdraw its troops from Congolese territory (where they had supposedly be safeguarding the Tutsi interest) and the dismantling of the Interahamwe militia. In turn, this implied a sharp reduction in, or prevention of, covert political and logistical support by Kabila to the FNL, and hence had added considerably to the pressures upon the latter to join the Arusha process. However, by mid-2004 the transition had been threatened by dissidence emanating from a faction of the newly integrated army which was loyal to the RCD, which alleged that government forces dispatched to the Bukavu region in north-eastern DRC were intent upon genocidal actions against the Banyamulenge (Congolese Tutsi who had looked previously to Rwanda for protection against the Interahamwe. These allegations were strenuously repudiated by the transitional government, whose stability was sorely threatened. However, it was during this period of acute uncertainty within the DRC that, on 13 August 2004, the FNL – alongside the Interahamwe and Congolese Mai-Mai militias – launched a raid upon a refugee camp in Burundi, a few kilometers across the Congolese border from the town of Gatumba, during which they massacred some 160 Banyamulenge refugees who had fled the disturbances in DRC. Although claiming that they had been responding to hostile fire from the refugee camp (which was only 500 meters away from a Burundian army post), the FNL was immediately accused by Tutsi parties within Burundi of seeking to foment a further genocide.

The FNL's intent appears to have been to threaten the Arusha end game by stoking ethnic fears. They most certainly succeeded in alarming influential Tutsi, thereby enabling UPRONA and the smaller Tutsi-based parties to threaten the Arusha timetable by now stepping up their demands for greater protection of the Tutsi interest in a post-election, transitional government. As noted, the power-sharing negotiations which had led up to the signing of the Arusha Accord had featured agreement that Tutsis should enjoy 40 per cent of positions within

government and the state for at least the first five years of a post-election transition. However, UPRONA now saw this agreement threatened by pre-transition political dynamics which had seen the CNDD-FDD – as the likely major post-election force – attracting a significant number of Tutsi supporters to cross the floor of parliament. UPRONA now declared that Tutsis who had crossed over to the CNDD-FDD could no longer serve the Tutsi interest, and immediately upped their demands for constitutional protections, and demanded that it not only be guaranteed by the award of a Vice-Presidency with powers of co-management with the President, but that it should also be awarded all the 40 per cent of seats allocated to Tutsis in Parliament.

In contrast, the CNDD-FDD challenged UPRONA's monopoly right to represent Tutsis, and insisted that any allocation of positions in advance of the election would short-circuit the will of the voters. At subsequent emergency meetings in Pretoria in August 2004, UPRONA became subject to major South African pressure and withdrew to a demand that it should be guaranteed only 70 per cent of the 40 per cent of seats allocated to Tutsis, yet nonetheless departed the conference complaining that its concerns had not been properly addressed. The South African position appeared to be that if a recently appointed Independent Electoral Commission could get the election process rolling, the details of future power-sharing would come to take second place to campaigning. However, whilst SA appeared to be backed by the regional powers and the UN, AU and EU, planned meetings to confirm the election timetable were postponed, and at time of writing (early October 2004), it is evident that more time will be required to resolve outstanding political issues.

The Dynamics of Peace Making in Burundi

The peace process in Burundi remains incomplete and fragile. Nonetheless, the prospects for a settlement of this peculiarly vicious conflict appear considerably brighter than at any time before. The principal factors that have brought this about are as follows:

Forceful and Determined African Diplomacy

Although at times evincing different interests and strategies, regional countries have been alert to humanitarian tragedy and the threat to wider regional stability represented by the conflict in Burundi, especially against the background of the genocide in Rwanda in 1994. For this reason, Uganda and Tanzania in particular took the lead in convening the process which eventually led to the agreement in Arusha. In pursuit of this objective, they were hugely assisted by the contrasting, but ultimately complementary skills of the chief mediators, former Presidents Nyerere and Mandela. Whilst the former used his intimate knowledge of both Burundian and regional dynamics to propel unwilling participants into talking with each other, Mandela was able to build upon his platform by bringing his massive

moral prestige into play, backed by a muscularity and impatience with prevarication that was unexpected by the continuously fractious, competitive and mutually suspicious political groupings. He was also advantaged by his being an outsider, which ensured that his mediation was freed of the suspicions of partiality that (unfairly) dogged Nyerere's diplomacy.

The signing of the Arusha Accord, imperfect and incomplete though it was, constituted a major achievement. Of course, as its critics were constantly to point out, its exclusion of the various rebel movements imposed major limitations to the peace process. However, in the fluid situation of distrust which pervaded the long-running negotiations, the Accord established a framework of reference which, because it had been so difficult to hammer out, and because there was no obvious replacement for or improvement upon it, earned the support of regional governments as well as the parties which had acceded to it. In short, the enormous, multilateral diplomatic investment which it represented provided the backbone to African efforts to secure peace which were carried on through a succession of over twenty major meetings in five different capitals over the three years.

The South African Role

South Africa's involvement in the Burundi process proved critical. South Africa was deemed by most parties to be an honest and neutral broker, and one which was prepared to commit to peace through its deployment of troops, the cost of which it bore largely itself (despite vague promises of recompense by the UN and EU). Importantly, too, South Africa's leadership was encouraged by the international community (notably the UN, AU, EU and IMF/World Bank), which although largely sitting on the sidelines, made indications throughout the successive phases of negotiations that financial, humanitarian and development support would be forthcoming if sustainable progress towards peace could be achieved. South Africa's determination to secure a settlement was also upheld by Mbeki's vision of African renaissance and Pretoria's key role in winding down conflict throughout the Great Lakes.

The Confluence of Transition in the DRC

South Africa's engagement in Burundi was regarded as complementary to Pretoria's efforts to bring an end to the even more complicated, internationalised conflict in the DRC. Eventually, the progress towards a settlement in the latter country undermined the basis for continuation of conflict in the former.

The transitional government, headed by President Joseph Kabila, had taken office in July 2003 following protracted negotiations in Pretoria. In Rwanda, a month later, President Kagame and the RPF were confirmed in power by the outcome of the first, post-genocide general election (with doubts about the fairness of the poll being subordinated to wider concerns for regional stability). These developments ensured that the governments of both the DRC and Rwanda now had a firm interest in ending regional conflicts. Most certainly, the continuing tensions between the government and RCD in the north-east of the country pointed to the

acute fragility of the settlement. Whilst versed – dangerously – in ethnic terms which threatened to exacerbate the Hutu/Tutsi fault line regionally as well as nationally, in reality this reflected the divergent agendas of diverse elites within the government, and within the parties of which it was composed. Often, these revolved around their continuing ability to preside over the extraction of minerals and other resources from informally defined geographical areas in a post-transitional state (Lumumba-Kasongo 2004). Whilst, notionally, constituting a transition to democracy, political change in the DRC is *at best* likely to lead towards a détente of elites and an absence of war in the short term, with the longer term hope being that a consolidation of non-war could lead to the betterment of ordinary peoples' lives via economic growth, improved human rights and greater freedoms of political activity. For Burundi, the importance is that the commitment which has been made to the DRC's transition by SA and regional governments, increasingly backed up by international agencies, promises to cut off political and logistical oxygen to the FNL, and to confirm pressure upon all other parties to the Arusha process to participate in the forthcoming election, accept the logic of post-transitional power-sharing and pledge to peace.

War Weariness

Finally, and crucially, both the rebel movements and the army have become increasingly aware that the Burundian population is desperate for the cessation of armed conflict. Individual rebel soldiers have increasingly begun to slip away from their armed movements to seek assistance from humanitarian agencies, neighbouring countries are increasingly eager to repatriate refugees (who are correspondingly keen to return home), and civil society organizations, weak as they are, are increasingly asserting their support for a settlement. Politicians and soldiers who have benefited from the fruits of a war economy are increasingly turning their attentions to the prospective material gains of peace.

A Political Solution for Peace

Mamdani (2002) has proposed that the extent of the tragedies in both Rwanda and Burundi is an outcome of the *racialisation* of the identities of Hutu and Tutsi under colonialism. Rather than being fragmented into diverse ethnic identities, the Hutu were construed as a single mass of indigenous 'Bantu', whilst the Tutsi were constructed as a superior 'Hamite' race under the aegis of the colonial state. Hutu extremists were therefore able to represent Tutsis as aliens and settlers who had no right to citizenship, and therefore had to be expelled or exterminated.

As a contrast to Hutu extremism, Mamdani cites the inclusive African nationalism which refuses to recognize the political salience of race and which awards citizenship upon the basis of residence and a common humanity. In East Africa, this tendency was most clearly exemplified by Nyerere and in South Africa by Mandela. It is no coincidence that together they are the principal architects of the

hoped-for, democratic settlement in Burundi, which if it is to prove sustainable, must be based upon the acceptance by both Hutus and Tutsis of their common citizenship and humanity.

Note

- 1 For detailed sources concerning events and developments, see Bentley and Southall (2004).

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Chapter 14

A Sustainable Peace? Sierra Leone

Bruce Baker and Roy May

Background

In January 2002 President Kabbah officially declared Sierra Leone's ten-year civil war to be over. Yet though the gunfire, maiming, raping and looting have ceased, the peace remains fragile, even as the state itself remains fragile. The two, of course, are connected. The Sierra Leone state has a key role to play in preventing a reoccurrence of conflict and if it falters, the peace itself is likely to unravel. Not only has its military to deter inter-group antagonism groups and anti-state insurgency, but its policies have to facilitate an economy that will provide employment and its administration has to be free of the corruption and neglect that provoked rebellion before. All these have to be built from a weak economic, social and political base: it has a very small revenue base; the psychological and physical damage wrought by the war are far from repaired; and the practices of democratic politics and good governance are not habituated after decades of self-regarding rule. How the people, security forces and donors evaluate the achievements of the new peacetime government is going to be crucial to sustaining peace. Most commentators make a positive assessment (e.g. 'The country is still poor and ill-governed, but it is no longer a charnel house so it has a chance ... Justice done on men who used to be untouchable [at the Special Court] could be the first step towards establishing the rule of law in a country that has never known it'.¹) but as the International Crisis Group (ICG) notes: 'Under circumstances like a UN-monitored peace, failed states can, often deceptively, appear to recover somewhat' (ICG, 2004: p.7). And a 'failed' state is just what Sierra Leone is, according to DFID's list of '46 failed states' and the World Bank's list of '30 low income states under stress'. In these circumstances it would not take much of a crisis to sweep away the peace. Any number of factors could precipitate the crisis: the people concluding that the new regime is a failure or as guilty of the injustice and disregard as earlier regimes; the security forces feeling that they have been marginalized or overstretched as a result of the withdrawal of UNAMSIL; growing discontent with corruption; the poor living standards remaining unchanged; the economic 'recovery' levelling off; reconciliation in its various forms proving superficial; or external donors growing weary of supporting a state that is not making enough effort on its own. A failed state that cannot rebuild itself will almost certainly see a failed peace. The chapter, therefore, examines these potential

weaknesses in the post-conflict era of Sierra Leone in order to evaluate the viability of the peace that now prevails.

The Security Forces

Outwardly the situation in the army and police looks a model of reform under international tuition. The Sierra Leone Police (SLP) has received more than £20 million from the UK in the last five years (with £17 million more earmarked for the next five years), in the form of equipment and training, through the British-led Commonwealth Community Safety and Security Programme (CCSSP) (Baker, 2006). The multinational UN CivPol has also played a role in its reform. The Republic of Sierra Leone Armed Forces (RSLAF), for its part, has been restructured and trained under the British-led International Military Advisory and Training Team (IMATT).

The present strength of the SLP is only 8,000 (including about 2,500 support staff), which is simply not enough to provide nation-wide coverage. Earning 130,000 Leones per month (£26; cf. 60,000L for a bag of rice) and with poor accommodation, the police have good cause to complain about salaries. Nor are all police, despite the official line, enamoured with the crackdown on corruption by the Complaints Discipline and Internal Affairs Department that has seen 100 of their colleagues removed from the force since 2001 and many more disciplined. Certainly complaints of officers engaged in acts of petty corruption, or in collusion with criminals, continue.

At the higher levels of police command, the vocalised internal discontent centres around the lack of resources. The SLP request for 2005 for 60 billion Leones (regarded as reasonable by international police advisers) received a response of 21 billion from the government. It is true that police stations and accommodation blocks are slowly being refurbished following war damage and that donors have supplied radios, weapons, uniforms and up to 800 vehicles. Nevertheless, continuing budget provision is not sufficient to sustain many of these new resources (Baker, 2006). Local Unit Commanders report severe lack of fuel and accommodation as major problems.² And the UN General Secretary asserts that: 'lack of accommodation in the provinces is seriously hampering further deployments of the police throughout the country' (UN Security Council, 2005).

In the past the armed Internal Security Unit of the police was the private army of the ruling party. Its repression of political opposition and general human rights abuses was a widespread cause of discontent before the war. Today, although the main body of the SLP remains unarmed, there is a large Operational Support Division (OSD). Observers disagree as to how autonomous this section is and what is the quality of the relations between it and the main force. The 2,500-strong armed element (though perhaps 1,000 are support staff) is kept from general duties. In addition to providing mobile armed support to the general duty officers, the OSD is responsible for riot control, VIP protection, providing static guards for government facilities and working with major commercial security companies when engaged in high risk areas or at diamond mines. Kofi Annan speaks of the

ability of the SLP to conduct security operations as 'gradually improving', quoting how well they were 'able to contain the demonstrations staged by university students' in Freetown from 25 February to 2 March, 2005, as well as the strike action led by the Sierra Leone Labour Congress earlier in the year (UN Security Council, 2005). What he did not say was that at the 2 March demonstrations the OSD opened fire on demonstrating students killing one and injuring two.³ The OSD's justification for taking a large proportion of the SLP's resources in vehicles and wages is in terms of a perceived high security threat, and regular and nationwide armed robbery. There seems little evidence, however, to support this.⁴ Rather the disproportionate spending by the OSD would seem to be potential for intra-force rivalry.

There are problems, too, in the 13,000 strong RSLAF. Discontent with the current political leadership found expression in the 2002 presidential election when, as voting figures revealed, there was strong support from the RSLAF for Johnny Paul Koroma, the former Armed Forces Revolutionary Council military leader of 1997-8, who had ousted Ahmad Kabbah after his first election. Just as ominous was the attack on an RSLAF armoury near Freetown in January 2003 by a small group of former soldiers and civilians. The subsequent investigation revealed a 'plan by ex-combatants and current soldiers to destabilise the country, reportedly to prevent the Special Court from carrying out its mandate' and ultimately to overthrow the Kabbah government so as to reinstate Koroma (ICG, 2004: pp.6-7). So how loyal is the army to democracy and the present government? One officer interviewed anonymously suggested that 'only 60 per cent of the troops were loyal to the government while the remainder were split between the disloyal and the uninterested' (ICG, 2004: p.7).

The problem may lie in the fact that though there has been an extensive military retraining programme since the war, reform has scarcely touched the higher levels of command, where political promotions have raised some individuals beyond their abilities, and where others have yet to accept the primacy of civilian rule (according to western diplomatic sources). Further, under Kabbah's government, little has taken place to change their initial antipathy to him. Not only is the army under-funded, but specific discontent has emerged centred around retrenchment (4,000 personnel are being cut from the payroll 2004-8), employment conditions, barracks, equipment and from 'internal tensions' following the incorporation of former Revolutionary United Front rebels.⁵ There is an evident anxiety within its ranks about how it will cope after the full withdrawal of UNAMSIL in early 2006. How will it respond if the continuing crises on the Guinean and Liberian borders to flare up into something more serious? And can it handle the potential threat when something like 3,000 CDF personnel return from their fighting in Liberia and Cote d'Ivoire?⁶ The army is not, therefore, characterised by calm.

Both the police and the army have undergone significant change for the good since the war and few would suggest they are on the verge of rebellion. On the other hand, the lack of good relations between the two forces (EIU, 2004: p.15), the lack of established democratic norms within them, and the sufficient causes for

discontent in both, make talk of a secure peace premature. 'The current relative stability cannot therefore be guaranteed in the long term' (EIU, 2004: p.29).

Discontent with Corruption

The great majority of Sierra Leoneans still loathe corruption and fervently hope that it will end, according to Joseph Opala. That is why, following the inevitable promises of 'stamping out corruption' by presidential candidates, Sierra Leoneans await the radio broadcast of a new cabinet. They are hoping to hear new names that have no association with past corruption. 'When the new cabinet is announced – always containing the same recycled corrupt former ministers – a mood of despair sweeps the country' (Opala, 2004: pp.9-10).

A great deal of donor money has gone into tackling corruption at every level of government. Donor-funded initiatives to ensure greater accountability for how public money is spent have included the Anti Corruption Commission (ACC), the Governance Reform Secretariat, Public Expenditure Tracking Surveys, Corruption Surveys, and tighter accountancy systems within the Ministry of Finance. However, although, 'accounting systems for salaries and budgets have reduced the number of "ghost" employees and decreased the opportunities for padding budgets and siphoning funds ... government officials continue to try to skim off the top of [development] projects' (ICG, 2002: p.16).

The official response of the Sierra Leone government to these anti-corruption measures has been one of co-operation. Kabbah said at the launch of the ACC: 'nobody will be above the law, including myself'. The reality, however, has been one of public lip service combined with behind the scenes obstruction. It is no coincidence that 'virtually no high-profile cases have resulted in conviction' (EIU, 2004: p.11). Conspicuous wealth and life styles of government ministers and senior officials not commensurate with salaries are all the evidence that the public needs to know that corruption among the government is as bad as ever. University students in March 2005 demonstrated over the cancellation of their exams owing to their lecturers striking over unpaid salaries. But once on the streets the students highlighted the lavish life styles of Ministers, stoning the car of one (their chant was that the politicians had 'bor bor belleh' i.e. looked pregnant as a result of their good life style. At the same time the national mood was captured with a hit 'pop' song on the same theme). One writer said 'it was what the people were talking about but didn't have the nerve to say openly' (*The Economist*, 25 June 2005). The National Accountability Group, admits that corruption 'is like a way of life now' (*Financial Times*, 14 February, 2005) and most believe nothing will deter it until the ACC is in a position to 'net' someone big. Currently that looks most unlikely, even though the ACC has 'collected clear evidence of deep corruption among civil servants and ministers' (Dowden, 2002). When the Commission found the Transport Minister with an illegal packet of diamonds worth about £25,000, it appears that 'President Kabbah personally pressured the Commission to drop the case' (ICG, 2002: p.17). Furthermore, Kabbah's 'political appointees in the Commission are believed to be tipping off key people in government so that when

the ACC team raids the office or an account, it finds the evidence removed' (Dowden, 2002). Since all suspects have to be handed over to the Attorney General, there is ample opportunity for the government to see that cases proceed through the judicial process slowly or not at all. By 2004 the ACC had sent 40 cases to the Attorney General's Office for prosecution, but only 12 had reached the courts and only two of those had been completed (ICG, 2004: p.20). Hence in 2005 the ACC accused the Attorney General's office of 'frustrating' the ACC.⁷ The head of the ACC has said that because the Anti-Corruption Act (2000) provided no penalties for failing to cooperate with the Commission, many government ministries and departments simply ignore the Commission or refuse to comply with its requests and recommendations. Faced with this government apathy and outright non-compliance, the ACC assistant commissioner resigned in 2002 accusing the government of lacking the political determination to root out corruption. Yet even as the ACC is strengthening its team with non-Sierra Leonean appointments and making a fresh effort to investigate corruption at the ministerial level, Kabbah has sent warning shots across its bow. In February 2005 he cautioned it to make sure that they investigated allegations properly before arresting suspects – a clear reference to the arrest by the ACC of Marine Resources Minister Okere Adams over procurement malpractices.⁸

The overwhelming evidence is that for all the promises of political leaders, the pressure from donors and the creation of institutions such as the ACC, corruption remains at the heart of government and deeply embedded in the bureaucracy and criminal justice system. The charges even extend to the Anti-Corruption Commission itself.⁹ The public perception is widespread that little has changed since the war. A survey in 2002 indicated that public trust of officials remains low. 31 of 35 government departments were considered dishonest by more than 50 per cent of the public (ICG, 2004: p.21; based on Governance and Corruption Survey 2002, conducted by Conflict Management and Development Associates). In other words, the sense of injustice that recruited so many people to the RUF – that the then APC (All People's Congress Party) government was thoroughly corrupt – has not dissipated now that the Sierra Leone People's Party's (SLPP) government is elected and the constitution is a multi-party one. There may not be talk on the streets of Freetown of going back to war, but a strong basis for peace is not being built while the new government imitates some of the behaviour of its predecessors. In other words it is a peace without conflict resolution. The political class presumably believes it has offered a new relationship between rulers and the ruled by putting themselves up for election. What they do not appear to realise is that the country suffered a war, not just because there were no elections but because the ruling class had seriously failed the country's citizens. On the agenda of citizens corruption remains an un-addressed issue. The donors' position is much clearer, the country was left off the G8 list of 18 states, the first beneficiaries of its debt cancellation plan.¹⁰

Discontent with Living Standards

Continuing corruption makes people despair; continuing poverty makes people angry. Young men will remain dangerous as long as they are unemployed and underemployed. It is reckoned that currently three quarters of those between 18 and 35 are unemployed. 70 per cent of the population lives below the poverty line of \$0.75 a day.¹¹ They want to provide for themselves other than by the use of the gun. They want to be able to marry and have families of their own, rather than watch elder men who have land monopolise young women through polygamy (ICG, 2004: pp.13-14). They do not want to sit around all day smoking marijuana and waiting for something to happen; they do not want to go to Kono to dig for diamonds in the hope of a cut of anything they find. They want to equip themselves with education and skills that are in demand or to have access to land. Though they are making efforts themselves to begin development projects (e.g. MOCKY and Money Changers association both reported self-help schemes), they still expect the government to be more active and to be providing more than just the offer of a vocational training programme. Yet for all the diamond wealth they see being exported legally and illegally, they remain poor and with little hope of change in their lifetime. The interim poverty reduction strategy paper (PRSP) of 2001 begins with the words:

Poverty in Sierra Leone is endemic and pervasive. In fact, the country is ranked at the bottom of the UNDP Human Development Index as the poorest in the world ... The human development and social indicators, including illiteracy, primary school enrollments, life expectancy, maternal deaths, malnutrition, and child mortality rates, are about the worst in the world. (Republic of Sierra Leone, 2001)

How quickly can the economic situation be turned around to meet the aspirations of the young unemployed? How quickly can the basic infra-structure be rebuilt and the 80–90 per cent of skilled workers who emigrated be enticed back, despite the low pay conditions? The country is now in the second phase of the IMF's poverty reduction and growth facility. However, lack of government capacity and executive resistance to reforms are likely to slow progress. In addition, there has been a lack of government strategy for poverty reduction. The government did not publish its poverty reduction strategy paper until May 2005, although it was due December 2003. Nor is the government in a strong financial position. The fiscal deficit in 2004 was close to 25 per cent of GDP excluding grants, hence there is a dependency on donors to provide around half of the total revenue (in grants and loans) (EIU, 2004: pp.30-31).

There is slow economic recovery on a number of fronts, though it can be seriously questioned as to how significant this is. Diamond production has been stimulated by the Kimberly agreement, increased price per carat and the opening of deep mining of Kimberlite in the east. It has meant that the official figures for diamond exports reached \$126m in 2004, although the number of carats produced, at 643,000, were still well below the \$2m of the 1960s. Both the EU and the Overseas Private Investment Company of the US government, have funded Sierra

Rutile and this resumption of mining 'will help increase GDP growth' (EIU, 2004: p.32). However, if the transfer pricing arrangements that existed in the 1980s and 1990s remain, these will restrict the impact upon development. Other mining developments include the proposed resumption of gold and bauxite mining; and the spill at the old iron works at Marampa is to be extracted to bring in \$100m.¹²

There has also been some recovery of agricultural production and President Kabbah's pledge to boost domestic production for rice, to meet domestic demand by 2007, seems on track. Yet whilst there are some government attempts to revitalise cash crops for exports (cocoa, coffee, palm kernels and ginger) the infrastructure is still poor and market conditions are not propitious for expansion in these areas. The Megabass sugar complex of sugar cane production and processing mill is due to restart next year, although in the 1980s it only produced 6,000 tons.¹³

On the industrial front there are very limited prospects, with irregular power supplies being a major problem, though there are plans to restore the Bumbuna hydro project vandalised during the war. The oil refinery may also reopen after a deal signed with Nigeria. The Chinese are involved in a number of developments in Freetown, including a tractor assembly plant, a trade zone of 15 companies and a \$2.6m scheme to revitalise the Lumley tourist area. The dangers of becoming dependent on Chinese investment have, however, been noted.

Yet can these growth areas supply jobs for a population that is growing at 2.5 per cent per year? And at a time when UNAMSIL, a major employer, is withdrawing? If sufficient employment is to be found, Sierra Leone needs not only to expand its economy, but to diversify its productive base and to overcome the 'bottlenecks, corruption, bureaucracy and a lack of foreign investment' (EIU, 2004: p.32).

The legitimacy of the government is going to be rooted in its economic achievements. A 'no war' situation may survive on severe poverty, but not a sustainable peace. As with corruption, the issue is one of failure to bring about conflict resolution. Already the signs of discontent and restlessness in the slowness of the government and private sector to provide employment for a living wage have begun to appear. A resounding defeat for the ruling Sierra Leone People's Party in the capital in the 2004 local elections demonstrated loss of faith in the government among the urban poor. The demonstrations staged by university students in Freetown in 2005 have already been mentioned. There was also a two-day general strike by Sierra Leone's main trade unions in January 2005 to demand higher pay and better living conditions. Aware of its vulnerability, the government met some of the demands; they reduced income tax and increased the minimum wage to 40,000 Leones (£8) per month.¹⁴ Since a 50kg bag of rice, the bare minimum to feed a family for a month, costs about £13, this is not going to silence the unrest for long. The union protest was peaceful and legitimate. It is to be hoped that they will not in time become violent.

Reconciliation

No one believes that peace is built only on bread in the stomach. The war left minds filled with pain and anger. The peace process must address this too. In 2004 President Kabbah observed: 'The guns may have fallen silent or been destroyed, but the trauma of the war lingers on. We have a lot of healing to do, especially since many of the perpetrators of the atrocities were also victims of widespread abuses of human rights and humanitarian law related to armed conflict'.¹⁵ A lasting peace must address these issues of wartime abuse and atrocity.

The war saw some 75,000 die. Some 20,000 had their hands cut off. More than 5,000 children were actively involved in the fighting. At least 50,000 women and girls were raped or abducted as sex slaves. 53 per cent of displaced women and girls who had face-to-face contact with RUF rebels experienced some form of sexual violence (Physicians for Human Rights, 2002). During the course of the war the RUF committed acts of terrorism, collective punishments, extermination, murder, rape, maiming, sexual slavery and forced enlistment of adults and children as fighters and forced labour. The CDF, in its turn, committed murder, violence, pillage, acts of terrorism, collective punishments, and forced conscription of children as combatants.

At least 60,000 ex-combatants have now been disarmed and have returned to civilian life. To what extent they have been 'reintegrated into their communities', no one knows. As one government official noted: 'The main worries are whether the communities where the victims, including amputees and rape survivors, live will not try to exact revenge and whether the ex-combatants will not reorganise out of some frustration and start wreaking havoc again'.¹⁶ Sierra Leone journalist, Ibrahim El-Tayib, believes that genuine reconciliation and forgiveness will take time: 'True reconciliation is in the mind. Until the mindset changes, genuine reconciliation will remain elusive'.¹⁷ In the words of the UN envoy in Sierra Leone, Oluyemi Adeniji: 'Without truth and reconciliation, grievances will remain deep seated, reintegration will be illusory, development will remain a mirage and peace may be no more than an interlude between periods of war'.¹⁸

Most of the attention regarding reconciliation has focused on the two state institutions of the Truth and Reconciliation Commission (TRC) and the Special Court for Sierra Leone. The hope has been that these high profile institutions would provide the necessary 'symbolic' national reconciliation deemed necessary. The TRC's ambitious remit was: 'to address impunity, break the cycle of violence, provide a forum for both victims and perpetrators of human rights violations to tell their story and get a clear picture of the past in order to facilitate genuine healing and reconciliation ... from 1991'. The TRC conducted statement-taking at local, district and regional levels, as well as research (see Kelsall, 2005). It also included hearings 'in camera'.

Most Sierra Leoneans were very divided about the TRC and truth telling. Outwardly there was evidence of reconciliation as the hearings ended with a reconciliation ritual: perpetrators prostrated themselves before the Commission and traditional local leaders asking the community for forgiveness. Yet field research by Shaw found that most people since the war wanted to forget. Indeed, for many

(including many victims) the TRC was an obstacle to healing and reconciliation. This was because in some places, such as communities that developed their own techniques to reintegrate ex-combatants, the TRC disrupted their practices of reintegration and reconciliation. Sometimes whole communities agreed not to give statements, or to give statements that withheld information that they thought might be damaging to the families of ex-combatants. People wanted to protect their communities and their relationships.¹⁹

Despite lack of resources, the TRC produced its report on the causes, nature and extent of human rights violations that occurred in the country. The report is now with the president, who will present it to parliament, send a copy to the United Nations and make it available to the public. The delay since his receipt of it in October 2004 is because the report 'needed to be amended after "disagreements" in the commission'.²⁰ Some of the researchers attached to the Commissioners claim that he is cleansing the text of references to himself or any others that could be embarrassing to his government (Interview, March 2005). The Government White Paper responding to the TRC report was quietly released at the end of June and met with a very lukewarm reception. A human rights advocate Paul Allen observed that 'the paper had (only) picked some recommendations and even those it treated briefly, (it) represents a non-commitment to the Truth and Reconciliation Process'.²¹ If compensation is not forthcoming (as is quite likely) victims will care little for any symbolic gesture of reconciliation. The Amputees Association finds it incomprehensible that violent perpetrators of the civil war are still better off than their victims as a result of the demobilisation and reintegration schemes. Some amputees have even claimed to be ex-combatants in an attempt to get a place on a training scheme.

The Special Court was set up by the government of Sierra Leone and the UN, 'to prosecute persons who bear the greatest responsibility' for the serious violations of international humanitarian and Sierra Leonean law which had taken place since 30 November 1996 (the date of a failed peace agreement between the government and the RUF). It has indicted 13 men to stand trial for crimes against humanity. Nine are currently in custody. Three have died (Foday Sankoh, former leader of the Revolutionary United Front died in custody; Johnny Paul Koroma who led the Armed Forces Revolutionary Council is missing, presumed dead (though most Sierra Leoneans insist that he is still alive); Sam 'Mosquito' Bockarie, a top RUF commander, was shot dead in Liberia). Charles Taylor, former President of Liberia, currently avoids arrest in exile in Nigeria. The CDF leaders undergoing trial are: Sam Hinga Norman, former Minister for Internal Affairs, who during the war was the national coordinator of the CDF; Moinina Fofana, CDF Commander of War; and Allieu Kondewa, the CDF's High Priest. The RUF leaders under trial are Issa Sesay, RUF commander; Morris Kallon, RUF commander; and Augustine Gbao, RUF Commander. Also under trial are Alex Brima, Kamara and Kanu, all members of the AFRC.

On the positive side, the Court has addressed the culture of impunity where people committed crimes without considering the consequences on others. It certainly has more justice to it than the pragmatic Lome Accord of 1999 with its provision of 'absolute and free pardon' for Sankoh and 'all combatants and

perpetrators' in respect of anything done by them' during the war. The justice rather than appeasement route is surely more conducive to lasting peace. However, its focus on the 13 whilst understandable from a resources point of view (the Special Court has so far received almost \$75 million in funding. The UN was currently considering a request for a further \$13 million, but another \$30 million will be needed to complete the work. The total cost of the Special Court over its entire lifespan is expected to be \$120 million (25 May 2005, IRIN) and even as a symbolic gesture, would not appear to guarantee the reconciliation across the country that is needed. The population finds it hard to accept that all others guilty of human rights abuses have been granted a general amnesty. Human Rights activist, Zainab Bangura, questions the relevance of the Court for most victims:

For the local man/woman/child whose hand was chopped by someone he/she possibly knows and not by those indicted by the Court, they would want to see their attacker dealt with too. So as those who bore the greatest responsibilities are dealt with, the people who actually carried out the acts should also be dealt with.²²

Even the symbolic nature of the trial has failed, owing to those selected (and not selected) for trial, to the point where the trial may actually be destabilising the peace rather than part of the peace-building exercise. To many Norman, the CDF leader, was a national hero; that he should be indicted for war crimes is an outrage.²³ Penfold, the former British high Commissioner, states bluntly: 'I am appalled at the way Chief Sam Hinga Norman has been treated' (quoted in Gberie, 2005: 122). Sam Norman, shortly before this arrest, told us that no one should be arrested for defending one's country (interview, March 2003). Rumours still abound in Freetown of possible unrest when he is sentenced. Nor was Norman the only surprise. 'The fact that Kabbah, Norman's former boss, had himself escaped indictment was a source of perplexity to most Sierra Leoneans' (Kelsall, 2004: p.14). Joseph Opala makes the point that the Court has completely failed to identify who he sees as the true culprits:

By making Charles Taylor its most high-profile defendant, the Special Court also gives the impression that Taylor was the principal instigator of Sierra Leone's national nightmare. While Taylor was the most powerful criminal to take advantage of the country's collapse into anarchy and should be brought to justice, he did not cause the anarchy in the first place. The disintegration of government – the thing that lies at the root of Sierra Leone's problems – was engineered solely by Sierra Leone's political class, the very people whose actions the Special Court is not interested in (Opala, 2004: p.6).

At the practical level, many Sierra Leoneans have been confused as to what their response should be to the TRC and Special Court. Truth and Reconciliation Working Group Chairman, John Caulker observed that: 'The people are of the opinion that you can't talk about reconciliation and justice at the same time'.²⁴ Said Ibrahim Kowah, a hotel employee in Freetown: 'Suppose I was a victim, why should I go to the TRC? How does it help me? Maybe I'd rather go to the Special

Court where penalties may be handed down on the perpetrators. But even then how sure can I be that justice will be delivered?'²⁵

Beyond these two formal reconciliation processes, both of which are drawing to a close, what else is there? The reality is that many in Sierra Leone have cause to be aggrieved at some persons or groups for what they did to them, their family or their friends. Neither the Truth Reconciliation Commission nor the Special Court can provide a just reconciliation in those circumstances. Nor can they guarantee that revenge will not occur. NGOs have organised symbolic events that bring together all parties in the war and run a large number of workshops and work programmes that bring together combatants and victims (e.g. Hope-Sierra Leone) but what have been their achievements in transforming relationships between people? One anthropologist, Rosalind Shaw, of the U.S. Institute of Peace, found that local practices of social recovery have functioned. Although people in Sierra Leone had been talking about the violence when the violence was present, once violence stopped, healing took place through processes of social forgetting. She distinguishes social forgetting from individual forgetting in that people did not simply forget on a personal level. Social forgetting, as she understands it, is the refusal to give the violence social reality, to reproduce it through public speech. Over time, Shaw found that this promoted healing, social recovery, and personal forgetting. Grassroots forms of healing and reconciliation in Sierra Leone include Pentecostal healing and rituals to reintegrate child ex-combatants. Shaw observed that war-affected youth in Pentecostal churches used prayer, Bible reading, and spiritual healing in order to exorcise their memories of violence and rebuild their lives. In Temne-speaking communities in the Northern Province, praying over water or *kola*, asking God and the ancestors to give the child a 'cool heart', and rubbing the water on the head, chest, arms, and feet bring about an inner transformation in the child and their social relationships. Part of having a cool heart is not talking about the war: the children are remade as new social persons.²⁶ There does seem, therefore, to be evidence of some local reconciliation going on. How extensive such these local ceremonies are, where people innovate and adapt forms of reconciliation and social recovery to the context of the civil war, is unknown.

External Support

Sierra Leone has reached debt relief agreements with most of its non-commercial creditors, but with foreign assistance providing half of its national budget, the country relies heavily on external funds flowing into public sector projects. To date, Sierra Leone has received assistance from the World Bank and the International Monetary Fund under the enhanced Heavily Indebted Poor Country (HIPC) Initiative. The World Bank estimates that the country's financing needs between \$800m to \$1billion over the next three years. The question is whether donors are willing to pledge that level of aid or whether their attention has been diverted to other more pressing cases. Donors will not be impressed that, as the IMF puts it, there are 'substantial difficulties in tracking financial transactions of the public and private sectors that are not routed through the central bank'. They

were referring in part to a public expenditure tracking survey that found that only a fraction of the drugs passing through the public health system were accounted for.²⁷ Yet the World Bank commends the government's 'continuous good track record of economic reforms'.²⁸ With the Poverty Reduction Strategy Paper (PRSP) finally completed and approved by the World Bank in May 2005, all awaited a Donors' Conference to be held in Paris in June 2005 to see how much financial support can be secured towards the PRSP implementation. This conference was called off, the donors being unconvinced by the government's attitude to corruption.

Whatever the economic support, the military support is coming to an end shortly. Though IMATT is expected to remain until 2010, UNAMSIL, once 17,500 troops, will leave by early 2006. The security situation, according to the UN Secretary General's report to the UN Security Council in April 2005, is: 'Calm and stable. There have been no security incidents requiring UNAMSIL support for the Sierra Leone security forces since the Mission handed over primary responsibility for security in the country to the Government in September 2004' (UN Security Council, 2005). It was hoped that the RSLAF would have the capacity to deal effectively with threats to external security and to backstop the SLP in maintaining law and order by the time of the UNAMSIL drawdown. A network of security and intelligence committees (Provincial and District Security Committees) has been established to provide a framework for cooperation between the SLP, RSLAF and local authorities on security matters at the district and provincial levels. Also, there are joint army/police patrols of the border. However, according to Kofi Annan: 'President Kabbah, the Ministry of Defence, the armed forces, IMATT and UNAMSIL informed the UN assessment mission that the programme to prepare the armed forces to effectively assume responsibility for the external security of the country was behind schedule ... [and their] operational effectiveness is particularly hampered by logistical shortfalls, including a serious lack of communications equipment and accommodation' (UN Security Council, 2005).

The main concern for an RSLAF shorn of UNAMSIL support is not with rebels groups arising within Sierra Leone, but the fragile security situation in the sub-region. There exists a risk of spill-over effects should tensions increase in Liberia in connection with the October 2005 elections. Furthermore, setbacks in the peace process in Côte d'Ivoire or possible instability in Guinea, and the unresolved territorial issue between Guinea and Sierra Leone over the eastern border could pose potential security threats too great for the RSALF to handle.

Against this trend of withdrawal by the international community, it is interesting to observe calls from some Sierra Leoneans for a new trusteeship by the international community. In Opala's opinion, the UN should have established a trusteeship in Sierra Leone immediately after the British intervention in 2000:

Then, instead of regarding Sierra Leone's political class – the authors of that chaos – as the country's sovereign rulers, the UN would have worked with civil society leaders to construct a new government for the country ... in a perfect world, a trusteeship would remind Sierra Leoneans that their political class destroyed their country and that for the outside world to help them, they must search among themselves for those

capable and well meaning citizens who had not partaken in the corruption and who could be counted on to rebuild their country, not destroy it all over again (2004: p.12).

Trusteeship is also suggested as an idea by the ICG as a possible solution for 'failed' states, that is, states that cannot raise the funds necessary for its operation. It suggests that rather than looking for quick fixes, the international community should manage 'for a considerable time' customs revenue collection to ensure that it reaches the state treasury (ICG, 2004: p.3). Both Opala and ICG see trusteeship as the way forward to permanently repairing political institutions. In their view, it reduces the attraction of the political sphere for political 'vampires' and allows into the political arena public service-orientated technocrats. If the choice is between national sovereignty and accountable governance as the way forward for building peace, many Sierra Leoneans would surely choose the latter. Opala claims that a public opinion poll taken in Freetown 2000 showed that a large majority of Sierra Leoneans preferred an international trusteeship to any other option put before them. National elections were only their third choice (*ibid*).

Conclusion

Has the conflict ended in Sierra Leone? Is there a likelihood of a return to hostilities in the near future? Not being an ethnic conflict, Sierra Leone is at least not facing simmering tensions between rival ethnic groups. There is no victorious group seizing the spoils or losing group suffering the consequences. Both sides of the war were the same family of Sierra Leoneans. Having said that, there is a great difference between pacification and peace. Absence of war is not the same as the absence of pain, trauma and physical destruction. These still haunt the psychological and geographical landscape. No one escaped suffering in their families; and no one has forgotten that, whatever the silence over the matter and the quiet living together of victims and perpetrators.

The likelihood of this generation repeating that awful history is slight, but what sort of peace are they left with and what sort of peace will it become? The answer will be the product of the route that they have taken since the war. Like any other country emerging out of war, Sierra Leone (or perhaps one should say the political elite and the 'international community') was faced in 2002 with at least 'five broad pathways to peace' (Groom, 2001: p.1). They were retribution; tribunal; restitution; truth commission; and conflict resolution strategies. Elements of all five have been carried out in Sierra Leone, though to different degrees.

Elsewhere we have reported on the very mixed reactions at the local level to the return of ex-combatants (Baker and May, 2004). In places the ex-combatants returned to their homes and were accepted; elsewhere they tried and were rebuffed or were subject to attacks; in still other cases they were either been too frightened to return or permanently settled in new areas (see Campaign for Good Governance reports for 2003). The Registrar of the Special Court, Robin Vincent, reported that their officials found that 'in some areas, perpetrators have already been reintegrated. Elsewhere perpetrators are being attacked by groups who are taking

the law into their own hands'.²⁹ The accounts of revenge attacks are understandably under-reported, but there are many who confirm that they occur. One might expect this route to feature less with time.

Restitution is being pursued by customary courts and NGOs that specialise in alternative conflict resolution. This, of course applied more in a general way, rather than with a specific post-conflict agenda in mind. The customary courts are particularly focused on cases involving family law, debt repayment, inheritance, and land tenure. This system was the only form of legal system available before or during the war. Since the war, however, there have been difficulties in reestablishing them, with many courthouses yet to be reconstructed and some courts only sitting rarely. Many chiefs have also had their authority undermined because of their failure to protect the people and some lost their 'mystique' when they were seen being tortured and killed by the rebels or queuing with the people for food handouts. Nor have chiefs done themselves any credit for retaining development fund money provided by central government from diamond revenues.³⁰ Unfortunately, customary courts are often discriminatory, particularly against women and frequently abuse their powers by illegally detaining persons, charging excessively high fines for minor offences, and adjudicating criminal cases. In other words, customary courts are not the best tools for accomplishing post-war peace making.

In the South some communities have established modern mechanisms for peacebuilding and reconciliation. They have appointed local 'Peace Monitors' to intervene early in conflicts with a view to resolving them peacefully. For instance, after the war there were numerous conflicts over looting and unlawful selling of the stolen property. Massaquoi, a Sierra Leonean NGO co-ordinator in Sulima, recounts how Tindor, a village in the south, hid their property, including 50 million Leones (£10,000) in the forest. The Borborbu people had found it when they moved there to escape conflict between RUF and government troops. They had reburied the valuables elsewhere to protect them, but later they had been taken by one of their villagers who, because he was a member of the RUF, had not been challenged (Massaquoi, 1999; Interviews, Peace Monitors, Bo, 3 March, 2005). Though this is a more effective peace building route, it is very limited in its exercise.

The tribunal route, followed by the Special Court has always been confusing and largely irrelevant to most Sierra Leoneans in terms of those selected (and not selected) for trial. Its prime purpose seems to have been to satisfy the international community's desire for a symbolic act of legal trial and punishment (hence its frequent reference by Sierra Leoneans as 'white man's justice'). It is unlikely that the trial and punishment of only nine men for all the atrocities of the war will further peace greatly.

The Truth Commission route is favoured by those who see the prime need as one of healing rather than justice. Kader Asmal, a prominent architect of the South African TRC, asserted: 'those who wear legalistic blinkers, who argue that immunity would be an affront to justice ... simply do not understand the nature of a negotiated revolution ... We sacrifice justice because the pains of justice might traumatise our country or affect the transition' (quoted in Groom, 2001: p.1). This

is the language of 'healing' and catharsis through telling the truth. Yet Shaw argues that it cannot be assumed that truth telling in a truth commission is cathartic and healing on a personal level. Some people do feel a great deal of relief and satisfaction when they testify, especially when the reality of the violence and abuses toward them has not been publicly acknowledged before. But others (60 per cent of those who testified in South Africa) feel worse after testifying. A truth commission is not therapy. Further, words are not the only way of externalising trauma. In Shaw's research on memories of the slave trade in Temne speaking areas of Sierra Leone, she found that several historical layers of violence (such as the Atlantic slave trade, the nineteenth century trade wars, and the imposition of a colonial protectorate) are remembered non-discursively in the landscape, ritual practice, and visionary experience, but rarely in discursive verbal form (Shaw, 2004). In our opinion, therefore, the TRC has a very limited contribution to peace building.

A conflict is only resolved when the parties to a dispute arrive at a new set of relationships that are acceptable to all the parties, without coercion. Not surprisingly, conflict resolution strategies are rarely achieved, but should not for that reason be avoided. They provide a goal to aim at. Our evaluation in 2003 of the underlying factors predisposing Sierra Leone to internal conflict immediately after the war made us focus on two key issues, namely youth alienation, state corruption (Baker and May, 2004). Returning to Sierra Leone in 2005 we were unconvinced that these two had been seriously addressed. As has been shown above, youth unemployment and poverty continues at very high rates and those who may have avoided it, have done so through criminal behaviour or commercial sexual activity. And as regards corruption, even public exhortations by donors (and behind the scenes insistence that certain persons be replaced immediately), has scarcely brought any improvement in the conduct of the government post-conflict. The route of conflict resolution has not been pursued with the vigour that might have been expected.

The interim constitution in South Africa pleaded for understanding not vengeance; reparation not retaliation; and humanism not victimisation. As we look at Sierra Leone in 2005, we see only a little vengeance, victimisation and retaliation. On the other hand, we see only little understanding, reparation and humanism. In those circumstances the likelihood of war breaking out is weak, yet the likelihood of peace deepening is just as weak. It seems that the country will limp along in a no war situation for at least another generation.

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Notes

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- 6 National intelligence agencies have concluded that there their imminent return is a threat. Interview, J. Sandy, Office of National Security, 27.1.05.
- 7 *Concord Times*, 14.2.05.
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