The Intergovernmental Authority on Development (IGAD) region comprising Kenya, Uganda, Sudan, Somalia, Ethiopia, Eritrea and Djibouti faces a distinct set of problems stemming from diverse historical, social, economic, political and cultural factors. Despite the socio-cultural affinities and economic interdependence between the peoples of this region, the IGAD nations have not developed coherent policies for regional integration, economic cooperation and lasting peace and stability.

Intermittent conflicts between and within nations, poor governance, low economic performance, and prolonged drought which affects food security, are the key problems that bedevil the region.

But in recent years the IGAD countries have made great strides towards finding lasting solutions to these problems. The African Union Peace and Security Council and IGAD have gained significant mileage in conflict resolution. Major milestones include the signing of the Comprehensive Peace Agreement between the Government of Sudan and the Sudan People's Liberation Movement (SPLA/SPLM) in January 2005. Ethiopia held democratic multi-party elections in May 2005 and Kenya carried out a referendum on the draft constitution in November 2005. Somalia's newly established Transitional Federal Government was able to relocate to Somalia in 2005 as a first step towards establishing lasting peace.

The East African sub-region countries of Kenya, Uganda and Tanzania have made progress towards economic and eventual political integration through the East African Community and Customs Union treaties. The East African Community Treaty was launched in 2004.

This book covers the deliberations of a two-day conference held by the Heinrich Böll Foundation with UNESCO and intellectuals and scholars from the IGAD region, to share common ideals, values and interests among peoples of the region, so as to facilitate a peaceful and beneficial coexistence.

HEINRICH BÖLL FOUNDATION

In Quest for a Culture of Peace in the IGAD Region: The Role of Intellectuals and Scholars

Sudan
Eritrea
Djibouti
Somalia
Ethiopia
Uganda
Kenya

In Quest for a Culture of Peace in the IGAD Region:

The Role of Intellectuals and Scholars

In Quest for a Culture of Peace in the IGAD Region

Contents

Human rights agenda

Preface

The IGAD (Intergovernmental Agency for Desertification) region comprising of Kenya, Uganda, Sudan, Somalia, Ethiopia, Eritrea and Djibouti has distinctive historical, socio-economic and cultural manifestations. This sub-region is diverse and its geo-strategic location has resulted in competition and animosities between different local and foreign powers from time to time. These dynamics led to the development of a culture of violence based on the tradition of origin, a fixation with territory, a feudal vision of the exercise of power and an absolutist conception of conflict. As a result, the nations within the region have usually pursued political/development strategies that ignore the socio-cultural affinities and the economic interdependence between their peoples. This deep attachment to the territorial concept of nationhood and their reluctance to explore the potentials offered by sharing of a common heritage has discouraged the development of coherent policies of sub-regional integration that would promote peaceful co-existence.

On a positive note, there have been great strides observed in the various countries towards finding lasting solutions to the general problems that uniquely bedevil them. In Sudan, the signing of the Comprehensive Peace Agreement between the Government of Sudan and the Sudan People's Liberation Movement (SPLA/SPLM) in January 2005 heralded a new beginning of peace and reconciliation, in a country that has been haunted by conflict over 40 odd years. Ethiopia similarly elicited a ray of hope, with long awaited democratic multi-party elections in May 2005 being held amid large voter turnouts. Kenya has also recently undergone a most praiseworthy referendum on the draft constitution, similar to one in Uganda held in the recent past. But more importantly, the Somali people finally begot a Transitional Federal Government in September 2004 after a long drawn peace process fronted by the IGAD heads of states in the city of Nairobi.

On the peace building front, the longstanding efforts of the Intergovernmental Authority on Drought and Development (IGAD) are beginning to bear noticeable fruits as evidenced by the Sudan and Somali peace processes. The coming into being of the AU Peace and Security Council and the positive attempt shown by the organization in trying to resolve conflict situations is a notable development during the last few years. At the same time, the region has concertedly involved itself in the building of regional and global mechanisms for enhanced economic and social integration, trade and peace building. Kenya and Uganda have joined Tanzania in affirming their commitment to economic and eventual

political integration through the East African Community and Customs Union Treaties, the latter being launched in 2004.

However, despite these heartening efforts, the region remains heavily burdened by the severe social, economic and political connotations of localized conflict, poor governance, economic backlog and prolonged adverse climatic conditions that have implications on food security[1]. These tribulations tend to overshadow the overall advances achieved. The government sponsored crises in the Darfur region of Sudan has eclipsed the spellbinding charm that was the comprehensive peace agreement, and now, doubts are emerging as to the enforcement aspects and commitment of both sides to the terms and conditions previously acceded to. In Kenya, the euphoria that accompanied the swearing in of the "liberating" NARC government has been replaced by doubt, as the quagmire of transition coalition politics mired with unfulfilled promises and un-tethered corruption cogs the wheel of democratization.

Ethiopia has retreated into post election violence, the curbing of fundamental freedoms, and a state of emergency. This is the same situation in Eritrea, where in addition to the repressive regime, it is feared that the governments of Ethiopia and Eritrea might amass arms on their borders in preparation for an all out war. Uganda has not been left behind, with the government facing increasing international pressure to resolve the conflict in Northern Uganda. This situation deteriorated with disregard for the fundamental rights and freedoms of the opponents and the concept of multiparty democracy. Somalia on the other hand, has struggled to set up its government in the capital, Mogadishu as originally slated. Already, infighting among its members threatens to destabilise its operations *ab initio*.

While taking due cognisance of the fact that each country has distinctive structural and institutional predicaments, characteristics and conditions at play, the above scenario impeccably rationalizes the regional spill over synonymy of conflict, governance, economic development and food security repercussions within the IGAD region, which is replicable, in some aspects, among the various member states. This problem is facilitated by factors such as the porosity of borders, extended telecommunication mechanisms, the expansion of the media, the similarities of cultures, migration, and by-products of conflict such as refugees, the concept of human rights etc. This is in line with the concept of "internationalization" or "regionalization", which applies to politics, conflict, environmental considerations, trade etc. It is clear that a more regional approach towards analysing,

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[1] "Horn of Africa: Conflict and Drought" Horn of Africa: Weekly Round-Up - OCHA: 27-Oct-05, OCHA Situation Report

and addressing the challenges of the region is paramount. This regional approach would differentiate itself from previous single-case analysis, which fails to consider the common aspirations, interests and characteristics of all the member states.

Time has come to concentrate efforts on using the Dialogue Forum for facilitation of a peaceful and beneficial coexistence. In other words, it has become urgent to develop in this region studies and exchanges that lay stress on the sharing of common ideals, values and interests among peoples of the IGAD region. It is time for intellectuals of the region to build a holistic approach; taking into consideration the common aspirations of the people. Civil society organizations will have to establish specialised mechanisms that can endow them with the capacity to continually monitor, review and intervene in events and issues in the region.

It is in this spirit that the Heinrich Boell Foundation (with the generous financial support of the *Trust Africa Initiative* of the Ford Foundation), held a 2-day conference with UNESCO and Intellectuals and Scholars from the IGAD Region. Finally, we would like to acknowledge the generous financial contribution of *Trust Africa Initiative* of the Ford Foundation which ensured that this worthwhile initiative took place, and in particular Dr. Akwasi Aidoo, the Executive Director. Also to the Intellectuals and Scholars who openly shared their knowledge and experiences. A special debt of gratitude is owed to the staff at Heinrich Böll Foundation in particular, Susan Ndung'u and Wanjiku Wakogi for their indelible mark on the conference. Their expertise and attention to detail facilitated a smooth conference planning, implementation and post-conference work.

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For the Hurried Reader...

Background

1. The "In Quest for a Culture of Peace in the IGAD region: The Role of Intellectuals and Scholars Conference" was held at the Windsor Golf Hotel & Country Club, Nairobi, Kenya from the 2nd to the 4th of March 2006. The Conference, organized by the Heinrich Böll Foundation, with the generous support of the Ford Foundation's *Trust Africa Initiative*, brought together intellectuals, civil society groups and scholars from the IGAD region consisting of Kenya, Sudan, Somalia, Ethiopia, Eritrea and Uganda.

2. The objective of the conference was to contribute to the evolution of an important role for the IGAD intellectuals and scholars in addressing those concerns and challenges facing member states through coordinated concerted efforts and activities. This would involve assessing the viability of creating organizing and conducting an IGAD dialogue forum based on crafting a clear vision of the role for, non-partisan scholars and professionals. The formation of the IGAD Dialogue Forum and would be followed by an assessment of the resource base this envisioned entity.

3. The Conference was inspired by previous initiatives by the Heinrich Böll Foundation, which guided its mission of enhancing political dialogue and education. The HBF also facilitated intellectual and scholarly discourses at national and regional levels. The Foundation's regional initiatives have nurtured and supported the creation and sustenance of two civic fora consisting of intellectuals and civil society groups in Somalia and Sudan. Various civil society dialogue sessions were involved in networking for achieving sustainable peace. The conference was originally expected to convene a smaller grouping of Ethiopian and Eritrea intellectuals and scholars, who were to be engaged in specifically championing a peace winning solution to the conflict and tension prevailing between the two states. However, the non-permissive political situations constrained a rethink and incorporation of a more participatory regional approach, beneficial to both the Ethio-Eritrean scenario, as well as the rest of the region.

Conference Strategy

4. Extensive participatory interaction was anticipated in the structure of the Conference. A number of strategies were used to ensure that the goals and objectives of the Conference were achieved. These included:

- An ***Introductory Session:*** An illuminating introductory speech was presented at the start of the session to provide the necessary background of past similar initiatives undertaken in the past at local, national and regional levels, thereby providing a comprehensive backdrop for participants in interrogating the Quest for a Culture of Peace proposal, and especially the concept of having an integrative and coordinated approach to regional problem solving.

  At the same time, the conference took the due cognizance of the participation of distinguished personalities which was underlined by the facilitator aptly calling for a ritual of "modest boasting" by which participants made brief statements about themselves, their past and current activities relevant to the theme of the conference. This, as emphasized by Aseghedech Ghirmazion, Director of the Heinrich Böll Foundation, was a necessary departure from a tradition of non-celebration and acknowledgement of achievement made by individual intellectuals and civil society activists in the region in promoting development and the struggles from freedom for the peoples of the region. This tone set a friendly mood for interactive, participatory discussions and deliberations on the theme at hand.

- ***Reflection Papers:*** Various reflection papers were presented during the length of the conference which were intended to guide participants in contemplating their contributory roles as intellectuals, scholars and civil society activists towards a search for lasting peace in the IGAD region. As such, thematic topics highlighting the socio-political and economic scenarios existing within the region were tackled, supported by presentations emphasizing the similarity of circumstances as well as need for regionally structured intellectual initiatives that would seek to address the common yet persistent woes in a wholesome manner. These included papers on Conflict and peace in the Horn of Africa; Embattled Identity in Northeast Africa; Developing a New Vision on the Horn of Africa; Regional integration and the role of intellectuals in the IGAD region; The Challenge of Transitional Politics in Kenya; Grappling with challenges of multiparty democracy in Uganda; On the Threshold of Democracy in Ethiopia; Africa's Forgotten Human Rights Crisis: The Eritrean Experience; Somalia - A nation in search of a State; and Challenge of National Renewal in Sudan.

  These presentations involved a thorough interrogation of the analysis of the areas treated and provided opportunities for intellectual and schol-

arly inputs. There were also additional flavours of the practical necessities of each unique situation which were tackled by some of the continents most renowned scholars and practitioners.

5. The outputs sought were:
    *   Identification of the role of Intellectuals and Scholars in the quest for peace in the IGAD region which would provide a summary of the findings of the scholars forum, drawing from the papers presented, discussions and recommendations of the conference at final conclusion.
    *   Recommendations on the way forward towards attaining this noble goal.
    *   Forum Report: to reflect the proceedings of the deliberations during the workshop.
    *   Publication: Compiling together the papers presented; duly constituted to not only serve as collective memory, but also to provide sound knowledge and guidance for future oriented initiatives of a similar nature.

Conference Deliberations

Various thematic discussions around the reflection papers presented brought out specific points for consideration during the course of the conference.

6. The need to conceptualize regionally

Introductory deliberations regrettably noted that there was a lack of intellectual "cross-fertilization" across borders in the region. The media and civil society tend, in their focus and coverage, to "rotate around isolated national and territorial axis". Clear evidence of this is that local populations in each of the IGAD countries are unfamiliar with the goings on of their neighbours. For example, Kenyans, Ugandans and Sudanese will not be familiar with the Eritrean/Ethiopian stalemate, or the dynamics of return to violence in Somalia. Accordingly, civil society organizations, intellectuals and scholars were exhorted to network across the region. This would not only broaden their wealthy of experience and expertise, but expose similarities of the various pre-existing situations in varied areas, and thereby an invitation to replicate their solutions accordingly.

At this juncture it is important to note that Prof. Abdi Samatar and Waqo Machaka, who unfortunately could not make it to the conference, submitted a joint paper titled. "Assessing Conflict and Peace in the Horn of African: A Regional Approach" which aptly described the forgoing discussion. The paper, though not deliberated upon, will be incorporated in the final publication of the conference deliberations.

The first paper, written and presented by Professor Bahru Zewde, titled "Embattled Identity in Northeast Africa', emphasized the challenge of a "clash of identities" by ethnic groups. These identities were, in the main, invented by colonial social engineers, and became rooted in "imagined" definitions adopted by groups. Politicians often used these imagined identities as vehicles labeled as "self determination" for carrying mobilized communities into conflicts and exclusive relations, consequently rendering the nation-state obsolete. The presenter, thereby, emphasized the imperative task for intellectuals to promote positive pluralism. One suggested form of social engineering to counter the manipulated identities proposed in the paper is the "forging of supra-national political architectures on which to peg new identities". In this regard, the failure to institutionalize the Intergovernmental Agency for Development, IGAD, should be corrected by internal reform, and by emphasizing on fewer concentrated initiatives. Of notable importance now is ensuring the continued engagement with political, economic and social progress in Southern Sudan, as a measure for preventing regression and derailment into a North-South conflict; engaging in the Ethio-Eritrea crises, and monitoring the implementation of the Somali peace process.

7. The Intellectual's role "refined"

The introductory discussion above was reinforced by the second presentation emphasizing the role of the IGAD intellectual in developing a new vision for the Horn of Africa. Dr. Ali Moussa, in asserting the need for a regional forum by intellectuals reflected on the lackluster performance of intellectuals and scholars in failing to challenge the ethnocentric views that permeate our societies and leads to a contradiction between the divisive discourses of our political elites and the aspirations of our peoples to live together productively, and interact peacefully.

He emphasized five patterns, or mindsets that limit the capacity of intellectuals to comprehend the realities of the region. These include the following:

(1) ***The tyranny of mythology,*** that is, the fact that local intellectuals and scholars have perpetually propagated the contention that the region's renowned history and culture predominantly originates from outside these territories, even where anthropological evidence dictates otherwise. This excessive interest accorded to such legends, consequently, distorts all discourse and knowledge on the organic nature of local interactions as pegged on the international lineage from which it is derived.

4

(2) ***The obsession with territory:*** which has rendered intellectuals and scholars all too willing to provide scientific basis to despotic ruler's ambitions to redraw geographical maps and hence instigate conflicts to the detriment of development. The Ethio-Eritrean border dispute, Kenya-Somalia "shifta wars" are all evidence of this pattern.

(3) ***The feudal mentality:*** where political culture and practice is infused with a feudal perception has led intellectuals into contributing to the propagation of such feudal mentality in their legitimsation of inherited regimes of power despite national 'progression' into democratic entities. As a corollary, they failed to popularize and revitalize indigenous traditions of governance based on popular participation, democratic procedures and consensus, such that in the region, the common phenomena of having long-serving, despotic leadership based on undemocratic "sham" elections is more the rule than the exception.

(4) The ***fundamentalist conception,*** which forms the fourth mindset, avers that despite the affinities of the various groupings in the region, there is always an inclination to delineate the differences and identities between them, and hence escalate whatever disparities that arise, no matter how petty or mundane.

(5) Lastly, the ***crusade mentality*** which enhances the fact and potency or religion playing a larger than life part in the socio-political and economic scenarios of the region. In effect, the conflicts around territory, leadership ostensibly harbour religious inclinations. This thinking has become a real obstacle to intellectuals taking responsibility for directing developments in the region. The region desperately needs "a *movement for the liberation of critical thought"* that *is* conductive to regional integration, and pluralistic nationhood.

There is hence an urgent and exciting new frontier for intellectuals in the region to undertake a novel harvesting of minds and flowering through a think-tank or "Forum". The backdrop to this new organ is the need to overcome the debilitating effects outlined above. The realization that due to these tyrannies "our destiny has lost its promise to be a better life" should be a banner under which to integrate patriotism with human development in the region. A proposed tool for this enterprise is modeling the future through creating scenarios whose sketches or "pictures" are vivid enough to enable people to see the challenges of construction; the requisite debates about "what we ought to do or avoid doing". This work will demand enormous originality and exchanges for invention "different scenarios for the common future" that will discover hidden common ground. In undertaking scenarios- construction, it is important to recognize the potential for religion as a "tool of compassion"; of mythologies for providing positive identi-

ties as well as the vital role of quality (as opposed to mere emphasis on the quantity of schools/institutions) in educational experiences.

Prof. Dani Nabudere contributed to the debate on the role of the intellectual by linking it to the concept of regional integration, a phenomenon rife within the IGAD region as with the rest of the continent. In his presentation, traced the history of integration, disapproving of the fact that many of the integrative units lay their foundation more on economic rather than political inclinations; asserting that this path shall ultimately lead to failure due to a lack of strong unifying features amongst these integrative units.

Intellectuals and scholars must, therefore, 'situate' themselves in the communities, dialogue with them, develop new perspectives together with them, unlearn the wrong approaches derived from the Eurocentric ways of knowing Africa and develop, together with the people, new ways of knowing themselves. This can only be done by drawing from the communities history, found in their deep cultures and languages which should be used to create new dynamic paths that can unite them into new societies. A new responsibility for knowledge-production must be guided by intellectuals asking the question: "where did we go wrong in the knowledge resources we now possess and utilize"; and be conscious that "knowledge is not the monopoly of intellectuals, and intellectuals must be organically linked to the knowledge in their local communities".

i. The intellectual's role practically illustrated

The next series of presentations were designed to provide practical illustrations of the region's experiences, similarities and opportunities for intellectual and scholarly engagement. Presenters thus restricted their analysis to respective country socio-political and economic depictions, outlining their perceptions and synthesis of each, as well as their suggestions for coordinated intellectual and scholarly induction. These were situated along the pertinent questions plaguing the region: of governance, peace and security, and human rights.

Prof. Anyang Nyongo's presentation on the challenges of transitional politics in Kenya followed this tone, arguing that the concept of "transition" in Kenya is often confused or considered synonymous with the concept of "change". As such, various publications have been written that consider the "change" in government as a "transition" when this is not the case. The main contention of this argument was that contrary to popular hearsay, the country was still in the process of transition simply because "we have only succeeded in changing of the government, not changing the regime".

He justified his theory in the Kenya example, where conflicts have arisen from

unfulfilled promises. Historically, '*uhuru*' or freedom (from the colonial masters) did not bring with it the aspirations and dreams of many Kenyans. Authoritarian politics then followed from the unfulfilled promises, and this authoritariansm was later entrenched and legalized in Kenya's constitution. Since authoritarian regimes correlate with a structure of violence, these became hard times of detention, torture, human rights abuse against individuals perceived as political opponents. The elections of 1992 did not provide any transition, even though some reforms occurred. Rather, it was a case of competitive politics within an authoritarian regime. This phenomenon, though bringing forth a more open society in 2002 with the election of NARC, did not provide a *transition* to competitive democratic politics.

Because the new leadership in Kenya was elected under an authoritarian constitution, (even though this leadership was more progressive and was ostensibly elected through an openly democratic process), this basic grounding reared its head to the extent that pre-election, pre-coalition promises were reneged. The "Memorandum of Understanding" between the pre-election coalition was ignored, agreed allocation of appointive position disregarded. An authoritarian state administration reigned supreme once again. This process has, ultimately, resulted in a stalled transition; one that remains to date.

Prof. Samuel Tindifa made an oral presentation which grappled with the challenges of multi-party democracy in Uganda. As much as multipartysm and democracy are seen as synonymous, in Uganda's unique case, multipartysm exists without democracy. Multipartysm can only thrive on some basic conditions. Firstly, a stable state structure, not one that is a collapsing. Secondly, politics not characterized by elite plundering of resources, but for positively re-ordering relationships among groups. And, lastly, a minimum of stable institutional, legal, political and social conditions. These conditions are not present in Uganda's case.

The challenge thus lies in the search for a new form of democracy, whose foundation must be African values. Intellectuals are equally challenged to develop creative ways for peace building. The NEPAD instrument calls for new models of peace, justice and human rights, models that should embrace African concepts, values and knowledge. There is also the need to look at other structural factors that constitute the most formidable challenges for multi-democracy in view of the glaring inequalities between the north and the south.

ii. The Region's Human Rights Agenda

Melakou Tegegn's presentation followed in the same tone, in which he presented his perceptions on the threshold of democracy in Ethiopia. Summarily, he as-

serted that democracy is untenable without civil society. The suppressive Ethiopia regime of our times ensures that there is inevitably no civil society (and hence no democratic expression), no popular participation and no political pluralism.

In the early 1970s, the negation of the absolutist state occurred vide a revolution, but in 2006, the totalitarian state re-emerged; a modern replica of the absolutism of the pre-revolution era. Thus, nothing substantial has changed in Ethiopia. The ruling Ethiopian Peoples Revolutionary Democratic Front (EPRDF) is a classic example of absolutism.

Following this spirited and highly charged discussion, but shifting the mood of the conference to a more somber atmosphere was Dawit Mesfin, who highlighted the forgotten human rights crises in Eritrea. He began his discussion by criticizing the gap that exists between intellectuals and activists. As an political activist, he felt that intellectual discoursed remain at the conceptual level, never addressing the practical aspects of socio-economic and political situations.

His solemn presentation toned down the mood of the conference to reflect on the repugnant human rights situation that has prevailed in Eritrea since its independence from Ethiopia following the Ethio-Eritrea border conflict. Instead of the format of conference paper presentation, Dawit read out a heartbreaking letter from one survivor of the Eritrean oppressive regime human rights situation in captured the practice, nature and consequences of the appalling human rights situation in Eritrera. This condition, ironically, persists unbeknown to the rest of the world.

The role of women in transitions was highlighted as absent. Some presentation, even though women have played pivotal roles, peace transitions in Somalia and Sudan; and Kenya's democratic processes. In the Kenya case, the state was slighted as still grounded on the old order, in which even the ruling coalition could not learn from past lessons. A similarity was noted in the Ethiopian, Eritrean and Uganda cases, where the military regimes that emerged out of ideological movements that were leftist in nature turned out to be oppressive forces; a lesson for future reference.

iii. In the Quest for Peace

The last session of the conference eventually covered the Horn's principal crises of peace and security. Presentations by Khalif Hassan Ahmed and Susan Jambo depicted the conflict situations of both Somalia and Sudan.

Khalif began the session with a presentation on Somalia, a nation in search of a state, by criticizing the presumption that Somalia's woes are entirely based on the clan system. He asserted instead that though clanism is a major element in Somali politics, it traditionally encouraged solidarity and individualism, such

that the current conflict situation cannot wholly be blamed on it. The real animating factor behind Somalia's problem was the sectarian approach utilized by colonialist rulers and, thereafter, by exploitative leaders in search of power accumulation, widely referred to as *political clanism.*

The challenges of subsequent peace processes, and the final Transitional Federal Government formed in 2005, reflect perennial power struggles. Warlords are still intent on securing their power bases, as are the islamist fundamentalists and all others who feel they have a stake. Thus, in rebuilding Somalia, there needs to be a critical focus on domestic and external factors at play. Domestically, there are the traditional, modern and shadow structures. Traditional clan elders and religious leaders are complementary and work jointly on community matter. However, the shadowy structures that represent the forces of power (warlords, extremist religious militants and Mafia style business groups) maintain exclusive ownership of dominant processes in all fora for discussing the fate of Somalia.

The dynamics of Somalia's politics are hinged on the 3Fs namely: *fear* (of the unknown), *friction* (contradictions of approaches, interests and policies) and *fatigue* (due to lack of progress). Only with progressive leadership can the quagmire of Somalia, accelerated by the 3Fs, be resolved. Such leadership will only be successful when the power of discernment/understanding (*kasse*) is used together with the power of action (*karre*) to produce *kaamil*, which is a complete outcome.

The way forward will only be promising where it addresses the concerns and fears of all the interested parties in Somalia, as well as, if their individual and collective commitments contribute to a Somali state based on the shared values of respect for civil rights; an accountable and respected leadership, and sustainable peaceful co-existence between Somalia and her neighbours.

In the last presentation, Susan Jambo gave an edifying discussion on the role of intellectuals in the Sudanese peace process. She traced the history of Sudan's conflict from independence in 1956, to the recently concluded Comprehensive Peace Agreement (CPA) signed in 2005. The impact of Sudan's civil war has included elements of slavery, human rights abuses, mass deaths, abductions etc, that have adversely affected the socio-economic and political setting of both the north and south.

IGAD-led talks enhanced the understanding of the real context of the Sudanese conflict, previously thought to be racial and/or religious. Subsequent initiatives (such as the Libyan/Egyptian effort) began to redirect focus away from the conflict following fears that IGAD may well be succeeding. However, the IGAD initiative was strong, and eventually led to the signing of the peace agreement in 2005.

The role of civil society in Sudan needs to be strengthened as there are challenges and misfortunes still prevailing therein. In Khartoum, for example, the government signed a law curtailing the activities of NGOs. The south is doing a little better, as many local organizations participated in the peace agreement as well as in the rebuilding of south Sudan, but a lot more effort is still required.

Intellectuals were similarly urged to continue informing the peace agreement as many conceptual disconnects continue arising in the region. Proxy wars are still raging as with the current Darfur crises. In addition, though the IGAD peace fora are still active, there is doubt as to whether they are congruent with foreign policies of the respective states. There is need to conceptualize the transformation of the SPLA into a civilian government, and the renewal of political party politic. These are themes that intellectuals can delve into, to resolve the crises in Sudan.

The final plenary got engaged with the issue of how the region's intellectuals must give primacy to recognizing the role of "*silent violence*" rooted in structures of economic inequality, poverty, ethnic domination and humiliation; and the determination of groups which control state power to hold onto the presidential system of government (as exists in Uganda, Kenya and Tanzania) as a tool for blocking the democratization of politics and economic production, income and consumption.

It was urged that the power of traditional mechanisms for dialogue must be factored into governance. African intellectuals need to create new forms of knowledge that evolve around our traditional human culture experiences.

The Challenges for Intellectuals

The fact that such human rights atrocities happen within the region, but are not adequately publicized, was of great concern to the conference participants. This was attributed to the fear and intimidation alluded to by presenters in the various countries, such that intellectuals and activists are forced to flee for fear of their lives and the wellbeing of their families. It is important to create networks amongst the various niche representatives, be they practitioners, scholars, journalists, intellectuals, and activists, who would, in coordinated efforts, tackle similar, yet unique, circumstances. This was considered to be one way of reviving pan-Africanism; through emphasis on reinforcing and building upon each other's abilities in order to confront and/or challenge state power where necessary.

Intellectuals were also challenged to be bold and to speak out. In Uganda, for example, the media and civil society are more vocal than scholars, yet expertise

lies latent within psyche of those scholars and intellectuals. Intellectuals need to go to the people, demystify concepts and theories they work with; turning them into usable format that is digestible by the common man. They will, thereby, play more pertinent roles in the search for development and freedom.

The Way Forward

In summing up conference deliberations, participants engaged in animated discourses on the way forward with regards to the role of intellectuals and scholars in the search for peace in the IGAD region. Many elaborate ideas were suggested, generated through intense and enriching discussions during the entire conference period as well as other interactions between participants at various venues.

These discussions emphasized the following issues:
- The need to engage in major interventions on a regional basis. This would involve knowledge production through conferences, workshops, journals and book publication. The information so generated should be transformed into usable format for local people to comprehend, and for local non-state actors to use as a basis for political or social agitation.
- Civil society groups, at local and regional levels, should develop capacities for networking for tasks of undertaking reviews of governance and human rights situations.
- It was suggested that the organizers should support a secretariat and an office for the independent think-tank to be formed following the conference. The secretariat would harmonise operations, and offer a backbone to the initiation and progression of the think-tank's initiatives (which have already began), so as to strengthen the effectiveness and sustainability of these initiative.
- Intellectuals were urged to start bringing pressure to bear on politicians, both locally and regionally, "*to do the right thing by their people*" by maintaining and promoting peace, justice and development in society.
- Intellectuals should also engage in collecting and documenting oral histories of the people, without ignoring the important gender and culture dimensions therein. This would give them an opportunity to explore epistemology rooted in African heritage, and create new "eyeglasses" with which to see ourselves. At the same time, there is a need to appreciate the high level of de-africanization of the African scholar, such that intellectuals must make concerted individual and collective efforts to re-identify with

realities and sensibilities of the African man and woman so as to be able to articulate the true African personality.
- Intellectuals must focus on developing and entrenching the popular perception of women as "*citizens that can make contributions to society*".

Effective means of intervention should include the following:
- Monitoring, publicizing, and engaging the African Union on issues concerning human rights violations within the region, in a coordinated manner, in order to provide the regional backing and authenticity required to lend force to such engagements;
- Gathering factual information at national levels for making leaders accountable at the regional level;
- Using accountability demands at the regional level to provide protection for intellectuals who are targeted for intimidation and victimization by authorities at national levels;
- Resisting measures meant to distance scholars from focusing on conditions in rural communities, including undertaking civic education and transmitting information; and
- Linking the work of intellectuals with human rights groups, and organizing discussions about the proposed forum at national levels.

Embattled identity in Northeast Africa: A comparative essay*

Bahru Zewde

Introduction

Africa has more than its fair share of the conflicts that constitute the daily fare of the international media. And when we come to focus on the continent's sub-regions, Northeast Africa seems to stand out conspicuously, providing three of the continent's conflicts – intra-state or inter-state. The Sudan, even as it appears to resolve at long last its long-standing civil war in the south, is standing in the dock on charges of possible genocide in its western region of Darfur. The Somalis' nth attempt to extricate themselves from the tyranny of warlordism appeared finally to have borne fruit with the conclusion of the marathon peace process in Kenya in late 2004, which resulted in the election of a president and the subsequent formation of a government. But, as the Somali capital continues to be rocked by explosions and sniper fire, the future of that government seems highly precarious.

The thorny relations between Eritrea and Ethiopia constitute perhaps the ultimate in intractability. A thirty year-long war for Eritrean independence from Ethiopia appeared to have come to a merciful end with the victory of the Eritrean People's Liberation Forces in 1991 and the ratification of Eritrean independence in the 1993 referendum. But, before the lapse of a decade, the two states were locked in a war of unprecedented ferocity, characterized by massive deportations and venomous propaganda. Notwithstanding the conclusion of a peace accord in 2000 and arbitration of the boundary issue that ostensibly triggered the conflict, the two states are girding themselves for yet another war.

Only the tiny state of Djibouti appears to live in relative peace and harmony. But the relativity of that peace has been emphasized more than once, as the former French colony had been forced to align itself to one or other of the warring factions in the sub-region. While Djibouti has been struggling to maintain a tenuous state of neutrality in the Eritrean-Ethiopian conflict, it has tried to broker the

Somali peace process in a way that would ensure its own strategic interests while curbing the perceived hegemonic ambitions of its powerful neighbour to the west, Ethiopia.

The question of identity – clan, ethnic, national/regional – lies at the roots of almost all the conflicts delineated above. Ethnic identity and religious affiliation have determined the nature of the Sudanese conflict. In the case of Somalia, we see a dramatic shift from pan-Somali nationalism in the 1960s and 1970s, which brought it into conflict with neighbouring states like Ethiopia which continue to have a significant Somali population within their bounds, to the more parochial clannish feuds that have been the hallmark of the post-Siyad Barre period (i.e. after 1991). But, nowhere in the sub-region has identity probably been as bitterly contested as in the relations between Eritrea and Ethiopia. Until 1991, Ethiopians asserted vigorously the Eritreans' Ethiopian-ness while the Eritreans emphasized their uniqueness. Yet, Eritrean independence, sanctioned by the incumbent Ethiopian government with alacrity that baffled and infuriated many Ethiopians, far from resolving the problem, opened yet another chapter of hostility.

This paper proposes to investigate the genesis and trajectory of what I have characterized as "embattled identity" in Northeast Africa in a comparative framework. The first part of the paper outlines the pre-colonial mosaic of ethnic and religious affiliation. The second part assesses the impact of the colonial intervention and the legacies it has bequeathed. The third part examines the record of the post-colonial state in resolving or exacerbating (mostly the latter) the problems of identity. The last part concludes by attempting to point out the prospects for the future.

Pre-colonial expressions of identity

Language and religion constituted the two major channels for the expression of identity in pre-colonial Northeast Africa. Almost all the peoples of the sub-region speak languages that fall under either one of two super-families of languages: Afro-asiatic, a linguistic designation for a super-family of languages that is spoken on both sides of the Red Sea, and Nilo-Saharan, which covers the geographical area suggested in the term. The Afro-asiatic super-family is in turn sub-divided into major families, of which the most pertinent to the area under investigation are Cushitic and Semitic.

Within the first family (Cushitic) are found the Afar (now split between Djibouti, Eritrea and Ethiopia), the Oromo (predominantly in Ethiopia, with some spill-over into Kenya) and the Somali (the classic case of a "partitioned" people, scattered as they are in Djibouti, Ethiopia, Kenya and Somalia itself). The Semitic

family of languages are spoken by the historically dominant groups: Arabic in the Sudan, Amharic in Ethiopia and Tegreñña in Eritrea; interestingly, Tegreñña is also the language of the northernmost Ethiopian population enjoying political ascendancy in the post-1991 dispensation. Within the Nilo-Saharan super-family are such predominant groups of the Southern Sudan as the Nuer and Dinka, with some of them (like the Nuer and Anywaa) found on both sides of the Ethio-Sudanese boundary.

Given their extreme sensitivity and the consequent potential for manipulation, statistical breakdowns are hazardous. Nonetheless, a recent study of the Sudan (Lesch, 1998, 4) gives the following percentages: 34 percent for the South, 40 percent for the Arabized North and 26 percent for the non-Arabized North (such as the Fur). In Ethiopia, the Cushitic-speaking ethnic groups (Afar, Oromo, Somali and a host of groups in south-central Ethiopia) have constituted a majority (Statistical Abstract, 1999). But political power has historically been by and large the preserve of the Semitic-speaking groups, particularly the Amharic- and Tegreñña-speaking ones, even if their relationship has been marked by alternations of partnership and rivalry. Within the Semitic group are also the economically powerful Gurage and Harari. Eritrea is a predominantly Semitic-speaking country, Tegreñña and Tegrä between them accounting for a large percentage, perhaps the majority, of the population.

In contrast to the above scenario, Somalia presents a relatively homogeneous picture. Somalis speak the same Cushitic language and adhere to the same religion, Islam. But this apparent homogeneity has concealed clashes of identity at subsidiary levels: between the nomad (Samale) and the settler (Sab), between different clans and between different religious orders (*tariqqa*). The supremacy of the nomad has been enshrined both in the camel, his proverbial beast of burden, and the name Samale that – modified into Somali – has come to have generic application (Brons, 2001, 89-95). It is these subsidiary fissions that explain, perhaps more than anything else, the apparent anomaly of such a homogeneous people having been rent into irreconcilable factions for nearly a decade and a half.

The anomaly is all the more striking in that Somalia, compared to the other countries of the sub-region, apparently enjoys not only linguistic but also religious homogeneity. Elsewhere in the sub-region, there is a more variegated picture. The religious profile of the Sudan is reportedly 70 percent Muslim, 25 percent followers of what are described as "indigenous beliefs" and 5 percent Christian (Lesch, 1998, 20). Such statistical information is hard to come by in the case of Ethiopia, but Christians and Muslims are generally believed to be in equal proportion. The same situation, more or less, seems to prevail in the case of Eritrea.

In the pre-colonial period, advanced levels of state formation took place primarily in the Sudan and in Ethiopia. Beginning with the Christian kingdoms of ancient times, the Sudan saw the rise of the Funj kingdom (1504-1821) in the east and the Sultanate of Dar Fur (16th c –1916) in the west. The Funj kingdom, which had dominated the historically central riverine area of the Sudan, fell prey to the more mighty forces of Muhammad Ali's Egypt, thereby ushering the period known as the Turkiyya (1821-1881) – so-called because of the dominant role that officials of Turco-Circassian origin played in the dynasty inaugurated by Muhammad Ali in 1805 (Holt & Daly, 1988, Part II).

The Turkiyya was characterized above all by vigorous expansion in the south (following the course of the Nile) combined with mass conscription and mass enslavement of southerners. Egyptian misrule and what was perceived as their moral laxity triggered a fundamentalist movement that combined Sudanese nationalism and religious puritanism. The Mahdiyya (1881-1898), even if it had scarcely any liberator effects in the South, formed the backdrop to the rise of modern Sudanese nationalism. It fell under the barrage of British cannon in 1898, when the so-called Anglo-Egyptian Condominium (in actual fact British colonial rule) was inaugurated. Dar Fur meanwhile continued to exist in splendid isolation until it succumbed to the might of British arms in 1916 (Holt and Daly, 1988, Part III).

The Ethiopian region witnessed an even more continuous history of state formation. The Aksumite Kingdom (1st – 7th c. AD) constituted the ancestor and the inspiration for a succession of regimes that came to be formed in the Ethiopian highlands. Its conversion to Christianity in the 4th c AD gave those regimes their main ethos and ideology. The Christian Kingdom attained the apogee of its power in what historians of Ethiopia have come to characterize as the medieval period, 1270-1527 (Taddesse, 1972), presaging the even more spectacular expansion of the empire in modern times under Menilek II. These successive regimes incorporated the neighbouring peoples by a combination of force and diplomacy, mostly the former. The Eritrean Highlands were essentially part of this Christian polity while the lowlands formed a buffer zone or a bone of contention between the dominant powers in the Sudan and the Ethiopian Highlands.

In Somalia, notwithstanding the linguistic and religious homogeneity described above, no major pan-Somali political entity emerged. Instead, Somali came to be affiliated to one or other of the religious orders (Qaadriya, Ahmadiya, Salihiya, etc) or the various clans. The only significant attempt to forge a pan-Somali polity came about in the first two decades of the twentieth century in reaction to colonial domination. As in the Sudanese case, it combined religious fundamentalism with So-

mali nationalism. Colonial intervention initiated a fatal divergence between clan territories and state borders. The efforts to rectify that divergence were to be the hallmark of Somali nationalism in the post-colonial era.

Colonial legacies

As elsewhere in the continent, the last quarter of the nineteenth century witnessed a feverish race among European colonial powers to carve out first their respective spheres of influence and subsequently their colonial possessions. Britain, driven above all by the quest to dominate the waters of the Nile, vanquished the Mahdist state and established its hegemony in the Sudan. The Italians, taking advantage of the political disarray in northern Ethiopia subsequent to the death of Emperor Yohannes IV in 1889, proclaimed their colony of Eritrea. The French ensconced themselves in the tiny but strategically important colony that they baptized French Somaliland, known after independence by the most significant port town of Djibouti. The other Somalis were carved up among the British (British Somaliland and the North Frontier District in Kenya), the Italians (Italian Somaliland) and the Ethiopians (the Ogaden). Only Ethiopia, thanks to its decisive victory in 1896 over Italian colonial ambitions, managed to remain not only independent but also a beneficiary of the partition process.

The colonial partition was sanctioned through a series of bilateral boundary delimitation agreements. Ethiopia, surrounded as it was by the tripartite European colonial powers, was the sole African signatory. These agreements, concluded in the last decade of the nineteenth century and the first decade of the twentieth, gave the Northeast African entities by and large the political boundaries that they have maintained to this day. As elsewhere in Africa, the boundaries reflected colonial ambitions and capabilities rather than the wishes and affiliations of the indigenous peoples (Asiwaju, 1984). While all trans-frontier peoples lost in this cartographic exercise, undoubtedly the great losers were the Somali, who found themselves partitioned into five territories (British Somaliland, French Somaliland, Italian Somaliland, the North Frontier District in Kenya and the Ogaden in Ethiopia).

The only anomaly in this otherwise standard colonial arrangement was the participation of an indigenous African polity in the partition process. Ethiopia incorporated part of the Somali territory (known as the Ogaden in the past, currently forming the Ethiopian Somali regional state). Conversely and equally significantly, it lost to the Italians its historic maritime province of the Marab Mellash, which the new colonial master, drawing a leaf from ancient Hellenic

geography, re-christened Eritrea. This gain and loss had a decisive impact on the course of the sub-region's post-colonial history. Both inspired irredentist movements.

Somali irredentism got its first expression through the politico-religious movement led by Mohamed Abdule Hasan, now venerated as the father of Somali nationalism. His two-decade long struggle against colonial occupation, so fervently and ardently expressed through his extraordinary poetic outpourings, forms an epic in modern Somali history. He was able to unite divergent clans, classes and occupational categories in quest of a common destiny. As a prominent historian of the Somali has concluded: "The tangible benefits they [i.e. the leaders of the movement] achieved were few. Yet the values they expressed and the memories they left became part of the consciousness that would later sustain the growth of modern Somali nationalism" (Cassanelli 1982, 253).

Ironically, it was the colonial powers themselves (notably Italy and Britain) who gave Somali irredentism a boost after the collapse of the dervish movement. In 1936, Italy finally achieved its dream of a Northeast African colonial empire when it crushed Ethiopian resistance through a ruthless application of brute force, including the internationally banned mustard gas. The first act of the Fascist dictator, Mussolini, was the proclamation of "Italian East Africa" (Africa orientale italiana), which merged and reconfigured the three possessions (Eritrea, Ethiopia and Somalia) along ethno-linguistic lines. Thus Eritrea was expanded to include the Tegreñña-speaking northern Ethiopian province of Tegray while the Ogaden was merged with Italian Somaliland to form a fairly expanded entity. The entity became even bigger, albeit briefly, when the Italians managed to annex British Somaliland in 1940 (Laitin and Samatar 1987, 62).

After the collapse of the Italian colonial empire in 1941, the British, who had assumed custodianship of both Eritrea and Somaliland, took it upon themselves to formulate schemes for future administration. For Eritrea, they developed a scheme of detaching the lowlands and attaching it to the Sudan while uniting the Tegreñña-speaking populations of the Eritrean highlands and the northern Ethiopian province of Tegray, in effect creating Greater Tegray. This scheme became history when the UN resolution not only kept Eritrea intact but also federated it with Ethiopia.

For Somalia, the British adumbrated the idea of "Greater Somalia", aiming at the unification of all the Somali-inhabited areas of the Horn of Africa. A brainchild of the British foreign minister Ernest Bevin, the idea, so pregnant with pan-Somali nationalism, formed the springboard for Somali irredentism both in the course of the struggle for independence and post-independent Somalia.

In Eritrea, irredentism had two sources and protagonists – Eritrean and Ethiopian. It found its first and most passionate expression in the writings of the Eritrean intellectual, Blatta Gabra-Egziabher Gila-Maryam, who castigated Emperor Menilek in the most vitriolic fashion for his abandonment of Eritrea to the Italians (Bahru, 2002, 156-157). His pleas appeared to have struck a sympathetic chord with Menilek's grandson and successor, Iyyasu, who is reported to have vowed not to wear the imperial crown until he had reunited Eritrea with its motherland. Italian alarm at what was perceived as his mobilization to this end was one of the factors that contributed to the premature demise of the young prince in 1916, when the threatened colonial powers (British, French and Italian) joined forces with his domestic opponents to dethrone him on charges of apostasy.

The end of Italian rule in Eritrea in 1941 gave rise to an even more strident irredentist movement spearheaded by Eritrean Unionists and vigorously supported by the Ethiopian government. Conversely, particularly among the Muslim section of the population, there developed an equally strong movement for independence. The UN resolution of 1950 to federate Eritrea with Ethiopia was in essence a compromise formula to accommodate these antithetical positions.

The British, who were at such pains to forge the unity of the Somalis, followed a diametrically opposite policy in the Sudan. Through what came to be known as the Southern Policy, they effectively sealed off the South from the North. The ostensible rationale was to protect the Southerners from the habitual raids and exactions of the Northerners. Pursuant to the policy, Northern traders and officials were barred from the South. Arabic was excluded in favour of the Southern vernaculars. Islamic schools were closed and Muslim preachers banned while Christian missionaries were given all possible encouragement (Lesch, 1998, 31-32). The ultimate effect of the policy was to sow the seeds of Southern separatism, abetted by the short-sighted policies of the post-colonial Northern regimes.

The post-colonial record

Independence from colonial rule did not usher an era of peace and stability. On the contrary, all countries of the sub-region with the exception of Djibouti came to be locked in internecine or inter-state conflicts that have not yet been completely resolved. The Sudan went through two editions of a bloody civil war (1955-1972, 1983-2004) that seems to be coming to an end only now. Somalia went through a process of consolidation (through the merger of the two Somalilands, British and Italian), confrontation with its neighbour Ethiopia, and disintegration. The case of Eritrea and Ethiopia was rather unique. Ethiopia was never colonized and the short-lived

Fascist Italian occupation came to an end in 1941. When Italian colonial rule came to an end in Eritrea in the same year, it was first federated with and then absorbed by Ethiopia, fought a thirty-year-long war for independence, and is now locked in seemingly interminable warfare with its southern neighbour.

As stated above, the federation of Eritrea with Ethiopia, adopted above all as the golden mean between absorption and separation, was perhaps the best possible arrangement under the circumstances. Although it was structurally flawed (Ethiopia for instance being the sovereign entity rather than one of the federated parties), it could have accommodated the divergent interests and aspirations triggered by the decolonisation process. But it was not allowed to continue. Eritrea's autonomous status, albeit under the Ethiopian crown, was systematically corroded until, in 1962, the Eritrean parliament decided to dissolve itself and Eritrea became Ethiopia's fourteenth province. Prominent in achieving that fateful decision were the Eritrean Unionists, who controlled both the executive and the legislative arms of the Eritrean government. But they were abetted and buttressed by the Ethiopian imperial government, which had found an autonomous Eritrea an irksome anomaly in its autocratic and highly centralized political order.

The dissolution of the federation signalled the launching of the armed struggle in Eritrea, which lasted from 1961 to 1991. Those eventful 30 years were marked not only by tens of thousands of corpses but also by ferocious contestations of identity. History in particular became a battleground. While Ethiopians considered Eritrea to have been historically an integral part of Ethiopia, Eritreans were at pains to portray the two countries as sharply distinct entities. As Eritreans pushed the stakes higher – shifting from the restoration of the federation to the unequivocal recognition of Eritrea's independence – successive Ethiopian regimes resorted to force as the ultimate solution. The few initiatives that were taken for peaceful resolution of the armed conflict were aborted by the half-heartedness of both parties. Particularly after the 1974 revolution, the military option increasingly became the choice of both the Ethiopian military regime that had taken the helm and the Eritrean guerrilla movement, which had come to view itself as invincible. Towards the end of the 1980s, the military seesaw tilted decisively in favour of the Eritreans. In May 1991, the Eritrean Popular Liberation Forces (EPLF) triumphantly entered the Eritrean capital, Asmara, heralding the birth of an independent Eritrean state.

Given the alliance that the EPLF had forged with the force that simultaneously seized power in Ethiopia, the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF), and the unstinting support that the latter gave to Eritrean independence, the two countries appeared set for an era of peace and coopera-

tion. On the surface, everything appeared to promise just that. But the outward camaraderie concealed an ambiguous relationship loaded with explosive potentialities – particularly on the issues of the boundary, currency and the hundreds of thousands of Eritreans who continued to reside in Ethiopia in relative comfort. Those issues were at the root of the new round of conflict that flared up in 1998 and that still remains unresolved to date.

In the Sudan, the first shots of the civil war that has just come to an end were fired on the eve of independence. A mutiny in 1955 by Southern units of the Sudanese army stationed in Equatoria Province snowballed into the first Anya-Nya movement, as the Southerners' armed struggle spearheaded by the Sudan Africa National Union (SANU) came to be known. The Southerners' quest for autonomous status stood in fundamental collision with the integrationist and assimilationist policies pursued by successive regimes (military as well as civilian) in Khartoum (Lesch, 1998, 36-43). As the intransigence of the North escalated, the Southerners' also raised the stake higher, from autonomy to independence – in somewhat the same manner as the Eritreans shifted their goal from the restoration of the violated federation to unequivocal independence.

The Addis Ababa Agreement of February 1972 ended the first phase of the civil war by recognising the ethnic plurality of the Sudan. The agreement granted regional autonomy to the South, provided it proportional representation in the national assembly in Khartoum, and recognized English as the principal language of the region. Unfortunately, the agreement was abrogated in 1983 by General Numairy, the same Northern ruler who had signed it in the first place, with the imposition of the Islamic sharia law throughout the country and the breaking up of the South into three regions. Exacerbating the situation was the conflict over two vital resources: oil and water (the latter triggered by the Jonglei Canal project, which aimed to drain the southern swamps known as the sudd).

Thus was initiated the second chapter of the civil war known as Anya-Nya II led by the Sudan People's Liberation Army (SPLA) and the Sudan People's Liberation Movement (SPLM), as the military and political wings were respectively known (Lesch, 1998, 43-48). That second edition of the Sudanese Civil War has lasted two decades. And by some kind of perverse logic, when that civil war seems to be coming to an end, another one with genocidal dimensions is rearing its head in the western part of the country.

While integrationist and assimilationist policies in the Sudan and Ethiopia gave rise to separatist movements, the situation in Somalia was characterised by a state pursuing vigorously, a policy of uniting all Somalis under one flag. This quest came to be enshrined in the five-pointed star that the Somalis adopted as

their national emblem on independence. Two points of those stars were realised when British and Italian Somaliland united to form Somalia on the morrow of independence. But that still left the Somalis who found themselves scattered among the neighbouring countries – Djibouti, Ethiopia and Kenya. Of all the three regions that were regarded as *terra irredenta*, it was the Ethiopian region of the Ogaden that became the major target of Somali irredentist aspirations. This led to a minor clash between the two neighbouring countries in 1963 and a major war in 1977-78. The latter, resulting in the defeat and disintegration of the Somali army, augured the end of the dictatorial regime of Siyad Barre.

Unable to check the growth of the opposition liberation movements that had sprouted subsequent to the military debacle, Barre fled for his life in 1991. But his demise also marked the collapse of the Somali state, as warlords battled for control of the capital and the northern and northeastern parts of the country broke away to form the more or less independent states of Somaliland and Puntland. In effect, Somalia drifted back to its proverbial statelessness. Redeeming the dismal picture somewhat have been a resilient civil society and the ingenuity of the Somali people that had kept such basic services as banking and telecommunications running. This state of affairs has even given rise to a celebration of what to ordinary eyes has been a state of anarchy as a "showcase for alternative, consensus-driven state formation", or the "liberation of Africa from the tyranny of the state" (Brons, 2001, 285, 287; cf. 283).

Future prospects

Clearly, therefore, the post-colonial record has not been much of an improvement on the colonial one. As in so many other parts of Africa, what seems to be unfolding in its northeastern sector – distinguished as it is by endemic conflict and abject poverty - has been what Afro-pessimists would consider a posthumous vindication of colonialism. But neither condemnation nor passive resignation can help the region extricate itself from the current impasse. One has to address the central issue that has made the region a hotbed of ethnic and inter-state conflict. At the heart of the problem is the issue of identity, more specifically the challenge of reconciling divergent and often contradictory forms of identity - ethnic versus territorial nationalism, irredentism versus territorial sovereignty, self-determination versus interdependence.

Probably the most important lesson that decades of conflict have left behind is the elusive nature of the concept of self-determination. Perhaps too much emphasis has been placed on the right to self-determination than on the impera-

tives of political pluralism. If the latter is guaranteed, the need to exercise the former becomes less urgent. Self-determination, sweet as its sounds, has been perilous in its exercise, as there is no guarantee that it would not merely help to replace an oppressive elite with another. The nation-state, the ultimate expression of self-determination, seems to have become not only obsolete globally but also a fertile ground for even more deadly conflicts. Difficult as it may appear, the countries of the region have to think beyond and above their national bounds.

In a recent work on the concept of self-determination, Leenco Lata, a long-time activist of the Oromo Liberation Front, makes a strong case for a creative interpretation of the concept, urging states to be understanding of calls for self-determination, and nationalist movements to be wary of equating self-determination with secession. A constructive application of the principle would be achieved only with the institution of "empowerment at the grassroots level and integration at the regional level" (Lata, 2004, 71, 169).

The idea of a sub-regional confederation has been mooted more than once in the past. Indeed, in the case of Eritrea and Ethiopia, the short-lived federation, fraught as it was with structural and circumstantial problems, is vindicated in retrospect as the only viable option at the time it was introduced. Although it eventually opted for a "yes" or "no" vote on the issue of independence during the 1993 referendum, even the EPLF had held out federation as one of the options during the period of armed struggle.

It is also interesting that one of the first things that were sponsored by the EPLF government was a conference on the theme of bilateral cooperation. As the convenor of that conference argued in the introduction to the book that ensued from the meeting: "nations may determine themselves into bigger polities as surely as they may into smaller entities" (Tekle, 1994, 5). One of the Ethiopian participants in the conference, in a plea for future political affiliation, also proposed a "confederation or commonwealth" (Andreas, 1994, 28ff). Alas, those positive expressions became pious wishes as the two countries came to be locked in even more deadly conflict some four years later.

A similar fate befell the idea of a confederation of Ethiopia and Somalia in the 1970s. A brainchild of the Cuban leader Fidel Castro, who had befriended the two professedly Marxist regimes in the Horn, it was rendered rather impracticable from the outset by the inclusion of South Yemen, apparently for no other cogent reason than the fact that it was also considered a progressive and allied state by the Soviet bloc. At any rate the idea was buried under the deafening roar of artillery fire as Ethiopia and Somalia entered their bloodiest clash since Somalia emerged as an independent state in 1960.

But the fact that federations or confederations have failed in the past - either in practice or conceptually - does not invalidate the argument that, ultimately, those options, particularly the con-federal one, remain the only ones if the chronic violence that has bedevilled the sub-region is to be removed. It is interesting that, as recently as November 2002, a conference of specialists on the sub-region held in Florida came to a similar conclusion. Its resolution, baptized "the Tampa Declaration", envisaged a confederation of the countries of the Horn of Africa (Djibouti, Eritrea, Ethiopia and Somalia). The idea was subsequently broadened into a northeast African confederation to also include Kenya, the Sudan and Uganda.

Those seven countries also happen to be member states of the sub-regional organization, the Intergovernmental Authority for Development (IGAD). That organization was first established in 1986 as the Intergovernmental Authority on Drought and Development (IGADD) with the objective mainly of combating the recurrent droughts that had afflicted the sub-region from 1974 to 1984. It was reconstituted in 1996 with a broader mission and programmes that included economic cooperation (and eventual integration) and political and humanitarian affairs as well as the initial objective of agricultural development and environmental protection. The formation of "a regional identity" has also been among the declared objectives of IGAD.

As in the case of kindred regional and sub-regional organizations, the overall record of IGAD has not been that impressive. Indeed, compared to similar organizations like ECOWAS (for West Africa) and SADC (for Southern Africa), it has made little visible impact. But in recent years, the picture seems to have changed. The negotiations that culminated in the apparent termination in 2004 of the two major conflicts in the sub-region – that is, the Somali peace process and the Sudan peace agreement, both of which took place in Kenya – were sponsored by IGAD. But, it was leaders of the member states – some would even argue the United States – rather than the organization or its secretariat as such who played the critical role. Nonetheless, these initiatives hopefully mark a new era of positive engagement by the organization with the critical political issues of the sub-region.

But a northeast African confederation cannot be willed into existence. There are a host of practical and political problems that need to be overcome before the idea could become a reality. The first practical problem is the scope. As in so many of the regional organizations in the continent, IGAD also suffers from overlapping affiliations. The IGAD structure, which includes the two East African states of Kenya and Uganda, probably overstretches the territorial framework. For these two states, a resuscitation of the old East African Community (including Kenya, Tanzania and Uganda) would make much more economic and ethno-

graphic sense. That indeed is what seems to be taking place at the moment. A purely Horn of Africa confederation - consisting of Djibouti, Eritrea, Ethiopia and Somalia – while making a lot of sense from the point of view of the ethnic inter-dependence of the area, would probably be objectionable to the lesser states, who might be apprehensive of Ethiopian hegemonic aspirations. The expansion of the confederation arrangement to include the Sudan would thus have, at the very least, the salutary effect of allaying such apprehensions, as the Sudan would constitute an effective counter-weight to Ethiopia.

But, whatever the practical problems, the peoples of the sub-region have no other option but to think and act high if they are to break out of the cul-de-sac into which their political elites have driven them as they sought to give expression to their divergent and sometimes conflicting identities (Samatar, 1986, 20). The exercise of such high sense of purpose and direction presupposes above all the establishment of genuinely pluralist and democratic systems. Civil society, not fragmented but acting with a common purpose and goal, has a great responsibility in helping forge such systems. A gathering of intellectuals and scholars of this nature should therefore aim to go beyond the passing of resolutions and the publication of proceedings. Given the fundamental and chronic nature of the problem, there is a need to explore ways of directing a benevolent influence on the future course of the sub-region.

Conflict and peace in the Horn of Africa: A regional approach

Professor Abdi Ismail Samatar and Waqo Machaka***

Introduction

Somalia, Ethiopia, Eritrea, and Djibouti constitute the Horn of Africa proper. However, for the purposes of this paper, Sudan, Kenya and Uganda are included since they are members of the regional organization, the Inter-Governmental Authority on Development (IGAD). The greater Horn is Africa's most conflict-prone region (figure 1). These conflicts have taken a heavy toll as millions of people have lost their lives and livelihoods since the late 1950s. The calamities continue to drain resources away from development, deepen poverty, and per-petuate the cycle of violence. Despite the heavy human cost of hostilities, politi-cal leaders in the Horn seem unwilling to make compromises within and between countries that would result in a better future for the region's citizens. The con-flicts' protracted nature has created a deep sense of cynicism among the public as they witness undemocratic leaders turn promising opportunities for peace into another nightmare – examples include the Eritrean-Ethiopian war, and the So-mali civil war after the departure of the former dictator (Tekeste and Tronvoll, 2000; Markakis, 2003; Lata, 2003; Tadesse and Young, 2003; Iyob, 2000; Kapteijns, 2001). Although most regimes in the region seem to have a propensity to exacer-bate rather than ameliorate problems, the public continues to pray for miracu-lous leadership, the origin of the logjam. This review essay examines *how local and national conflicts evolve into regional hostilities.* The principle catalyst that facili-tates this transformation is the absence of an accountable system of government at the national level.

Essentially three types of intertwined conflicts have plagued the Horn of Af-rica. First, a number of domestic contestations exist within each country. These intra-state conflicts, frequently labeled as religious or ethnic, are often political in nature (Samatar, 1989; Fukuki and Markakis, 1994; Woodward, 1996; Doornbos, Cliffe and Ahmed, 1992). Second, interstate discord, which is significantly rooted

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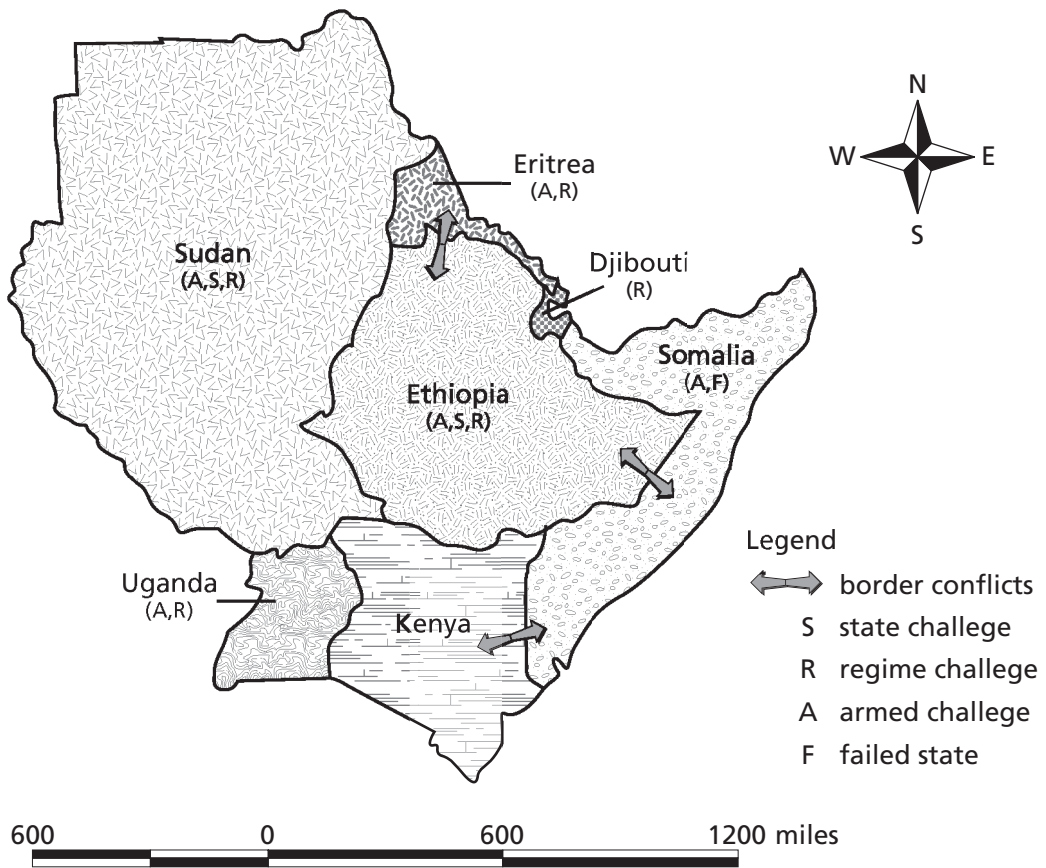IN QUEST FOR A CULTURE OF PEACE IN THE IGAD REGION

Figure 1. Conflicts in the Horn of Africa region

in arbitrarily set colonial boundaries bedevils the region (Touval, 1972; Bell, 1973; Woodward and Forsyth, 1994; Farer, 1979). Third, regional disputes fuelled by elite competition, lack of good governance, and particular regimes' political insecurity have increased since the 1960s (Khadiagala, 1993b). Although the three types of conflict are organically linked, this essay, for purposes of clarity, separates them into different categories. For example, a local conflict that started as a struggle over a national resource or competition for jobs could quickly degenerate into a political crisis and conflict in that country (Ayoob, 1993; Samatar, 1989). A neighbouring regime could take advantage of this "opportunity" to unseat a competitor or undercut any opposition residing in the latter. This is essentially what happened in Ethiopia-Somali conflict in the 1980s (Woodward, 1996). In the Horn, local problems easily transmute into interstate discord. Cliffe (1999), Ayoob (1995), and Abbnik, (2003) confirm the intricate interconnectedness of internal and external factors in regional and continental conflicts.

The authoritarian state is the focal point in all three types of contestations. Deng (1995) points out the state's centrality in fostering harmony or discord among the region's diverse religious and cultural groups. In fact, Deng challenges the so-called religious and ethnic explanations of conflict. He convincingly argues that the problem is not the differential perceptions or identities of groups in a country that foment trouble, but the fractured elites who accentuate differences among groups to gerrymander public resources and power. Markakis et al. (1994) and Samatar (1994) maintain that ethnicity or identity do not induce conflict. Disputes over access to public resources and state power do, however, induce discord (Nnoli, 1989). In conditions of extreme scarcity, local problems can evolve into national ones since the state plays a vital role in the distribution of resources. Others have underscored leadership as the key factor that transforms benign human differences, such as ethnic or cultural background, into sources of conflict (Samatar, 1997). Political leaders and their management of collective power for civic or sectarian ends can turn state institutions into assets or liabilities (Samatar, 2001).

While the civic or divisive predisposition of leaders is critical, the density of civil society organization can enhance or contain the former's capacity to do good or ill. Unorganized and ill-organized societies can undo the agenda of even the most civic minded of leaders. In the words of Gandhi (2001:206) societies or groups who are most in need of reform do not always assist reformers:

> It is the reformer who is anxious for the reform, and not society, from which he should expect nothing better than opposition, abhorrence and even mortal persecution. Why may not society regard as retrogression what the reformer holds dear as life itself?

Conversely, political leaders can implant the seeds of divisive politics in societies that lack strong civic organizations, but which are amenable to supporting a civic agenda (Tendler, 1997; Ghalib, 1995). The interplay between leaders and civil society is critical to directing countries' political orientation towards conflict or peace, particularly in the early years of independence.[1] However, the piston of the whole edifice is leadership (Samatar, 1999; Samatar and Samatar, 2002). Authorities' inability to imagine a positive sum game often results in disagreement within communities or between countries evolving into violent confrontations.

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[1] The concept of path dependency was developed by the literature on social capital. It means that early agenda setting is important in setting the trajectory for future development. See Putnam (1992).

The most recent example of this is the Ethiopian-Eritrean war (Negash and Tronvoll, 2000) and the seemingly endless civil war in Somalia. In addition, these dynamics dovetail with regional and international affairs, further complicating matters of peace and conflict (Farer, 1976; Legum and Lee, 1977; de Waal, 2004).

This review essay assesses the limited academic literature, supplemented by materials on current events and news available, on regional approach to conflict and peace. To do so, this article examines the dynamics of the three sets of conflicts in the region. Part one reviews the main conflicts within each country. Understanding the domestic conflicts within each country is important because they often metamorphose into interstate problems. Part two summarizes discussions of interstate discord in Ethiopia, Eritrea, Somalia, Kenya, Sudan, and Uganda. Djibouti's problems with Ethiopia and Eritrea have been resolved without violence. Djibouti and Somalia never had any conflict. Part three provides an overview of the regional dynamics of conflict. Part four highlights peace-making efforts in the region. Finally, the concluding remarks sum up the central issues pertaining to matters of conflict and peace in the Horn.

Intra-country conflicts

This section considers the dynamics of intra-state conflicts noted in the literature. These tussles are mainly of two types: competition for national dominance and local struggles over resources. The literature often describes these types of conflicts as ethnic or religious in nature. Moreover, the paucity of just government order at all levels of administration has a tendency to turn local conflicts over scarce resources into national strife. Undemocratic governments such as these rigidify benign communal distinctions into "hard" political and social boundaries. Consequently, ethnic and religious distinctions become sources of disharmony and take on a new, more violent character. Divisive entrepreneurs harness this negative energy to their benefit, resulting in various segments of the community retreating even further into sectarian enclaves (Samatar, 1992; Ajulu, 2002; Muigai, 1995).

Kenya

Kenya's elite-driven "ethnic politics" has been part of the nation's political culture since independence (Odhiambo, 2004). Weinreb (2001) posits that political entrepreneurs in Kenya exploit ethnic differences to create local constituencies for their agenda. These entrepreneurs use ethnicity as a springboard for participation in national politics. This process results in informal networks of patron-

client relations that become channels for distributing state resources unevenly. Politicizing ethnic differences in this manner reinforces the potential sectarian tendency of ethnic divisions. A strategy like this deepens and sustains ethnic competition for state power and resources in the region and the continent (Mafege, 1971; Holmquist, 1979; Hyden 1979; Shaw 1986; Young, 1994; Gordon, 1995; Chege, 1997). Community mobilization along these lines often leads to repressive politics and civil strife.

Despite the politicization of ethnicity, Kenya remains the only country in the region not facing an armed rebellion. However, Kenya came worryingly close to crossing that rubicon when pre-election violence[2], particularly along the Coast Province, took on features associated with the early phase of insurgency: sporadic attacks on police and the raiding of state ammunitions (Ajulu, 2002). The absence of legitimate and effective institutions to manage the electoral process fairly, as in 1992 and 1996, is the major trigger of violence (Odhiambo, 2003; Holmquist and Ford, 1994). The reduction in political violence in Kenya since the most recent December 2002 election confirms that the majority of the public respects democratic outcomes. Kenya's most recent electoral experience parallels South Africa's in the late 1990s (Maphai, 1996) and in 2004. Despite these struggles, Kenya remains an island of relative stability in the region.

The absence of confrontational political violence at the national level, however, does not mean that harmony prevails across the land. Pronounced communal struggles persist in the northwestern region bordering Uganda, Sudan, and Ethiopia. Inter-communal violence frequently flares up due to conflicts over common property resources and livestock (Mburu, 2003). Such intra-communal conflicts appear to be less devastating than those spanning national borders (Mburu, 2000). Although cattle rustling and resource raids are the most common causes of these struggles, news reports describe their occurrence in the language of tribes and ethnicity (ibid). Struggles over resources are not limited to these open tussles. In fact, they may take different forms in other regions and urban areas of the country (Scott, 1986). Localized conflicts such as these have not attracted serious academic studies.

Although periodic and predictable election-induced clashes flared up in 1992 and 1996, violent confrontations have not occurred between the state and organized political groupings. This key feature distinguishes Kenya from the rest of the region. The mystery is why did the political opposition in Kenya, prior to

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[2] Similar violence took place in 1992 and 1996 as the dominant party activists stoked violence.

1992, not take up arms against the authoritarian regime as others have done in the region? Several factors possibly explain this conundrum. First, many in the opposition are members of the economic establishment and seem less inclined to risk their property and safety by taking up arms. Second, Kenya's tradition of free press has given the opposition space to air their grievances against the incumbent regime. Third, the West's pressure on the Kenyan regime to open up the political process was more intense and sustained. Such pressure ultimately contributed to the relatively free and fair recent election.

Djibouti

State power is the source of political struggles in Djibouti. Leaders who win power and their clients have considerable advantage over others and over the general public. Nevertheless, Djibouti has been relatively stable since independence despite the absence of a democratic and accountable government. The English literature on Djibouti is slim, and much of it is in the form of news. Reports couch the political conflicts marring the country's reputation in tribal terms (Schrader, 1993). Accordingly, the political elite is fractured along "ethnic lines" within the dominant Somali group and between Somalis and Afars. Some believe the intra-Somali rift reflects antagonism between the two main genealogical groups within Issa Somalis (ibid). This ethnic explanation is oblivious to Deng's, Samatar's, and Markakis's social constructionist thesis. These scholars argue that in reality the rift is due to elite competition for state power and the largesse that state control confers on the winner. Similarly, the conflict between Somali leaders of the government and the opposing Afar notables has little to do with ethnicity. Members of the Afar elite, which formed the Front for the Restoration of Unity and Democracy (FRUD) in the early 1990s, were concerned about the Somali clique's monopolization of state power, employment, and resources (Kadamy, 1996). The Afar faction's paramount concern was not the Somali clique's misappropriation and abuse of public resources, but that they have not received a larger portion of funds and posts. In fact, when they were sufficiently accommodated, they willingly rejoined the ruling group without any visible changes in the use of public authority (Horn of Africa Bulletin, 1997).

In response to the "Afar" insurgency, the government built up its military[3] and invoked an existing treaty with Ethiopia to arrange for the extradition of

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[3] The government diverted scarce public money to the military, noticeably effecting public service. For the first time in the country's history, the government failed to pay salaries for months until recently when it finances were bolstered by American aid.

FRUD leaders and their supporters living in that country (Agence France Press English Wire of September 28, 1997). Moreover, Djibouti concluded a security cooperation agreement with Ethiopia that allowed it to launch joint military operations to flush out remnants of FRUD from the difficult terrain straddling their border (Indian Ocean Newsletter, October 11, 1997 & November 1, 1997). Ethiopia conceded to Djibouti's initiative since it was also worried about its opposition groups who found refuge in Djibouti. Djibouti reciprocated the favour by handing over members of the Oromo Liberation Front and the Ogaden National Liberation Front to the government in Addis Ababa. Cliffe (2002) and Ayoob (1992) suggest that in the absence of democracy, local conflicts can be heightened into interstate issues. Djibouti is just one example of this escalation.

Eritrea

With the Ethiopian military regime's defeat in 1991, three decades of war that engulfed Eritrea ended. The state of Eritrea was formally declared in 1993 after the people sanctioned their independence through plebiscite (Iyob, 1995; Bereketeab, 2002; Mengisteab, 1994; Tekele, 1994; Tseggi, 1994). Liberation and independence brought peace to Eritrea for the first time. The unity of purpose the struggle demanded created a high level of social cohesion and a culture of sacrifice and self-reliance (Connell, 1993). Eritrean leadership possessed the public's overwhelming consent reminiscent of Africa's early post-colonial euphoria. Despite the deep legitimacy which this conferred on the state, signs began to appear that considerable disagreements were developing among members of the liberation movement. Tension within the elite became public shortly after the Ethiopian-Eritrean war. The single-mindedness that sustained the country's political fabric during the long and brutal war and its immediate aftermath began to crack open. Disagreement within senior ranks about the war with Ethiopia and the country's direction pitted the president and his allies against those who wanted to open up the political process (Hedru, 2003). The absence of democratic methods to resolve these disagreements led to the incarceration of some senior members of the government and the party while others sought refuge in other countries (ibid.).

The governing party's overextended control across the economic spectrum became a new source of disagreement (ibid). Although the public supported the exemplary absence of corruption at all government levels and leaders' parsimonious lifestyles, all was not well in Eritrea. Significant revenues generated from the Diaspora's remittance helped to fund the Eritrean struggle and establishment of Eritrea as an independent state (Henze, 1994). Many of these supporters

wanted to invest in the new country, but restrictions imposed by the party-government diminished their enthusiasm (Hedru, 2003). The Ethiopian-Eritrean war temporarily reversed the Diaspora's waning support for the government, but the latter's excitement of earlier years began to decline along with its willingness to invest in the country.

Although Eritrea is peaceful, signs exist that communal relations are less than healthy. Historically, communities of different belief systems have lived together peacefully for millennia; however, there is discontent as some Muslims point to the "unfair" Christian domination of the state and the movement of highlanders to lowland areas (Makki, 1996). Conversely, Christians underscore the central role Muslims play in the private sector. Ethnic and religious differences need not lead to communal strife if the country's political project is inclusive as Deng (1995) has demonstrated elsewhere. Recent political developments, however, are worrisome (Hedru, 2003).

Rifts that have developed within the Eritrean body politics have generated two processes that characterize other domestic conflicts in the region. The first is the narrowing of the democratic aperture, the concentration of power in fewer hands, and the creation of a culture of suspicion (Plaut, 2001). Second, other states, such as Ethiopia and Sudan, exploit Eritrea's internal disturbances. Sudan and Ethiopia willingly support elements of the Eritrean opposition who are amenable to their agenda of weakening or overthrowing the regime in Asmara (Abbnik, 2003). Once again, domestic problems turn into interstate and regional issues.

Ethiopia

Ethiopia's enduring domestic conflicts are rooted in the unjust distribution of productive agricultural land and the fusion of imperial state power with ethnicity (Clapham, 1994; Tafla, 1994). The Absyssinia Empire's expansion and its subjugation of other nationalities laid the foundation for the country's current domestic conflicts (Hassan, 1990; Holcomb and Ibsa, 1990). Conquered communities became subjects (Gabbar).[4] The Empire dispossessed these subjugated communities of their common property resources. Likewise, it gave their farms and livestock to court officials, the Coptic Church, soldiers and settlers from the north (Gilkes, 1975; Markakis, 1994; Baxter, 1994; Young, 1996,). This feudal order prevailed until the military junta seized power in 1974.

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[4] For an analysis of the segregation of the population into those with rights and those denied rights, see Mamdani, M (1996) Citizens and Subjects.

Essentially, the defeated population became landless serfs under the domination of northern settlers. The state's policy of Amharanization and Christianization accompanied the alienation of property and denial of citizenship (Hassan, 1990; Bulcha, 1997; Keller, 1995; Lata, 1999). The state prohibited the majority of the Ethiopian peoples from displaying their culture and using their language in public forums (Baxter, 1978). Here lie the seeds of "ethnic" conflict in Ethiopia. Conversely, those groups who had access to state-sponsored privileges identified with the dominant political discourse; the subalterns loathed the established order (Iliffe, 1987). The oppressive and sectarian imperial order induced revolts across the country (Gilkes, 1975; Ottway and Ottway, 1978; Tareke, 1977). Eritrea's forced annexation in the north and the resistance it engendered, and the Somali liberation movement's activities in the east intensified the crisis of the imperial order.

The Ethiopian student movement, which popularized a chief grievance of the dispossessed with the slogan "land to the tiller," was vanguard of the political rebellion and inspired the military to overthrow the emperor. Subsequently, the junta introduced radical land reform (Rahmato, 1985; Halliday and Moluneux, 1981). Despite land nationalization and the reforms that accompanied it, the "nationalities" question remained unaddressed. Those who sought redress faced the full wrath of the military machine (Tarke, 2002). The military's repressiveness set the stage for the next round of conflicts in which the regime faced four major liberation movements in Eritrea, Tigray, Oromo, and Somali. In fact, Somalia militarily aided all the movements, and particularly the Somali one. Ethiopia repulsed Somali troops with the aid of Soviet logistics, and Cubans and Yemani forces (Woodward, 1996). However, exhausted by the Eritrean resistance, the military regime succumbed to the Tigray movement in 1991.

The Tigray People's Liberation Front (TPLF) dominated the new order and recast the Ethiopian political map by dividing the country into ethnic regions. Ethiopia's new rulers invited various ethnic movements, many of which it helped create- the so-called OPDOs (People's Democratic Organizations) to a national conference which transformed the country into federated ethnic regions (Young, 1998; Abbnik, 1998; Tucker, 1998; Samatar, 2004), which is purported to provide for cultural and linguistic autonomy of the regions. However, evidence, in the form of several fraudulent regional and national elections held since 1992, indicates that most ethnic communities do not enjoy the autonomy that the federal constitution sanctions (NIHR, 1992; Tronvoll and Asdland, 1995; Pausewang, et al. 1994, 2002; Lyons, 1996; Abbnik, 2000). In fact, the central government has unseated "elected" local authorities who have shown any degree of autonomy, thus turning regional ethnic administrations into grotesque parody (Tronvoll,

2003). Gerrymandering of elections in conjunction with the region's lack of autonomy has rekindled "ethnic"-based conflicts between the centre and the periphery (Samatar, 2004), and "ethnic" liberation movements have sought and received help from external sources. The mismatch between constitutional rhetoric and political praxis has compelled the government to divert scarce resources into the security apparatus (Schroder, G. cited in Pausewang, 2002). The key factor underlying the country's political crisis is the unaccountable centralized order that pretends to be democratic (ibid).

Uganda

Instability and violence have marred Uganda's political landscape since the early 1970s. Internal squabbles among the dominant social class and the military's realization of its strategic position brought about military rule (Mamdani, 1976). Starting with Idi Amin, legitimacy eluded Uganda's authoritarian and brutal regimes. Unimaginable cruelty, mismanagement of the economy, and poor neighbourly relations defined Uganda until the mid-1980s (Khadiagala, 1993a). Consequently, force became the only option to bring about political change in Uganda (Mazrui, 1980; Tindigarukayo, 1988). The regime's record of domestic violence and its instigation of regional problems forced Tanzania to use its military to assist the opposition depose the Amin government. Abuse of public power continued after Amin's demise as those who replaced him failed to restore peace and public confidence in the political order.

It took another few years and the national Resistance Army (NRA) led by Yoweri Museveni to begin the journey to peace. Most of Uganda has enjoyed peace since the NRA came to power in 1986. The new regime banned political parties and promulgated "no-party" democracy. It claimed that since Uganda was emerging from a civil war and given the population's low literacy rate, party politics would only exacerbate communal tension and could instigate a new upsurge of violence (New African, 1991). What distinguishes the NRA government from other single-party regimes, however, is that it did not violently prosecute its political opponents. Instead, it involved them in rebuilding the state (Khadiagala, 1993). Nevertheless, such accommodation did not mean that all opposition groups have succumbed to the government's lure.

Two armed groups have engaged the NRA for over a decade (Lucima, 2002). The Lord's Resistance Army (LRA) and the Alliance of Democratic Forces (ADL) in the north and the west respectively have been the regime's most important challenge (Mirzeler and Young, 2000). The LRA has the support of the northern Acholi and Lango communities who feel government marginalized them

(Behrend, 1999). The ADF, which includes some ex-commanders of Amin's army appear driven by islamicist ideology and claim that Muslims are being marginalized by government.[5] The LRA receive logistical support and weapons from Sudan, while ADF set up bases in neighbouring Congo (ibid). Continued incursions into Uganda from eastern Congo have created a security threat in the country's western region. As a result, Uganda directly intervened in the Congo conflict to contain or destroy this menace. It also assisted Kabila before it turned against him (Menkhaus and Prendergast, 1999).

This conflict has displaced over 350,000 people and tens of thousands have perished in Uganda. Several attempts have been made at reconciliation, but none has been fruitful. Sudan, which supported the LRA in the past has withdrawn its backing and has given permission to Ugandan forces to pursue the LRA into Sudan if necessary (International Peace Academy, 2002).

Although struggles over state power are the sources of national conflict, local conflicts co-exist within this context. Regional uneven development and struggles over resources are key (Azarya, 1996). Karamoja is a classic example of this type of conflict. Pastoralists inhabit this region, which colonial and post-colonial development bypassed. Cattle raiding has been a major source of violence in the region as social and ecological perturbation challenge livelihoods. Although cattle raiding pre-dated colonial rule, the level of violence has increased (Mirzeler and Young, 2000). The influx and availability of automatic weaponry in the region escalated the conflict and the human cost associated with it. Despite being a single-party state and the persistence of violent conflict in the north and the west, Uganda has become something of a model for good economic management, provision of public services (e.g., HIV/AIDs education and treatment), and public order without excessive use of police power.

Sudan

Sudan, Africa's largest country with its varied cultural and ecological milieu, has known few years of peace since independence. The continent's longest running civil war continues to ravage the population in the South and more recently in Darfur (west). The human cost of the war is said to exceed two million lives in addition to the devastation of social order with four million people internally displaced[6].

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[5] For details about this information and ADF ideology and its challenges to the government, see IRIN report on December, 8, 1999.

[6] See ploughshare Armed Conflicts Report 2003 on Sudan.

Colonial legacy set the broad boundaries for Sudan's contemporary conflict by establishing unequal regional development in the country and by marginalizing non-Arab regions in the South and West (Khalid, 1987). Current identity dualities of Muslin-Christian, Arab-African, and North-South were set in motion during this period (Woodward, 1990). Although some of these differences existed in pre-colonial times, colonialism institutionalized communal distinctions to the detriment of certain regions and groups. Misguided post colonial nation-building projects accentuated "ethnic" and regional differences which have become fundamental to the country's crisis (Hurreuz and Abdel Salam, 1989; Al Zain, 1996). Political practices under different Sudanese regimes maintained tribal "identity" as an essential instrument in the political system. But the National Islamic Front-dominated military government has taken the sectarian project to new heights (Dagne and Johnston, 1996; Sikainga, 2002). It has effectively deployed "ethnicity" and "religion" to create geographical and psychological boundaries separating and isolating various Sudanese groups.

The regional and cultural/political divide, which the authoritarian regimes reified, threatens to split the country into at least two states (Dagne and Johnson, 1996). Denying organized groups their democratic political rights and continuing unequal development created the first major north-south conflict in the country shortly after independence. The differing factions reached compromise agreement in 1972 under the auspices of the Organization of African Unity (OAU) in Addis Ababa. This agreement granted the South partial autonomy (Sikainga, 2002). However, the ensuing peace was short-lived as Numeri's military government precipitated the current southern resistance when it reneged on that agreement by declaring "Islamic Sharia" as the law of the land in 1983 (ibid).[7] As Deng and others have argued, it is not cultural or religious differences which induce conflict, but the illegitimate application of state power to reinforce inherited regional imbalances that transforms communal relations into the theatre of conflict (Deng, 1995; Garang, 1996; Rothchild, 1997; Sikainga, 2002).

Military regimes' sectarian deployment of public power deepens the north-south divide and continues to undermine the development of an inclusive national identity (Deng, 1995; Lesch, 1998). The politicization of cultural, racial and religious differences has produced a violent and unsustainable political order at the centre and has also adversely affected the opposition. Splits among the southern resistance (Hutchinson, 2001) and recent upsurge of violence in the west in-

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[7] Numeri's military did not spare others, such as the communist party and the trade union movement, who challenged its agenda.

dicate that 'othering' knows no limits and can not be a sound basis for building a viable political community. It will be a mistake to assume that regional and local entities are immune to the corrosive effects of sectarian identity-based politics.

The discovery and exploitation of oil in central and southern Sudan has added to the conflict's ferocity (Kok, 1992). The privately owned Canadian company, Talisman Renergy Inc., and its Sudanese, Malaysian, and Chinese partners began extracting oil in 1991. The most recent discovery of oil in Western Upper Nile has intensified fighting between the government and southern forces for control of the region.[8]

Somalia

Somalia began its post-colonial journey with incredible democratic poise. It had two free and fair elections and a democratic and peaceful change of government, while the rest of the continent was drifting into single party states or military dictatorships, (Samatar and Samatar, 2002). Despite these accomplishments, two political tendencies competed for dominance in public affairs: communitarian versus sectarian (Samatar, 2001). It seems that the communitarian project which emphasized effective and merit-based public service and the protection of citizens' rights prevailed during the first seven years of the republic. Human rights were respected and no one was incarcerated for their political views. Further, government justly contained sporadic conflicts between two communities in the north (Ghalib, 1995). Although the first two republican governments were desperately short of skilled people at policy making level as well as technocrats, they, however, maintained open political order in which the opposition had unrestricted freedom to challenge the government (see different issues of the Dalka magazine; Dhuhul, 1996). When Zambia's President Kaunda visited Somalia in 1968, he was amazed by the country's vibrant democratic political order. In a state dinner held in his honour, he sat between President Sharmarke and former President Osman. Kaunda remarked that "Somalia is the only country in the continent where a reigning president and his predecessor enjoy state parties together. Elsewhere in the continent, former leaders are in jail, exile or worse."

The sectarian agenda was victorious in the 1967 presidential elections. Corruption and favouritism blossomed in place of merit. The parliamentary election of 1969 marked a new political watershed as the government rigged it. The au-

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[8] "For this complex war is partly about power, religion and race, but also it is about resources. Sudan's most valuable resource is the newly found oil in Western Upper Nile" (News.telegraph.Co.UK, April 29, 2002).

thorities made it patently clear that the opposition was not going to have access to state resources. Consequently, nearly 50 opposition parliamentarians switched their allegiance and joined the ruling party. Only one MP retained his status as the opposition. Several months after the election, a policeman fatally shot the President. It was reported that the policeman was upset because he felt the government rigged the election in his home area.

The murder of the President gave the military the opportunity to overthrow the government and annul the constitution of the country (Samatar, 1989). The public welcomed the coup, hoping that the military would clean up the corrupt system. The military's honeymoon lasted for several years, but it gradually became clear that the regime had become deeply corrupt. The defeat of the Somali army in Somali-Ethiopia in 1978 forced some elements of the military to challenge the regime. These were defeated and fled to Ethiopia to re-group. Others also established military bases in Ethiopia in the late 1970s. The lack of a democratic venue for the opposition to challenge the regime and the latter's excessive use of force and collective punishment of entire communities created a violent political climate and culture. The sectarian project which nourished identity politics during the 1967-69 civilian regime, bloomed under the military. The latter came to be associated with particular groups against the majority of the population. Identity politics, collective punishment of communities, Ethiopian support for the opposition, and sectarian exploitation of public authority led to horrific massacres and human rights violations, particularly in the northern regions, and ultimately to the disintegration of the Somali state in 1991.

Traditionalist scholars, drawing on British social anthropology, have argued that the collapse of the Somali state is due to the marginalization of the traditional authority and the super imposition of western and eastern governmental systems (Michaelson, 1993; Lederach, 1993). They claim that the "clan" which is the anchor of traditional Somali values has not been factored into public policy formulation and administration. Consequently, these authors implicitly or explicitly conclude that institutionalizing the clan could restore traditional ethics and order. These arguments are flawed on many grounds. First, they fail to explain why other centralized systems in Africa (Tanzania, Kenya, Botswana, etc.) have not met the same fate as Somalia. Second, they gloss over the very important Somali democratic experience in the 1960s and its lessons for the present. Third, these scholars miss the fact that it was the politicized use of genealogical differences and their application to public affairs during the tenure of the last regime that alienated the majority of the public and ultimately produced the calamity. In contrast, other analysts contend that neither centralization nor demo-

cratic politics is the problem (Afrah, 1994; Samatar, 1994). Dhuhul, the most critical Somali journalist of the civilian and military regimes notes that the 1960s democratic regimes blended traditional Somali *values* and modern democratic practice. The values that Dhuhul writes about are compromise, openness, justice and tolerance. Such morals can be found in centralized and decentralized systems of government. Institutionalizing identity politics contravenes these Somali ethics, as the comparative case of Botswana and Somalia illustrates (Samatar, 1997). It also impedes the re-emergence of civic culture and the politics of tolerance.

The Somali case demonstrates an extreme example of how misappropriation of public resources, sectarian use of identity politics, and the absence of democratic avenues for the opposition to challenge the regime produced sadistic politics. When the opposition mimics the dictatorship's sectarian tactics, the end result is the Somali nightmare wherein communities are fractured to their lowest common denominator. Such intolerable domestic conditions elevated this internal conflict into inter-state discord via the arbitrary boundaries set in the colonial era. Ethiopia's support for the Somali opposition had dual purposes. First, it intended to undercut Mogadishu's support for the Somali liberation movement. Second, it also desired to weaken the regime sufficiently so that Ethiopian forces could be free to concentrate their attention on internal opposition in Eritrea, Oromia and Tigray.

The collapse of the Somali state order has three domestic and regional consequences. First, communal wars over resources ravaged the country and particularly the deep South where farmers were forced out of their land and others lost their property and residence (Cassenelli and Besteman, 1996, Samatar, 1992). Such resources robberies are tactics sanctioned by warlords and aspiring regionalist politicians. Second, a process of communal segregation has replaced integrationist patterns that have evolved since long before independence. These changes set new patterns of social organization in which trust means investment in kinsmen. Without a broader sense of trust, it will be very difficult to rebuild civic life, inclusive politics, and peace. Third, stateless Somalia has become a major small arms bazaar and a conduit for the entire region. The proliferation of small arms has exacerbated conflicts both in Somalia and neighbouring countries.

III. Interstate conflict

The colonial powers, the authors of the African map, arbitrarily set the boundaries in the continent to suit their own interests. They paid no attention to the effects of these borders on Africans. These demarcations divided communities

with shared cultures that often depended on regional eco-systems for survival. In some instances, colonial officials knew about the ill effects of boundaries on certain communities, but they overrode those concerns due to their larger geo-strategic priorities. These boundaries were the basis of future discord in certain regions of the continent. Borders, however, do not in themselves cause conflict. When combined with post-colonial political developments and livelihood struggles, they can produce devastating strife in some regions, such as the Horn of Africa. Although the legacy of capricious colonial boundaries continues to haunt African affairs, how national leaders manage disagreements over border issues determines whether full scale wars that further impoverish citizens can be avoided. National political climate, which includes such factors as accountability of leaders, public perception, identity, citizenship rights, etc., often circumscribes how leaders address boundary problems. The contrasting ways leaders managed the Somali border disputes with Kenya and Ethiopia is a case in point.

Arbitrary boundaries are not the only cause of interstate conflicts in the Horn of Africa. In fact, only one half of the countries in the region have boundary problems. Other equally important roots of conflict are the lack of democracy and accountable political order. The authoritarian systems that prevail in all countries in the region, except Kenya since December 2003, often turn legitimate political opposition into violent confrontation between authorities and their opponents. Such repressive political culture has been the source of intra and inter-state conflict in the Horn. Figure 2 shows the main axis of the conflict in the region.
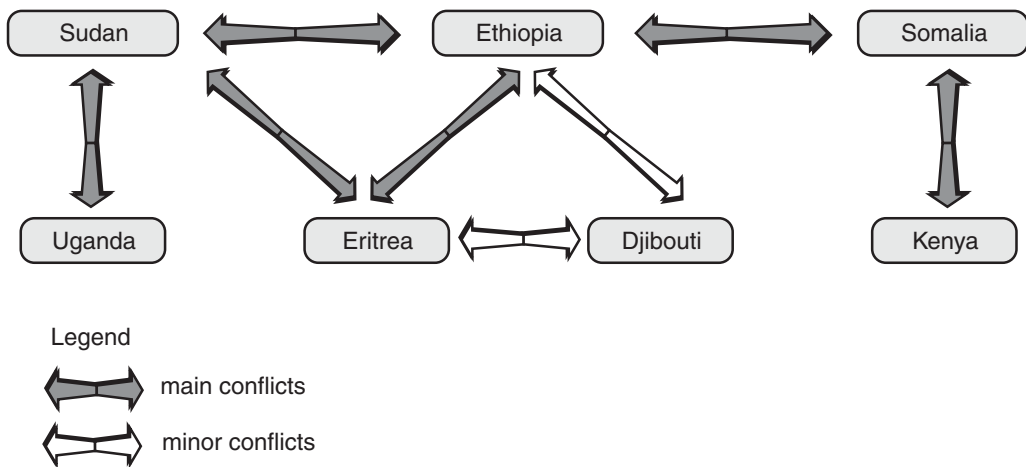

Figure 2. Major interstate conflicts in the Horn of Africa

Kenya-Somalia

Arbitrary boundaries are the Achilles heel of contemporary Somali life. Colonialists divided Somali-inhabited territory into five parts: British Somaliland, Italian Somaliland, French Somaliland, Northern Frontier Districts (NFD) in the British colony of Kenya, and the Haud/Reserved area and Ogaden in Ethiopia. Colonial boundaries segmented cultural and economic affinities that the Somali people shared. The British and Italian colonies discarded the boundary dividing them once they became independent in 1960. The union of these two regions inspired Somalis under other jurisdictions to seek reunion with the Republic that sanctioned the unification of all Somali territories.

Unification created a potential basis for conflict with Ethiopia and Kenya. The British in Kenya, who administered the Somali region as a closed district, restricting the movement of people in and out of the region, recognized the problem (Farer, 1976). Somali leaders in Kenya demanded unification with Somalia and the Somali Government encouraged their efforts. Before Kenya was granted independence in 1963, the British Colonial Secretary appointed an independent Commission to gauge public opinion. The plebiscite showed that 62 percent of the population endorsed joining Somalia. Britain's economic interests in Kenya superceded those it had in Somalia, and it consequently declined to honour the people's preference (ibid). This disregard for the people's desire enraged the population who looked to Mogadishu for relief. Britain's decision not to honour the results also stoked nationalist sentiment in the Republic, and the Somali Government severed diplomatic relations with the United Kingdom. Exactly when Kenya celebrated independence, violence broke out in the NFD. Kenya's refusal to acknowledge the referendum's outcome and the Somali government's insistence that the people of the NFD democratically chose to join Somalia soured relations between the two countries. Members of the Somali population in the region took up arms with the Somali government's support. Kenya ruthlessly responded to the rebellion. It cordoned off the area and signed a defense pact with Ethiopia. Ethiopian authorities also were concerned about the Somali Republic's support for the Somali population in that country (ibid).

The colonial-set boundary and the British rejection of the plebiscite's outcome provided a context for a potential conflict between Kenya and Somalia. However, these circumstances did not cause the discord that existed between the two countries in the 1960s. Rather, the failure of the two countries' leaders to find common ground induced the violence. Kenya's deliberate marginalization and persecution of the Somali population, recently admitted by President Kibaki, and

Somalia's unwillingness to compromise on the referendum results created violence initially and then produced a stalemate in later years. Despite the discord, the two countries never went to war.

The collapse of the Somali state and the civil war in that country forced hundreds of thousands of Somalis to seek refuge in Kenya. This event had two unforeseen consequences. First, Somalia's statelessness enabled gun merchants to use the former country as a free port of entry to the East African market. Second, Somali refugees have been ill -treated, far worse than Kenyan citizens of Somali origin who were always considered second class citizens (Abdi, 2002). Kenya's awful treatment of Somali refugees could have lasting implications for Somali-Kenya relations.

Ethiopia-Somalia

Again, the Somali-Ethiopian conflict is rooted in the demarcation of national boundaries during the colonial era (Omar, 2001; Drysdale, 1964; Farer, 1976). The British who ruled northern Somalia ceded Somali territory, Haud and Reserved Area and the Ogaden, to Ethiopia without the population's consent (Fitzgerald, 1982). A number of factors led to wars between Ethiopia and Somalia in 1964 and 1977. These included the Ethiopian government's unwillingness to acknowledge the Somali region it administered, the Somali government's insistence on self-determination for the population, and the Western Somali Liberation's activities. This conflict preoccupied the two governments since 1960 and has absorbed scarce resources either country could ill afford. Soviet and American willingness to supply large quantities of military hardware to both governments increased the human cost of the conflict (Sivard, 1985). Further, each regime supported its opponents' armed political opposition (Cliffe, 1999; Abbink, 2003). The conflict ultimately led to the demise of the Somali state and the collapse of the Ethiopian military regime in 1991.

The Somali Ethiopian conflict ebbed for several years until 1996. The TPLF government introduced political and administrative changes that promised to ease tensions in Ethiopia and between it and Somalia. The creation of semi-autonomous regions, such as the Oromo, Somali, etc., meant the government of Ethiopia finally recognized different groups' cultural identity that the old order previously denied (Woldemariam, 1964; Tronvoll, 2000). The optimism that the Ethiopian reform instigated, however, quickly faded as excessive federal interventions into provincial affairs undermined the new order's legitimacy and authenticity (Samatar, 2004). In addition, the absence of local democracy in most ethnic regions has unleashed a new round of armed struggles in the country

(Abbink, 2003). Second, Ethiopia involved itself in Somalia's civil war by supplying arms and other resources to certain factions. This type of Ethiopian involvement in internal Somali conflicts also helped unravel the goodwill Ethiopia's new dispensation generated (United Nations Security Council, 2003; Samatar and Samatar 2003). Ethiopian partnership with the United States on the "war on terrorism" has complicated its relation with Somalis and its own Muslim population (de Waal, 2004). The Addis Ababa regime's unwillingness to allow the legitimate expression of dissent in the Somali region and its support for some warlords in Somalia instigated more domestic conflict in Ethiopia and opened yet another unfriendly chapter in Somali-Ethiopian relations.

Ethiopia-Eritrea

Political leaders' impulses drive the recent conflicts between Ethiopia and Eritrea, not great cultural or social cleavages between their peoples. The Tigray (TPLF) and Eritrean (EPLF) insurgents cooperated closely during their struggle against Ethiopia's former military regime. In May 1991, the alliance between the TPLF and EPLF defeated the regime. TPLF gained control of Addis Ababa and EPLF took over Asmara. Significant difference over ideology and military strategy marked from the outset the two fronts. However, the two groups managed to shelve their differences as they confronted a common enemy (Young, 1996).

Newly independent Eritrea and the TPLF-dominated regime in Ethiopia became close partners. The two governments signed an agreement in 1993. This accord sanctioned six intentions. First, it exempted their citizens from having to obtain visas to travel to the other country. Second, the agreement emphasized respecting the "historical and cultural relationships long cherished by the peoples of the two countries. Likewise, it called for further strengthening of the affinity and bonds of friendship between them" (Agreement on Security and Related Matters, 1994). Third, it stated: "until the issue of citizenship is settled in both countries, the traditional rights of citizens of one side to live in the other's territory shall be respected." Fourth, it allowed the free flow of goods and people across the border. Fifth, it permitted the two counties to conduct joint security and police training programmes and operations. It also permitted the two states to share responsibility for monitoring drug trafficking and motor vehicle regulation. The sixth intention established a joint government commission to promote political cooperation and economic integration between them. Authorities in Asmara and Addis Ababa became so close that in June 1996, President Isayas Afewerki of Eritrea told a newspaper in Addis Ababa that the border between Eritrea and Ethiopia was becoming "meaningless" (Afeworke, Quoted in Press Digest, 1996).

Suddenly, in May 1998, the highly celebrated alliance between Eritrea and Ethiopia disintegrated when a border war broke out over a contested piece of territory called "Bademe." Iyob (1999, 2000) argues that the dispute's root cause is due to two factors: a clash of interest and the failure of the two governments to formalize their relations according to international law. Eritrea and Ethiopia pursued very different approaches to development and governance. Their informal understandings unraveled amidst conflicting interpretations of issues relating to sovereignty, territorial jurisdiction, and citizenship. Lata (2003) adds that this was a war between two branches of the Tigray ethnic group. But Tronvoll (1999) questions whether the conflict is based on culture and identity. The fundamental question is this: were the differences between the two regimes significant enough to warrant the loss of over 100,000 lives? Could the two countries have worked out their differences in a more peaceful and less destructive manner if the leaders had been willing to submit to arbitration sooner instead of after all the destruction had taken place? The Ethiopian Eritrean conflict suggests that the undemocratic centralization of authority and the power of each country's leader made the war almost inevitable. Silencing debate and dissent in each country signals the marginalization of the public.

Eritrea-Sudan

The Eritrean Sudanese conflict demonstrates that arbitrary colonial boundaries need not lead to wars between neighbouring states. Although the border splits the Beni Amer community (Nadal, 1943), fictive bonds and economic interdependence among the Beni Amer remain (Tronvoll, 1999). Neither country claims any part of the other's territory. In addition, Sudan was the most strategic supporter of the Eritrean liberation movement, hosting a huge refugee population for decades (Bascom, 1998; An-Naim, 1994).

Despite the long friendship between the liberation movement and the regimes in Khartoum, their relation soured soon after Eritrea's liberation (Cliffe, 1994). Some of the major causes of conflict between Eritrea and Sudan include: the dearth of strong local institutions in each country responsible for holding leaders accountable and Eritrea's eagerness to join the United States' agenda for the region.

Ethiopia-Sudan

The Ethiopian-Sudanese relations have not been cordial since the latter became independent in 1957. Neither country has territorial claims on the other. However, their relation is one of suspicion as they have accused each other of hosting and supporting the other's opposition (Woodward, 1996). In fact, Sudan gener-

ously supported the TPLF and also the EPLF while Ethiopia supplied SPLA forces. Expectations were high that the two countries would chart a friendly course once TPLF seized power in Addis Ababa.

The new governments in Ethiopia and Eritrea concluded bilateral agreements with Sudan that promised friendly cooperation. The pacts worked smoothly for three years and support for rebels from the three countries were kept in check. However, in 1994 the three countries reverted to the earlier pattern of mutual interference (Cliffe and White, 2002). The promise of peaceful and cooperative relations between the Sudan and its former allies vanished as quickly as cordial relations between Ethiopia and Eritrea ceased. Insecurity, regime survival in all three countries, and the absence of democratic channels for local opposition groups are the sources of conflict. The honeymoon between Sudan and Ethiopia was brief. Regimes in Asmara and Addis Ababa cooperated to isolate the National Islamic Front-dominated Sudanese government which they perceived as Islamic fundamentalist [9]. Ethiopia also accused the regime in Khartoum of supporting and harbouring those who attempted to assassinate President Mubarak of Egypt during his visit to Addis Ababa in 2000. In retaliation, the Eritrean and Ethiopian governments openly supported the armed Sudanese opposition. Fortunately, this strife did not erupt into a war. Relations between the three countries took another dramatic turn once the Ethiopian-Eritrean war commenced. The Ethiopian and Eritrean governments restored economic and diplomatic relations with Sudan. The rapidity of these changes confirms the proposition that relationships among countries in the region depend on regime survival needs, not on unalterable structural differences between these nations.

Uganda-Sudan

Relations between Sudan and Uganda have been seriously strained amid accusation that each country supports rebel groups fighting to topple their regime. The LRA have been receiving arms and other support from the Khartoum government in retaliation for Uganda's support for the SPLA (Doom and Vlassenroot, 1999). Uganda countered that Sudan has aided the LRA in order to facilitate the spread of Islamic fundamentalism in the region. Relations between the two neighbours have become sufficiently strained to result in severing of diplomatic relations.

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[9] The United States has put Sudan on its blacklist of terrorist states and recalled its entire embassy from Sudan.

Regional dimensions of conflicts

Some of the structural underpinnings of conflicts in the Horn of Africa also appear elsewhere in the continent, while others are peculiar to the region. According to Cliffe (1999: 90):

> "The same arbitrariness of borders inherited from European colonial rule and with inevitably resulting problems of state making and nation building among desperate peoples and in contested territory where there were cultural links with people across those borders. These features, found throughout Africa and other ex-colonial territories, were intensified by factors specific to the Horn, each of which further enhanced the likelihood of internal and inter-state conflict."

The combination of arbitrary boundaries, cold war policies (Habte Selessie, 1980), scarce resources, socio-economic inequality, and marginalization of certain communities provides fertile ground for violent conflicts and civil wars. The central factor, however, that seems to sustain the war agenda is the absence of good governance.[10] Certain elements of the elite's and their clients' monopolization of economy, the exclusion of others from state provided benefits, and the denial of basic citizen and human rights in each country create environments pregnant with violence. In such a climate, the opposition which frequently lacks legitimate recourse to fair play and justice is forced to mobilize for war and insurgency (Bariagabar, 1994; Cliffe, 1999). Rebels usually find refuge in neighbouring states that either covertly or more overtly sanction the rebels' activities. Neighbouring states' actions and counteractions reinforce mistrust between regimes and produce a regional political climate that is not conducive to peaceful resolution of conflicts. The Ethiopia-Somalia, Sudan-Ethiopia, Eritrea-Ethiopia, and Uganda-Sudan conflicts manifest this pattern which has dominated the region since the 1960s.

The conflict-driven relations among states in the region make solutions to internal problems exceptionally arduous. In fact, sometimes a country's solution to its problems actually reinforces interstate antagonism (Samuels, 1992; Lyons, 1996; Cliffe, 1999). Lyons argues that "many conflicts are linked in a regional security complex –

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[10] It is worth noting that violent conflicts in the region have not declined since the end of the cold war. Although the cold war was a major force in the region's troubles, leaders of these countries have a greater leeway to minimize violent upheavals within and between their states.

a group of states whose primary security concerns link together sufficiently closely that their national securities can not realistically be considered apart from one another" (1996: 85). A clear manifestation of these dynamics is the involvement of various regimes in conflicts in other states (Cliffe, 1999):

- Those which are only *sustained* because of external backing, like several Somali movements of the 1980s [based in Ethiopia]
- Those where conflict has been significantly *escalated* by the involvement of neighbouring states (as in the Sudan insurgency after the 1991-94 détente
- Those where neighbours' involvement *hinders* resolution of conflicts - as perhaps in northern Uganda, and to some extent in Somalia
- Those where external influences were present but *not determinant*-the Eritrean and Tigray liberation movements would be the most noteworthy examples.

These analysts' common regional approach, which identifies the linkages between external and internal factors, is an essential step in comprehending the dynamics of the conflict (Mwagiru, 1996). The underlying cause of regional conflicts or peace is the nature of governance in each country.

Issues that generate negative energy in regional affairs include: unequal access to resources and governments' insensitivity to valid concerns of many citizens. These factors may deceptively appear internal, but in essence they are regional. Authoritarian systems and the marginalization of poor producers, such as pastoralists, work together to create unstable social and political environments (Mwaura, Baechler, Kiplagat, 2002). Challenging political-economic and ecological conditions characterize the border regions of the Horn. These areas are generally arid or semi-arid regions inhabited by pastoralists and agro-pastoralists (Teka, Axeze, Gebremariam, 1999; Little, 2003). Pastoral livelihoods demand a high degree of mobility allowing people to search for suitable pasture and water for their livestock. The integrity of pastoral life entails indifference to "artificial" borders set to serve the interests of others (Assefa, 1997). Conflicts often ensue when authoritarian states attempt to control pastoral movements, without providing necessary services, and pastoralists pursue their way of life (Little, 2003).

The alienation of border communities, often inhabited by pastoralists, further complicates inter-state conflicts (Osamba, 2000). Pastoralists living in these marginal areas lack state protection and have also gained access to sophisticated weapons due to the proliferation of small arms. These weapons have altered the nature of domestic and regional conflicts. For example, the Oromo Liberation Front (OLF), fugitive from the Ethiopian authoritarian regime, is active along the

Kenyan border. This rebel group's activity has complicated the conflict along the Kenyan-Ethiopian border (Mwaura, Baechler and Kiplagat, 2002). The tension is rooted in the belief that the pastoral Borana Oromos in Kenya harbour and support OLF. Ethiopia repeatedly complains that the OLF uses Kenyan territory to launch attacks into Ethiopia and then retreats to havens in Kenya. The Ethiopian government has frequently taken the liberty of crossing into Kenya to pursue OLF fighters. The result of these forays has been violent clashes with Kenyan communities. Incidents like these strain Kenyan-Ethiopian relations.

Authoritarian governments in most countries of the region and mistrust among power holders have bred a culture of "mutual interference" (Cliffe, 1999). These conditions have further exacerbated internal political-economic and ecological factors. Political intolerance impels opposition to reigning regimes to seek refuge across the border. They often receive support from the neighbouring states and establish military bases, i.e., Somali opposition in the 1980s in Ethiopia, Sudanese opposition in Ethiopia, Eritrea, and Uganda; Djibouti opposition in Ethiopia, and Ugandan opposition in Sudan. With the exception of Kenya, mutual interference has characterized violent opposition politics in the entire region. In recent years Somalia's statelessness has added another layer of conflict emerge to. Several countries inside and outside the region have fought proxy wars in Somalia by supplying different factions and warlords with weapons, money, and even direct military support (Mwaura, Baechler and Kiplagat, 2002). Below is the list of various actors in the Somali theatre:

- Egypt, Libya, and Eritrea have supported Mogadishu faction leader, Hussein Aydeed
- Ethiopia, Libya, and to a lesser extent, Egypt, have supported Northeastern faction leader, Abdullahi Yusuf
- Ethiopia provides direct military support to the Rahanwien Resistance Army based in Bay and Bakool in southern Somalia
- Ethiopia supported Mogadishu faction leader, Musa Sude Yalaho
- Eritrea and Djibouti supplied weapons to the Transitional National Government.

The superpowers also conducted a form of proxy wars in earlier years (Habte Selessie, 1980). The aim of both the Americans and Soviets was to contain each other's influences in the Horn (Schrader, 1992; Lefebvre, 1998). The superpowers' least concern was the nature of governance of the countries whose regimes they supported. The United States and the Soviet Union considered democracy and accountability inconsequential, thus sustained various dictatorial regimes

and made little effort to short-circuit the conflicts. In the context of bipolar rivalry, 'internal' conflicts such as the Eritrean, Tigray, Oromo, Somali Liberation struggles in Ethiopia, SNM and USC in Somalia, NRA in Uganda and SPLA in Sudan escalated into regional problems. In the current rhetoric of the war against terrorism, new alliances are being forged that reinvent old hostilities under different guises.

The dramatic shifts in Soviet policy in the late 1980s and the withdrawal of its military support for many former allies in the Horn forced them to rework their strategies (Webber, 1992). Consequently, Ethiopia and Somalia signed an accord to end hostility and terminate support for each other's armed opposition. Both countries' desire to free their military resources to counter internal threats to the regime by various guerrilla movements motivated the peace accord (Schrader, 1992). The treaty did not translate into a windfall for either regime. The Somali armed opposition, which Ethiopia forced out of its territory, dashed across the border and proceeded to escalate the Somali civil war. Meanwhile the Eritrean and Tigray insurgents challenged the Ethiopian regime. Two years later the governments in Mogadishu and Addis Ababa fell. The war on terrorism is quickly reshaping alliances in the region. Ethiopia appears to be America's lynchpin in the Horn despite Djibouti hosting significant numbers of American forces.

Regional peace making and the international response

After the Cold War and before the events of September 11, 2001, the Horn of Africa ceased to be strategically important. Nevertheless, the region received international attention during the 1990s due to the UN and US intervention in Somalia (Dagne, 2002), the civil war in Sudan, and the concerted international effort to end the conflict between Ethiopia and Eritrea. Despite a high level of international engagement and regional initiatives to resolve the region's many conflicts, peace remains elusive. Somalia is a failed state, and warlords' machinations continue to ravage vulnerable people. Peace in Sudan hesitantly moves forward despite the resurgence in Darfur, while hostility between the state and various ethnic communities in Ethiopia continues to fester. The UN-brokered cease-fire between Ethiopia and Eritrea which both accepted and the judgement of the independent boundary commission barely holds. In fact, progress towards permanent peace has stalled since Ethiopia rejected the decision of the boundary commission.[11]

Individual governments have made several attempts to mediate conflicts in the region. In one memorable peace-making effort Sudan brokered the Khartoum Declaration between Somalia and Ethiopia in 1964. This Organization of

African Unity (OAU) – now African Union – sanctioned agreement maintained the cease-fire between these two states for 13 years. The Addis Ababa agreement in 1972 between the Sudanese government and the southern Sudanese resistance that lasted for nearly a decade was another important regional effort. The two agreements have been two rare cases of semi-successful, regionally negotiated conflict resolutions.

In recent years IGAD has attempted several times to reconcile conflicts between countries, such as Eritrea and Ethiopia, and within nation states Sudan and Somalia. However, the complexity of conflicts in the Horn of Africa and disagreement among the leaders of IGAD member states tends to undermine the organization's ability to advance a peace agenda (El-Affendi, 2001). Those issues undermined the Djibouti-mediated Somali reconciliation conference in 2001. More recently, the IGAD-arbitrated Sudanese mediation is sufficiently advanced to lead to a settlement (International Crisis Group, 2003). Reports indicate that IGAD has made this progress because of pressure exerted by the United States and others[12]. In contrast, the Somali reconciliation conference has been stumbling for nearly two years and IGAD mediators have become partisan in the process (Samatar and Samatar, 2003). The major powers seem loath to nudge the process forward although some progress has been made recently.

The quality of leadership and system of governance in each country are key to resolving local, national, and regional conflicts. Democratic and effective governments in the region alone can reverse the Horn's nightmare. Such governments can take advantage of global opportunities and minimize global machinations that accent intra and interstate conflicts.

Final thoughts

The literature on conflict and peace in the Horn of Africa is dominated by country-specific studies. Few scholars and peace activists appreciate the intricate interconnections between national and regional affairs in the Horn. Lyon's (1996) and Cliffe's (1999) works underscore regional security complexities which bind the fate of several countries together. Although we share the significance of their regional approach to security studies, we think that the dichotomy between na-

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[11] See BBC news Thursday, 3 April, 2003, 16:41 GMT 17:41 UK , The Ethiopian Government has expressed its unhappiness after an International Boundary Commission upheld its ruling that the symbolic village of Badme lies in Eritrea.

[12] New African magazine, Sudan peace in our time? January 2004 No 425.

tional and regional analysis should give way to a dialectic discourse of the two. What often seems like a national or even local issue induces interstate conflicts that reinforce domestic instability.

The literature depicts several variables as central to the ways in which national and regional problems dovetail. These include systems of governance, leadership, inherited boundaries, ethnicity and resources, and architecture of global power networks. Some of these conditions are found elsewhere in the continent, but the particular ways they interact in the Horn have sustained a crisis environment in many countries and often the entire region. Although these variables are not hierarchically ordered, however, it seems that the system of governance and the quality of leadership are strategic factors. A measure of the causal power of a system of governance is its ability to simultaneously undertake two things: accommodate several competing political views without resorting to violence and protect the integrity of public resources. Nearly all the countries in the region have suffered under the tutelage of regimes that have been inattentive to these vital issues.

Regimes that abuse public power and resources torment their people and feed regional insecurity. This is the context where divisive identity politics flourish as cultural and religious differences are transfigured into antagonistic relations (Deng, 1995, Sikainga, 2002, Samatar, 1997; Baxter, 1978: Hassan, 1990; Odhiambo, 2004). Sectarian entrepreneurs latch onto this environment and nurture the seedlings of communal discord. This system's reproduction ensures that local conflicts are scaled up to interstate and regional problems, particularly in countries where disagreements exist over their boundaries.

Three global regimes have conditioned the recent historical context of (the Horn of) African societies and states: colonial, cold war, and the war on terrorism. The colonial system left a legacy of arbitrary borders and underdeveloped economies which has contributed to some of the region's instability. Second, the cold war powers provided weapons to the regime of their choice irrespective of its legitimacy or human rights record. The mini-arms race this competition engendered diverted resources away from development and deepened poverty. Further, the cold warriors sanctioned governments that deployed coercion as their preferred method of dealing with political opposition. Third, the new war on terrorism seems to reincarnate old ailments as it divides governments into friendlies and others. It is already clear that some authoritarian regimes in the region continue to abuse public authority and resources under the guise of anti-terrorism.

Issues for further research

The literature clearly shows that inter and intra-state conflicts continue to plague the Horn of Africa. Much research has focused on colonial legacy, inherited boundaries, ethnicity, resources, and the cold war as principal instigators of instability and civil strife. This review endorses the trajectory of the few studies that posit that the presence of the above elements elsewhere in the continent have not led to the wars that have raged in the Horn. Further, we think the agency of communities, political groups, and state authorities are vital to understand the dynamics and nature of conflict in the region. Consequently, the major issues that would benefit from further study and analysis are:

a) The impact of democratization on all types of conflict and levels of government
b) The role of leadership in creating a climate that nurtures compromise and peace
c) The mechanisms used for peace-making (regional and international) and their autonomy, integrity and effectiveness
d) The growing effect of the war on terrorism and how it is re-defining alliances in the region
e) The impact of small arms proliferation on politics and culture in the region

The status of civil society organizations in the Horn of Africa

Civil society organizations, particularly NGOs, in the Horn of Africa mainly concern themselves with the poor. The NGOs' aim is to help alleviate poverty by engaging in a variety of endeavours such as agriculture, conflict management, displacement, HIV/AIDS, interrelated rural development, health, education, income generation, information services, youth, refugees, street children, gender issues, governance, food security and self help. Civil society organizations involved with issues that cut across broader civic matters are very few. Most civil society actors in the region are project focused and have little concern or influence beyond their turf. Despite these limitations civil society organs have played a significant role in democratization, particularly in Kenya (Bratton, 1994; Hadenius & Uggala, 1996; Harbeson, 1994; Orvis, 2003).

Critics argue that the majority of civil society organizations in the Horn of Africa are weak, fragmented and uncoordinated. There is over concentration of civil society organizations in urban areas while the majority of the population live in the countryside. NGOs duplicate each other and often their services and

activities overlap. They also intensely compete for external aid and funding (Kasfir, 1998). Furthermore, Kasfir (1998) argues that civil society organizations in Africa lack the value that would in fact make them civil. They are controlled and driven by personal or sectarian agendas (Berman, 1998).

Major civil society organizations **(this is a selective list and may have left out many other significant ones)**

Djibouti

- Action and Development
- Association Femme Developpment du district de Dikhil
- Association Navigateur
- Association Pour le Developpment de l'Action Culturelle
- Association Red Sea Relief and Rehabilitation
- Bender Djedid Pour le Developpement Socio-Economique
- Nomad Aid - ONG
- ONG Ametern
- Peace and Development Beyond Borders

Eritrea

- National Union of Eritrean Youth and Student

Ethiopia

- Christian Relief and Development Association (CRDA)
- Consortium of Family Planning NGOs in Ethiopia (COFAP)
- Ethiopian Muslim Relief and Development Association (EMRDA)
- Ethiopian Women Lawyers Association (EWLA)
- Harar Relief and Development Association (HARDA)
- Relief Society of Tigray (REST)
- Ethiopian Human Rights Council
- Hunde Grass Root Organization
- Ethiopian Teachers Association
- Ethiopian Journalist Association
- Hope for the Horn
- Women's Association of Tigray

Somalia

- Amana Training in Development

- Ismail Jimale Human Right Center
- Coalition of Grassroots Women's Organizations (COGWO)
- Save Somalia Women and Children

Sudan

- Amal Trust
- Babiker Bedri Scientific Association for Women Studies
- Nub Relief, Rehabilitation and Development Organization
- South Sudan Law Society (SSLS)
- Sudan Rights Programme
- Sudanese Women's Voice of Peace (SWVP)

Kenya

- National Churches of Kenya
- The Green Movement
- Center of Governance and Development
- Kenyan Law Society

The Horn of Africa

- FEMNET
- InterAfrica Group
- Life and Peace Institute-Horn of Africa Program
- Pastoralist Environment Network in the Horn of Africa
- Radio Voice of Peace - Somalia

International

- Christian Aid
- Heinrich Boll Foundation
- NOVIB
- Oxfam Canada / HOACP
- Care International
- International Crisis Group
- Plough Share
- Greater Horn Peace Initiative

Developing a new vision on the Horn of Africa: Creation of a forum to debate the common future of the region

Ali Moussa Iye

The idea of creating a Forum of Intellectuals or a think tank to explore the common future of our peoples is the result of a long process of reflection. It begins with the awareness of the contradiction between the divisive discourses of our political elites and the aspirations of our peoples to live together and interact peacefully. The assessment of the mode of production of knowledge on the history, culture and politics in our region brought us to question the role played by intellectuals in the construction of this reality.

We, as intellectuals, have generally failed to challenge the ethnocentric views of our societies and preserve a specific space or role, which should have permitted us to participate in the development of our communities without being instrumentalized or vilified by the power holders of our region.

Such failure is not peculiar to the intellectuals of our region as we all know that the concept of "the betrayal of intellectuals" or "La *trahison des clercs*" has been developed elsewhere. However, we must admit that in our region, intellectuals have been more seduced, subordinated and manipulated by rulers than in other parts of the world. We tried to understand the problem. What are the ideological snares, the methodological constraints, and the psychological reflexes that could explain such behaviour? Why did we fail in "disarming" the history of our region, in questioning the beliefs and traditions of our societies, in deconstructing the prejudices of our peoples? Why were we incapable of resisting the cheap chauvinistic patriotism that we contributed to build under the fake post-colonial independence of our nations?

We came to identify at least five patterns or mindsets that limit our capacity to apprehend the reality of our region in a different way. I would like to recall these patterns that I have discussed in an article published in 2003 in the Review of African Political Economy.

The tyranny of mythology

The Horn is a land rich in paradoxes. It is a region whose renowned history, instead of leading to a better knowledge of its populations, became a prime bone

of contention among intellectuals. This is a region where paleaontological, genetics and linguistics research attests the antiquity of its inhabitants, yet the majority of its peoples claim to have originated elsewhere.

The stakes might have changed but the intellectuals of this region still hold onto the same tales of prestigious origins. The Abyssinians trace their ancestry to Solomonic Dynasty while Somali clans claim holy men from the Hashemite tribe of Prophet Mohamed as their progenitors. Northern Sudanese look to Egypt as their place of origin. A myth of having come across the sea from India holds sway among the Oromo. Presumed to be the 'lost tribe of Israel', the Falasha found a home in modern Israel.

Myth is not peculiar to Ethiopians, Somalis or Oromos. Indeed, it is common to most peoples in the Horn of Africa. Their use as potential sources of information for research is not in question here. The problem is the excessive interest accorded to those legends which locate the origin of some populations of the region outside Africa. Alongside official mythologies, there are also traditions with local reference points that offer useful indications regarding the origin, identity, history and culture of the inhabitants of the Horn of Africa. However, these traditions, which are often dismissed as 'pagan', have not aroused the interest of intellectuals in the region. Understandably, it is more rewarding to be concerned with the traditions related to Christianity and Islam, which are supposed to be of higher cultures.

The production of knowledge in our region has not sufficiently distanced itself from the influence of such mythologies. In the Horn, you cannot address a single issue without being confronted with legends, myths inherited from Judaism, Christianity, Islam or from other cosmogonies. This reference to mythology has not only discouraged independent debate on the history and culture of our peoples. It has become an ideological tool that is frequently used to justify cultural intolerance, economic injustice and political domination. The paradox is that those who generally claim strong historical rights and privileges in the territories of this region are the same people who believe that their ancestors came from lands located the other side of the Red Sea.

The obsession with territory

The Horn is the setting for endless "*wars of geography*" to redraw the regional map according to rulers' designs. Intellectuals of the region have largely contributed to providing the scientific basis to these dreams of grandeur. The result is a collective obsession with territory, which reduces the complex and rich relations

of peoples to territorial claims and counterclaims. It is a waste of resources in a destitute region, a distraction for leaders from the real challenge of economic and social development. Catastrophic wars were fought to seize or retain lands, which the rulers have neither the interest nor the capacity to develop for the real benefit of the peoples concerned. Witness the disastrous outcome of the dream of Pan-somalism and the Amhara obsession of the "sacred unity" of Ethiopia. Think about the new risks posed by the vision of "Greater Oromia" or "Afaria".

The recent war between Ethiopia and Eritrea is a good example of this obsession. Both governments implicitly acknowledged - albeit for different reasons - that the real cause of the conflict had nothing to do with the few pieces of eroded land along their common border. Nevertheless, the explanation explicitly given to their people was precisely the issue of these pitiful scraps of land, as if this were the only argument their people could understand, the only cause for which they could be asked to make sacrifices and die.

The feudal mentality

Political culture and practice throughout the region is still infused with a feudal perception of power, regardless of the regime or ideology. Political beliefs claiming that the source of power existed before the people and is independent of the people's will, prevail to this day. Family-based autocracy which claims divine legitimacy pulled from God-favourite lineage has been the dominant political structure. According to such theories, peoples are not perceived as masters of their destiny, but as herds that happens to graze on the estates of those holding the power. The power-holders are not considered as being accountable to the people, but only to the "divine will" that placed them in the seat of power. They still continue to act as if they had no constitutional obligations to their subjects but only charitable duties, as if they are beholden only to history.

This feudal mentality outlived the abolition of monarchic regimes and continues to influence the political practices of states in the region despite their formal adhesion to a democratic model.

It is worth recalling that in a region with innumerable territorial disputes, no referenda or popular consultations have ever been held, except in Eritrea, after the long war of independence.

Intellectuals contributed to propagate such feudal mentality in their legitimisation of power. They failed to popularise and revitalize the indigenous traditions of governance based on popular participation, democratic procedure and consensus such as found among the Heer of the Somalis, the Gada of the Oromos,

the Baito of the Abyssinians and the Dinkara of the Afars, to name a few. These traditions offer models of access to and exercise of power that challenge the feudal heritage and could facilitate the chaotic process of democratisation in the region.

The fundamentalist conception

Another factor that affects relations between the peoples of the Horn is the fundamentalist perception they have of each other. Despite their many affinities, or perhaps because of them, each group has the tendency to regard its disputes with others as utterly ineluctable, and somehow inherent in the differences that separate them.

The Manichean dichotomies of religion (Good against Evil, God against Satan) are transposed onto a temporal world of scarcity, where communities are compelled to compete for resources in order to survive.

This perception leads us to view cultural, religious and ethnic distinctions in terms of primordial differences or contradictions impervious to compromise. The very existence of the other – especially the one with whom we have a problem – his way of life, and well-being are perceived as a threat to our life. With this "**zero-sum** **mentality**", any conflict becomes a struggle to the end, that is, the end of the other.

Witness the way the regimes in Ethiopia and Eritrea chose to resolve a dispute between them that everyone, save themselves, considers petty. In all the countries of the region, those who lost the argument also lost their party membership, the state posts to which they had been elected or appointed, their business and some found themselves in prison accused of corruption, treason or plot.

This mentality can equally explain the intractable nature of the civil war in Somalia. An important lesson can be drawn from the experience of a society, which, despite its vaunted homogeneity and national ethos, dissolved politically into irreducible clan segments. Ethnic diversity is not necessarily a formula for conflict. Sometimes, it may even be easier sometimes to compromise and find common grounds, when a society is constituted of diverse groups who are destined to live together.

The crusade mentality

Religion has long been instrumentalized by the competing powers of the Horn as an ideology of domination. In this respect, the region has yet to emerge from

its middle ages. Aspiring rivals such as nationalism and Marxism proved no match for it. Faith has been, and is still used to mobilise people in conflicts of all sorts, most of which have nothing to do with spiritual matters. Christianity and Islam have been at war with each other for so long in the region that the mentality of the Crusade and Jihad is hard to shake off and continues to imprison peoples' minds in an implacably antagonistic worldview.

The hate propaganda developed by each side has led to the edification of psychological barriers among communities that outlived the military confrontations.

Struggles for hegemony, territory, resources, or identity in the region invariably invoke religious legitimisation. The Ethiopian empire was piously portrayed as a Christian island in the sea of Islam. Among those who fought to shake off its domination, many perceived themselves as taking part in a Jihad against infidels.

Even within the same religious community, competing factions invoke sectarian interpretations of their faith in support of their mission.

In addition to the Islamic fundamentalism that spread in the region over the last decades, a wave of evangelical Protestantism is sweeping southern Ethiopia like a modern Western Crusade, intent on converting people of all faiths to its own fundamentalist brand of Christianity.

These ways of thinking became real obstacles in assuming our responsibility as Intellectuals. Today, most of us consider that our region has produced more than its quota of bards to sing the praises of narrow-minded nationalism.

It has had its fair share of warlords, prophets of salvation and of "liberation movements". What our region desperately needs now is "a *movement for the liberation of critical thought"*. A movement for building a new ethos conducive to regional integration, and pluralistic nationhood.

We felt an urgency to develop a new vision to look at the other faces of our reality, a vision that could revisit the "better" that our peoples have in common and the" best" that they can build together. A vision that could help us think beyond our political and ethnic "pettiness", beyond our short-term interests and expectations beyond our cultural and religious autism. We realised that what perhaps has failed is not so much the intellectuals as a social group than a certain interpretation of our reality that they contributed to building over decades. It is perhaps not our destiny that has lost its promises for a better life but only our instruments to apprehend it.

We thought that in order to change the situation of our region we might first need to change the glasses through which we observe this reality. This is the mindset we inherited from our history of confrontation, violence and domination.

Today, the Horn of Africa is witnessing another period of upheaval marked by new rivalries for identity domination and for the control of resources. The prevailing concepts and paradigms on the Horn of Africa, notably those inherited from the post-colonial experience of nation-building , have shown their limits in correctly comprehending the new trends in the region. It is time for us to emancipate ourselves from the narrow discourses on nationhood, from the reducive vision of history, which overestimates palace intrigues and power races. It is time to illuminate the web of economic interdependance and cultural interactions that, in the past, helped the peoples of our region to transcend their differences and challenge the divisive policies of their leaders.

We should work on a new reinterpretation of the notion of "patriotism", which transcends the narrow defense of short-term self interest and safeguards humanistic values wherever they are under threat, regardless of national or cultural boundaries.

This reflection led us to search for new approaches likely to help us develop other interpretations of our reality and facilitate exchanges between intellectuals. Therefore, anticipatory and future-oriented analysis developed in other parts of the world appear to be of particular relevance for our region.

The asset of future-oriented analysis

As stated by Alioune Sall, Director of African Futures Institute based in South Africa, "*Future studies are a way of examining the possible future of a human community. The goal of such studies is not to predict the future, but rather to help to build a future that will meet the community's aspirations, and to assist in making better decisions that facilitate the realisation of the desired future"* (Guide to conducting futures studies in Africa, 2002). As experience has demonstrated, real changes would not occur in a society or a region without a vision of the future that is broadly shared by the peoples concerned.

Future studies help decision-makers and leadership to be more proactive, instead of constantly reacting to events that they have never tried to foresee. Within the anticipatory approaches, we found the use of the scenario-building techniques even more appropriate to the Horn of Africa. The Millenium Project gave an accurate definition of this methodology: "*A scenario is a rich, detailed description of a plausible future, a picture whose colours are vivid enough to let people clearly see the problems, challenges and opportunities that such a future would presen*t".

According to Mr. Koosom Kalyan, a member of the South African Mont Fleur Scenario and Changes Team who worked in 1991-1992 on possible alternatives

to apartheid, the scenario-building approach is "a *new methodology which encourages disciplined, systematic thinking about the future". A critical role of scenarios is to present different possible pathways into the future to challenge conventional thinking and encourage debate in a process of learning"*.

Another expert in scenario-based strategic planning, Adam Kahane, who worked on the situation of a war-torn country with the Destino Colombia Process (See *Destino Colombia Process: A Scenario-Planning Process for the New Millennium.* Document available at http://www.generonconsulting.com/Publications/Destino%20Colombia.PDF/.) highlighted the advantages of this approach : "The technique of scenario development is a tool that stimulates debate about the future, facilitates conversation about what is taking place in the world around us and helps us make decisions about what we ought to do or avoid doing"

Jean Freymond, Director of the Centre of Applied Studies in International Negotiations in Geneva, also underpinned the usefulness of this approach in *" knitting together social fabric, seeking reconciliation and creating a common vision in fragmented societies".*

We became convinced that the use of the anticipatory approach and scenario-building method could help us overcome the usual polemics on the past and present that often derail debates among intellectuals in our region. Before formalising the idea, we discussed it at length with different friends and partners from the region to test its accuracy. It seemed to respond to the expectations of most of the peoples consulted. It also attracted interest from UNESCO and especially its Social and Human Sciences Sector, which is in charge of Human Security programmes and anticipatory studies. It finally raised the interest of the Heinrich Boll Foundation. The initiative particularly responds to the new orientations defined by regional organisations such as African Union, IGAD, NEPAD to involve the actors of the civil societies, especially the intellectuals, more actively in the formulation of policies and strategies of action for the region.

To ensure that this initiative does not overlap with other projects and programmes at the regional level, UNESCO accepted to fund a feasibility study in the Horn of Africa. The study, which was undertaken by a consultant from the region in 2004, assessed the activities of regional organizations dealing with geostrategic issues, regional integration and cooperation in the Horn of Africa. It noted the absence of institutions focusing on anticipatory analysis and confirmed the complementarity of our initiative with the activities of existing research structures. It was stressed that the launching of yet another initiaitive in the region can only be justified if a capable and committed core group with clear vision and a strong sense of mission assume the responsibilites.

The main characteristic of this initiative

Its first purpose is to help build and promote a new vision of dialogue integrating the methodologies developed by scholars in the light of experiences from different war-torn societies around the world. This new conception of dialogue would permit us to overcome the usual barriers to greater understanding by helping us recognise the authenticity of one another's views, discover hidden common ground and build the necessary trust for moving ahead.

Future oriented analysis also helps us to overcome one of the main barriers to dialogue : the **false polarization**. When we present our position in a contradictory debate, we often explain the main points that support our viewpoint, and we overlook or minimize those things about which we feel ambivalent or to which we have some objections. But those misgivings that both sides might have rarely enter the discussion. As a result, the public debate that rages around us often seems more polarized than it actually is. Each side thinks that the other party is more extreme, and monolithic in its view than is the case. In real dialogue, it is important to voice the uncertainties and reservations that both sides might have and to explore the common ground that people may have overlooked in that respect.

The second purpose of this initiative is to contribute to building a learning process among intellectuals, which would be of mutual benefit in developing our capacity to debate freely, manage divergent views, share ideas and seek common solutions for our region.

Objectives of the initiative

The major objective of the Initiative on the Horn of Africa is to facilitate a reflection on the common future of the peoples of the region in order to contribute towards the search and agreement of mutually accepted alternatives to the problems of the region. More specifically, it aims at:

- Building a strong consensus on a long-term vision in favour of stability, sustainable development and regional integration.
- Generating studies and analyses which may contribute to the formulation of proactive policies responding to the new challenges in the region.
- Encouraging universities and research institutions to develop focused studies on the main trends in the region utilizing anticipatory approaches and scenario-building methodologies.

Finally, the initiative aims at creating a circle of committed intellectuals tied by the sentiment of solidarity, brotherhood and mutual assistance, which should guide the sharing of ideas and visions on their common fate.

The credibility of this type of initiative lies in its independence, that is, it will have to prove itself in the choice of issues it promotes for debate, and in the objectivity in the studies it conducts. Given the sensitivity of the issues and the importance of building trust, autonomy and independence are crucial. To that end, an ethical code of conduct should be elaborated in order to ensure such credibility.

Regarding the implementation of the project, a step-by-step approach was recommended to better manage the usual obstacles, build confidence and make the appropriate decisions and adjustments.

In the first phase, a two to three year programme is envisaged for the forum, including the following specific activities:

- Organization of one or two seminars per year on particular issues to be defined by the initiative's governing body (to be established).
- Completion, before each meeting, of two or three studies or analyses using the anticipatory approach focusing on crucial issues facing the sub-region or specific countries of the sub-region.
- Publication of a quarterly Web-journal in English and French (also to be made available in print format).
- Publication and wide dissemination (through the use of radio and national languages) of the results of studies and the proceedings of experts' meetings to policymakers and other targeted groups.

This trial period aims to facilitate capacity-building in the management of potentially contradictory points of view and the consolidation of consensus on certain regional issues of common interest. It is agreed to avoid at this stage any formalisation of the process. Based on the lessons from the experience during the first phase of two to three years, the Steering Committee of the project would then discuss the possibilities and modalities for the establishment of a permanent structure of anticipatory studies and regional integration in the Horn.

The launching of the initiative

The initiative was launched in Paris in November 2005 during a meeting sponsored by UNESCO. More than 25 scholars coming from the seven countries of IGAD and from the Diaspora were invited to exchange views on the feasibility of the project. Two experts of Future Studies, Alioune Sall and Jean Freymond, were also invited to share their experience in this domain. The participants examined the draft proposals submitted to them, namely : (i) an ethical Code of Conduct,

(ii) possible options for the organisational structure of the Forum, (iii) potential themes to be discussed for the future sessions of the Forum.

The participants welcomed the initiative with enthusiasm and agreed to participate in it. They also agreed to locate the Forum in Djibouti, a country where everybody could feel comfortable and secure, given the actual tension within the region. They finally requested UNESCO to convey in Djibouti in November 2006 a broader conference to definitely adopt the structure of the Forum and put in place the Steering Committee, which will guide it in its first years.

UNESCO committed to fund the second meeting in Djibouti while the Government of Djibouti agreed to respect the necessary independence, freedom of expression and autonomy of the Forum.

To conclude, it is worthy to remember that this project constitutes a real challenge for those of us who are aspiring to get out of the sterile polemics that raged in the fora on the Horn of Africa and build new bridges for dialogue. If this experience succeeds, then it could be replicated for other stakeholders and other issues of interest for the region.

The role of intellectuals and integration in the IGAD region

Professor Dani W. Nabudere

Introduction

Regional integration can be understood in the two senses in which it has been applied in the mainstream economic and political theory and arrangements. Originally, the issue of economic development was reserved for the nation-state where resources were allocated according to interests of individuals or groups within that territorial space. Outside the micro-economic management of single firms within the national economy, macro-economic considerations revolved around national agendas of macro-economic management across the territorial space. It is only in the interwar period and soon after that regional economic integration was considered desirable. In the case of the BENELUX countries, the idea was intended to create a larger market in which the efficiencies of better organized firms could be enhanced at a regional market while the less efficient firms were left to compete and survive or die in this wider environment.

But the real force that lay behind European integration was political. This political vision came out of an influential book by Count Richard Coudenhove Kalergi entitled: *Pan-Europa* published in 1923 in which, sounding like Kwame Nkrumah, he saw Europe as a continent in chaos, which would be avoided only through formation of a United States of Europe. He called this "The European Question" and stated:

> "Europe as a political concept does not exist. This part of the world includes nations and states installed in the chaos, in a barrel of gunpowder of international conflicts, in a field of future conflicts. This is the European Question: the mutual hate of the Europeans that poisons the atmosphere. (....) The European Question will only be solved by means of the union of Europe's nations. (...) The biggest obstacle to the accomplishment of the United States of Europe is the one thousand years-old rivalry between the two most populated nations of Pan-Europe: Germany and France..."

Indeed, it was these two powers after the war that made the first move to resolve the European question. But in the meantime, in 1929, Aristide Briand, French

Prime Minister, took a more political-economistic approach when he gave a speech before the General Assembly of the League of Nations in Geneva at which he formulated the idea of a federation of European nations based on solidarity and on the pursuit of economic prosperity and political and social cooperation. The speech was greatly welcomed by the German government. Many economists, among them John Maynard Keynes, applauded Briand's view. In the speech, Briand said:

> "I believe that a sort of federal bond should exist between the nations geographically gathered as Europe countries; these nations should, at any moment, have the possibility of establishing contact, of discussing their interests, of adopting common resolutions, of creating amongst themselves a bond of solidarity that allows them, on suitable occasions, to face up to serious circumstances, in case they arise. (...) Evidently, the association will take place mainly in the economic domain: this is the most pressing question..."

The League of Nations asked Briand to present a memorandum with a detailed project. The French politician submitted a Memorandum *on the organization of a system of European Federal Union* in 1930. However, by that time, it was too late. The economic depression had set in and begun to sweep away the ideas of solidarity and cooperation in international relations. People who went on advocating the European Union, such as the French politician Edouard Herriot who published *The United States of Europe* in 1931, were a minority in this view. The rise of Adolf Hitler to the post of German chancellery in 1933 involved the definitive end of the European harmony and the rebirth of nationalism in its worst form. Europe together with the rest of the world was plunged into a world war that brought a new catastrophe for the entire world.

Thus the emergence of the European Common Market under the Rome Treaty of 1957 signalled a new push for this form of organisation. In the case of this Treaty, the objective was to deal with the effects of the Second World War mainly by the two main powers-France and Germany seeking to create wider economic interests that would create conditions for peace. It was argued that a wider regional market in key industries such as steel, iron and coal would create common interests that would in the final analysis prevent a member country embarking on war against the other.

Eventually this arrangement was widened to include the need for a political unification through gradual adoption of common policies in areas such as foreign policy as well as defence policies in alliance with the United States. The

scope for the European Union was widened to bring in new member states, including countries that formerly were included in the Soviet alliance of states after its collapse in 1989-90. This has enabled these countries to enter into different kinds of regional arrangements such as the North Atlantic Treaty Organisation (NATO) and the European Union (EU).

Russia that stood at the core of the Soviet Block countries with its own military and economic system formed a regional economic alliance called Council for Mutual Economic Assistance (COMECON). Since then Russia and several of the former socialist countries have become members of the EU or the European Free Trade Area, with Russia joining the seven major industrial countries – the G7+1. Russia is currently playing the role of presiding over its activities for 2006. China, which stood alone in Asia has now embraced the World Trade Organisation (WTO) and has undertaken reforms that have seen its economy grow very rapidly under a system of managed capitalist development. It has recently overtaken Italy to become the fourth most industrialised country and one of the largest economic powers. India, another of the Asian countries, has also emerged as a major player on the world market, acting as one of the members of the Asian Regional Economic countries (ASEAN). Latin America is not far off in recreating its own economic block. The US has tried to incorporate some of these countries in the North-America Treaty Organisation-NAFTA while a new breed of leftist oriented countries led by Venezuela's president and now Bolivia are advocating the creation of an independent regional block against the domination of the US.

Regional integration in Africa

Regional integration in the countries of Africa has been more a product of the above moves in the rest of the world towards regional integration. Despite the fact that the original Pan-African project was a political one in which Nkrumah called for the formation of a United States of Africa as expressed in his book *Africa Must Unite*, the main activity in this direction has been the push for the formation of regional economic arrangements, which were seen as the 'gradual' building blocks aimed at the eventual creation of an African market and a political union of the continent. This gradualism however failed and the present trend is towards the speeding up of the political project in the creation of the African Union. However, this speeding up is still in the stage of economic arrangements, which are a pre-requisite to the emergence of a United States of Africa proper.

The earlier creation of regional blocks and regional economic integration schemes did not achieve their objectives of integrating the regions economically.

As Adebajo Adedeji has noted, these schemes came into existence "in the age of regional integration" immediately after World War II. This was a time when "the promotion of regional integration became a global phenomenon…" These schemes became "spokes" around which Europe constituted itself again as the hub of a new imperial system, which was eventually taken over by the United States of America. According to Adedeji: "The key feature of the hub-and-spoke arrangement is that trade between the hub and each spoke is naturally dominated by the former to the detriment of the latter, unless the spokes work in a concerted manner" [Adedeji, 2002: 2-3]. Under these conditions, it became almost impossible for the segmented African countries and regions to sustain any meaningful economic integration.

Therefore, it is not surprising that African regional blocks have become part and parcel of the vertical integrative system in a globalising world in which the former colonial powers continue domination over African economies. This is because the structures of power in the African post-colonial states also remained basically European – all oriented towards Europe and the United States. This is why the bickering among African leaders has become a function of the fragmentation to which Africa had been subjected by the European powers. These manipulations of former colonial powers and the US in Africa has weakened African states even further because they have continued to integrate African economies with the European Economic Market through arrangements such as the Lagos Agreement, Arusha Agreement, Yaoundé Agreement and the four Lome Conventions, which have culminated in the Cotonou Treaty with the European Union. The US has begun to do the same through new arrangements such as the African Growth Act (AGOA). Such subjugation of the African people is precisely why Nkrumah had advocated the creation of a United States of Africa as a response to such neo-colonial manoeuvres. This however did not happen and there's need to understand the reasons in order to find new responses.

On the political side, the groupings did not create unity amongst the African peoples but they instead created and intensified conflicts amongst them. At first these conflicts were in the form of proxy wars, but they soon turned into internal conflicts between different factions of the elites fighting for power in each state. These soon turned into "internationalised wars" as the leaders of these states began to support factions fighting the governments in the neighbouring countries. These kinds of wars came into full bloom in what has been described as Africa's First World War in the Great Lakes Region [Nabudere, 2003].

Instead of politically uniting their people within their borders, the African political elites resorted to the colonial tactics of 'divide and rule' and the ideol-

ogy of "neo-tribalism" by exploiting the ethnic diversities of their communities to their benefit and to the detriment of unity in the state. Instead of utilising the rich ethnic and cultural diversities of the peoples of Africa as building blocks to African unity, they used these diversities to divide the people even further in order to enrich themselves. In so doing they played to the game of European neo-colonial domination and US global machinations. They therefore failed to deconstruct the colonial states, preferring instead to reconstruct them in every way the former colonialists would have wanted and that is why they became "Associated Member" in the EEC. They also eagerly joined such neo-colonial institutions such as the Francophone Summits and British "Commonwealth of Nations" conferences instead of promoting their continental organisations that would have linked them to the African Diaspora.

In time, these neo-colonial linkages became stronger than the limited institutional reforms within the African states, which the leaders had made to accommodate the aspirations of the African people. People's organisations such as trade unions, cooperative unions, peasant associations, traditional institutions and even professional bodies were attacked and weakened by dictatorial leaders. They made it difficult for civil society to emerge. They also complicated the ethnic problems within each country due to discriminations and social and political exclusions, making some ethnic groups feel marginalized and unwanted within the post-colonial structures of power.

Within the structures created by the Organisation of African Unity (OAU), only the Liberation Committee, which was in the hands of the more radical Pan-Africanist leaders, managed to maintain a momentum of unity to pursue the national liberation struggles of those African territories, which were still under colonial rule after 1963. In this respect, the OAU played a positive role in the liberation process in Southern Africa and in maintaining a semblance of unity of purpose. But because of the above-mentioned weaknesses within each of these states, the liberation struggle could not be consummated and therefore it also began to follow the same path of neo-colonial domination.

Nevertheless, at a broader level, the issue of a pan-African common market, continued to feature prominently on the political agenda of African states resulting in the adoption of the *Abuja Treaty* in June 1991 by 48 member states of OAU at its 27th Summit. This proved that while the imperialists were pressing to impose their neo-liberal ideology on African people, there were still political forces represented within the post-colonial states, which still espoused pan-Africanism. These forces were partly represented within the aspirations behind the Abuja Treaty [AU, 2000A]. But this has become part of the 'gradualist' approach, which

has been 'fast-tracked' in the move to form the African Union (AU) without the obstacles being removed. That is why new socio-economic projects of the African Union such as the New Partnership for Africa's Development (NEPAD) can never take off due to the same constraints.

This is reflected in the contradictions contained in the Abuja Treaty, which were advocated by the dominant western paradigm of organising regional markets that continued to be dominated under the false economic ideologies of 'progress' and 'development.' These contradictory elements included the pursuance of "free trade" as the main economic argument of integration, while at the same time it included the demand for a political African unity. This can be discerned from the main provisions of the Treaty, which were represented in the five phases that were to be implemented in a period of 34 years before Africa could move to a unification of African states [AU, 2002B].

The first stage, which was to last five years, involved the strengthening of the existing regional economic communities. The second stage lasting eight years was to streamline the tariff and non-tariff structure of each regional block and determine the timetable for the "gradual liberalisation" of regional and intra-community trade as well as harmonising of customs duties vis-à-vis third parties. The third stage was to last ten years and was to see to the establishment of a "free trade area" and a "customs union" at the level of each regional block. This would have led to the creation of at least four African regional "free trade" markets competing with one another economically (and *politically).*

Such a "harmonisation" would have led to the fourth stage where the coordination and harmonisation of tariff and non-tariff barriers in each regional block would have opened up the creation of the African Common Market in the fifth stage. This last stage would have lasted four years, after which the creation of a number of continental Pan-African institutions would have been realised. These would have included the Economic and Monetary Union, African Central Bank, an African Currency and finally a Pan-African Parliament. This stage was expected to last five years and was supposed to end with the creation of an African Political Union.

Some of these stages were to be implemented concurrently with regard to the formulation of multinational projects and programmes for the promotion of a "harmonious" and "balanced development" among member states. The regional economic communities-(RECs) were to act as "building blocks" in the establishment of the African Economic Community (AEC). To this end, a protocol was to be concluded on relations between the two entities, which was to serve as "an effective instrument and framework for close cooperation, programme harmoni-

sation and coordination as well as integration among the RECs on the one hand, and between the AEC and the RECs, on the other." The protocol also was seen as an instrument for enhancing the role of the OAU Secretariat, which was also to be the Secretariat of the AEC, "in all matters pertaining to the implementation of the Abuja Treaty."

The lesson to be learnt from the Abuja Treaty, just like that of the OAU itself, was that this "gradual" approach to pan-African integration, which was premised on the logic of market integration, could not have brought about an African Political Union in any form. It should have been the other way round. The OAU experience proves that such a "gradual" approach leads to the entrenchment of the *status quo* and the hardening of self and class interests of the 'national' economic and political elites in each of these countries within the territorial post-colonial states. The approach is therefore a recipe for conflicts and wars amongst the territorial units and within the "nation-states" because of the aforementioned reasons.

Establishing an African Economic Community, therefore, has first and foremost to be a *political act* rather than a "gradual" market integration act. This is what the example of the European Union proves beyond doubt. Consequently, an African political union could not have been created out of the Abuja Treaty arrangement and this explains why President Muammar Ghaddafi of Libya was able to convince African leaders to expedite the formation of the African Union as a precondition to the establishment of the AEC. But this approach had its own problems in that it was not premised on the mobilisation of the African people at grassroots levels, as a precondition for such a transformation would have to re-kindle the interests of the masses in such a political transformation. This appears to be impossible under the existing post-colonial state systems, which tend to breed conflicts amongst themselves.

Thus, although the *Sirte Declaration* put the *political* idea of the AU and the Pan-African Parliament ahead of the other institutions, it still argued this unity had to be built on the "pillars" of these regional bodies! This was a contradiction, which perhaps spelt the doom of such a top-down approach, an approach moreover based on negative experiences of the earlier regional bodies, as we have seen. To break away from that negative experience required a strong political act of the masses of the African people whose aspirations could have been rekindled alongside such a positive transformation if there was a strong African leadership to resist neo-colonial manoeuvres such as Fidel Castro. But none of these existed, even among the so-called "New Breed of African Leaders" who have turned out to be the worst dictators Africa has ever seen [AU, 200A].

IGAD and regional integration

The Inter-Governmental Authority on Drought and Development (IGADD) covered six East African countries and was a different example of the formation of *ad hoc* regional arrangements to deal with specific problems in the region. These countries offer another view of regional integration, but which emerges amidst the crisis of the neo-colonial economies of the region. The crisis that emerges in the region takes the form of drought and desertification that became rampant in the mid-1970s but intensified in the mid-1980s. The crisis led to the collapse of the Ethiopian Empire in 1974 and resulted in a massive famine that killed thousands of people not only in Ethiopia, but also in the countries in the Horn of Africa and parts of East Africa.

IGADD was formed in1986 with a very narrow mandate around the issues of drought and desertification. Since then, and especially in the 1990s, IGADD became the accepted vehicle for regional security and political dialogue in the region. The founding members of IGADD decided in the mid-1990s to revitalise the organisation into a fully-fledged regional political, economic, development, trade and security entity similar to SADC and ECOWAS. It was envisaged that the new IGADD would form the northern sector of COMESA with SADC representing the southern sector.

One of the principal motivations for the revitalisation of IGADD was the existence of many organisational and structural problems that made the implementation of its goals and principles ineffective. Therefore the Heads of State and Government met on 18 April 1995 at an Extraordinary Summit in Addis Ababa and resolved to revitalise the Authority and expand its areas of regional co-operation. On 21 March 1996, the Heads of State and Government at the Second Extraordinary Summit in Nairobi also approved and adopted an Agreement Establishing the Intergovernmental Authority on Development (IGAD).

A. The Sudan peace process

Despite its declared objectives in the economic and political fields, IGAD has so far effectively promoted the Peace Initiative on Sudan, which resulted in the signing of the Comprehensive Peace Agreement (CPA) in January, 2005 between the Sudan Peoples Liberation Movement/Army (SPLM/A) and the Government of Sudan (GoS). With the signing of the peace accord, the task of physical reconstruction of Southern Sudan has become so enormous that it threatens to scuttle the accord. Moreover, the transitional period before the holding of the referendum in six years will be long that it throws up many problems in the process of

the implementation of several areas of the agreement. Nevertheless, it is important to point out that even this modest political 'achievement' was made possible by the consistent intervention of the United States and the United Nations.

The conflict has not ended. In every corner of the country, groups and regions are demanding that their grievances be addressed in the same way they were addressed in the CPA. In overcoming the first, and arguably most crucial hurdle of a signed peace agreement, the expectations placed on IGAD by the international community, donors and the Sudanese people to successfully oversee the transitional period, the holding of a vote on self-determination for southern Sudan, and the creation of viable and democratic governments in both south and north Sudan, will be extremely high. There can be no ready-made formula for the way forward. This is because the tasks of the post-conflict stage are markedly different and demand different approaches than that which proved successful during the first stage. In particular, it will require a shift from the elitism and exclusivity that characterised the first stage to a process informed by transparency and a commitment to democracy and the involvement of the civil society organisations.

Expanding the Sudan peace process to insulate it against implosion must proceed in both the internal and external spheres. Internally this involves the democratic project of bringing more Sudanese actors into the process, gaining their input, acquiring their consent, making them partners in the effort, bringing them benefits, and expecting obligations, of which the principal one is their commitment to realising the stipulations of the final peace agreement.

For IGAD it means a marked change in philosophy and direction from that of the first stage, which can be characterised as secretive, elite driven, narrowly focused, and which pointedly ignored the issue of human rights, to the next stage where transparency, engaging the large mass of Sudanese, and vastly expanding the focus and direction of the peace initiative, must set the tone. At the external or regional level the objectives are similar, and are based on the assumption that stable regional relations are a prerequisite of internal stability, and that the pursuit of foreign relations must reflect the broad interests of the Sudanese people. Indeed, the engagement of IGAD countries in the peace process is based on the understood link between instability in Sudan and unstable relations between the countries of the region.

This democratic approach is becoming increasingly important. Perhaps it is because of this fact, that the SPLM/A has begun to respond to demands of southern civil society for more involvement and is allaying the fears of the National Democratic Alliance (NDA) that its interests had not been considered in the ne-

gotiations. The GOS on the other hand has also shown a willingness to involve non-governmental groups, including members from the leading opposition parties. Despite this, both parties never accepted the principle that they were accountable to constituencies beyond their parties for the positions they took in the negotiations. Nor did they accept these other parties and groups from the broader Sudanese society, as participating directly in the peace process. This becomes a problem in examining whether these two parties to the CPA will be consistent in pursuing a democratic path to the continuing crisis.

Under the process, it was understood that in order to resolve the conflict over power at the centre, the IGAD Initiative would "find appropriate modalities for involving all parties to the civil war." Furthermore, in the Machakos Protocol it was made clear that the peace process could only achieve legitimacy and be sustained if Sudan underwent a democratic transformation. To this end, there are several references to "democratic governance, accountability, equality, respect, and justice for all citizens of Sudan" (Section 1.1). It also stated: "that the people of South Sudan have the right to control and govern affairs in their region" (Section 1.2), and "that the people of South Sudan have the right to self-determination" (Section 1.3). There is also reference to the right of Sudanese people to "establish a democratic system of governance" (Section 1.6).

These sections that recognise the people's democratic rights to participate and be involved must be at the base of all implementation of the CPA by all parties, otherwise the next stage of the struggle may mean that the excluded groups will try to seek a new path that may break down what is known as the Sudan. This included marginalised groups such as the non-SPLM/A southern groups led by the SSDF, marginalised groups in the north that have taken up arms, and the traditional parties of the north with large constituencies. Unless the concerns of groups such as the SSDF are addressed, either at the behest of IGAD, or through the initiative of the parties to the peace agreement, or as a result of the efforts of third parties, the SSDF has the capacity—virtually alone among those clamouring to be part of the peace process—to quickly and violently undermine the IGAD Initiative and spread disorder across the south.

The rather top-down approach that characterised the peace talks in Naivasha and Machakos, Kenya have doomed the Declaration of Principles (DoP) that were supposed to assert the democratic principles on which the talks were to proceed. The two parties restricted the talks to themselves to avoid them becoming too broad to permit any meaningful agreement. This may turn out to be the curse of the peace process and the two main parties seem to be bent on continuing this approach and turning the implementation into a purely military and

elitist affair, despite moves made to accommodate some civil society groups. This despite the understanding that in the second phase after the agreement, both parties would bring in other major political interests into the peace process and gain their assent to the agreement.

There is also the importance of recognising that the southern problem is to a large extent dynamite and only appears as the tip of an iceberg of resentment and grievances that are increasingly coming to the fore among the marginalised groups throughout Sudan, and which are also being fuelled by the peace process itself. These problems include new uprisings such as those in Darfur region. Because it has been able to effectively mobilise large numbers in armed struggle, the Darfur-based SLM/A has assumed the lead role in the revolt from the peripheries. And this rebellion in turn poses a major challenge to the IGAD peace process because, since its inception in February 2003, the SLM—and not the SPLM/A—has posed the biggest threat to the stability of the national government, and hence of its capacity, even with a broadened post-southern conflict composition, to implement the provisions of the IGAD peace process. Fear is growing from the communities in the west to the equally impoverished groups in the east, that the political and resource pie is being divided at a table where they are not represented.

If the mistakes that were committed under the 1972 Addis Ababa Agreement are to be avoided, then there will be need to make the peace process more inclusive, and that will entail a democratic transformation of the country, in which the different parties not only participate along with civil society, but also allow the different ethnic-linguistic communities to have a say in how they are governed. That will necessitate an inclusive constitution that represents all these interests. In this connection the issue of a House of Nationalities has been raised, which will permit all ethnic communities and nationalities to have an equal representation in this "Upper Chamber," but one which could be the expression of a confederal nature of the state.

B. The Somali peace initiative

This point needs emphasis because the other peace initiative that IGAD sponsored – that of Somalia – is stalling because of its top-down approach. Just like all the approaches in the other African post-colonial states, the Somali Peace Initiative is a replica of the manner in which the political elites have played on neo-tribal and clan differences to divide the population, and in the case of Somalia, leading to the collapse of the post-colonial state. Indeed, the central problem in

Somalia is the prevalence of elite manipulation of the politics without the involvement of the people and the denial of democratic rights for the people in the region.

This is because, following the formation of the Transitional National Government (TNG) of Somalia in July 2000 in Arta, Djibouti, the jubilation and euphoria that accompanied its birth very soon turned into bitter wrangles between the different factions of the political elites and 'clan' warlords. The immediate problems that faced the TNG were the legacy of 10 years of devastating civil war, and the internal conflicts between different armed opposition groups that were generally unwilling to negotiate under any circumstances. Such a political environment was bound to give rise again to the flaring up of fighting on a larger scale between the warlords in various factions, and an outside world that was largely hostile under various pretexts.

The TNG was mandated and expected to provide a new national leadership that could formulate and implement wise policies that would help cure the wounds of the civil war and gather the fragmented population under the banner of reconciliation, forgiveness, tolerance and good governance. It was also hoped that this would lead the country away from past political wrangles and towards a new political culture based on freedom of expression, rule of law, respect and advancement of individual rights, creation of genuine and robust civil societies as well as democracy for the Somalis and assure them of popular participation in the political decision-making, rather than the whimsical rule of warlords. This did not happen, hence the need to inquire why, when there was such great hope and support for the process.

The setting up of the Somali Reconciliation and Restoration Council (SRRC) in March 2001 in Awassa, Ethiopia, to counterbalance the newly formed TNG, merely added to the confusion. This was due to the fact that while talking of promoting reconciliation, the regimes in Ethiopia and Djibouti were each promoting their own factions of Somali leaders to pursue their political objectives. The support that Djibouti and Ethiopia had each given to their chosen proxy not only caused a fissure in their relationship but also further complicated the Somali problem by introducing an additional burden of direct outside interference to an already complex and intractable situation. As shown above, it is this "internationalisation" of conflicts by African post-colonial regimes in the neighbouring states that has led to the crises on the continent.

Under these circumstances IGAD came into the picture with another Somali Peace Initiative. Accordingly, the 9th Summit of IGAD in Khartoum, Sudan, mandated the three frontline states of Kenya, Ethiopia and Djibouti to organize an all-

inclusive national reconciliation conference for Somalia in Kenya. Series of meetings were held in Eldoret and then later in Nairobi amidst wrangles between the different factions of warlords. A government was formed, a parliament appointed by allocation and a president 'elected' by parliament all of which were sworn-in in Nairobi under close security supervision of the Kenya government.

The MPs were selected on clan basis, as well as ministries. Over 80 % of the MPs were either warlords themselves or rejected clan elders or "respected" militia members. Over 70 % of the legislative assembly is reported to have no skills and knowledge of parliamentary procedures. Few of them understand the constitution and the principles of parliamentary democracy. The principle upon which the system is supposed to operate is the clan system, but the 'clan' is an invention for warlord rule or clan militia leaders who sit in parliament. The real traditional clan system is not allowed to function by these warlord usurpers of power.

In this case a 'failed state' led by warlords has turned both colonial modernity and African tradition on their heads. There is no attempt to give traditional structures a semblance of traditional legitimacy as with the Somaliland guurti system. One wonders how the other institutions of the state such as the army and the judiciary will operate. The economic system is also dependent on warlord patronage led by businessmen who operate on clan basis. Without a financial base, the government will have to depend on these economic powers, which will complicate the state system even more.

This is demonstrated by the manner in which selections to state power positions were made. According to reports, all the MPs were selected in clandestine meetings between warlords and purported clan leaders, who always support each other. Therefore there will be no independent 'national' approach to matters of state since each faction will try to promote its 'clan' interests. The state will in fact be the gunmen of the different warlords who happen to have greater power. Getting the warlords to abandon weapons is a Herculean task which no international body can attempt to do after the US debacle in Mogadishu. The ordinary Somalis are frustrated by what is going on because they feel that the peace initiative was not under their control and influence.

According to reports, it is the common belief of ordinary Somalis that the warlords, with the help of some IGAD countries, have deliberately tried to sabotage and derail the peace process in pursuit of their own selfish interests. The result was a complete disregard of the wishes of the majority of the Somali people, which was in full violation of the agreed rules of procedures and the principles that were supposed to have underpinned the reconciliation process. Thus, like Sudan, what is critical at this stage is how the Somali civil society and the

communities who are bossed over by the warlords and 'clan' militias can mobilize themselves to break down this militarized culture that has neither any traditional roots nor religious belief.

Another turmoil that is likely to occur is that as the various factions battle out their political battles, there is a likelihood that this turmoil will spread north to Somaliland and Puntland, which have asserted their own independence from the south. This is because the newly formed government of Somali in exile asserts sovereignty over these territories, thus creating conditions for further turmoil in that country and perhaps the region as a whole. In our view until the people in the areas occupied by the warlords are given an opportunity to express their sovereign voices, the current newly created regime cannot claim to represent the people of Somalia as a whole. This also raises the question of regional cohesion and how such cohesion can be achieved. Does the concept of 'regional integration' here have any meaning in the way we have discussed it? In my considered opinion, we have to chart a new path in which the communities in these countries, across Eastern and the Horn of Africa, can be self-determining while also maintaining unity through a confederal arrangement.

Towards a confederal Africa

As we saw above, one of the real problems characterising the African post-colonial state is its tendency to fragment into hostile entities and factions. Historically with colonisation, Africa was fragmented through the Berlin Conference in which Africa was shared out among the European powers. This fragmentation formed the basis of the existing 'nation-states' that ignored the cultural and linguistic characteristics of the African societies and peoples. The second fragmentation took place internally within the colonial territories in which the colonial powers divided and bordered communities into 'tribes' for administrative purposes, but also in order to advance their policy of 'divide and rule,' which became the key political tool for weakening and then ruling African peoples.

The third stage of fragmentation has taken place under the post-colonial period with the African political and economic elites dividing up these 'tribal areas' into sub-districts and even new districts for purposes of electoral manipulation. This trend has tended to become openly practised during election times. The fourth element in the fragmentation has been the conflicts that have taken place over land and water resources. The political elites have exploited this problem in the advancement of their economic interests, as well as manipulated communities in bitter confrontations, as we saw in Kenya in the Rift Valley under President Daniel

Arap Moi. These fragmentations have reached a level where they are leading to the destruction of the post-colonial state as we saw in the case of Somalia.

To overcome these divisions, which threaten the further fragmentation of communities into clans under which elite groups emerge as warlord 'representing' their clans, we must move to a situation in which cultural-linguistic communities regroup as much as possible and become states in a confederal arrangement. There is now a growing recognition of this problem among mainstream African scholars. In reaction to calls for a United States of African after the OAU Sirte Summit held in September 1999, Francis Kornegay, a Bradlow Fellow with the South African Institute of International Affairs, has called for a different solution to the crisis of what he calls "elite sovereignty."

According to him, national sovereignty presupposes a popular sovereignty based on shared national identity, which is not the case in the multiethnic and often regionally divided states in Africa. He therefore calls for a Pan-African parliament based on federal or confederal units, which would develop a political culture of tolerance for diversity and power sharing. This would involve distinct, geographically based ethno-linguistic and cultural regions within the current inter-African nation-state framework [Kornegay, 2000: 1-3]. Such a step, according to him, would stop the criminalizing of ethnicity by post-independence African leaders, which they associated with the balkanisation of the continent. Their objections sound very hollow in view of the fact that their practice of neo-tribal "arithmetic" has led to the marginalisation of ethnic groups and their repression into submission. This has added to the fuelling of ethnic demands and to the possibility of balkanisation through violence and the collapse of the state, as happened in Somalia.

Several studies by non-African scholars have also drawn attention to the issue of ethnicity in a more nuanced historical analysis, which has added new dimensions to the understanding of ethnicity [Vail, 1987: Eriksen, 1996]. The use of "tribal arithmetic" as a mode of "consensus-building" amongst the African elites in a failed market mechanism excites the use of violence against those "main" or "minority" ethnic groups that do not benefit from it. This is because the post-colonial state marginalises them with violence in order to keep "law and order" in the "nation." The legitimacy that was once derived from the "people" is now used against them in order to maintain the legitimacy of a failed modernisation on behalf of the global capitalist system. As Eriksen has pointed out:

"The nation-state inspires ethnic conflict in so far as the political unit also contains people who do not identify with the cultural group represented in

the state. Under such circumstances, when there is a lack of fit between ideology and social reality, the state has three main options - excluding genocide and the enforced displacement of people" [Eriksen, 1996: pp. 42-3]

The advantage of this passage is that it both analyses the basis of ethnicity in state politics, and also offers what Eriksen calls "options" to the state leaders for the resolution of the ethnic divide. These options are partly the practices of the nation-states, but they also go beyond those practices in making an alternative solution to the crisis. They apply to Africa in particular.

The first option is the assimilation of "entropy-resistant" elements in the marginalised ethnic groups. This would imply that these groups would be required to "shed their group identity and parochial language" in order to replace it with that of the dominant group. This is clearly unacceptable to most of them and is an impracticable "option."

The second option gives the state the possibility of resorting to outright domination of the oppressed ethnic groups. This has happened in many African countries such as Rwanda, Burundi, Sudan, and elsewhere. But, as experience shows, it has led to outright genocide in those countries. Conflicts are continuing in these areas, which demonstrate that it is not a viable and lasting "option."

Eriksen's third option is for the rulers to transcend nationalist ideology through the state adopting an ideology of "multiculturalism" in which "citizenship does not have to imply a particular cultural identity." Alternatively, Eriksen recommends a "decentralized federal model with a high degree of local autonomy" for dissenting ethnic groups [Eriksen, 1996: 44].

There is no doubt that Eriksen prefers the third option with which we also agree, but the material, social, and political basis of this option needs further elaboration. This option recognises the differences, which exist as historically and culturally determined realities. It also recognises what nationalism promises but does not deliver, namely, equality of all peoples and the guaranteeing of their cultural rights within the nation-state. The alternative of a federal or confederal structure of power sharing conforms to the nationalist promise of the right of self-determination, which has been used to suppress minorities and ethnic communities instead.

In short, the third option offers the possibility of completing the positive elements, which were contained within the "national" and "social" agendas of the struggle for independence and self-determination. This option also goes beyond these national demands. This is because the existence of a high degree of autonomy, which the model assumes and implies, must by implication go along

with the implementation of a highly decentralized democracy, which has never been attained even under the most glorified decentralization reforms in Africa.

Eriksen acknowledges that this solution is not a simple one because both federalism and multiculturalism, which seem to be the better options "imply continuous negation and an open political discourse." To him this is the only solution "if the evils of ethnic domination are to be avoided." He also wants to encourage "segmentary character of identities" at the level of the individual citizen:

> "This means that an individual is not only a member of an ethnic group, but that he or she is also a member of various other groups which are not necessarily ethnically constituted. . . It is not impossible in theory to be a Luo and simultaneously identify with the Kenyan state - provided the Kenyan state is not founded on a non-Luo ethnic principle.". . . As regards the state, it ought not to be a nation-state. Its ideology, and its social organisation, should not represent only one of the ethnic groups present in the country. To identify a nation-building project with one of the constituent groups, which happen to live in the country, may prove a recipe for oppression, chaos, and armed conflict. The unity of the state should not, in other words, be justified in an ethnic ideology, but in a supra-ethnic one, which simultaneously recognises equal rights and the right to belong to a minority" [Eriksen, 1996: 47-8].

What Eriksen calls the "segmentary character of identities" has long been the basis of the multiple character of African social and political identities. The colonial understanding of Africa that saw African people as having been boxed within "tribal" enclaves has been proven wrong. Terence Ranger has pointed out that all recent studies of nineteenth century pre-colonial Africa have emphasized that, far from being "tribal" entities,

> " [M]ost Africans moved in and out of multiple identities, defining themselves at one moment as subject to their chief, at another moment as a member of that cult, at another moment as part of this clan, and at yet another moment as an initiate in that professional guild. These overlapping networks of association and exchange extended over wide areas. Thus, the boundaries of the "tribal" polity and the hierarchies of authority within them did *not* define conceptual horizons of Africans (Hobsbawm & Ranger, 1995:248)

All this is not inconsistent with the idea of federalism or confederalism in African governance. In recent discussions in Southern Sudan and Nuba Moun-

tains, the issue has arisen as to the need for a House of Nationalities in the Sudan. The House of Nationalities is built on the premise that the cultural diversity of the Southern Sudanese is their biggest wealth. Languages and cultures are seen as the bricks of any national identity, and that their respect forms the foundation of sustainable peace and development.

Diversity, however, is said to be a fragile good, which needs care and protection against political manipulation by political elites. The House of Nationalities is said to be providing both. First, it aims at protecting the identity of all ethnic communities (nationalities) living in South Sudan and second,, the concept of the House of Nationalities is coming out of a painful experience of 50 years of civil war in the country. A war of visions along the North-South divide has devastated many parts of the country and has further fragmented the society of South Sudan along ethnic lines. This can only be cured by recognising these diversities and giving them a democratic structure through which they can express themselves. This would bring democracy nearer to the people of Sudan and ensure peace for all communities.

The House would be a non-partisan institution covering the whole of South Sudan. The House of Nationalities is supposed to provide a platform where all the ethnic communities (nationalities) can meet in mutual respect and dignity. At a regional level, such gatherings have taken place in form of consultations in Southern Sudan and in some cases is still taking place, but meetings involving all the communities have not yet been institutionalised. The aim of the House of Nationalities is to protect the identity of all ethnic communities by promoting respect for different cultures and languages. Under such arrangement, a forum of all its communities would mirror the South Sudanese identity including over 60 members, displaying its great diversity. Strengthening the sense of identity of the South Sudanese will make an important contribution to nation-building in a new way in Africa.

If institutionalised through the House of Nationalities, the government of South Sudan can recognise and take into account the existence and the identity of all the ethnic communities in South Sudan. In return, through the House of Nationalities all the ethnic communities in South Sudan can provide the emerging peace-agreement and the government of the day with the best available legitimacy. The aim is to accord equal value and respect for all nationalities. This way, the House of Nationalities puts the inter-ethnic relations in the South Sudan on a more peaceful and sustainable basis. Equality, dignity and mutual respect allow the House of Nationalities to evolve into a mechanism for settling inter-community conflicts, by empowering the Southern Sudanese to settle their dis-

putes in accordance with their own laws and the decisions of their own judges. This protects diversity from outside manipulation, and represents an important aspect of self-determination.

At a conference on the Horn of Africa organised at Tampa, Florida in the United States with the fitting theme "Integrating our Common Future" the noted scholar Negussay Ayele in a paper entitled "Reflections on the Possibilities and Probabilities of a Confederation in Northeast Africa, Ayele advocated the adoption of a system of confederacy for the region with John F. Kennedy's question: "Why Not Confederation? And in that same connection, asked the same question: "Why Not Confederation for Northeastern Africa"? In trying to face to the realities of the problems of the Horn of Africa, Professor Ayele posed four scenarios for the region in its current state:

- *The first* is for the region to muddle through by itself without any benign intervention, along the course of overlapping wars, famines, repression, ecological degradation and regional insecurity towards its certain demise.
- *The second* is to create or otherwise impose a Leviathan union regime that rules
  the region with iron hands and steel boots in ways reminiscent of autocratic systems the peoples of Northeast Africa are all too familiar with.
- *The third* is to devise or resuscitate a form of federation regime among unequals, regardless of the prevailing tug-of-war between autocracy and anarchy in the region today.
- *The fourth* is to explore a form of association known as confederation that stresses functional interaction more than structural formalities. Although shades of it have been part of the region's past, confederation has not yet been seriously explored or advanced as a possible alternative form of intra-regional political association.

In dealing with the third scenario, Ayele reflected on the negative experience of the Ethiopian-Eritrean federation that the United Nations put in place in 1952 as a solution to the problems that had arisen at that time, and notes that its failure was very much a function of reclamations between the two sides. He pointed out that that experience showed the need for examining the critical requisites and prerequisites for a federal arrangement to be a usable and viable alternative. Among other things, he noted, there should be a democratic culture and value system and a tolerant way of life to which everyone can adhere to. There should also be a sense and semblance of equality among the candidate members for federation. More critically, there should be an unmistakable mechanism that in-

sures that when such a federation comes about it should be the result of a clear will of the population at large. He noted that these conditions did not exist at present in the region for such an option.

Nevertheless, he persisted that the solution for the region lay in a confederal system of government. He postulated that a confederation is a form of political association that stresses functional interactions between or among units rather than structural or institutional formalities. Compared to federalism, it is a more elastic and flexible system whose defining characteristics include a decentralised system of collective state sovereignty. It is a looser rather than a rigid form of political association as is the case with most of the present post-colonial states. It can also serve as a transitional bridge towards federal or union political association.

Ayele gave the example of confederalism as a transitional arrangement that was used in the United States from 1781 to 1789, leading to the present federal system. He argued that it was necessary at the time and that it had served its purpose and run its course when it was superseded by the Federal Union system currently being practised. He noted that strictly speaking, the United States is not just a federation and not just a union, but a federal union. By the time the federal union had come into place, it became difficult to dismantle it because the attempt to revive the confederal system by the secessionist Southern Confederate states in the early 1860's spawned the American (1861-1865) Civil War, which ended in their defeat.

Ayele argues that there are ample examples of the system of confederalism in the Horn of Africa, which could form the basis of a newly conceived confederation. But he cautioned that for this to happen, there are some "compelling considerations" that will determine the probabilities for emergence of the system. These are:

- Confederation can succeed if it follows the *genuine will of the people* of the region, not by prescription from outside or by the power hungry machinations of current rulers. Outsiders may propose or help when their help is solicited, but they cannot run or shape confederation on behalf of the people of the region. Likewise, the current guerrilla regimes in the region have no democratic mandate (or in the case of Somalia, not even a regime to speak of) to govern or deputize the people, and are therefore unfit to make such momentous decisions on their behalf.

- ¥ Confederation can be viable only if it comes about in a *voluntary* and *peaceful* manner. In fact, there is no confederation that has emerged any other way, such as by force or by diktat from above. That may account for the fact that confederal systems are few and far between as well as successful and

stable when they happen.

- The modality of confederation requires time and patience as well as creativity and flexibility. He points out that f*unctional interaction* – economic, social, cultural, fiscal, infrastructural – take precedence over legal, structural and hardcore political institutions in confederation processes.
- Confederation in the region can succeed *if started with what can be done now, not with all that should be done at once.* It is the lowest common denominator, not the highest that is pivotal. Hence, confederation in the region can begin with a nucleus of only two of the candidate units. One does not have to wait until all four, five or more units are ready to join. Ayele adds that it is the good and successful example of that nucleus that can attract other units to knock on the gate of confederation. The example of the deliberate evolution of the European Union, after decades if not centuries of wars and conflicts, is given as an example of value here.
- There must have evolved or developed *full-blown, time tested values, practices and institutions for democracy, social justice and peace within and with their neighbours.* Instead of the current violence and ethnic conflicts, the interaction under confederalism must be changed to one required for peaceful coexistence.

Ayele concludes that if, in the minimum, the foregoing guidelines and criteria are followed and applied in accordance with the objective realities of the region, it can be said that confederation in Northeast Africa is not only possible but also probable at some future time frame. The crux of the matter, he points out, is that as long as it is not done under open or surreptitious plans by interests extraneous to the region, open discussion on any topic, including on the plausibility and applicability of confederation can be initiated and undertaken by interested scholars and professionals. The results can then be disseminated so that more people can partake in further discussions on the subject. He regarded the Tampa conference as just one such case and new attempts at creating a Think Tank for the region can have a more "home grown" touch than the example given.

His view, however, that all the preconditions must be in place before a confederation is attempted contradicts the other point he made that not all states or groups have to come into the confederation at once. The first two can act as an example to be emulated by others. His other point that the state unit size is critical is not correct because it does not concur with other confederal experiences in which you have large and small states. We find this conclusion to be unjustified and hence uncritical. However, we agree that the subject of confederation has

gained currency among interested parties and academics. We need to build from there to push for a progressive implementation of the idea and begin with a few bricks until the structure of a confederal Eastern Africa is realised.

Conclusion

The aim of this paper was to investigate the extent to which scholars and intellectuals can contribute to regional integration in the IGAD region. The concept of 'integration', understood in its wider sense implies the bringing together of segmented communities or states into a larger political or economic community. This is not new to Africa since the very initiation of political organisation in the form of states as it first emerged in Nubia and Ethiopia implied integration of various communities into a political society in the form of the territorial state. In the case of Egypt, which was a flowering of this organic process, the unification of Lower and Upper Egypt into what came to be the largest nation-state and the longest in human experience became the form that was later adopted in the countries of the Mediterranean zone, including Greece and Rome, as Cheick Anta Diop has so cogently argued (Diop, 1974A, 1974B, 1989, 1996). However, in the modern understanding the concept has been understood in a more technical sense as meaning the economic integration and formation of regional arrangements to serve as larger markets in the current global capitalist system.

The concept as applied to Europe was first imagined as a political act of creating a Pan-European entity out of the chaotic and conflicting small entities that called themselves nation-states. The integration of the 18 principalities of Germany into a federated modern nation-state demonstrated the effectiveness of the federal idea to the European countries. The emergence of the European Union, which started originally with six countries, has been expanded with time into the present 25 member countries. There are other regional arrangements of an economic nature, which have sprouted out as a reflection of the present global capitalist order, of which Africa is part.

In many ways therefore, it can be said that the present chaotic situation in which the postcolonial states of Africa find themselves is a function of their *integration* into the global capitalist system, where they constitute the 'periphery' of the system. Their fragmentation is an aspect of this greater integration into the western-dictated global system so that although Africa sees this fragmentation as a form of 'balkanisation' of the continent, the dominant powers of the western world see it as an essential element of their integration into a wider global system as subservient elements. This is the consequence and extension of the colo-

nial policy of 'divide and rule,' which the African political and economic elites have so admirably imitated to the detriment of their peoples.

Hence the context in which we are talking about 'integration' is completely different in that it tries to imagine and invent new ways to enable the African people to break out of their encirclement by the global capitalist system that has marginalised them through many years. It is an attempt to deal with these destabilising effects and consequences of western colonisation and domination, a domination in which African political elites and new warlord forces, find themselves as active participants. This is why on the one side we cannot see these dominant social forces on the continent as being capable of taking Africa out of this integration into the wider system of global capitalism. On the contrary, they are the very representatives of this disintegration and fragmentation. To expect that they should be the pioneers in this reintegration of Africa is to ask for too much of them. It is in fact to ask them to commit suicide, which they cannot do.

The 'integration' we are now advancing is a self-empowering transformation, which has to be undertaken by the people themselves since they are the sufferers of the present fragmentation. The process is two-pronged. On one hand, it is a struggle against the present oppressive conditions, which marginalise the vast majority of the African people. On the other, it is a learning and empowering process. For African people to undertake this transformation, they have to undergo a process of self-conscientisation based on dialogues between themselves as they engage in these two processes. They do not have to begin in a vacuum. They have an extensive and strong tool of cultural-memory that they can use to re-emerge as a strong united people. They need to do this in order to survive the current crisis and then embark on self-transformation through struggle and conscientisation. In this task, the progressive intellectuals and scholars must be truly 'organic' to the situation in order to be part of this liberating process.

We as intellectuals must therefore 'situate' ourselves in our communities, dialogue with them, develop new perspectives together with them, unlearn the wrong approaches derived from the Eurocentric ways of knowing Africa and develop together with the people, new ways of knowing ourselves. We can do this by drawing from our communities' strong rooms of archival materials found in their deep cultures and languages, and together create new dynamic paths that can unite them into new societies. This is what we mean tentatively by the concept of 'integration' in this chapter. We have to go beyond this concept to find a new fitting concept drawn from the deep cultural-linguistic concepts of the people of Africa who have a very long history of state formation.

The challenges of transitional politics in Kenya

Professor P. Anyang' Nyong'o

Introduction

A few books written on Kenyan politics since the multi-party elections of 1992 bear the words "transition" or "change" in their titles. The word "transition" is quite often used to mean "change" in a number of the essays in the edited volumes. For example, "transition from the Moi to the Kibaki regime" may mean "change" from the Moi to the Kibaki government. While the word "transition" implies "change", the word change does not necessarily imply transition.[1]

The two concepts, "government" and "regime" also need to be distinguished. On December 30ᵗ 2002, there was indeed a change of government in Kenya from the Kenya African National Union (KANU) to the National Rainbow Coalition (NARC), with substantial changes in the people who run the country politically. A new president was elected and he proceeded to form a new government. *But the regime continued.* Here, perhaps, is where the puzzle lies: with the change in government in December 2002, did Kenya undergo any significant *transition in its politics?*

Notwithstanding the several essays that have been edited on Kenyan politics talking about "transition in Kenyan politics" since 1992, this essay intends to argue that *a process of transition is still underway within an essentially competitive authoritarian regime.* The structural basis on which this regime has been erected remains essentially the same. It is a structure of extreme economic inequalities where *oligarchic* interests tend to rely essentially on violence and the monopoly of violence to maintain political power and stem the tide of political changes towards democracy and an open society.

As such, when we are discussing political transition, we need to discuss transition in terms of *regime change* not simply changes in government. Regime change

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[1] See, for example, W. Mutunga,(1999), *Constitution Making from the Middle: Civil Society and Transition Politics in Kenya, 1992-1997.*Nairobi, Sareat and Mwengo; W. O. Oyugi, P. Wanyande and Odhiambo-Mbai (2003),; L.M. Mute et al (2002)
*Building and Open Society: The Politics of Transition in Kenya ,*Nairobi, Heinrich Böll Foundation (2005)
*Democratic Transition in Kenya: The Struggle from Liberal to Social Democracy ,*Nairobi, ACEG and DPMF.

can occur at the level of a *political break with the past* without necessarily having an *economic break* which involved substantial shifts in property relations and improvements in the well being of the poor.

When political breaks occur without substantial economic break—which is the usual character of transitions from authoritarian to democratic regimes—various forms of resistance and conflicts will occur during the transition period, quite often tempting those with state power to resort to the repressive tactics of yester years to maintain what they regard as "political stability".

Authoritarian regimes are therefore usually conflict and violence prone, although they tend to suppress contradictions and conflicts inherent in them by using the armed might of the state. That is why when authoritarian regimes break down, violent conflicts usually follow as injustices which have been suppressed over time "burst out" and as legitimate political arrangements emerge through the ensuing struggle.

Authoritarian regimes and structures of violence

Some time in the mid eighties, I wrote an article that was published in UNESCO's *International Social Science Journal* that was entitled "Peace and Development in Africa."[2] In this article I argued that peace was a necessary condition for development in Africa. But my concept of peace was not based simply in the cessation of hostilities among warring or conflicting forces, but the establishment of what I called *structures of peace in Africa,* particularly the region that has now come to be known as *the Horn of Africa.*

Apart from this region having been home to regimes riddled with violent and internal conflicts such as in Ethiopia, Uganda, Somalia, Rwanda and Burundi then, it was also home to regimes that, on the face of it, looked politically stable, but underneath were essentially brittle or conflict prone. These were the authoritarian states of Kenya and Tanzania. These regimes did not, in my view, have sustainable structures of peace in so far as they were authoritarian with substantial socio-economic inequalities.

I do not think that I was making a tremendously new argument. In any case Johan Galtung[3] and his Peace Institute in Oslo (covering the Scandinavian countries) had inundated international discourse with this kind of argument from the mid sixties. Nonetheless it was then important to think of structures of peace in

the discourse on peace and development in Africa because of the emphasis being put then on **blaming** insurgents for disrupting development in countries such as Uganda, and looking for states strong enough to put such elements of insecurity sufficiently under the armed might of the state so as to guarantee development.

Yet my point was that it is not the repressive strength of the state that can guarantee peace, stability and development, but the dynamic potential of society released by democratic governance that is much better at ensuring peace, stability and development. Indeed, this is the point that I later developed in the exchange we had in the *CODESRIA Bulletin* and *Africa Development*[4] with Thandika Mkandawire and Shadrack Gutto among others. The point is now much better appreciated: the much touted development encouraged by the stability in authoritarian regimes is more of an exception than a rule. In general, authoritarian regimes tend to be inherently more unstable politically, and stifle development through corruption and discouraging entrepreneurial initiatives.[5]

As we subsequently argued in our book *Arms and Daggers in the Heart of Africa,*[6] conflicts arise not because people are inherently prone to violence, but because of economic, social, cultural and political injustices that *historically* predispose people to such conflicts. For example, there would perhaps have been no violent conflict in Kenya in the early fifties had the colonialists not forcibly removed the Kikuyu peasants from their land, leaving the Kikuyu with no other option but to take up arms and reclaim their birth rights from the indulgent Happy Valley adventurers masquerading as commercial farmers in the exciting heat of tropical Kenya.[7]

Likewise, Desmond Tutu warned, after concluding the work on the Truth and Reconciliation Commission (TRC) in South Africa that the poor and downtrodden would most likely turn once again to violence if their hopes were not met after the so-called liberation from apartheid South Africa. Freedom, Tutu observed, only makes sense to the ordinary South African if it means a job from which to earn a living, a

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[3] See, for example, J. Galtung (1993) "Peace", in the J. Krieger (ed.) The Oxford Companion to World Politics, pp 688–89; OUP.

[4] Anyang' Nyong'o, (1986) "Democracy and Political Stability in Africa," *Africa Development.* See also Thandika Mkandawire, and C. Soludo (1999) Our Continent, Our Future, Trenton: AWP/CODESRIA)

[5] The literature on this is now extensive. But see, in particular, M.H. Halperin, J.T. Siegle and M.M.Weinstein (2004), *The Democracy Advantage: How Democracies Promote Prosperity and Peace,* New York, Routledge; S.M. Lipset and J.M. Lakin (2004), *The Democratic Century.* University of Oklahoma Press.

[6] P. Anyang' Nyong'o (1991), *Arms and Daggers in the Heart of Africa: Studies in Internal Conflicts.* Academy Science Publishers, Nairobi.

[7] See, for example, James Fox (1987) *White Mischief, Amazon, N.Y.*

school to send the children for education, a house to live in and safe drinking water with which to quench thirst. In other words, South Africa was not to be guaranteed peace after the fall of apartheid unless and until the structures of peace—in terms of economic growth with redistribution—were put in place.

Conflict—or the absence of peace—can be *latent* or *overt.* When violence breaks out in the open then conflicts are overt: they are seen, guns are fired, arrows fly around, machetes cut off people's heads and dead bodies are counted. That was overt conflict *a la* genocide in Rwanda in the mid nineties. Latent conflicts, however, are those that simmer beneath the surface of what we may regard as *normal society* as people go about their daily business oblivious of the seething anger of those who experience recent social deprivation, neglect, dishonour, political repression, inequalities of wealth and crass arrogance of those wielding political power "in the name of the people".

Societies which emerge from long periods of authoritarian rule into "political freedom" and an open society usually face the danger of not matching this political freedom with the economic liberation of the economically down trodden which are the majority in society. When this freedom is then accompanied by the continued impoverishment of the majority while a small minority of the politically powerful wallow in tremendous wealth and good living, a structure of violence will remain inherent in such societies, and any economic growth achieved may be prone to social explosion from below. The violent robberies that occur in Johannesburg and Nairobi, the butchering of families by the male head who has just lost his job as state corporations are down sized and the inter-ethnic skirmishes over land ownership and grazing pastures so frequent in Kenya today are the living examples of the external expression of latent conflicts in transitional societies such as Kenya.

The IGAD countries together present this paradox of countries where overt violence has characterized internal conflicts and attempts have been made to solve these conflicts militarily as well as through social, political and economic reforms with very limited success so far. These are the countries of Somalia, Ethiopia, Eritrea, Sudan and Uganda. Then there are the two countries, Kenya and Tanzania, where latent conflicts are to be felt as a result of inequitable economic systems, unfair political dispensation, and—in the case of Kenya—an unfinished transition towards democracy and an open society.

The challenges of transitional politics in Kenya

This essay seeks to discuss the *challenges of transitional politics in Kenya and the unfulfilled promises of independence nationalism* that have always been at the root of

the conflicts that have erupted from time to time in the history of the nation since independence. We argue that the failure to break *the structures of inequality* inherited from the colonial political economy have reinforced the structures of conflict in post independence Kenya. We further note that attempts to break with this past *politically* have aborted twice: first with the 1966 failure of the *left wing of KANU* to assert hegemony over the right wing, and second, in 1992 when the Forum for the Restoration of Democracy in Kenya (FORD) failed to keep the broad *national democratic front* together in the political onslaught against the authoritarian KANU regime.

The aborted "NARC revolution" of December 2002, we intend to argue, did finally usher in the long delayed political transition from authoritarianism to an open society, but the delayed transition to competitive democratic politics remains, hemming society within the armpit of essentially authoritarian competitive politics much within the interest of the traditional ethnic and oligarchic political forces.

This essay therefore advances the argument that a *political break* that entails a transition from authoritarianism to democracy and an open society is already under way since the December 2002 elections in which the NARC government came into power. But the NARC government, like the previous Moi government, is still essentially a *presidential authoritarian regime that renews its legitimacy through competitive politics.*

This break, further, should not be confused with an *economic break* that would entail a major shift in public policy towards meeting the basic needs of the masses through the politics of redistribution. It is precisely because the structure of the economy remains essentially the same as developed during the 40 years of authoritarian rule that the objective conditions for the transition are themselves a problem, and therefore require much more complicated *political alliances* than the populists would have us believe.

Competitive politics and authoritarian break down: Political transition in an economic status quo

The transition from authoritarian rule to democracy actually started with the independence struggle. Colonialism was essentially an authoritarian system of government. The nationalists challenged it successfully. But the nationalists were also acutely aware of the dangers that independence faced. The eventual political and economic dispensation may not please or satisfy all the social forces that coalesced together into the nationalist struggle. There were seeds of authoritari-

anism latent within the emerging "ruling parties" even before they came to power after independence.

In his autobiography, *Freedom and After*,[8] Tom Mboya argued that *uhuru,* or freedom meant many things to many people: to the unemployed it meant a new opportunity to find jobs, to the landless access to land, and to civil servants promotion and better salaries. The nationalist party had to mobilize all these diverse interests and hopes into one formidable movement focused on nothing but *uhuru* so as to win independence. But after independence the crisis of meeting these expectations, given the limited resources available to the state, or limited opportunities in the economy, would no doubt, produce strains in the nationalist movement as some interests would be satisfied while others disappointed. Authoritarian politics might follow to stem rebellion and discontent.

Nonetheless, if the people see that opportunities available are fairly shared out; if they see that decisions are made in the interest of the majority and not on the basis of favouritism, tribalism or other discriminatory practices, the people are likely to accept inequality of access to opportunities and services and not necessarily revolt against structures of inequality.[9]

The problem, however, is that politics in post-independence Africa has been replete with governments presiding over social injustices and maintaining such injustices through political oppression. No doubt political crises have been frequent as such injustices have been resisted, with such resistance manifesting themselves as military coups, secessionist movements, inter-ethnic conflicts, popular insurrections and even collapse of the state precisely as a result of dissatisfaction with political patronage, discrimination based on race, ethnicity, religion and region, extreme inequalities, political repression, wanton denial of human rights and so on.[10] In certain countries these crises have led to open and violent conflicts lasting several years. In others they have been kept simmering beneath the surface of presumed stability due to a more successful use of the armed might of the state or its ideological manipulation of antagonistic social forces through tribalism, religion and regionalism. Kenya belongs to this last genre of presumable political stability.

In 1965, following prolonged disagreements over land policy, foreign policy, appointments in the public service and the running of the ruling political party,

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[8] Tom Mboya (1963). *Freedom and After,* New York, Andre Dautch.
[9] Tedd Gurr (1971). *Why Men Rebel, Princeton, Princeton University Press*
[10] See, for example, our own study, P. Anyang' Nyong'o , ed. (1992). *Arms and Daggers in the Heart of Africa: Studies in Internal Conflicts.* Nairobi, Academy Science Publishers.

the less than two years old government of Jomo Kenyatta headed for a split between what was regarded as the left wing (more populist) and the right wing (centrist and pro-big property ownership). Led by Jaramogi Oginga Odinga and Bildad Kaggia, the left wing favoured distributing land free to the landless, putting a ceiling on the amount of land an individual could own, opening up more job opportunities to the unemployed through major public works, adopting a less pro-West foreign policy and filling up civil service positions on grounds of merit rather than nepotism and patronage.

In 1966, the left wing was kicked out of the ruling party by a clever process of reorganization and restructuring that made the party depend on the political patronage of ethnic leaders as its vice presidents, while the president wielded authoritarian power at the centre. The outcome was the birth of the Kenya People's Union (KPU) as a party of the left in opposition to KANU, a situation that only lasted three years before the authoritarian might of the state came down heavily on the party and its followers, throwing its leaders in prison and banning the party altogether in 1969. In July 1966 KANU's Secretary General, Tom Mboya was also assassinated, thereby eliminating him as a serious contender to succeed the ailing Kenyatta as Kenya's second president after independence.

As Colin Leys has ably shown in his path-breaking book, *Neo-Colonialism in Kenya: the Political Economy of Underdevelopment*[11] , the structure of an economy whereby a small group owned the most fertile land, controlled industry, were the biggest employers of labour, earned over 90 percent of the nation's income and monopolized political power characterized Kenya in colonial as well as post-colonial times. The only difference was that, in post-colonial times, this *power elite* was largely African, albeit in alliance with an enclave of Asians in the commercial and manufacturing sectors and Europeans in financial and industrial sectors. The African peasantry remained largely untransformed, except for the fact that the frontiers of private property in land and agriculture was open to a limited number of the rich, middle and poor peasantry through settlement schemes and "land-buying companies" after independence. Otherwise the land issue and landlessness remained a problem.

It was this structure of the economy that the KPU challenged and failed. By 1970, the authoritarian regime had reconsolidated itself, finishing the fusion between business power and political power when the Ndegwa Commission allowed civil servants to indulge in business in 1972. The symbiotic relationship between occupying

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[11] Leys, C. (1973) *Neo-Colonialism in Kenya: the Political Economy of Underdevelopment*, Nairobi: Heinemann.

positions in the state and making it in the world of business was never to be broken again; any attempts to do so in the guise of fighting corruption, either in parliament or outside in civil society, met with severe political repression, including detention without trial, murder and assassination, by the authoritarian regime.

In 1974, J.M. Kariuki, a populist politician from Murang'a, was brutally assassinated for challenging the authoritarian regime. Subsequently, a series of detentions without trial followed, involving dissident politicians, university lecturers, journalists, priests and trade unions. When Moi took over power from Kenyatta in 1978, the trend of repression did not change, but internal disagreements within the regime on how to dispense with state patronage after the death of Kenyatta led to an aborted temporary rebellion by the armed forces in August 1982. The attempted coup, however, gave Moi the excuse to purge the state machinery of individuals not loyal to him and to entrench his own personal rule.

The brittleness of authoritarian regimes lies in the fact that they do not lend themselves easily to political change, either in terms of elite circulation or regime changes. Since authoritarian systems are prone to personal rule, which is further solidified by political patronage, any change will be resisted by individuals who find it difficult to transfer or renew personal loyalty. That is why both resistance and attempts at change have frequently invited the intervention of the armed might of the state, in the form of the armed forces or the secret agents of the state. This was the drama that played itself from August 1978 when Kenyatta died to August 1982 when there was an attempted coup against Moi.

In actual fact, Moi never really recovered from this attempted coup. He lived in awe of his own shadow, always suspecting somebody to be plotting against him, and reshuffling his cabinet, senior civil service officers and personnel in the armed forces with immodest frequency. In the business community, doing well in a new venture was a recipe for being invited to give shares to the oligarchy around the president, for money was associated with political power, and its monopoly by the oligarchy was its best recipe for retaining power by denying it to others.

Precisely as a result of this fear of insecurity for his regime, the 1980s became years of extreme political repression. The regime erected a one-party state by law. It banished any formal opposition to its rule. More detention without trial of opponents followed. Torture chambers for dissidents were opened in Nyayo House. The president and his cronies frequently talked the language of violence in warning their real or perceived opponents.

This inherently unstable system, prone to crony capitalism and surviving on political patronage, was also inherently un-developmental. Financing its political machinery through corruption, it depleted into wasteful expenditure, public

resources which could otherwise have gone to social provisioning such as education, health, housing and social security.

With the fall of the Berlin Wall in 1989, there was a major shift in the balance of political power globally. Not having to put up with the so-called communist threat globally, the west suddenly found they no longer needed undemocratic and oppressive client states in the Third World as buffers against communism. Such states, like Zaire and Kenya in Africa, lost their lustre of anti-communism, and found themselves nakedly facing democratic pressures from within. We had, in 1987, published a book on *Popular Struggles for Democracy in Africa*[12] in which we presented cases of people's movements and organizations that had been organizing for democratic change in many African countries. With the new international conjuncture, they found a "breathing space" against these oppressive governments as the west started to openly support and encourage democracy in the Third World, with many western NGOs appearing on the scene in the third world to monitor democratic elections, support political party organizations and spell out democratic conditions for disbursing aid.

In this context FORD was born in Kenya in 1991, but not after the Moi regime had brutally murdered its own foreign minister, Dr. Robert J. Ouko, for investigating corruption in his own government, and for daring to communicate with western capitals on the same. Ouko was challenging the staying power of the authoritarian regime, corruption and the politics of patronage, he had to go. But his death at such a volatile international conjuncture exposed the regime, and made it vulnerable to the mounting pressures for change now receiving more overt support internationally.

The upsurge of movements, organizations and political parties in Kenya after the 1991 sudden amendment of the Constitution to allow for multi-party politics brought into being limited competitive politics in an essentially authoritarian system, what has now been called *competitive authoritarianism*[13]. This depicts a civilian non-democratic regime with regularly held elections that are competitive but extremely unfair, as indeed the elections under Moi in 1992 and 1997 were extremely unfair in many counts.

In such regimes, Way argues, democratic institutions exist and are regarded as the principal means of obtaining and exercising political authority, *but power holders violate those rules so often that the regime fails to meet minimal democratic stand-*

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[12] Anyang' Nyong'o (ed.) (1987) *Popular Struggles for Democracy in Africa.* London: Zed Books.
[13] See, for example, Lucan A. Way's description and analysis of Ukraine under Kuchma's presidency in "Kushma's Failed Authoritarianism," *Journal of Democracy, Vol. 16, No. 2, (April 2005), pp. 131-145.*

ards[14]. Incumbents regularly harass opposition leaders, censor the media, and attempt to falsify election results. Yet elections are regularly held and remain competitive, and opposition candidates can and sometimes do win.[15]

Such regimes are also usually presidential, with those exercising that office dependent largely on an array of clients within and outside the state apparatus who provide political support, loyalty, the largesse for buying and maintaining political power and the running of state machinery on a highly personalized basis.

Throughout the nineties, Moi gave in to competitive politics grudgingly and sought, in many ways, to circumvent the competition and ensure the survival of his regime. But the system also weakened gradually as competitive politics in Parliament also brought about legal and constitutional changes that deprived the presidency of some of its authoritarian powers. For example, the Inter-Party Parliamentary Group (IPPG) reforms in 1997 that made changes in electoral laws led the ruling party KANU to lose substantial control of Parliament to the Opposition.

This gave Moi, though an authoritarian president, a slim majority in Parliament, compelling him to seek allies in the opposition to ensure the passing of government business in the House. This led to cooperation with the National Development Party (NDP), which eventually dissolved itself and joined KANU. This was to prove the beginnings of the break up of the authoritarian regime and the lead towards ample democratization as well as the birth of an open society.

But why was Moi so intent on controlling Parliament?

Competitive authoritarian politics finds its locus of expression usually in key representative institutions such as parliament. It is in parliament, with its rules of immunity and its special powers and privileges that the enemies of the authoritarian regime, particularly the democratic opposition, finds its widest freedom to express itself, expose the iniquities of the regime and seek to supplant it from power. Indeed, parliament gives the opposition the chance to exploit all available opportunities in the constitution and democratic practices internationally to bring about political change legally and by peaceful means.

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[14] Steven Levitsky and Way, "The Rise of Competitive Authoritarianism", *Journal of Democracy,* 13 (April 2002): 51-65.

[15] In the post 1990 "democratic wave" in Africa, most countries that held competitive elections, with the exception of South Africa and Botswana, were essentially authoritarian regimes that were largely undemocratic but allowed competitive elections for purposes of gaining legitimacy locally and internationally.

The records of the Kenya National Assembly show how, between 1993 and 2002, a lot that was previously unknown to Kenyans regarding corruption, misuse of public office, the denial of basic freedoms and the lies of the regime were exposed through debates in Parliament and the works of the Parliamentary watchdog committees. Although the regime tried to intimidate members of parliament with arrest, police harassments and the banning of political rallies, it could not altogether shut down parliament where all the talk and the exposure was done. It could not stop the formation of such select committees as those set up to look into corruption and the grabbing of public assets by the regime. It could, however, strive to control decision making in parliament by bribing MPs to vote in its favour when crucial bills and motions were tabled in the House.

Finally, when Moi's term in office constitutionally came to an end in 2002, his attempts to orchestrate his own succession by the so-called "Uhuru Project" led to the break up of his own party as politicians desirous of high office resisted Moi's imposition of a presidential candidate over them. The rebels, forming themselves into a Rainbow Alliance, broke out from KANU and sought alliance with the then opposition to come up with a new coalition to oppose Moi, which was to be called NARC. It is this formidable coalition called NARC that finally trounced KANU in the December 2002 elections to form a new government under the presidency of Mwai Kibaki.

The frustrations of the transition to democracy under NARC

As a pre-election coalition, NARC brought together diverse political parties representing regions, ethnic groups, personalities and business interests. These parties were ideologically amorphous and were used mainly as "vehicles" for entering parliament. But as vehicles, they had to assure their members of getting "better things for their supporters" once in parliament. These "better things" included cabinet positions, appointments to jobs in state corporations, directorships in such corporations, ambassadorial appointments and so on. All these were agreed to in a pre-election Memorandum of Understanding (MOU) between the Liberal Democratic Party (LDP) and the National Alliance Party of Kenya (NAK), the key members of the coalition. There was also an understanding regarding the programme that the government would undertake once in power.

But once Kibaki was sworn in as president, he quickly did away with the MOU, avoided any further discussions of its contents with the LDP leaders and went ahead to appoint the cabinet and other officers of the state without much regard to the views, opinions and preferences of his coalition partners. Using the powers con-

ferred upon the presidency by the essentially authoritarian constitution, Kibaki preferred to rule legally rather than politically; exploiting these constitutional powers even when they went against the *political spirit of coalition politics* that had brought him to power. That is the summary; let us now tell the story in full as follows.

Between 1992 and 2002, several political developments had occurred in Kenya's political culture that had substantially undermined the authoritarian presidency without necessarily being translated into constitutional provisions. Some, through the Inter-Party Parliamentary Group (IPPG) reforms of 1997 had been translated into law and had affected amendments to the *National Assembly and Presidential Elections Act,* for example. Precisely because the constitution was now out of step with the political culture and the popular mood that frowned on authoritarian politics, popular pressure escalated for the reform of the constitution so that it would be more democratic and more accommodative to the politics of an open society.

In the run up to the elections of December 2002, while the opposition political parties were campaigning to remove the Moi regime, the people were looking back to the experience of 1992 and 1997 and observing that without the coalition among the opposition political parties, Moi's KANU would still win the elections. A popular demand for the opposition to unite followed; and the leaders responded by coining a united front of the parties called the NAK that brought together the Democratic Party (DP), the Forum for the Restoration of Democracy-Kenya (FORD-Kenya), the National Party of Kenya (NPK), the United Democratic Movement (UDM), a faction of the Social Democratic Party (SDP) and SPARK. The leaders of these parties respectively were Mwai Kibaki, Michael Kijana Wamalwa, Charity Ngilu, Kipruto arap Kirwa, Anyang' Nyong'o and Shem Ochuodho. They formed a joint forum that gave leadership to the united opposition and held rallies across the country committing to endorse one presidential candidate among them, a feat that was achieved by October 2002 with the support of an array of civil society organizations which were also part of the Alliance. Key among these civil society organizations were the Green Belt Movement, led by Professor Wangare Maathai and the NCEC led by Professor Kivutha Kibwana.

In the meantime, in Moi's attempt to impose Uhuru Kenyatta as his successor in KANU and the sole presidential candidate for the party, a major disagreement arose among the KANU presidential hopefuls who demanded an open and democratic nomination process. Remaining adamant, Moi found himself defied by these gentlemen who immediately marched out of the party in a huff, grouping themselves into a powerful pressure group called the National Rainbow Alli-

ance. One after the other they resigned from KANU and from cabinet positions to carry their message to the Kenyan people, again promising that they would name one among them to contest the presidency on the National Rainbow Alliance ticket. This group was led by Raila Odinga, then KANU's Secretary General, George Saitoti, the then Vice President, and Stephen Kalonzo Musyoka, then Minister for Environment and Natural Resources. Others included the then Deputy Speaker of the National Assembly, Joab Omino (who became the chairman of the Rainbow group), Fred Gumo, David Musila and George Khaniri.

As the two opposition groups moved around the country appealing for popular support, the message came loud and clear from the people: please unite if you really want to remove Moi and KANU from power. The Kiswahili phrase, *nyinyi muungane*, meaning "you people unite", was heard everywhere from the crowds as they shouted back to the political leaders of the two groups addressing them from various platforms around the country. The response was quick: consultations started between the two groups, and these consultations were extended to other opposition groups like Simeon Nyachae's Ford-People, leading to the agreement in mid November to endorse Mwai Kibaki as the sole presidential candidate of the opposition under a pact of power sharing enshrined in an MOU. The new united opposition was given the name NARC.

NARC developed two structures of governing itself: the Summit which brought together all the presidential hopefuls from the two groups as the key political decision making body; and the Strategic Committee, which discussed policy, logistics and acted as the executive committee of the Alliance. There were other subsidiary committees like the Mobilization Committee, for mobilizing resources for the campaign, the Economic Committee which worked on the Manifesto, and so on.

Within the summit were all the presidential hopefuls including Moody Awori who was the chairperson of the Summit. One of the most important things that the Summit did was to agree on a power sharing formula among the summit members in sharing cabinet positions in the event of winning the elections. This formula was contained in an MOU among summit members, subsequently deposited with lawyer Ambrose Rachier of Rachier and Company Advocates of Nairobi. This particular MOU was only known to Summit members and not to the general leadership of NARC as a whole.

NARC therefore ended up with two MOUs: one, more elaborate and containing policy commitments and key principles of forming the coalition government, and this was read to the public when NARC was launched at the Hilton Hotel in November 2002; and the other secretly signed by the Summit leaders at the Nai-

robi Club, detailing the power sharing formula for the two parties coalescing in NARC, the Rainbow Alliance (now called LDP) and NPK. The key beneficiary of both MOUs was Mwai Kibaki, for in both he was endorsed as the flag bearer of NARC: one publicly in full view of the Kenyan people at the Hilton Hotel, and the other privately in full view of his peers and cohorts in the leadership of the new coalition in the secret chambers of the Nairobi Club.

Soon after the NARC election victory of December 29, 2002, Mwai Kibaki formed his cabinet with scant respect for the terms of the Nairobi Club MOU. The LDP leadership cried foul. Attempts to get Kibaki to explain his action at the Summit did not succeed. The then comptroller of State House, and the President's private secretary, advised that such matters be discussed at Cabinet level, as the president was now exercising his constitutional powers which now took precedence over temporary political arrangements. Other partisan groups argued that the president could not be bound by *secret agreements among power hungry leaders.* They went further to observe that the people of Kenya had elected Kibaki as *the* president and not these others who were now making *selfish claims* on him.

Two issues are pertinent here. One, *constitutionally*, the president was indeed right to appoint his cabinet in accordance with the powers conferred upon him by the constitution. But this constitution was, for all intents and purposes, *an authoritarian constitution* which NARC, under his leadership, had promised the people of Kenya to change for a more *democratic one* within one hundred days of coming to power. In other words, to give the authoritarian constitution more legitimacy in forming his government than the promise he gave to his peers in the Summit and the people of Kenya of forming a government on a more consultative coalescing principle, was to undermine the trust bestowed on him to initiate democratic governance from the word go.

Two, *politically,* it was through the process of pre-election coalition building that he had been elected president, and not through the authoritarian framework of the constitution that actually made it difficult to form a post-election coalition government. That is why the opposition parties had to go through the political gymnastics of their candidates being endorsed by *a political party called NARC* in order to legitimately enter the National Assembly. All this was made possible by agreements *which he himself signed* so as to access presidential powers. The root to these powers was not therefore the constitution which he was now using to justify his choice of the cabinet and other appointments; the root was a *political process.*

Frowning upon this political process while crowning himself with the authoritarian powers from the constitution, revealed one thing very early in his presidency: Kibaki was more at home exercising presidential powers from the

authoritarian political templates of the Kenyatta and Moi eras rather than embracing reform and crusading for it under a *democratic* NARC government. Under Kibaki the transition from authoritarianism to democracy would stall. Rather than deliver the new democratic constitution within 100 days as promised in the Hilton Hotel MOU, Kibaki preferred to forgo the honeymoon with the open society within these same 100 days as he nonchalantly ignored his promises and went about business in accordance with the existing constitution which gave him the authoritarian powers unpopular with the people but very acceptable to him and his entourage or what came to be known popularly as the *Mount Kenya Mafia.* Rather than institutionalize coalition politics by strengthening NARC as the ruling party, Kibaki preferred to disband the NARC governing organs and, like Kenyatta and Moi before him, run politics through the state apparatus.

What explains the stalled transition?

Authoritarian regimes usually destroy organizations, particularly those that try to organize civil society politically in the arena of competition for power or for the control of state power. That is why, very early on in the emergence of authoritarian regimes in Africa, they all established *one—party rule.* Very often this became no-party rule as presidents ruled through the state apparatus or as the military took over to run political affairs through command. Where political parties existed or were deliberately created by the civilian or military rulers, they functioned as branches of the state apparatus, with personnel moving in and out of both as the president so appointed.

Sooner rather than later, the art of political organization is lost by civil society. In Kenya, for example, the *Maendeleo ya Wanawake,* a purely women organization that dated from colonial times, was made a branch of the ruling party KANU, with its leaders enjoying support and close proximity with the president. Elections to the organs of the organization became KANU affairs, and the autonomy vis-a-vis the state was rapidly lost. In Uganda the National Union of Uganda Students (NUSU) in the late sixties went through the same experience with Milton Obote's Uganda People's Congress (UPC) government, creating tension between NUSU/UPC and the more autonomous Makerere Students' Guild.

That is why when popular pressure begins to mount against authoritarianism in such developing societies, it rarely comes through political parties as such since these do not really exist. The pressures emerge from a whole array of popular movements and civil society organizations that arise in stiff opposition to the regime, with leaders and members very often going through repression, torture,

assassinations, exile life and so on. In the event that a conjuncture arises where competition for political power is possible through elections, the regime always makes it very difficult for such forces to organize politically through parties. Innovative leaders are therefore useful at such moments in coming up with *points of entry* or *appropriate organizational forms* that can lead the reform movements to capture political power through elections.

It is often said that organizations, in the abstract, do not innovate; individuals and people, however, do. In 1992, faced with the repeal of Section IIA of the Kenyan Constitution that finally allowed for the formation of political parties other than the ruling party KANU, the opposition formed a mass movement called FORD as a broad united front of the forces opposed to the regime. When FORD split following the competition for leadership of the various ethnic elites, the resulting political parties, devoid of both the numbers and the art of organization, lost the elections to the state-backed KANU. The same predicament followed in 1997 as even more political parties in the opposition confronted KANU in the presidential and general elections of that year.

In 2002, through the *innovation* of the opposition political leaders, a more successful united democratic movement against KANU called NARC was forged and the opposition managed to form the government on a pre-election coalition. But taking power under a largely authoritarian constitution, the innovation should not have ended with winning the election; it needed to have been carried out even more vigorously in the post-election period.

The tragedy with NARC is that the innovative leaders who crafted the MOUs, the Manifesto and the campaign slogans handed over power to a non-innovative president with enormous powers under the constitution, and with his mind grooved in the political routines of his predecessors in State House. As we have observed earlier, Kibaki looked back and resurrected the templates of governing from the Kenyatta and the Moi years, re-canonizing authoritarian rule atop the innovative ideas on which NARC was erected, banishing politics to the cupboards of a demobilized NARC, and leaving state power to be wielded by political novices who now averred to rule in the name of the president as their erstwhile incompetents had done under the outgoing Moi government.

The end result—and indeed the outcome of this—was, among other things, disarray in the judiciary as these novices sought to appoint their men and settle political vendettas in the name of a surgical reform in that vital branch of democratic and constitutional government. Impasse followed in the urgent task to reform the civil service so as to deliver on the reformist mandate of NARC as these same novices impressed upon the president that only politically correct "*our men*" could keep key

places in the civil service. Retirees were called back to occupy key positions in the civil service not because they were the only ones qualified to do so but more because they were politically correct from a loyalty or ethnic point of view. Again Kibaki went the same route as his two predecessors at State House had done, and reform was still born since there was no enabling environment for it in the civil service.

As opposition mounted within government to these reactionary moves by the president, the cabinet became less deliberative and more key decisions were made within the small group around the presidency, some individuals in this group having no formal positions in government but wielding substantial influence on policies and public appointments. So irate were leaders in NARC that a meeting was soon called to chart the future of the coalition in early April 2003 under the chairmanship of the then Vice President, Michael Kijana Wamalwa.

At this meeting, held at the Mount Kenya Safari Club at the foot of Mount Kenya in Nanyuki, the Vice President decried the lack of progress in the reform process, the sliding back to the old ways, the apparent settling into power for power's sake and the rapid loss of confidence in government among the ordinary Kenyans. The Vice President asked a poignant question:

If elections were held today, would NARC win?

The Vice President received a standing ovation from those who attended the retreat when he finished his very eloquently delivered speech. But the more important question was what the NARC leadership gathered in Mount Kenya was going to do following the VP's entreaties. It was resolved that NARC be revitalized, the organs become operational, that the Summit's membership be expanded so as to be more inclusive and effective, and that the President be informed of the deliberations and he takes heed of the concerns of the members of parliament and the leaders. Keeping faith to the reform process was emphasized, particularly the constitutional reform process and the fight against corruption. A committee to follow up the implementation of the Nanyuki agreements and another one to work on the constitution of the party were set up. Subsequently, these committees did do their work but, tragically, the president paid scant attention to the Nanyuki deliberations as well as the work of the committees that were set up.

While all these debates, retreats and arguments about NARC and the reform process were going on in the open, something much more serious was going on within the presidency in the background. This was the plans to amass financial resources with which to buy and maintain political power in NARC and to build a financial war chest in readiness for the 2007 elections. Having decided not to be

bothered with building the ruling party as a coalition as decided in Nanyuki, the president decided that financial power would be needed to turn NARC into a state party and to retain the state in its authoritarian form by financially influencing the constitutional reform process at the Bomas of Kenya. He therefore comfortably announced in Mombasa on New Year's eve in December 2003 that anybody in NARC who thought they belonged to any other party was dreaming. Again, using his constitutional authoritarian powers, completely oblivious to the political process that had brought him where he was, the president ordered the social and political forces under him to organize, in accordance with his command: "once more back to a one-party state".

As history would later reveal, what was going on in the background was the Anglo-Leasing scam. This was an arrangement whereby government officials in the president's office and the security branches of government sought to procure security goods and services for the government from fictitious companies through the mediation of equally fictitious financial institutions. One such financial institution came to be known as the Anglo Leasing Finance Company. The President's office arranged that this company facilitates the building of a Forensic Laboratory for the Police Force, the buying of tamper-proof passports for the Immigration Department and the building of a ship for the Kenya Navy. The total sum of money involved in these and other deals was to close to a quarter of a billion dollars. A good part of this money was paid well in advance but returned mysteriously to the treasury when the Permanent Secretary in charge of Ethics in the President's Office, John Githongo, questioned the deals.

From Githongo's diaries, it becomes clear that the Kibaki regime was stalling on the reform process and disengaging from the process of transition from authoritarian rule to democracy precisely because they needed the political shell of authoritarian presidency to undertake these corrupt deals. Further, these corrupt deals were also needed to finance the politics of sustaining presidential authoritarian rule. Who says corruption, therefore, says authoritarianism and who says authoritarianism beckons corruption as a necessary bed fellow.

In January 2005, confronted by the British High Commissioner in Nairobi, Sir Edward Clay, with 20 or so cases of corrupt deals in his administration, the President handed the Clay dossier to the Director of the Kenya Anti-Corruption Commission, Justice Aaron Ringera, for action. In April of the same year, in a submission to the development partners at a Nairobi meeting, Justice Ringera categorically stated that the government had either investigated or concluded all the Anglo-Leasing related scams that Clay was concerned about.[16] When the issue was raised by the author during the campaigns on the referendum on the

draft constitution, both Ringera and Mwalimu Mati—the Executive Officer of Transparency International in Nairobi—dismissed my claims of the covering up of corruption as "mere politicking". At the beginning of 2006 when Githongo released his diary, it was quite clear that the president had mobilized all organs of government to facilitate the cover up.

The referendum on the draft constitution and the stalled transition

Two key issues dominated the debate on the drafting of the proposed new constitution throughout the constitutional review conference at the Bomas of Kenya from the beginning of 2003. These issues were on the executive branch of government and devolution of power to local or subsidiary authorities. Quite understandably so, for the essence of authoritarian government is the concentration of executive power at the centre, usually the presidency, and where presidential rule is the key repository of authoritarian power, then it is equally unlikely that any other branch of government will exercise much executive power. Hence local authorities, under presidential authoritarian regimes, usually become mere appendages of the centre, with little power over their finances, let alone the employment of their key officers.

Juan Linz, the American professor of political science at Yale University, argues that "*presidentialism*" is the curse of the politics in many low income countries. From it arise substantial denial of human rights to most citizens in these countries, the perpetration of corruption, the stunting or blocking of the growth of the private sector and the general underdevelopment.[17] It is therefore understandable, he goes on to argue, for pressures to mount in such countries for political reforms in favour of *parliamentary* systems of government and the *dispersal, de-concentration or devolution of power* from the centre to local authorities so as to enhance possibilities for development. In other words, such reforms would enhance more democratic governance, and more democratic governance stands a better chance of stimulating development: the use of resources not for corruption but for investment in economic growth, human development and social provisioning.

The draft constitution as amended by the Parliamentary Select Committee on Constitution Reform, the so-called Nyachae Committee, and as finally drafted at the Kilifi Retreat of the Committee and presented for a National Referendum in

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[16] The Director/Chief Executive, Kenya Anti-Corruption Commission, (April 5, 2005): *Status Report on the Anti-Corruption Agenda of the Government of Kenya.* Nairobi.

November 2005, rejected the parliamentary system in preference for the highly presidential system of government as enshrined in the constitution whose reform had been called for. It also greatly reduced the financial powers that were to be devolved to lower units of government, reserving the very survival of these units to decisions at the centre. When the referendum debates started, two contending schools of thought therefore came forth: the one for a parliamentary system of government and substantial devolution whose campaign sign was *the orange (or "chungwa"* in Swahili) and those for a presidential system of government and very limited devolution whose sign was *the banana (or "ndizi").*

While there were obviously other issues on which the two sides differed and argued passionately for their points of view, and while propaganda and mudslinging played their usual in such vote-wooing campaigns, the key ideological and *reform* issues that created a meaningful divide between the two were these two: the structure of the executive and devolution of power.

For maintaining the current system of presidential rule with limited devolution, the *ndizi* side submitted the following points.

- A strong central authority is needed to maintain political stability and promote development in a new nation that is developing and in which ethnic diversity needs to be handled carefully as people compete for development resources.
- To have a president as head of state and a prime minister as head of government is to bring confusion in government. This amounts to creating two centres of power which is unnecessary, expensive and prone to conflict within the executive branch of government.
- In order to fight corruption and put in place a lean and efficient government, devolution is not really necessary. It is possible to disperse centres of corruption to local authorities and hence end up wasting even more resources through "devolved corruption."

For doing away with the presidential system of government, bringing in a parliamentary system and de-concentrating power from the centre to lower levels of government through devolution, the *chungwa* side advanced the following argument.

- A parliamentary system of government makes it possible for the leader of the party with majority in parliament to form the government. If no single party wins a majority, then parties can form a post-election coalition.

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[17] Juan Linz (1990), "The Perils of Presidentialism," *Journal of Democracy*, vol. 1, No. 1, pp. 51–70.

Such a government is likely to be more responsive to popular pressure for reform as decisions are not concentrated in the hands of one man called the president but dispersed among political parties which will constantly be bargaining in parliament.

- A decision needs to be made on how both the president and the prime minister are elected to their positions. If the president is directly elected by the people, as in France, and then he appoints a prime minister who leads the government in parliament because he can marshal a majority in parliament, then the powers of the president and those of the prime minister need to be very carefully spelt out in the constitution. On the other hand, in a purely parliamentary system like India and Great Britain, the presidency is a mere ceremonial position and that office can be filled through an election in parliament. In either case, there is less likelihood of having the kind of *imperial presidency* with all its excesses that Kenya has had since independence.

- Devolution need not lead to dispersing centres of corruption if there are strong regulatory institutions, the rule of law is enforced and the judiciary is fully operational. The problem at the moment is that local authorities are not only under financed but operate outside the purview of strong regulation and quite often oblivious to the rule of law.

- With the experience of the Constituency Development Fund (CDF), it has now been proved that when the people have a say on how resources are to be used at the local level and when there is room for social auditing, devolution actually works much better than centralization. The CDF resources have reached the people much more successfully than the District Development Committee (DDC) resources of yester years.

The draft constitution was soundly rejected at the referendum, with 152 constituencies out of 212 voting "NO", a total of just over three million votes out of five million cast ballots, and delivering victory to the Orange side. The government reacted by crying foul: the opposition, it claimed, had rigged the voting; people, they further averred, had been told lies about the draft constitution; and even more devastating to the intelligence of the three million Kenyans who voted against the draft, the government argued that these voters had merely cast "protest votes" against one community which was seen as being "for" the draft. Research is yet to be carried out to determine to what extent the outcome of the vote was due to these reasons. But it is indeed true to reason that people do cast votes in elections for diverse reasons: fear, group dynamics, personal convictions, partial information, fulfilling obligations, party and individual loyalty and so on.

Whatever the case, such motives would influence voters on either side of the divide, and in the case of this referendum, both *ndizi* and *chungwa* spared few arsenals for vote catching that were at their disposal.

After the November 21 verdict, the president dissolved his entire cabinet, appointed a new and highly enlarged cabinet of 95 ministers and assistant ministers in a parliament of 222 members and excluded all those ministers and assistant ministers "who had gone orange" during the referendum. The "orange seven" in the dissolved cabinet were Raila Odinga (Roads and Public Works), Lina Kilimo (Office of the President in charge of Immigration), Ochilo Ayako (Gender, Youth and Sports), Najib Balala (Office of the President in charge of National Heritage), Kalonzo Musyoka (Environment and Natural Resources), William Ntimama (Office of the President in charge of Public Service) and Anyang' Nyong'o (Planning and National Development).

The new cabinet was appointed from among members of parliament in all parliamentary political parties who the president considered as having remained loyal to the government during the referendum. It was called the *Government of National Unity (GNU),* thereby debunking once and for all the idea of a coalition government under NARC. The LDP reacted by formally announcing its leaving the government side and joining the opposition in parliament. The stage was therefore set for a new round of struggle over the pending issue of the constitution, the important agenda for the Kenyan people as far as urgent reforms that were still needed for the transition to democracy. So far, with Mwai Kibaki at the helm of the state and still bending over backwards to rule from the political templates of the authoritarian past, this transition will remain stalled.

Grappling with the challenges of multi party democracy in Uganda

Professor Samuel B. Tindifa

Introduction

This paper was written almost immediately after the presidential, parliamentary and local council elections in Uganda in February and March 2006. The election violence, manipulation, harassment of the opposition and rigging that character-ised these elections were still very vivid in the author's mind. Though declared free and fair by the Commonwealth Election Monitoring Group, the elections were reminiscent of the 1980 general elections, which had likewise, been declared so by the same body, a claim that was widely contested, prompting Yowerei Kaguta Museveni, who has been president since 1986, to go to the bush to wage a "liberation struggle." The five-year guerrilla war that followed the 1980 elec-tions (1980 to January 1986) dislodged the undemocratic regime of the Uganda People's Congress (UPC) Obote II that had shot its way into power through rigged elections. Indeed the mood of the country was somber about the usurpation of power through a fraudulent election. Unfortunately, the elections in Uganda are business as usual. In 10 years since 2001, Museveni's personal doctor in the bush days, Colonel (retired) Dr Kiiza Besigye has twice dragged Museveni to court in petitions challenging his election in 2001 and 2006 respectively. In the first peti-tion, the Supreme Court found the general elections to have been marred with violence and vote rigging, among others, although the court did not find the mal-practices substantial enough to nullify the elections. The seventh parliament in its investigations also came to the conclusion that the 2001 elections had been marred with violence.

The outcome of the second petition was not known at the time this paper was submitted. It was also alleging election violence, intimidation, bribery of the elec-torate and disfranchisement of some of them, ballot stuffing and use of abusive and dirty language in breach of the Presidential and Parliamentary Elections Act.

Uganda became independent in 1962, through a negotiated constitutional process under the patronage of the British colonial power. Like many countries in sub-Saharan Africa, Uganda was forced to adopt a Westminster type of gov-ernment, although the independence government inherited a colonial state that

was essentially "autocratic, centralist, paternalist," and predatory in character, without a history of multi party democracy.

From 1962 to 1966 Uganda had an elected government following a multi party election, manipulated by the departing colonial power to edge out the Democratic Party, in favour of a coalition between the UPC and KY parties that were considered sympathetic to the British colonial interests. Unfortunately, the coalition ruptured in 1966 when the Prime Minister Milton Obote, following sharp disagreement with his ally, Kabaka Mutesa, who was the head of state, engineered the violent overthrow of the constitution and the dismantling of the political and constitutional arrangements that had been negotiated at Lancaster. In 1967, a republican system of government was established and a single party rule was ushered in with the UPC monopolizing political power and sowing the seed of absolute power. 1n 1971, the military usurped power and Uganda witnessed unprecedented carnage under the ruthless regime of General Idi Amin. The Tanzanian Peoples Defense Forces government dismantled the military regime in March 1979 after the Uganda Army invaded and occupied Kagera region in 1978. Attempts to put the country back to a democratic footing under the UNLF arrangements were frustrated by the militarist groups of Kikosi Maloum (KM) an armed wing of the UPC party headed by the late Major General Oyite Ojok, and Museveni's FRONASA. The two groups connived and overthrew the Binaisa government in April 1980. The military junta led by Muwanga and deputized by Museveni organized the 1980 elections, which were subsequently contested militarily by Museveni's National Resistance Army/ Movement (NRA/M), which usurped power in January 1986.

Under Museveni's rule, Uganda has had three elections since 1996 held 10 years after he took power without subjecting his regime and himself to universal suffrage. The 1996 and 2001 elections were conducted under the no party system with "individual merit" being the basis for candidature. Parties had been proscribed under the infamous article 269 of the constitution, under the pretext that they are responsible for bad governance and politics of sectarianism, conflict and underdevelopment. Article 269 has been repealed, following a useless referendum purportedly to allow return to a multi-party system. Uganda has for 20 years therefore, been under a disguised civilian-military-single party autocracy.

These events are recounted because they constitute a consistent pattern of strife, armed conflict and economic decay in Uganda since independence in 1962 that reflects something structurally wrong in the governance of this country. Uganda has had governments ranging from quasi federal, republican, multi or single party to military dictatorships. Secondly, the events provide a background about the nature of state that was constructed by the British and reveal the kind

of issues in a broad sense that have a bearing on democratization that have to be dealt with. There are still contentious matters about what the state should be, and strife and conflict also continue to unfold.

Against this background, the paper discusses the challenges of multi party democracy in Uganda, how we have to grapple with them in the process of building a culture of peace. The paper proceeds from the argument that the challenges of multiparty democracy are many and multi faceted, stemming from what we want as Africans. According to Anyang' Nyong'o, quoted by Eugene Macomo, (1995: 99) African people want two things: political freedom and socio-economic progress, although, we can add social justice and equity to the list. This is what democracy is about. It is not simply about a multiplicity of parties contesting elections, which are often fraudulent nor is it merely about constitutionalism and "formal structures of multi-partyis" (Sichikonye 1995: 4). Existence of multi-parties is not synonymous with democracy, and therefore, intellectuals have the task of first understanding holistically the problems afflicting democracy, clarifying the meanings of key concepts such as democracy, development, etc. We also have the task to give meaning to multiparty democracy by linking organically, parties with political freedom, socio-economic progress, social justice and equity. In so doing, we have to contend with the historical and contemporary problems giving rise to the governance crisis in Uganda and the rest of sub- Saharan Africa.

The first section is a review of literature on the discourse on democracy in Africa. The review identifies the theoretical issues of contention about democracy in Africa, its meaning, obstacles, and the emerging issues about what democracy ought to be. The second section discusses the challenges in Uganda and suggests how to deal with them. The third section discusses gender issues in a multi party system. The final section discusses the concept of civil society and its application in a neo colony.

Understanding democracy in a neo colony: The nature and character of the state

The nature and character of the neo-colonial state, its viability and sustainability in its obligations to respect, protect and fulfill its obligations is in question. Looking back at the recent history in sub-Saharan Africa, many countries including Uganda have been plagued with authoritarian, autocratic and kleptocratic single party/military rule occasionally punctuated with pseudo multi-party democracy. After these countries gained their independence, they began to experience serious economic decays, political turmoil and armed conflicts to the extent that

they are unable to "reproduce themselves." In the 21st century, many African states cannot survive without subsidies from the so-called donor countries and multilateral agencies. Uganda's foreign budget support for almost 10 years has been around 50% and this might be the trend for many years to come. This desperate situation has generated debates bout what is wrong and some of the African intellectuals are focusing on the nature and character of the state.

Mafeje in his work on Democratic Governance and New Democracy (2002) argues that the post colonial state like the colonial state construct is as an extension of British and other colonial interests of accumulation. Capitalist relations of production were imposed without the corresponding democratic structures. Therefore it can "neither deliver political democracy nor social democracy." We are therefore, according to Mafeje, left with two options: either continue the decolonisation process or just "maintain the status quo" in pursuit of "self aggrandizement," which has "became the easier option" for African leaders and bureaucratic elites. Inevitably, decolonisation has led to the integration of some of the African leaders into the global system of plunder.

The plundering of African economies by Western economic interests in collaboration with African leaders is, according to Jean Francois Bayart (1999) reminiscent of European mercantilism, which is one of the factors that has contributed to the crisis in Africa. Public power has increasingly been, and continues to be used in pursuit of criminal activities. Instead of delivering democracy, this is turning the African state into a criminal entity. Bayart says the relationship between crime and tenure of public office is a common feature in some of the countries in sub-Saharan Africa. So what is criminal about some of the states in Africa? Bayart provides an indication of some of the characteristics of a criminal state.

"Power, war, economic accumulation and illicit activities form a political trajectory of organized crime," argues Bayart, and a combination of public power with the process of accumulation is responsible for the rampant corruption, which nonetheless was "always a feature of the mercantilist trade system". Corruption, in Bayart's opinion, is therefore not unique to Africa, because the fusion of public power with accumulation has been, and is still common in western Europe, Middle East, Latin America and Asia, although the methods have become more subtle and sophisticated.

The dynamics of accumulation and the need for public power creates conditions for monopolization of political power. Accumulation requires authoritarian and autocratic leaders and governments, which inevitably leads to loss of legitimacy of the state. Consequently, quite often regimes pursue vigorous counter measures to subvert democracy. Such measures may be in the crude form of

kleptomania of the Mobutu type, organized around single party/ military dicta-torships. In other cases, there may be a semblance of multi party system, but where the opposition has either been bought off or weakened by the politics of dirty tricks. In other states, there may be no tenure limits. These measures have the tendency of privatizing the state, with public power becoming a family affair, to maintain tight control over the security forces and "economic rents" used to harass the opposition or to buy off "dissident politicians."

Political reforms have taken place in several of the African countries with the dismantling of the single party rule. Increasingly there are fewer military regimes, although some of them are disguised as civilian. In the political reforms, multi party rule has been introduced partly to respond to the conditionality of the west, but more so as a necessary condition for legitimizing the monopolization of ab-solute power and weakening the opposition. Olukeshi Adedeji (2002) points out that the multiparty system, instead of fulfilling the underlying expectations of greater democratization in Africa in place of the single party system, is quite often characterized by rigging, violence and bribery, political repression and ex-clusion. Bayart therefore concludes on this matter that the introduction of multi parties "is nothing more than a fig leaf covering the continuation and even exac-erbation of the politics of the belly from the prudish eye of the west." Though competitive politics based on multi parties is a necessary condition for democ-racy, it is not "a sufficient condition for democracy," according to Bayart.

Another characteristic of the criminal nature of the African state is the close link between accumulation, control of public power and war. Bayart says that in such countries, there is a "re-emergence of representation of the invisible world of spiritual power often connected with the art of war." In the last elections in Uganda, the president's wife claimed to have spoken to God who instructed her to contest for parliament in the Ruhama constituency in Western Uganda. Joseph Kony in waging the brutal war in Northern Uganda, claims to have been in-spired by the Ten Commandments of Moses.

Countries in the corridor of chronic conflicts particularly in the Great Lakes and Horn of Africa region are in economic and political crisis, and also have a lot of plunder using war or public power. Somalia, Uganda, Democratic Republic of Congo (DRC), Sierra Leone and Liberia are some of the examples where war and public power have been instruments of plundering natural and other resources. Uganda for instance was found guilty by the International Court of Justice for plunder and massive violations of human rights in the DRC. Such a state cannot deliver on de-mocracy and perhaps that explains why democracy has eluded our countries.

The concept of democracy

The crisis of governance in sub-Saharan Africa provokes an inquiry into the meaning of democracy, which has generated an impasse. Sachikonye (1995: 6) contends that the meaning of democracy "is far from settled; it is a contested concept." Mafeje contends that African scholars have been debating democracy without making headway because some were debating it within the box of western liberalism, while others are bogged down in outright rejection of liberal democracy but without coming up with an alternative paradigm. The situation became worse when socialism collapsed, and Africans got challenged with new conceptual problems associated with SAPs, in which were embedded the World Bank concepts of good governance, complicating further the debate. Ntalaja (1997) in his work on State and Democracy ponders why so many promising transitions have failed to bring about democratic change. It is the role of the intellectuals to answer these questions and this should not be left to politicians to deal with.

Sachikonye argues that meanings attached to democracy must transcend the "constitutional and minimalist definition" because it is "incomplete. The material content of democracy is a major feature and therefore should be incorporated into the definition, a view that seems to be supported by several African scholars. According to Mafeje, attempts to adopt or impose liberal democratic values in African governance have failed miserably. Instead, they have succeeded in creating one party states because historically, liberal democracy evolved in Europe after the demise of feudalism. Liberal democracy did not take root in Africa because capitalist relations of production had not yet evolved. So what we have in Africa according to Mafeje is neither African nor European, but a form of pseudo democracy that has produced mayhem. Secondly, while liberal democracy puts a lot of stress to equality of individuals and all citizens before the law, it does not address the question of social equity and therefore it is inappropriate in addressing poverty, and "cannot satisfy the emerging political and economic demands.

Some of the literature reviewed provides new meanings that challenge the present constructs of democracy in western liberalism. New democracy not in the Maoist sense is a concept that is emerging. The concept is based on the recognition of the sovereignty of the people, social justice, and builds on African concepts, values and social forms of organization. Mafeje therefore rejects the World Bank good governance paradigm on grounds that it lacks the democratic content explained above. The WB concept is about efficiency and transparence, and effectively confers power more on the technocrats taking it away from the people. It is a paradigm desirable by the multi lateral agencies, whose agendas and unpopular

programmes can only be implemented under an iron fist. He says that when Rawling and Museveni got into power, they "seemed to enjoy good governance. But it would be unreasonable to suggest that it was democratic. It did not take long for this to become evident." Mafeje replaces good governance with the concept of democratic governance, which implies going "over and above technical efficiency and probity," to regular interaction between government and civil society and free participation by the latter through its institutions and popular organs.

One of the most important innovations in the new democracy is the introduction of another ideological perspective to property. There is a new meaning attached to property, based on African traditions, concepts and norms about property relations, which he says, is radically different from that in the west. In the African context, property is social as opposed to individualization and commoditisation in the western perceptions and conceptions. He therefore rejects the argument that development can only be possible on the basis of private property. Private property is not the only "truth" about the way development should be understood and pursued.

Ntalaja in his contribution to the debate suggests a move away from democratic formalism, which is "best exemplified by multipartyism without democracy." He argues that democracy is a basic human need comprised of "permanent aspirations of human beings for political freedom and for better political order, one that is more humane and egalitarian. Democracy is a social process about equal access to protection of all rights, which must be expanded within the political space as a necessary step towards the effective promotion and defense of these rights. One of the rights he advances in his quest to define alternative meanings of democracy is the right to revolution, as a necessary condition for expanding the political space, which in most cases is compressed by the politically and economically dominant groups. He outlines some of the characteristic problems that make the political space very narrow.

- Overstay in power by an individual or political party like in Tanzania, where CCM has been in power for over a quarter of a century. Prolonged stay is often legitimized through multi party elections, which are quite often fraudulent. Where there is a multi party system, the dominant group(s) manipulate the political space in many ways that might include sponsorship of many political parties, fanning ethnic hatred and conflicts with the overall objective of weakening the opposition, reinforced through the use of blackmail and force to obtain power.
- Changing loyalties by the political elites – what Ntalaja calls "political vagrancy."

- Failure to honour democratic agreements and wilful destruction of the economic and social fabric of the country either through outright neglect or corruption. The divesture of the public enterprises bears witness to this charge in countries such as Uganda. Many public enterprises were destroyed to the detriment of the economy. Cooperatives were deliberately phased out, for government to lament later about their relevance.

- Global agendas that emphasize market economic approaches as the grand narrative for economic growth and development, undermine alternative economic paradigms. The market models are flawed and have a tendency for creating conditions of exclusion and inequalities. Ntalaja notes that "the gospel of economic liberalization has been elevated to the position of absolute truth, against which there is no credible alternative." There is nothing democratic in such a paradigm, because it is inherently intolerant, and requires an authoritarian state to sustain the market driven economic structures. That is why the World Bank, in its good governance project stresses the rule of bureaucrats and technocrats, who are "anti-people, anti-labour and therefore anti-democracy."

Having problematised and set out a theoretical framework on democracy, the question that has to be analyzed is the extent Uganda fits into the category of a criminalized state. In the background to the paper, a brief history of Uganda is set out. Certain aspects of this history do establish several indications that make Uganda qualify as a criminal state. The first element is the fact that Uganda has been under authoritarian rule for almost the entire period from 1962, in the form of single party, military or multi party rule. The tendency has been for a single political or military group to monopolize power either through election or otherwise. Hence we have had the UPC till 1985 being the dominant political party, using militaristic as well as pseudo democratic processes to keep a grip on power. In the 1960s and 1980s, the UPC government agenda was to dissipate the opposition through either bribery or intimidation. Many opposition members of parliament crossed over to the ruling party in the practice of political vagrancy. In its repressive measures against the opposition, the government used extra judicial means under the Public and Security Act, to detain and harass the opposition. The UPC government has on two occasions fallen victim to its own Machiavellian and militaristic approaches in the monopolization of power project. Since then UPC has been dissipated by the NRM, with some of its leadership having joined the present government in Kampala. It remains to be seen whether the party will recover to be a major player in Uganda's politics.

The military as an organized group has had a good monopoly of political power, starting in 1971, when in a brutal coup d'état, Idi Amin with the help and support of Britain and Israel overthrew Apollo Milton Obote, his erstwhile ally. The repression with which Uganda was governed was unprecedented. Secondly, Uganda began to be a conflict prone area either within or without, especially with Tanzania, which was eventually invaded and briefly occupied by the Uganda Army, culminating in a response by Tanzania that forced Idi Amin out of power in the 1979 interstate war.

Since then Uganda has been engulfed in conflict from within and without. The most serious has been the guerrilla war that catapulted Yoweri Museveni and his guerrilla army, the NRA, into power in 1986. Thousands of people lost their lives during this at hands of the belligerents in the infamous Luwero Triangle conflict. The second serious conflict was in Rwanda in which a section of the NRA of the government forces in Uganda that assumed the name of Rwanda Patriotic Front/Army invaded and overthrew a sitting government in 1994. This war resulted in genocide.

The third serious conflict is the joint invasion, occupation and plunder of DRC by Uganda, Rwanda and Burundi, that sparked off what is now regarded as Africa's First World War. The invasion attracted direct intervention of Angola, Zimbabwe, and Namibia to fight alongside Laurent Kabila, who was an ally of the other belligerents during the overthrow of Mobutu in 1998. Uganda and Rwanda directly or through their proxies fought each other contrary to Uganda's claims for going to Congo, which was to flush out the Allied Democratic Front and other militias opposed to the government in Kampala. Indeed some of the opposition military groups opposed to the government in Kampala are based in the jungles of DRC. These include the ADF and the LRA and Uganda has threatened to go back to DRC to kill them.

DRC and the UN accused Uganda of engaging in illegal acts of plunder and war and crimes against humanity. The UN implicated several personalities in Uganda, some of whom are senior military officials who are closely linked to the political leadership, who were however exonerated by a Judicial Commission of Inquiry—the Porter Commission, appointed by President Museveni. This report has never been published. In the case instituted by DRC before the ICJ, Uganda was found guilty of massive violations of human rights and plunder. The court has ordered the GoU to compensate DRC and nobody knows how much will be paid to DRC, although it is estimated Uganda might have to pay between six to ten billion dollars for its crimes in DRC.

The fourth serious conflict is the war in Northern Uganda that has lasted two decades, in which Uganda has found itself in armed conflict with Sudan over their support of the Lord Resistance Army (LRA) of Joseph Kony. This is perhaps the most brutal armed conflict in the recent history of Uganda. Almost two million people in northern Uganda have been displaced into 218 overcrowded camps. More than 30,000 children have been abducted by the LRA and an estimated 23,520 civilians have lost their lives at the hands of the LRA and the UPDF. The region registers the highest mortality rate and low life expectancy.

War as an instrument of accumulation in Uganda has gained prominence only recently, although there were allegations of plunder of natural resources by Idi Amin in the mid 1960s when Uganda sent troops into Congo. The allegations culminated in a Commission of Inquiry into the Gold scandal in 1966. In 1978 when the Uganda Army invaded and occupied Kagera region in Tanzania, the invading army plundered the sugar factory and other economic assets. But the scale of plunder by Idi Amin's army has never attracted serious concern. Conflict entrepreneurship in Uganda therefore is a recent development.

It has been argued in a UNDP report (2004) on the conflict in northern Uganda that the prolongation of the conflict there is partly attributable to conflict entrepreneurship by the UPDF commanders and others connected to the state, and government has been using the war to get political, economic, diplomatic and military support from donor countries especially the USA. The Government admitted the phenomenon of ghost soldiers, which has resulted in billions of shillings being siphoned off. A number of senior army officers were implicated and some have been court martialed, although no conviction has been secured yet. There have been allegations of corruption in procurements in the Ministry of Defence, which prompted a judicial commission of inquiry into the purchase of junk helicopters. Several senior military officers were implicated, including the brother of the president who admitted having received a commission from the suppliers, who were connected to a local bank, which has since been liquidated. The suppliers were prosecuted but no one was convicted. There have been other judicial inquiries including one on the police, whose findings implicated some senior police officers in bribery scandals, abuse of power, embezzlement and linkages with what one would describe as organized crime. Many police officers were laid off.

Other activities that make Uganda a criminalized state include corruption. Uganda has been among the most corrupt countries according to Transparency International. An editorial in The Weekly Observer, July 21, 2001 expressed concern over the levels of corruption in Uganda:

UGANDA's corruption stories sometimes read like fairy tales. In the last few weeks, we have been treated to the most bizarre tales of fictitious claims in millions and billions. Col. Elly Kayanja, the director general of the Internal Security Organisation (ISO), even went on record to warn that top-level corruption involving government ministers and senior army officers is so entrenched that it has become a national security threat. That is why there have been attempts to kill him .We also now know that Johnson Ayela, the former head of the Anti-Narcotics Unit in the Uganda Police Force was apparently poisoned. His suspected killers are reportedly working for highly placed people involved in drug trafficking through Entebbe Airport. The World Bank is also concerned about the extent of high level corruption and has reportedly compiled a list of the most corrupt Ugandan ministers and army officers, complete with the respective foreign accounts in which they hide their dirty loot. As Col. Kayanja says, "these mafia dons are the greatest security threats in Uganda today. They are the same people who will do anything to ensure that President Museveni rules for life. They are scared that once they lose the apparent protection of the President, they could be investigated."

Another judicial inquiry into the mismanagement of the Global Fund for Malaria, TB and HIV/AIDS has been carried out. The inquiry had not been completed at the time this paper was written. It was instituted following the withdrawal of the fund over allegations of corruption and abuse. Many government officials including ministers, public servants, civil society organizations and close relatives of powerful people were implicated in one of the most bizarre corruption scandals in Uganda.

The inquiry exposed the impunity and arrogance of some of the political elites and technocrats, who are contemptuous of any institutional order and rule of law to the extent that the principle judge presiding over the inquiry into the Global Fund, was rebuked by the Minister of Health, Major General Jim Muhwezi for asking him to resign over the massive thefts of the global funds, which were directly under his ministry. The minister was angered by the judge for asking him to resign, and the rebuke was in respect of the judge forgetting that the minister had fought in the war that brought the peace and rule of law that the country was enjoying.

The minister even inquired into the whereabouts of the judge when they were fighting to liberate the country, lest he had forgotten his contributions during the war.

The inquiry into the Global Fund is among several that have been instituted by the president since he came to power. Commissions of inquiry are intended to identify weaknesses in administrative, managerial and governance problems

to assist the state bring about reforms. Five of some of the inquiries focused on the police, the plunder of DRC, the junk helicopter purchases, and Uganda Revenue Authority and Global Fund, with corruption being one of the issues in question. These commissions of inquiry supplement the work of the Office of the Inspector General Government, an anti corruption ombudsman. With these inquiries and institutional interventions, people expect significant action on corruption and abuse of public power. Unfortunately this has not been achieved yet. For instance, one of the ministers who appeared before the inquiry into the Global Fund had been censored by the sixth parliament, forcing the president to retire him, only to reappoint him to a senior cabinet portfolio. Another member of parliament and minister had been censored by the same parliament, but was also appointed to a very senior and influential portfolio.

Ironically, Uganda and Museveni in particular has had a good reputation in the west ostensibly for instituting market driven economic policies, his leadership in fighting HIV/AIDS, good performance on human rights protection in comparison with the past regimes, and stabilizing the country. This has led the western donor countries' agencies to appear to tolerate the regime in Kampala ostensibly for lack of a better alternative. The donors have been castigating the opposition as unviable without reckoning with the fact that the regime's agenda in the last 20 years has been to destroy the opposition parties or groups. The regime has been using the aid to consolidate its hold over power. Andrew Mwenda in an article in The Daily Monitor of June 2, 2004, pointed out that the NRM learnt that economic recovery reforms and the corresponding aid from donors to support the recovery programmes were a source of power.

> The NRM was quick to realize that rather than be a danger to its project of political consolidation, these reforms were an opportunity. This opportunity was to be served by controlling and directing the reform process to benefit constituencies loyal to it. Because aid is channeled through the state, it has increased the power and influence of those through whom it is allocated. The management of foreign aid is also a key source of influence and power within government, and thereby increased his political attractiveness of the state hence the demands for a third term.

The life presidency project has already been worked out. Members of parliament mostly in the NRM camp, who nevertheless constituted the majority, were bribed to scrap the constitutional limits of presidential terms which had been fixed at two terms of five years each. President Museveni was to leave power in 2006, at

the end of his second term under the 1995 constitution, although he had actually served four terms of 20 years.

Lifting the ban on political parties in the political and constitutional reforms, appears to have been designed to legitimize the monopoly of power by a single group. But the opening up was eschewed in such a way as to cripple further the opposition parties to mobilize, organize, establish branches and prepare for elections held in February 2006, hardly six months after the lifting of the ban. Even then, government used dirty tricks to harass some of the political parties such as the Forum for Democratic Change (FDC) headed by Colonel (retired) Dr. Besigye the most formidable political opposition to president Museveni. The state used administrative mechanisms to prevent the FDC from registering itself, although insignificant parties, about 60 of them, which were linked to the government, had been formed, registered and allowed to operate.

Secondly, the FDC party leader who had been in exile was almost immediately arrested upon his return from exile in South Africa, and charged with trumped up capital offences of rape and treason. He was charged before the high court and court martial for the same offences, which was successfully challenged in the constitutional court. The constitutional court martial declared the court martial incompetent to try civilians for offenses relating to firearms and terrorism. The overall objective of the state was to make it impossible for Besigye to secure bail, defeat his nomination and to cripple his bid for election to the presidency. The harassment of the opposition was not only effected through the legal processes, but was combined with naked force. The military contemptuously defied the high and constitutional court to the extent that black mambas (an anti-urban terrorist crack unit) were deployed into the precincts of the high court during the criminal trial of Dr. Besigye. The Attorney General contrary to his deputy's legal opinion on the matter, had urged the Electoral Commission (EC) not to allow Besigye's nomination. After the nomination had been accepted, some individuals probably with the support of the state petitioned the constitutional court, challenging the nomination of Besigye pending his trial. The legal officer for the EC, whose legal advice was the basis for the nomination of Besigye has since found himself in trouble.

All this points to the fact that the state in Uganda is an obstacle to the democratization process. So what are the challenges for multi party democracy in Uganda? The next section deals with the strategic issues that have a bearing on the challenges for multi-party democracy.

The challenges and how to grapple with them

The narrative about the crisis of the state in Uganda is clear evidence that the state in its present construct cannot deliver liberal or new democracy. Any political party that has illusion that it can do better than those in power without any transformation of the state is doomed to fail. Therefore the agenda is either to pursue reform of the state (Olukoshi, 2002) or continue with the decolonisation process (Mafeje: ibid). However, reforming the state might be the easier option because it might involve merely changing the law and institutional framework without necessarily dismantling the status quo; that is to say, a continuation of liberal democratic values and processes, which have their limitations when it comes to issues of equity. New democracy however, will require far reaching changes based on new ideologies and state structures whose foundation must be African values in combination with values and norms adapted from liberal democracy and other cultures. This partly represents some of the core values of the New Partnership for African Development (NEPAD). Therefore, political parties must incorporate the African value systems in party philosophy, programmes and activities.

The instrument setting out NEPAD also sets out other core values, which have to be reckoned with in the endeavour of either reforming the state or decolonising it. NEPAD calls for commitment to ensure the participation of citizens in all processes to eradicate political "blindness and exclusion." The present state system thrives on ignorance of the population. But the concept of participation has quite often been vulgarized, such that it has no meaning and its recognition in the constitution in Uganda has not brought about the desired changes. Instead, one single group uses it to obscure the undemocratic pursuits and increasing grip and monopolization of political and public power. This monopoly must be dismantled because it is one of the threats to democracy, and measures to achieve it must form part and parcel of the reform or decolonisation process.

Monopolization of power has also been achieved through the increasing militarisation of the state and the civilian population arising mainly from two phenomena. First is militarism as an ideology and policy that seeks to address political or economic problems through military means, but more so as a means of consolidating the grip on public power and authority. Museveni's government has elevated the army to a political constituency, which has been one of the contentious political issues, especially the way the military is used to intimidate the population during elections.

The second phenomenon is the prevalence of armed insurgencies in the country. Although they are increasingly pursuing criminal activities in breach of hu-

manitarian law, they reflect structural problems in society that generate many of the rebellions. The conflict in northern Uganda that has pitted LRA against the government was a crop of numerous insurgencies that had emerged following Museveni's ascendancy to power. Some of the causes of these conflicts are attributable to historical injustices such as marginalization, structural problems as well as sheer political errors by the present regime in pursuing narrow and ethnically-based prejudices, aggravating the historical divide between the north and the south, which the colonial regime created out of its divide and rule philosophy.

The impact of armed insurgencies is very immense whether in the political, economic, social or psychological sense. The war in northern Uganda has devastated the communities in the sub region such that the burden of reconciliation and reconstruction is enormous. Yet government has failed to end the conflict and has not been keen for a negotiated settlement in preference to a military solution. In attempting a military solution, government has created many ethnically based militias: the Home Guards in Acholi sub region, the Amuka in Lango sub region and the Arrow Boys in the Teso sub region. They were created to support the UPDF but also to act as ethnic buffers zones, to ethnicise as a containment policy, the current and potential armed conflicts. A number of Acholi people were for instance lynched in the Lango sub region following the incursion of the LRA into the region. The LRA is perceived as an Acholi armed group. The current war in northern Uganda has consequently been perceived more as a tribal war and an Acholi affair.

The militarisation of the state and the civilian population carries with it a dangerous risk because it contributes to the proliferation of small arms into the hands of well-trained human resources that make use of them. It is very difficult to make and build peace sustainably in such a situation, yet peace is a necessary component of democracy. Preventing, resolving and managing conflicts in Uganda has been an illusive experience, and therefore a serious political, economic and social challenge for the country, the Great Lakes and Horn of Africa regions. Political parties must come to grips with this reality, and therefore have to integrate conflict prevention, management and resolution mechanisms into their political programmes. Intellectuals too are equally challenged. Scholars and intellectuals have the task of developing creative ways to peace building. The NEPAD instrument calls for "new models of peace, justice and human rights," models that should embrace African concepts, values and knowledge. For instance, the contentions in Uganda over the interventions of the ICC representing the global or western concept of justice of retribution as opposed to local justice systems of reconciliation and forgiveness in addressing the conflict in northern Uganda, has

brought to the fore the significance of African indigenous knowledge systems. It is the communities especially the Acholi people who have vehemently raised their voices over the need to pursue M*ato Oput* in the resolution of the conflict in northern Uganda.

Respect for human rights is a necessary condition in democracy. The scope of these rights however is sometimes narrow in the sense of its aggregated assumption that it serves the same purpose for all humanity, hence the need to expand them. This may be true if rights were to be free from ideological inclinations, which is not the case. Human rights can be used to defend the status quo as well as dismantle it (Theo C. van Boven, 1980). In an article published in the International Commission of Jurists Review, arising out of a seminar organized by NOVIB on Human Rights and International Development Cooperation, Boven made an interesting observation about the role of rights. Referring to the adoption of the European Convention on Human Rights, he argues that it was "intended particularly to defend the Western democratic values against threats from outside and inside." He argues further that:

> " in the United Nations, we learnt that human rights have also different dimensions, not only in the sense of defending and protecting rights. Human rights have often been functioning as the rights of the privileged both at a world level and also in national and local societies. But the dispossessed, the under privileged—and that is the majority of the world–regard human rights as instruments of liberation and emancipation."

The meaning and scope of human rights therefore needs to be expanded and given broader meaning. For instance, human rights law provides for the right to self determination, but its meaning is constricted. It can be expanded to encompass aspects that are emancipating. Ntalaja's proposal for the recognition of the right to revolution becomes pertinent. His argument is derived from a historical analysis. The right to revolution is emancipatory and therefore vital in the decolinization process, and a necessary component in dismantling monopolization of power. The political parties must understand the ideological imperatives of human rights, which will help them to make use of these rights to develop political, economic and social frameworks for the emancipation of the people they wish to represent and as the agenda for them to seek political power. If not they risk the danger of maintaining the status quo, which does not serve the disadvantaged.

The other challenge for multi party democracy arises out of the World Bank market-driven economic policies, which have become the dominant approaches to economic development. African intellectuals have made headway in defining democracy and its broad content, but we have not been able to define alternative economic paradigms for the development of our countries. Alternative paradigms have to be an integral element in the decolonisation process. Market driven economics that put so much emphasis on growth cannot meet the demands for equity and social justice. Boven says that the "objective of development must be to bring about sustained improvement in the well-being of the individual and bestow benefits on all members of society."

Dickens Ogolla in the Daily Nation of March 3, 2006 describes the success story of market-driven reforms as "a big economic lie." Ogolla is cautious and points out that a close interrogation of the success story "reveals a more mixed picture. The economy is composed of 31.1% agriculture, 22.2% industry and 46.5% services. Agriculture also employs 82% of the country's labour." Industrial production according to his analysis is mainly in food processing (sugar and brewing) and the service sector is "either selling beer or riding bodaboda (moped taxis)." No wonder Uganda ranks high among countries with high alcohol consumption.

In poverty terms, the national average is somewhere between 36-40% but it is as high as 100% in Nakapiripirit District of Karamoja, and 70% in 22 of the districts of Northern Uganda, accommodating 10% of the population of Uganda, according to the Report on the Northern Uganda Baseline Survey, 2004, compiled and launched by the Uganda Bureau of Statistics (UBOS) in March 2006. These figures dwarf those given in the UNDP Uganda Poverty Index of 2003 outlined in the Uganda Human Development Report of 2005. Poverty was at 30.4% for the Central region, 36.1% for the Eastern, 38.5%, for Western and 41.7% for Northern Uganda. As much as the high prevalence rates of poverty are attributable to insecurities, Sarah Ssewanyana and Steven Young, of the Economic Policy Research, Makerere University are skeptical about such a correlation. In a presentation on Strengthening Understanding of the Dynamics of Poverty in Northern Uganda, based on the statistical method, they advance a thesis that insecurity has had insignificant influence on poverty levels in Northern Uganda. We therefore have to look to other structural factors. This is one of the most formidable challenges for multi party democracy especially in view of the glaring inequalities between the north and the south. We need to identify ways of, for instance, increasing growth in agriculture, which is partly blamed for the increasing poverty levels. Secondly, districts have specific problems and we cannot apply standard prescriptions to reduce poverty for all regions in the country.

Civil society and democracy in Uganda

Discussions have been going on about the role and efficacy of civil society as a significant element of democracy in Uganda and other parts of Africa. The debate arises from the fact that civil society is perceived not to be providing that countervailing force to the state. Whether this is true will depend on our understanding of the nature and character of the state in Africa before evaluating civil society's roles. The question we need to ponder about is whether we actually have civil society in neo colonies. First of all, what is perceived as civil society has been under assault in Uganda either through outright proscription, control or depoliticisation. Obviously from this context, it means civil society has had a marginal or insignificant role in countering the political society. To follow this line however would lead us into a trap of assuming civil society to be independent of the political society. This is a contentious matter. If we argue Uganda is an extension of British and western economic and political interests, that tells a lot about what kind of civil society we might be talking about. Blade Nzimande and Mpume Sikhosana (1995) in their Theoretical Survey and Critique of Some South African Conceptions about civil society, provide a very insightful historical analysis of the evolution of civil society and its role in Western Europe. They point out that civil society was an inevitable ideological outcome of capitalist relations and as such, civil society can only be strong and vibrant in market-based economies, because it constitutes privatized public power, to enable private individuals to pursue their private interests. That is why there is talk about separation of the private sphere from the public sphere, which was a necessary condition to free the "capitalist production relations" giving birth to civil liberties." So it is property relations that are the foundation of civil society in Western Europe. Quoting Marx and Gramasci, they point out that the dominant class exercise power through both civil and political society. Therefore the two societies cannot be separated. It is not theoretically possible according to Nzimanda and Sikhosana, and to do so would be to hide the fundamental role of the state in bringing about democracy. They observe further that civil society does not exist in rural areas, although it might be visible in urban areas. What does this mean?

It is not true that we can separate political society from civil society and therefore it is wrong to perceive the latter as apolitical, a perception that has been the political and legal modus operand for civil society in Uganda. Churches, CSOs and cultural institutions are outlawed from involvment in politics. Second, what we have as civil society in Uganda are really the multi nationals, INGOs, drug barons, and perhaps the 4% upper class population, who derive

their wealth from corruption, tax evasion or patronage of the state, reflecting the true character of a neo-colonial state. Such interest groups can best be catered for under liberal democracy, if not an authoritarian regime. The intellectuals then have the task of interrogating the concept of civil society and coming up with alternative paradigms. We need a countervailing force to the political society, which is organically linked and entrenched in the communities. Perhaps we might need to avoid talking about civil society and instead, talk about a political society, an economic society and a cultural society, the latter representing the dis-empowered communities. These are mostly rural based and there must be relentless efforts to develop the human and social capital of these communities. This, according to Mafeje, is an important element in new democracy. Human development is critical because it is key to technological innovations and development.

Multi party system and gender

Among the reforms the present government in Uganda introduced was policies for promoting gender equity. Legal and administrative measures have been introduced enshrining affirmative action for women to deal with historical injustices. Much of the affirmative action has gone into political representation. Under the constitution, every district must have a woman member of parliament and women in all local council structures. Kari Nordstoga Hansen (2005) analyses the impact of the multi party system on what has been achieved so far in terms of gender equality and representation in parliament and local councils. His analysis stems from the premise that the system of representation of women appears to work well under the single party, and Hanssen's concern was to assess the likely consequences of multi party democracy. He identifies three problem areas that have to be reckoned with by political parties.

- Affirmative action has created patronage, because a strong tie has developed between the women caucus and the president and the NRM. It is only women supporting the NRM who stood a chance of being elected to parliament, during the no party rule. As such the NRM "may have secured support from a very big constituency," which is a recipe for the politics of patronage. The closeness of the women parliamentarians to the regime, he argues, "makes it hard for them to challenge the government position in matters they find important."
- There is a perception that women's interests can best be secured under no party rule because political parties including the NRMO are "looked upon

as male dominated institutions" as Uganda like many other people elsewhere is still patriarchal and this is reflected in the political parties.

- Political parties, Hanssen claims, have no clear agenda regarding women's issues. He charges that the old parties such as UPC or DP, which were the dominant political groups up to the 1980s, did take on board women's issues in a serious way. Moreover, they still have "strong backup institutions, the Church of Uganda for UPC and the Roman Catholic Church in support of DP, both parties of which are patriarchal."

Women are therefore fearful of political parties and their future might appear precarious outside the NRM. The bench marks for political parties on gender issues are for them to sustain the gains by women, but should strive to go beyond tokenism, which is one of the characteristics of the gender movement. The ruling party, the NRM under the new dispensation is likely to be trapped into complacency because of its strong ties with women and this may stagnate it. On the other hand, political parties particularly in the opposition, are going to provide a wider platform for women to demand for their democratic rights without any patronizing influence and women should take advantage of the opposition to go deeper into the issues of gender to bring them to the fore of political and legislative platforms.

Conclusion

The subject of inquiry in this paper is quite an involving matter because discussions of democracy are important and it is risky to gloss over the issues in generalities. The analysis and discussion was therefore not as exhaustive as I would have preferred, and what is being raised in the paper, is just a tip of the iceberg. However, the issues discussed are important as they go to the roots of some ideological assumptions that have sustained the present political, economic and international order, and therefore are also controversial. But it is simply unavoidable in a discussion of challenges of multi party democracy not to question such ideologies. It is clear the state construct in Uganda and its historical and ideological foundation are obstacles to democracy. Concepts such as new democracy or democratic governance founded in African heritage, become pertinent in understanding democracy and how to deal with the challenges. Such concepts must be embraced and taken seriously by political parties. African heritage is a vital component in the African renaissance, and therefore, we should not avoid this heritage, as has been the case for the last 100 years under western prejudices and

misconceptions by the elites. Although ethnicity has been abused, we should not be discouraged that we have so many ethnic groups in Uganda. The world is as diverse as we are in Uganda or elsewhere and what we therefore need is to respect diversity and forge ahead with its positive attributes as part and parcel of democratic pluralism.

Secondly, we need to transcend the old paradigms of liberal democracy and devise alternative concepts. The current intellectual endeavour in this direction by African intellectuals seems to be following a positive course, which momentum must be sustained. We need to pursue debates on decolonisation, but which waned following independence of all the countries in Africa. Revolution was also a common issue in these debates, but its usage seems to be disappearing following the collapse of the USSR, as if the world came to an instant halt. The process of decolonisation and revolution is still incomplete. Liberal democracy has its profound limitations and might never be achieved in the African setting, hence the new democracy. To keep the momentum going, there is need for constructive engagement between the political parties and scholars. Politicians must stop shunning the scholars; they are a vital resource that can sustain democracy. The alliance should not just be about taking state power, which in the present conditions is associated with aggrandizement, neither should elections be pursued as if they are an end in the struggle for freedom, social progress and social justice. The engagement should be to enrich the content of democracy.

The 2006 elections in Uganda: Potentials for conflict and growth of democratic governance

Professor Okello Oculi

Introduction

The February 23, 2006 presidential and parliamentary elections in Uganda took place against a backdrop of President Museveni having won a political battle to change the constitution to lift a restriction against his standing for re-election for an indefinite number of times; the death in exile of former president Apollo Milton Obote (easily Museveni's most formidable challenger); and the opposition winning a constitutional provision allowing for the 2006 elections to be contested on a multi-party basis. Museveni's government also sought to severely cripple the ability of his next most credible challenger, Dr. Kizza Besigye, to mount an effective and sustained campaign by bringing charges of treason and rape against him; detaining him and animating various court hearings which required his physical attendance in court, thereby disrupting his campaign momentum.

The atmosphere of administrative and judicial obstructionism and harassment added an element of martyrdom to the election campaign of Besigye, and a recognition that President Museveni and his party, the National Resistance Movement (NRM), were more vulnerable to defeat in 2006 than they had been in 2001. The fact that before and during the election campaign Museveni "spent time campaigning against many of the opposition members of the 18th Parliament who lost", the election suggested that he desired a weak and more compliant legislature. Among the candidates he campaigned against were: Salaamu Musumba (Bugabula South), Abdul Katuntu (Bugweri), Dr. Frank Nabwiso (Kagoma), Jack Sabiti (Rukiga), Augustine Ruzindana (Ruhama), Maj. John Kazoora (Kashari), Nsubuga Nsambu (Makindye West), Miria Matembe (Mbarara), and Aggrey Awori (Samia Bugwe North). Considering that a commission of inquiry into corruption on the Global Fund revealed that a cabinet minister had received from his Permanent Secretary the sum of seven million shillings "to facilitate ministers canvass support for the referendum on political systems", it is conceivable that large sums of similar funds went into NRM election campaigns against these opposition candidates (*The New Vision*, March 22, 2006, p.2).

The election was contested by 214 (NRM), 127 (FDC), 74 (UPC), 68 (DP), 5 (CP) and 1 (JP) candidates for a parliament which would consist of 215 directly elected members, 69 women elected from districts, 5 candidates each to represent workers, physically disabled persons and youths, and 10 members elected from among the military. The figures suggest that the balance of power was already in favour of the ruling NRM, not to mention 19 of their candidates who went in unopposed. As the report of the Commonwealth observer mission stated, the NRM also benefited from highly unequal coverage by state-controlled media (while the state subjected the independent media to harassment, intimidation, and closure of some FM radio stations), continued command and use of the police and the military to create an atmosphere of insecurity among the electorate (*The East African*, March 19, 2006).

Within the framework of the overall goal of engaging intellectuals in the Eastern African region in assuming the responsibility for critically reviewing political events and processes in the region (with a view to visioning new frontiers in governance initiatives), this paper undertakes a profile of the dynamics of the 2006 elections in Uganda. Various elements which characterised events involved in the election; variables which impacted on voting behaviour, and extrapolations from the dialectical relations between events and variables, form the backbone of the profile. Danger signals and positive signals are sketched out.

Violence as a theme

"West Turns Into Hub of Violence", so ran the headline report on the elections in Uganda by *The Monitor*", a privately owned daily published in Kampala, Uganda's commercial and political capital. What was striking about the headline was the geographical location of the election-related violence. President and candidate Museveni hails from western Uganda and by the facile assumption that his "natural ethnic" base would sleepwalk to polling stations and vote for him, it is striking that there was election-related violence and outcries about widespread vote-rigging in his favour in the region.

The Monitor newspaper reported of "massive vote-rigging in some polling stations, most incidents occurred in the western and eastern districts", with an average of five voters being turned away "at every polling station".

The Monitor's story started with the assertion that "Western Uganda was fast turning into a violent hotspot" by the afternoon of voting day. The violence held features of official intimidation of voters on behalf of the ruling National Resistance Movement's candidates; in particular for persons like the Minister of State

for Finance, Mwesigwa Rukutara; in Ruhaama where Janet Museveni, the President's wife, was contesting against a former cabinet minister, Augustine Ruzindana; and Kinkizi West where Defence Minister, Amana Mbabazi, was in hot contest with James Garuga Musinguzi for a seat in parliament. Both presidential candidates Dr. Kizza Besigye of the Forum for Democratic Change (FDC), and Yoweri Kaguta Museveni (of the ruling National Resistance Movement (NRM) had western Uganda as their home base.

Violent behaviour was also incited by frustrated potential voters whose names could not be found on the voters' list. Mrs Gertrude Byanyima, told a reporter: "I appeared on the voters' roll during the recent display exercise but I am now missing". The evacuation of names from the voters' list was a familiar device used in the very divisive constitution referendum held in neighbouring Kenya in November 21, 2005. "Many names which began with 'O' disappeared from the voters' list in Central Province, home of the Kikuyu, President Kibaki's ethnic base", a female lawyer who funds a network of civil society organisations in Kenya, said in personal conversation.

It is plausible to surmise that with a severely fractured "natural" constituency, Museveni's strategists may have decided on this vetting tool as a means of keeping his opponent's supporters out of the electoral arithmetic.

Yet, the strategists may also have decided on a 'let-the-steam-off' strategy in some areas of the country. In Northern Uganda where there is a popular perception that Museveni has allowed a pandemic of destructive slaughters, gross maiming and kidnapping of school girls and young boys by killer bands of the Lord's Resistance Army, or KONY, to decimate populations and drive over two million people into neo-concentration camps, his main opponent, Kizza Besigye, carried the day all across the region.

Likewise, in Teso areas in the northeast of the country, where deepening poverty, cattle raids by neighbouring gun-carrying Karimojong, combined with memories of brutal reprisals by government troops (including locking 69 males inside a train wagon and lighting a fire under the wagon so that the victims were effectively roasted to their most gruesome deaths), apparently held high vote-repelling power.

An environment of repression which accompanied this incident is reflected in the following letter to the editor of *The New Vision* newspaper:

"The truth is the army presence, which has been very heavy in Teso, was not for the people's security but to ensure they were suppressed to the point of denying their own pain. They were not even allowed to cry as pain was in-

flicted on them by poverty, the Karimojong, and KONY... Never has Teso suffered to the extent it has in the last 19 years. Granted, the Karimojong have always been raiding the region, but never did it go to the extent of destroying a society and systematically reducing it to a large camp of poverty". *(The New Vision, Saturday 11 March 2006).*

The theme of collective community pain as the causative factor in votes cast against President Museveni and the National Resistance Movement's candidates in the elections to parliament was echoed in Lango, Acholi and West Nile sections of the country. Museveni is quoted as making reference to protracted internal displacement of over 1.6 million people in Acholi areas thus:

"I kept hearing people like Reagan Okumu and others telling you lies that they will send you back home if they win the concluded election. They have been telling a lot of goba (lies). This type of lies is an insult and it irritates me". *(The New Vision, Friday March 10, 2006, p.2)*

A vice- president of the Forum for Democratic Change (FDC), and incumbent member of parliament who lost her seat in Bagabula South constituency, Ms. Saalamu Musumba, made pointed reference to accusations that Museveni's government treated these parts of the country with punitive reprisals; including organized armed extraction of livestock, under cover of raids by Karimojong cattle-rustlers (who had been given arms and ammunition by the government), thus:

"The only thing I regret is that our plans to take the people of northern Uganda back to their homes would not be taking place. If society allowed, I would restock Teso, Acholi and West Nile. These were true people who stood by what they said not like the matooke eaters: south/western areas". *(The New Vision, Friday March 10, 2006)*

A respondent said in an interview that part of the grievances of the people in Teso communities was that Museveni's government shut down a radio station which was broadcasting warnings about movements of Karimojong cattle-rustlers in the Obalanga area "so that people can protect themselves, or escape". Government officials claimed that the radio station was "alarming people". Government officials were also accused of callous indifference to widespread starvation in Teso areas, particularly in the camps for internally displaced persons, by

saying there were no grounds for complaints "since there are mangoes in Teso". (Oral interview, Kampala, March 13, 2006). Ekapu, an official in the Iteso's community government which brings together the Iteso across the Uganda-Kenya border, wrote thus:

> "Government mistook the rebellion for a political expression of dissidence by a disgruntled former UPC bastion intent on overthrowing the NRM. This was a misconception because Iteso never rose against the Okellos, who actually overthrew their 'beloved' UPC.The rebellion was a result of perceived NRM's lack of interest in protecting the community and their cattle against marauding Karimojong. Indeed the first Iteso went to the bush to protect their herds". *(The New Vision, Friday March 10, 2006).*

The southern Teso groups also shared with Buganda a spatial political grievance against the Museveni government. The demand of the Iteso in the Tororo area for a district of their own was offered without the inclusion within it of Tororo municipal area which was allocated to the Jopadhola ethnic group. As a mark of protest and demonstration of their ancestral claim to Tororo municipal area, "two Iteso ate live rats in front of President Museveni; and this was shown on television", said one commentator. On its part, Buganda had continued to demand for "*federo*" (federal autonomy from Uganda), with Kampala under the control of the Buganda Kingdom authorities. President Museveni had up to time of the elections resisted both demands.

A driver who is an employee of a hotel in Kampala, attributed the NRM's loss of seats in parliamentary elections in the Kampala area to increasing numbers of the region's children who graduate from universities not getting jobs while "those from Western Uganda are given employment". According to him, while the Baganda in rural areas could be frightened into voting for NRM candidates by warnings from Museveni himself to the effect that if he lost the election the "northerners would come back to power" and terrorise them, the Baganda in urban areas are directly affected by growing poverty and lack of jobs. This unemployment crisis was hinted at in a newspaper report, thus:

> "The great expectations of Uganda gaining from the export of more migrant workers to the UK have been dashed by the tightening of entry requirements by the British Home Office". *(Sunday Vision March 12, 2006).*

The phenomenon of "*nkubba kyeyos*" refers to unskilled immigrants, whose blockage within Uganda's borders is a potential source of conflict, including electoral protest, through denying votes to the ruling NRM party.

In an interview in Kampala, a veterinary doctor who is an administrator of a district in the Luwero area of Buganda, attributed support for NRM in his area to services injected by the NRM government into the area: notably, roads, health clinics, and schools. The district has 40 per cent of its population as cattle-rearers (who are undifferentiatedly labelled as "Rwanda immigrants"), who have been encouraged to become settled farmers. This economic dimension of rural Ganda support for the NRM was down played by a veteran politician, Bidandi Ssali, in a BBC radio interview. He emphasised the impact of Museveni's threat that he is the only person who can enjoy loyalty from the military, thereby waving ominous banners of renewed military conflict across the region.

Performance

The theme of voters punishing non-performance is reflected in a report about violent attacks against attempts by an NRM member of parliament-elect, and a veterinary officer in Pallisa to promote the election of an NRM candidate who was accused of "gross mismanagement and corruption, including selling all the sub-county's Mivule trees and pocketing the proceeds":

> "*Both the MP and the animal doctor were reportedly campaigning for NRM's George Birabo to retain the Butaleja Town Council chair, but the mob had rooted for independent Milton Mwima and was intolerant of any opposition to the Chosen One*". (Red Pepper, Thursday March 16, 2006, p.6).

The only NRM member of parliament- elected from Arua District, Simon Ejua from Vurra County, dramatized this theme when he launched his campaign for re-election in 2011, even before being sworn in 2006, when he paid for the repair of two borehole pumps at Bondo and Oyetu in his constituency while uttering these words:

> "*They collapsed three years ago and whereas it costs only UShs 450,000 to repair them, the local government did not. FDC was able to deceive people that NRM had failed to deliver*". (Red Pepper, Thursday March 16, 2006, p.6)

The newly elected MP for Busiro East, Susan Nakawuki, gives the electoral cost of non-performance a major role in her success against her opponent:

"I won because of the people's mandate. In my constituency there was a lot of betrayal of the people for a long time. He never even accounted for the constituency development fund which is meant to develop the community. So I found an aggrieved populace which wanted change". (The Weekly Observer, March 16-22, 2006, p.2)

The newly elected MP for Entebbe Municipality, Kawuma Muhammed, had after narrowly losing the 2001 election, immediately set out to build a political treasure chest of development projects he would accomplish before 2006:

"I have been a youth councillor in Entebbe Municipality and I think my performance has been good. I mobilised the youth and they formed development projects. This helped me this time." (*The weekly Observer*, March 16-22, 2006, p.2)

Museveni and the NRM swept Busoga, but for Jinja Municipality West, where the incumbent member of parliament, Harry Kasigwa, won. Museveni scored over 65 per cent of the vote, while the Vice President of Forum for Democratic Change (FDC), Salaamu Musumba polled only 7,778 votes to her male opponent, Asuman Kiyingi's, 20,508 votes. In explaining their victory, the NRM emphasized the vote-catching power of *promised future* performance:

"We also chose the right message for the campaign. We addressed social problems like unemployment, improving household income and reconstruction of infrastructure like roads, health centres and schools". (*Daily Monitor*, Thursday March 16, 2006, p.6)

This strategy of turning indices of failed governance by an incumbent President apparently worked because the incumbent opposition members of parliament felt implicated in his non-performance and failed to exploit it. The resultant depth of poverty, however, made the electorate readily available for receiving vast sums of money given out to potential voters by NRM's team of "4,000 cadres scattered all over the region".

The peace factor

Interviews with respondents from Toro and Kigezi attributed support for Museveni in their respective areas to a collective wish for continued absence of war in their part of the country. In Kigezi, where the high density of population had resulted in severe land hunger, the Museveni government had since the 1990s

initiated the resettlement of potential farmers in low density parts of Bunyoro Kingdom. This was bound to earn him votes among land-hungry Bakiga; while post-election violence erupted in the areas of resettlement whenever settlers out-voted local residents and elected several of their own to local government posts.

The 'vent-of-anger' factor

 In these two regions the NRM may have allowed opposition candidates to win parliamentary seats including thrashing of 14 government ministers.

This is a strategy which President Mzee Jomo Kenyatta had put to regular use as a way of earning legitimacy for electoral contests. It was also a way of pruning cabinets and throwing lucrative bananas at new ambitious politicians while chopping off legs of cabinet ministers who had began to build networks of allies and popular visibility which could, over time, be turned into presidential campaign tickets. Moreover, the arrival of new political novices from regions outside Museveni's home base (while he protected senior cabinet ministers from his home area), would enhance the latter's collective experiences in tools and strategies for holding on to power.

Among the beneficiaries of the 'vent-of-fury' strategy was the son of Obote. Apollo Milton Obote, Uganda's first post-colonial ruler who lost power in 1971 and 1985 to military rulers, died just before he was due to return from exile in Southern Africa to kick-start his Uganda Peoples Congress's election campaign. His orphaned son, Jimmy Akena, defeated the incumbent Ms. Cecilia Ogwal who had apparently lost favour with Obote by attempting to create an alternative leadership of the UPC. She had been accused by a caller in a radio interview during the election campaign of having put poison in Obote's drink when she visited him in Zambia.

 The UPC had also suffered a severe rift as a result of Obote handing over leadership of the party to his half-brother Adoko Nekyon. In Lira and Apac districts, this rift led to the denial of party flags to incumbent members of parliament who had carried the banner of UPC at the grassroots level while Obote was in exile after being overthrown in 1985, namely: Okulo Epak, Cecilia Ogwal, Betty Amongi and Omara-Atubo. They were forced to campaign as independent candidates, with only Cecilia Ogwal losing the election because there was a general feeling that her opponent, Akena, was an orphan son whose protection was a collective gift to Obote, the foremost political son of Langi as a people. Betty Amongi, the incumbent woman MP for Apac District, subsequently resigned from being deputy chairman of the UPC parliamentary caucus, in protest against this rift:

"I had been endorsed by the voters as the official UPC candidate but they decided to sideline me although I managed to beat them and won the polls! I am no longer their member since they blocked me!" (*Red Pepper* Thursday, March 16, 2006, p.4)

These victories may have been at a steep price paid by the Uganda Peoples Congress, UPC, with the defeat in Samia District, on the Kenya border, of veteran politician Aggrey Awori. Awori had held his seat for 10 years, and was in 2004 voted as the most effective debater (and thorn in Museveni's political flesh), in Parliament. He represented both the most articulate and most informed voice and symbol of UPC inside that sector of the political arena that receives officially sanctioned press coverage. His departure from parliament may well be regarded as Museveni's nail into Obote's political coffin.

Potential structural areas of conflict

The 2006 elections have revealed various areas of potential future conflict in Uganda's politics. The first may be attributed to the *nervousness* of the Museveni government which provoked costly forms of administrative and political intervention in the election process both before and after the polls. During the campaign period, particularly from November 2005, the government repeatedly used the army to curb peaceful demonstrations as a way of inhibiting a possible hurricane-type momentum of Besigye's electoral appeal and support. After the announcement of the presidential election results there was similar use of force in the Kampala area to put out a potential explosion of opposition protest and rejection of the result. In contrast, effort was made to animate demonstrations of support for Museveni's re-election:

"Kampala was largely lukewarm to the announcement of Museveni as the winner of the February 23 elections. However, CMI (Chieftaincy of Military Intelligence) operatives mobilised crowds from parts of the city, particularly Katanga and Wandegeya in the neighbourhood, to pour onto the streets in celebration". (*The Weekly Observer*, March 16-22, 2006, p.4).

This blocking of expressions of political emotions deepens alienation from the democratic political process and reinforces the culture of authoritarianism and contempt for civil society. It creates a false sense of legitimacy for the regime and stability.

The credibility of election returns was also thrown into doubt by various measures, including: official jamming of a website by the Monitor newspaper to prevent the transmission of results as they were phoned in by its correspondents, thereby forcing the emergence of a pirate site; the Election Commission having in "its possession multiple voter rolls allowing some voters access to the presidential ballot rather than the Local Council ballot"; returning officers being enthusiastic enough to stuff ballot boxes, while Chief Administrative Officers who served as the returning officers at the level of districts declared results "whether or not the candidate's agents have signed off on declaration forms at each and every polling station".(*Daily Monitor* Thursday March 16, 2006, p.10).

The fact that the machinery of administration was bound to have problems in making the transition from a one-party state to a multiparty electoral system was compounded by regime's political nervousness about its ability to win.

The regime's flexing of muscles at the media has been pronounced. On February 1, 2006, four staff of Unity FM radio were arrested by members of the Uganda army; on February 23, 2006, Radio Veritas, located in Soroti, was closed down; while the managing editor (James Tumusiime) and political editor (Ssemujju Ibrahim Nganda) both of The Weekly Observer, were charged with "promoting sectarianism". Choice FM, owned by Nora Media Group Ltd and based in Gulu Town, was closed down apparently because on February 28, 2006, "the radio station management offered free airtime to candidates during campaign" for local elections in a political territory where President Museveni and the NRM had suffered devastating losses. The combination of these hostile measures and fears of expensive court cases filed against them by the government was bound to lead to considerable censorship and stunting of the growth of a political culture of competitive democratic elections under open skies of information dissemination, critical, abrasive debate, and vented conflict.

There was also the problem of a lag in the change of attitudes. The first indication of this problem was the very large number of candidates who contested results because they had lost. In Kampala Central Division, Charles Serunjoji , a presumed winner, was stabbed and taken to Nsambya Hospital in critical condition"; likewise, the MP-elect for Kampala Central, Erias Lukwago, suffered injuries inflicted by supporters of his opponent(Sunday Vision, Sunday March 12, 2006). In Kabale Town and Pallisa District, officials were attacked on suspicion of plotting to alter election results.

President Museveni has been accused of making post-election utterances which indicate that he sees those who "simply disagree on certain policies and principles" as his enemies. In a "letter to Editor" a critic writes thus:

"I would like to caution President Yoweri Museveni that politics of insulting those who are not supporting you is old fashioned and has no place in this modern world. As president you're the fountain of honour, whom we expect to talk only those things that reconcile Ugandans but we are disappointed that every time you talk about the opposition, you use very abusive language. On March 8 (International Women's Day) at Kololo in your speech, you called the women who didn't support your National Resistance Movement party "wild cats". Any sane person wonders why a whole president can term his opponents as wild cats, moreover in front of all the ambassadors and other dignitaries". (Daily Monitor, March 10, 2006, p.11).

President Museveni has also been criticised for blaming his lack of support in the North and Teso on "goba" (lies) broadcast by his opponents in the FDC and the Democratic Party (DP), and UPC; thereby failing to acknowledge the pain, anger, destitution and desire for redemption which 20 years of conflict and internal displacement has entrenched in the population.

Some commentators have tagged his attitude as a deliberate insult on the intelligence of these people, similar to colonial officialdom which insisted on presenting Africans as children who could not understand historical change. This posture is seen to be in contradiction to Museveni's campaign pledge to bring: "unity, peace, and progress", since unapologetic affirmation of his contempt for two decades of suffering in these sections of the country is unlikely to promote reconciliation.

President Museveni's relationship with the military has been labelled as "Somali warlordism". His public pronouncement, in the run up to the elections, that the military would not obey commands from a democratically elected president who is not himself, cast severe doubt on the separation between the military and civil political democratic governance. The military command took an active part in the election campaign, with the media reporting that the Presidential Guard subjected supporters of his wife's opponent (in her campaign for a seat in parliament), to violent treatment. In the post-election drama:

"The UPDF has come under criticism for organising joint parties with the ruling National Resistance Movement (NRM) to celebrate the victory of President Museveni over his main rival Dr. Kizza Besigye. In Gulu barracks, the

Commander of the Land Forces, Maj. Gen. Edward Katumba Wamala, presided over a party while at the Chieftaincy of Military Intelligence (CMI) on Yusuf Lule Road in Kampala, army officers and NRM cadres held another". (The Weekly Observer, March 16-22, 2006, p.4).

This personalization of the loyalty of the military both enhances prospects for a violent military coup which would be followed by widespread brutal hunting down of millions of party supporters of whoever defeats an incumbent president, thereby re-enacting a major part of Uganda's post-colonial politics. Should the military have disproportionate ethnic bias towards that of the defeated incumbent, while the support base of the victorious candidate is located among other ethnic groups (as has happened in the Museveni-Besigye electoral contest, such reprisal and resistance to it would pull in mutual ethnic insecurities as explosive fuel for animating escalation of conflicts. The emergent multiparty democratic culture would be mortally wounded.

One mindset which would be put to great test is that of the 20-years old "one-party" governance culture of the "Movement". The Constitution which brought in the multi-party system contains Article 83 (1) which bars the use of patronage and/or intimidation against those elected on tickets of other political parties back into the ruling party by insisting that a member of parliament "SHALL" lose her or his membership of parliament if she or he "leaves the political party for which he or she stood for election to parliament to join another party or ….having been elected to parliament as an independent candidate, that person joins a political party". This provision has the potential of promoting post-election culture of mutual tolerance, cooperation and consensus-building around policy issues if President Museveni were to reach out to other parties for cabinet material for the realisation of a broad-based government. This aspiration would, however, be crippled if the leadership of the parties were not consulted and their endorsement sought for. As Paul Ssemogerere, outgoing president of the Democratic Party insists:" for Museveni to handpick individuals…would be going against the whole concept of multi-party democracy", since, presumably it would shift loyalties away from the parties such individuals belonged to towards the presidency and Museveni's party. The resultant conflict of interests would create instability within other parties and undermine the politics of issues and ideological commitments while enhancing political opportunism, corruption and cynical personal careerism. More fundamentally, it would inhibit political learning by the "Movement's" leadership of the core ingredients of tolerance, consultation, and creative debate which inform multi-party democratic politics.

Such learning may be rather taxing for President Museveni. Allan Tacca notes, for example, that while referring to the election of his wife at Ruhaama County, he attributed her electoral victory to God having "punished" her opponent Augustine Ruzindana (a former ally of Museveni), " for his political sins". (*Sunday Monitor*, March 19, 2006). Museveni also referred to those members of NRM who went on to contest as independent candidates after either being overlooked by the party or defeated in the party's primaries, as traitors. A total of 280 persons from all the parties contested as independents, out of which 40 won their elections. The numbers might have been far higher if the elements of intimidation, ballot stuffing, vote-buying, mainly by the NRM-government machinery complex, had not taken place on a significant scale. The phenomenon of elected independents and national and local levels would thereby have been a vital vent-for-frustration factor, thereby ensuring that voters had their say and assumed a sense of "ownership" of the electoral drama; a condition which would deeply enhance popular legitimacy. In Oyam County, the winner of Lira Municipal constituency, Jimmy Akena, was openly threatened with physical assault for campaigning against Okullo Epak, a defector from UPC who had won as an independent candidate. Okullo Epak's election was delayed by one week due to a technical hitch.

A most significant change in mindset concerns terminating the 20-year conflict in northern Uganda. Within the leadership of NRM, the conflict denied northern Uganda as a socio-territorial space to former challenger for power, Milton Obote and his UPC party from 1986 to 2005 when he died in exile in a South African hospital. The peculiar forms of brutalities inflicted on victims and sustained hit-and-run terrorism against defenceless rural populations, used by the Lords Resistance Army (LRA), demoralised populations known to be traditional supporters of UPC and DP (from Sebei and Teso in the north-east, to Lango, Acholi and West Nile areas in the northwest):

"…they killed and tortured defenceless displaced people, the weakest and the most vulnerable, by chopping them up with machetes, by cutting lips, ears and arms or by putting padlock in people's mouths. Their famous tactic of tying bamboo sticks around people's heads and hitting the sticks was perfected here (in Southern Sudan). Hundred of civilians were slaughtered ….causing massive displacement".

These displacements, lasting over 20 years, severely disrupted economic activities, including agriculture, thereby destroying self-sufficiency in food for con-

sumption and export; deepening poverty, famine and massive death by children and the elderly from hunger and malnutrition; with an estimated figure of up to 1,500 children dying per month. This condition undermined a sense of citizenship and being reminiscent of white-settler policies pursued in colonial Kenya, Tanzania, the two Rhodesias (now Zambia and Zimbabwe), Mozambique, South Africa, Angola and Namibia:

> "Suited the scotched earth policy of some people in Khartoum, who want the land with all its natural resources—water, oil and fertile soil—but not the people" (Maj. Gen. Bior Ajang Duto, Deputy Chief of Staff of the SPLA, interviewed by Emory Allio, *The New Vision*, Monday March 20, 2006, p10).

The Daily Monitor newspaper reported that an opposition politician was detained for accusing Museveni of plotting to appropriate vast tracts of land from which internally displaced persons had fled. This view ignores the position by top official of SPLA "that the LRA is still being supported by the Khartoum government", with their supplies in small arms coming from "dozens of garrisons on the roads from Torit and Yei to Juba" within the wider strategic ideological plan to use the LRA: "to Islamise and Arabise the entire continent, starting with Southern Sudan, and then penetrate the rest of Africa through Uganda". Duto proposes that there is an equally important strategic objective, even if a subsidiary of the larger continental project:

> "The radical group, led by Hassan el Tourabi (leader of the National Islamic Front) and Ali Nafi (deputy chairman of the ruling National Congress), does not want the South to secede. This will be decided in a referendum in 2011. We are now in the process of reorganising ourselves from a guerrilla into a regular army. The radicals want to keep us unorganised. They want to prove that SPLA had failed to secure the people, bring back the refugees and deliver the services".

Larger ideological objectives enjoy longevity in the consciousness of political actors. Their implementation may be hastened, suspended, perhaps even renamed as part of a camouflage to weaken opponents and ensure greater success in their realisation under changed circumstances. They might even be made secondary in importance to more mundane material interests, such as Sudanese "army commanders and their relations" giving priority to protecting their monopoly of trade into Southern Sudan, and disrupting competition from Kenyan and Ugan-

dan goods. The point is that these factors, singly or in combination, carry within them potential for conflict, which, if not terminated by changes in mindsets, would continue to undermine the growth of democratic governance in Uganda.

Frontiers of optimism

Candidates may have ranged in their reasons for seeking elective posts from extremes of political entrepreneurship (or "commercialisation"), on the one hand, to the promotion of popular participation by electors in constituency decision-making about projects to be undertaken to enhance development, on the other. The new culture of monetisation of electoral processes covers primarily distributing cash or consumer items to households as a way obtaining a bond to cast a vote for the giver:

> "One of the ways in which the face of politics in this country has changed over the last 20 years has been its commercialisation. Although having a hefty campaign kitty does not guarantee victory at the polls, possession of sacks of money to buy voters helps. Such is the importance of cash in political campaigns that candidates mortgage family properties and borrow from banks and loan sharks to finance their pursuit of public office! Money is borrowed in the belief that, after victory, opportunities for earning huge salaries and allowances and for fraud and outright theft will ensure that one pays back quickly, and amasses wealth in the process.
> A candidate who has borrowed heavily in the hope of recouping their investment after winning does not think about losing and, if for some reason things threaten not to go well, he or she will not accept to lose easily. Desperate political entrepreneurs boost their chances of winning by budgeting for goon-squads to punch, stone, club, and stab rivals, or if all that is not enough, burn or vandalise their houses and property!"

This seemingly dismal scenario carried the window of hope through which that candidates like Susan Nakawuki fought successful battles against a very rich opponent who threw vast sums of money at the electorate and won by the use of the power of the word emphasizing that her incumbent adversary had perpetrated "a lot of betrayal of the people for a long time", as well as "not even accounted for the constituency development fund which is meant to develop the community". A critical mass of civic consciousness remained latent and powerful enough in the community waiting to punish non-performance. Moreover, if

her opponent resorted to violence, his tools did not bend the revolt of the masses. In West Nile and Lango, the anti-people stance of the NRM government was severely punished by the party winning only one seat each. In the Acholi, Iteso, and Sebei communities with long records of horrendous, sordid and sub-human conditions in camps for internally displaced persons (known in Luo as "*ongwec ayela*" or those fleeing from trouble), and the opposition won all parliamentary seats. The message of accountability to the people by elected representatives providing needed social services and security, as core values in democratic politics, went out with loud clarity.

That the voters ignored the flexing of military muscles was another new political income created by the electorate. In Lira Municipal constituency voters voted for Obote's "orphan" son left behind for the people to nurture, while denying his mother Miriam Obote candidature as the UPC presidential candidate in favour of Kizza Besigye. As another military man from the same ethnic base as Museveni, Besigye offered more plausible prospects of defeating Museveni and bringing peace and economic investment to their lives. The electorate showed high sophistication and sense of prioritization in using the power of the vote.

The electorate in the Kampala area gave a fatal blow to an apparent ploy by NRM strategists to sustain the division of the electorate along the so-called "nilotic south" and "Bantu north" divide. This definition of Uganda's political community along two broad "identity" divides had first been articulated during the 1965 attempted military coup and the 1966 clash between the UPC central government and the Kingdom of Buganda. The geographical and ethnic profile of Museveni's and NRM's electoral victories (from western districts, Buganda and Busoga), in the main, coincided with the run of this identity divide, except for victories by DP and FDC in the critical Kampala urban area. Despite critical commentaries about Buganda's failure to follow up the protest stance of the north and the east with regards to discontent with unmet demands made on the Museveni government, the ideological value of the dent made by voters in the Kampala /Entebbe area cannot be ignored. One strategic utility of the dent is in putting focus on voter interest in the regime's performance in the economic sphere rather than on its "white mailing" voters with the spectre of another northern militarism and warfare against the Baganda.

David Bahati, Ndorwa West MP-elect draws attention to a north-south divide over the 20 year-old conflict in the north whose durability the NRM government may have exploited for electoral gain in Buganda and western Uganda by building a wall of indifference and inertia towards intervention to bring it to an end within civil society in the south:

"Someone in the eastern or western region doesn't want to think or talk about the situation passionately; or about the plight of over 1.6 million people in camps, or the abducted children who have had a large share of the suffering. They look at it as a northern issue alone. This has created a big rift between the regions". ((*The New Vision*, Tuesday March 21, 2006, p.5).

The state of silence by a section of the political community over a state of conflict, sub-human living condition in camps, endemic starvation and insecurity, and collapse of family structures and values, gross violations of human rights, occurring in another part of a state or region undermines, and increasingly decays, the socio-political capacity of civil society. As Wole Soyinka, Nigeria's Nobel prize-winner for literature, has put it:

"*The man dies in he or she that remains silent in the face of injustice*".

Another positive product from the elections is evidence of the injection of issue-animated politicians into the new parliament. Susan Nakawuki expresses this promise thus:

"One thing I want to work on is to involve my people in the law-making process. I have also put my emphasis on education of the girl-child because girls are married off at an early age, losing out on education. I also want to bring up poverty eradication projects because most of the people are very poor. They live on one meal a day and have supper by six o'clock because they can't afford paraffin. I hope to use my little money from Parliament to uplift my people". (*The Weekly Observer* March 16-22, 2006, p.2).

MP-elect Kawuma Muhammed had invested in mobilising youth in his constituency around development projects, after losing narrowly in the 2001 elections, as a strategy for winning votes in 2006. This contrasted greatly with the cynical and commercialised option of accumulating funds for timely distribution to desperately impoverished voters in exchange for their votes. The newly elected mayor of Kampala, in an interview, put emphasis on productive and creative cooperation, rather than contestation with the NRM government, as the most effective way of ensuring development for his electors. In Kabale Municipality, the newly elected chairman called for post-election consensus (among those who had fought elections), around development projects that would benefit the whole community. These are ingredients for a non-conflict based political community and system of governance.

Sudan: The challenge of national renewal

Suzanne Jambo

Background

This presentation provided insight into the situation in Sudan. The presentation drew from the experiences in Sudan in a manner that could be applied in addressing the challenges facing various member states participating in the conference.

It was hoped that the presentation would inform the objective of the conference, which was to contribute to the evolution of an important role for the Inter-Governmental Authority on Development (IGAD) intellectuals and scholars in addressing the concerns and challenges facing member states through concerted effort and activity.

Brief history of the Sudan

Sudan has been a country that has interested the international community for a long time. In 1899 Britain and Egypt signed a condominium agreement under which the Sudan was to be administered jointly. Mounting Egyptian nationalism in the period after World War 1 culminated in the 1924 assassination, in the streets of Cairo, of Sir Lee Stack, the Governor-General of the Sudan. British reaction resulted in the expulsion of all Egyptian officials from the Sudan. Despite their suspicions of each other, Britain and Egypt, definitely on a platform of common greed, signed the Nile Treaty in 1929, depriving many countries on the Nile Basin of the opportunity to fully exploit the immense irrigation potential of the Nile and its tributaries. After the Anglo-Egyptian "entente" of 1936, a few Egyptians were allowed to return to the country in minor posts.

On February 12, 1953, Britain and Egypt signed an accord ending the condominium arrangement and agreeing to grant Sudan self-government within three years. This accord was signed in total disregard of the interests of Southern Sudanese socio-economic and political interests. The agreement also provided for a senate for the Sudan, a Council of Ministers; a House of Representatives, and elections that were to be supervised by an international commission.

The elections, which were held during November and December 1953, resulted in victory for the NUP[1], and its leader, Ismail al-Azhari (Saiyid), became the Sudan's first Prime Minister in January 1954. The replacement of British and Egyptian officers in the Sudanese civil service by Sudanese nationals followed rapidly. On December 19, 1955, the Parliament voted unanimously that the Sudan should become "a fully independent sovereign state". This again, was in total disregard to the sentiments of Southern Sudanese, who preferred autonomy for Southern Sudan. British and Egyptian troops left the country on January 1, 1956. The same day, a five-man Council of State was appointed to take over the powers of the Governor General until a new constitution was agreed on.

Civil wars in the Sudan

Against the foregoing background, it was inevitable that a political crisis was brewing. In August 1955, members of the British Equatoria Corps, together with local police, mutinied in Torit and other Southern Sudan towns. The mutinies were suppressed, though survivors fled the towns and began an uncoordinated insurgency in rural areas. Poorly armed and ill-organized, they were little threat to the outgoing colonial power or the newly formed Sudanese government. However, the insurgents gradually developed into a secessionist movement composed of the 1955 mutineers and southern students. These groups formed the *Anyanya* guerilla army. (Anyanya is also known as *Anyanya 1* in comparison to Anyanya 2, began with the 1974 mutiny of the military garrison in Akobo.) Starting from Equatoria, between 1963 and 1969, Anyanya spread throughout the other two southern provinces: Upper Nile and Bahr al Ghazal.

In 1971, former army lieutenant Joseph Lagu gathered all the guerilla bands under his Southern Sudan Liberation Movement (SSLM). This was the first time in the history of the war that the separatist movement had a unified command structure to fulfill the objectives of secession and the formation of an independent state in South Sudan. It was also the first organization that could claim to speak for, and negotiate on behalf of, the entire south. Mediation between the World Council of Churches (WCC) and the All African Conference of Churches (AACC), both of which spent years building up trust with the two combatants, eventually led to the Addis Ababa Agreement of March 1972 ending the conflict. In exchange for ending their armed uprising, southerners were granted a single

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[1] National Unionist Party

southern administrative region[2] with various defined powers. Five hundred thousand people, of which only one of five was considered an armed combatant, were killed in the 17-year war and hundreds of thousands more were forced to leave their homes.

President Jaafer Mohammed al-Numeiry announced in 1983 that the penal code had been revised in order to link it "organically and spiritually" with Islamic Law otherwise commonly known as Sharia. Theft, adultery, murder and related offences would henceforth be judged according to the Koran. Alcohol and gambling were both prohibited; non-Moslems, however, would be exempt from Koranic penalties except when convicted of murder or theft. This in effect, totally disregarded the secular interests of Southern Sudan.

The inauguration of the new code was marked by a ceremony in the capital, Khartoum, on September 23 1983. It was presided over by President Numeiry, in which stocks of alcohol were dumped in the River Nile. The introduction of the new code followed a thorough reform of the judicial system announced by President Numeiry in June 1983.[3] In effect, the Addis Ababa Agreement of 1972, which brought relative peace and stability to the South, was unilaterally abrogated by General Numeiry returning the Sudan to war, which fuelled by the Sudan People's Liberation Movement/Army (SPLM/A). It is said that the SPLM/A fired its first shots on May 16, 1983 in Bor.[4] Within two years, the war spread from the Upper Nile and Bahr el Ghazal regions to Equatoria. The rebels, who were mostly Christians, chafed under domination for years and especially resisted the Islamic law imposed by Numeiry in 1983.

Their first major victory was to interrupt, by killing, or capturing non-Sudanese workers in two major economic projects in southern Sudan: oil fields under exploration by Chevron Oil Company, and the Jonglei Canal dug by a French Construction outfit known as Compagnie de Construction International. The United States inexplicably kept its distance from any involvement in the insurgency problem despite the fact that it viewed the Sudan as a strategically important nation, both as protector of the southern flank of Egypt, its primary Arab ally, and as a possible staging ground for any military operations mounted to protect the Middle East's oil fields as well as fighting and containing communist threats.

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[2] See map on illustration 1

[3] Republic Of Sudan Presidential Decree No.1 of June 1983

[4] Nyaba, P.A, *Politics of Liberation in South Sudan: An insider's View,* Fountain Publishers, Kampala, Uganda: 1997 pp.22

The rebellion in the South marshalled by Dr. John Garang continued every year with no sign of abating, resulting in astronomical number of deaths, human suffering, destruction of property and displacements due to criminal reprisals from the government in Khartoum. It is estimated that as many as 200,000 Southern Sudanese and Nuba children and women have been taken into slavery—mainly to North Sudan—during raids perpetrated in Southern Sudanese towns and villages. On the pretext of fighting Southern Sudanese rebels (or "liberation forces", as they would want to be called), the National Islamic Government of the Sudan (GoS) deployed its regular armed forces and militia notoriously known as the People's Defense Forces (PDF) to attack and raid villages in the South and the Nuba Mountains for slaves and cattle.[5]

In 1990-91 the Sudanese government supported Saddam Hussein in the Gulf War. This changed American attitudes towards the country. Bill Clinton's administration prohibited American investment in the country and supplied money to neighbouring countries to repel Sudanese incursions. The US also began attempts to "isolate" Sudan and began referring to it as a rogue state. This action, without a doubt, led to economic slow-down of Sudan given the immense clout that the US has in the Bretton Woods institutions like the World Bank and the International Monetary Fund.

Since the 1990s, the leaders of Eritrea, Ethiopia, Uganda, and Kenya pursued a peace initiative for the Sudan under the auspices of IGAD. The IGAD initiative promulgated the 1994 Declaration of Principles (DOP) that aimed to identify the essential elements necessary to a just and comprehensive peace settlement; i.e., the relationship between religion and the state, power-sharing, wealth-sharing, and the right of self-determination for the south. The Sudanese Government did not sign the DOP until 1997 after major battle field losses to the SPLA.

In 1996, Osama bin Laden was expelled from Sudan, and he moved his organization to Afghanistan. That must have been due to pressures from within and without given that his stay in Sudan was placing the country on the *axis of evil.*[6] The move probably improved dialogue between the USA and Sudan.

In 1997, the government signed a series of agreements with rebel factions, led by former Garang Lieutenant, Riek Machar, under the banner of "Peace from Within". These included the Khartoum, Nuba Mountains, and Fashoda agreements that ended military conflict between the government and significant rebel

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[5] http://iabolish.com/slavery_today/sudan/index.html

[6] The axis of evil are, according to George W. Bush, rogue states which encourage or are linked to terrorism

factions. Many of those leaders then moved to Khartoum where they assumed marginal roles in the central government, or collaborated with the government in military engagements against the SPLA. These three agreements parallelled the terms and conditions of the IGAD agreement, calling for a degree of autonomy for the south and the right of self-determination.

In July 2000, the Libyan/Egyptian Joint Initiative on the Sudan was mooted, calling for the establishment of an interim government, power sharing, constitutional reform, and new elections. Southern critics objected to the joint initiative because it neglected to address issues of the relationship between religion and the state and failed to mention the right of self-determination. It was unclear to what extent the initiative would have a significant impact on the search for peace, as some critics viewed it as more aimed at a resolution among northern political parties and protecting the perceived security interests of Egypt in favour of the unity of the Sudan. Southern critics objected to the joint initiative because it did not address issues of the relationship between religion and the state and failed to mention the right of self-determination. A new process that would address this was mooted under the auspices of IGAD with a view to achieving a just and lasting peace.

The comprehensive peace agreement (CPA)[7] and post war Sudan

In late June 2002, IGAD mediators presented the government of Sudan and the SPLM/A with a "Draft Sudan Peace Agreement" proposal. The Draft Proposal dealt with a number of critical issues facing the two parties to the conflict. On the issue of self-determination, the Draft Proposal altered the long-standing position of IGAD and its Declaration of Principles. IGAD in its DOP specifically endorsed self-determination for South Sudan. In contrast, the 2002 "Draft Sudan Peace Agreement," proposed a "Pre-Transition" period that would last about six months and a "Transition" period that would last no more than four years. The proposal did not address the issue of a referendum directly and instead suggested that "the people of Southern Sudan shall be consulted; this popular consultation shall solicit the views of southern Sudanese in regard to self-determination arrangements as set out in this agreement."

Members of the SPLM/A delegation and their supporters viewed the proposals as unacceptable and a total abandonment of their basic right to determine

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[7] Signed on January 9th 2005 in Nairobi, Kenya

their political future. They objected to the proposed government structures and the authority given to the "national government," and to what they saw as the diminished role for southerners within the proposed framework, asserting that southerners would be getting less than what they got in the 1972 Addis Ababa Agreement. The GoS accepted the proposed draft agreement with a few amendments, since the draft agreement was similar to the government's previous offers. The SPLM/A delegation expressed concerns and gave its response to the mediators, arguing for a shorter transition period and demanding clarity on the issue of self-determination. On July 20, 2002, the GoS and the SPLA, after five weeks of talks in Machakos, Kenya, signed a Framework Agreement to end the war in Southern Sudan. The Machakos Protocol called for a six-year transition period and a referendum on the political future of southern Sudan at the end of the transition period. The Agreement establishes an independent Assessment and Evaluation Commission to monitor and evaluate the implementation of a final peace agreement. The Machakos Protocol also exempts Southern Sudan from the Islamic law or Sharia. The United States, the United Kingdom, and Norway participated as observers in the Machakos IGAD negotiations. The civil society was also on site to witness the momentous occasion.

However, from August 2002 tensions began to mount on the ground. Government forces attacked a number of garrison towns controlled by the SPLM/A, and SPLM/A forces retaliated by attacking the government's main garrison town in Eastern Equatoria, Torit. On September 2, 2002, a day after the capture of Torit, the GoS withdrew from the talks. In a press release, the government stated that it had withdrawn because of SPLM positions on power sharing and the status of the national capital, even though most observers were convinced the withdrawal was in reaction to the loss of Torit. The GoS demanded the withdrawal of the SPLM/A from Torit and a cease-fire agreement as a condition for its return to the negotiations. In late September, the government intensified its military campaign in the East and massed troops around Torit. In early October 2002, the GoS returned to the negotiations after its forces re-captured Torit in Southern Sudan. Based on what they characterized as a confidence building measure, the SPLM/A reversed an earlier opposition and agreed to a cessation of hostilities agreement.

The second phase of the negotiations at Machakos focused on a wide range of issues relating to power and wealth sharing arrangements. As alluded to, the second phase of the negotiations in late 2002 proved difficult. There were significant disagreements on a wide range of issues. The parties met to discuss the transition period in mid-August 2002 and agreed to the following agenda:

(1) Structure of Government: Power Sharing, Wealth Sharing, Human Rights, and Judiciary and the Rule of Law
(2) Security Arrangements
(3) Modalities for Implementing the Peace Agreement
(4) Regional and International Guarantees

The first two weeks were designed for briefing and lectures by experts on a wide range of issues relating to nation building and conflict resolution. Shortly after, the parties were given a 51-page report called *Draft Protocol on Power Sharing Within the Framework of a Broad based Transitional Government of National Unity Between the Government of Sudan and the SPLM*.[8] The parties were asked to respond to the mediators' draft.

On the question of the presidency there were significant disagreements between the parties. The SPLM/A initially proposed a rotation of the presidency during the interim period. The first three years under Bashir's presidency with the SPLM/A in the vice president slot, and the reverse for the second half of the interim period. The GoS rejected the SPLM/A proposal. The SPLM/A then proposed that Bashir could keep the presidency for the entire interim period provided that the SPLM/A was given the first vice president slot. The government was at first receptive to the idea, but then rejected the SPLM/A proposal arguing that there should be several vice presidents and the President (Bashir) should fill the slots. Members of the government's delegation expressed concerns that to give the first vice president slot to the SPLM/A would be risky since in the event that the president were incapacitated, the first vice president (SPLM/A) would assume the presidency. The SPLM agreed to the proposal of creating several vice president slots, but insisted that the first vice president slot with genuine powers should be given to the SPLM. There were also disagreements on power sharing arrangements in the Executive, Legislature, the Civil Service, and the Judiciary. Both the GoS and the SPLM/A agreed on SPLM/A participation in all these government structures. The SPLM/A argued that due to historical injustices, southerners should get 40 percent of the seats in the Lower House and 50 percent in the Upper House. The SPLM/A accepted the fact that southerners may only represent a third of the population, while pointing out the absence of a reliable population census. The SPLM/A argued that it is important to maintain a 50-50 percent representation in order to avoid abuses of power by the majority in the Upper

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[8] http://www.iss.co.za/AF/RegOrg/unity_to_union/IGAD.html

House. The government contended that southerners represent less than 20 percent of the population and thus did not deserve to have 40/50 percent of the seats in the Legislature. The mediators proposed a 33 percent representation for the SPLM/A. In the Executive (cabinet) and the Civil Service, the SPLM/A demanded 40 percent of the positions in all levels, while the GoS offered 20 percent.

Such were the machinations that raised the curtains for the signature of the Sudan Comprehensive Peace Agreement (CPA) on January 9, 2005. The peace deal posed a real threat to many groups associated with the GoS's National Congress Party (NCP) regime, which signed the CPA under some duress both to deflect international pressure over Darfur and to strengthen its domestic power base by securing a partnership with the SPLM. Most members recognised that the free and fair elections required in 2009 would likely remove them from power. Many also feared the self-determination referendum would produce an independent South, thus costing Khartoum much of its oil and other mineral wealth. There were signs that the NCP would seek to undercut implementation through its use of the militias, bribery, and through the tactics of divide and rule. It actively encouraged hostility between southern groups, with the hope that intra-south fighting would prove a sufficient destabiliser so that the referendum could be postponed indefinitely without it being blamed.[9]

Like most negotiated agreements, the CPA included something for everyone but left all parties short of their full goals. There is growing frustration in Southern Sudan over the lack of visible implementation, little enthusiasm in the North on account of Darfur and the potential for renewed conflict in the East. The CPA was the culmination of two and a half years of intense negotiations between the government and the SPLM facilitated by IGAD. It is premised on a fundamental compromise: a self-determination referendum for the South after a six-year interim period in exchange for the continuation of Islamic (Sharia) law in the North. The deal was predicated on extensive sharing of power, wealth and security arrangements and established an asymmetrical federal system, with the Government of Southern Sudan (GoSS) existing as a buffer between the central government and southern states but no parallel regional government in the North. The power sharing arrangements provided for fixed representation in national

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[9] International Crisis Group, Africa Report No.96, 25 July 2005, pp. ii

[10] Seats were accorded as follows: 52 % for the ruling National Congress Party; 28 % for the SPLM, 14 % for other northern forces; and 6 % for other southern forces at the national level. The SPLM was granted 70 % of positions in the southern states and the Government of Southern Sudan. The National Congress Party was granted 70 % of positions in the Northern states.

institutions, including parliament, among the formerly warring parties,[10] who also agreed to conduct elections at all levels of government by the end of the fourth year of the interim period.[11] A number of other institutions, commissions and committees were also created, including a new Upper House in Khartoum - the Council of States - with two representatives from each of the 25 states.

The detailed Wealth Sharing Agreement provided for a new national currency, created parallel central banks for North and South, and set specific revenue sharing formulae for the South and the disputed areas of Southern Kordofan State, Blue Nile State, and Abyei. The GoSS and the central government are to split all oil and other revenue derived from the South evenly.

Various protocols cover security arrangements and the status and treatment of the government-aligned armed groups in the South gathered under the South Sudan Defence Forces (SSDF) umbrella. The parties agreed to establish joint integrated units with equal numbers from the SPLA and the Sudan Armed Forces.[12] The SPLA and Sudan Armed Forces are to maintain their troops in the South and North respectively. In effect, the agreement provided for elimination of the SSDF, since no armed groups other than the SPLA or the Sudan Armed Forces are permitted. However, the SSDF is given the opportunity to qualify for integration into the security structures or civil institutions of either party.[13] The Final Ceasefire Agreement spelled out a clear timetable for SSDF demobilisation. Currently, the SPLA and the SSDF have an arrangement under the Juba Declaration. This Declaration was signed on January 8, 2006 between Lt. General Salva Kiir of SPLA and Major General Paulino Matip of SSDF. The following were the key tenets of the Declaration:

- Complete and unconditional unity between the SPLA and SSDF
- Agreement to immediately integrate their two forces to form one united, non partisan army under the name of SPLA as stipulated in the CPA
- Immediate and total cessation of all forms of hostilities and to ensure that all their forces and persons under their control observe and comply with this Declaration
- Guarantee freedom of movement of people, goods and services in all areas in Southern Sudan

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[11] The Protocol on Power Sharing actually called for local, state and national (parliamentary) elections to be held by the end of the third year of the interim period but the parties agreed to shift all elections to the fourth year in the final agreement on implementation modalities, signed on December 31 2004.

[12] There are to be 24,000 joint integrated forces in the South, 6,000 in both Southern Kordofan and Blue Nile states, and 3,000 in Khartoum.

[13] Article 7a and 7b, "Agreement on Security Arrangements during the Interim Period", September 25 2003.

- Declaration of general amnesty covering any criminal acts committed during the past period of hostilities between the two forces
- Appeal to any armed persons or groups outside the two forces to join the process of unity and reconciliation.

As a matter of fact, the current structure of the GoSS military has Paulino Matip as the Deputy Commander in Chief of the SPLA.

The civil society

In the many years that Sudan was immersed in conflict, there existed an environment that did not respect the tenets propounded in the Bill of Rights as it is conventionally observed in liberal democracies across the world. It can be understood that a militarised environment like that which prevailed in Sudan could not allow the free and unhindered operation of any credible civil society entity. A turning point was the 1989 Agreement between the United Nations (UN), SPLM and the GoS to allow free delivery of relief and other humanitarian assistance to non-combatants in Southern Sudan. This was the main entrance of NGOs though largely international NGOs (INGOs). At the same time, Sudanese indigenous NGOs (SINGOs) were being established in Southern Sudan. The civil society therefore obtained some room to operate and attempt to mitigate the adverse effects of the devastating war in Sudan. In addition, by 1996 the SPLM organised for a civil society conference in New Kush where participants resolved that there shall be a civil society and that the authorities would work side by side and respect them (the CSOs[14]). However, in 2002 the GoS seemed to renege on its word on the 1989 Agreement and was reported to have banned relief flights to nearly all areas in Southern Sudan, representing over 70 percent of the liberated areas. On the whole, the civil society in Southern Sudan managed to operate with remarkable degrees of success mainly because the SPLM was committed to respecting the Tripartite Agreement.

In Northern Sudan, the civil society did not have it easy at all. Their operations were strangled as the GoS ensured that its agents curtailed the smooth operation of CSOs. In the recent past it has been reported several times how personalities in the civil society have been arrested and detained arbitrarily. The high water mark of such suppression of the civil society was the Temporary Decree for Regulating Voluntary Humanitarian Work.[15] The Decree without a doubt, served to impede

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[14] Civil Society Organisations

the growth of the civil society. The Decree went against the spirit of the CPA, which promised such dividends as freedom of speech and association.

The operations of INGOs greatly mitigated the adverse effects of the war in Sudan. However, in the early 1990s Southern Sudanese realised that the INGOs could not possibly cover the whole of Southern Sudan. Many parts were left unattended to, leaving many people in dire need of basic services like health, food, water, and shelter, among others. It was against this background that Community Based Organisations (CBOs) began to be formed. These organisations initially provided humanitarian assistance to small geographical areas given that they operated under very limited human, fiduciary and material resources. Nevertheless, it is these organisations that underwent metamorphosis to become relatively big and capable NGOs, thereby being able to cover several counties and even states. To consolidate their efforts even further, SINGOs came together and formed networks. Examples of this include the New Sudan Council of Churches (NSCC), formed in the 1990s and notably NESI Network by 2000; Southern Sudan Indigenous NGOs Coordination Council (SSINCC); and FOSCO, among others. That arrangement helped them to have a common front and be able to speak with one voice on issues that affect the Southern Sudanese people.

As the humanitarian crisis in war-torn Sudan rose, the civil society became an indispensable component of Southern Sudan as far as relief and rehabilitation was concerned. By the late 1990s and 2000, Southern Sudanese CSOs became very active in the call for a just and lasting peace, anti-oil campaigns, respect for human rights, and so on. Ever since, it has been documented that the civil society in Sudan has been unique in the sense that it helped facilitate development in an environment laden with conflict.

As a civil society body composed of 66 Sudanese indigenous NGOs, NESI Network was a significant catalyst of the process that culminated in the signing of the CPA. It organized successful peace marches; wrote petition letters and papers to parties to the Sudan conflict urging them to embrace peace; made press releases and statements calling for the international community to sanction and oblige the parties to the Sudan conflict to hasten the peace process; and also organized and attended seminars, fora and workshops whose main themes were issues gravitating around peace in the Sudan. Directly or indirectly, the civil society contributed to the signing of the CPA.

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[15] Issued by Omer Hassan Ahmed Elbashir, the President of Sudan on 4th August 2005

Lessons learned

The role of intellectuals and scholars is a vital one. It is with the effort and aid of intellectuals from various countries that negotiations culminated in the historic signing of the CPA. Intellectuals provided technical expertise on various issues to the negotiating parties.

The world has closely followed with interest the peace process in the Sudan. As noted in different fora, the signature of the CPA is only the beginning. There is still much that needs to be done to bring Sudan back on her feet. It is evident that there was a vacuum created during the war in terms of development as there was no government in Southern Sudan, therefore, service delivery that should have been undertaken by a government were taken up by the civil society.

Advocacy and lobbying is important to any peace process. In a peace process meant for posterity, the interests of all stakeholders must be considered. It is the advocacy and lobby work of CSOs that defined and shaped some aspects of the peace process with regard to various citizen interests, leading to some recognition of the civil society as an important component of post-conflict Sudan.

Following the framework of the Sudan peace process, it is possible that other IGAD countries can help fellow members to achieve peace within their own borders, and with their neighbours. A case in point is Uganda and her problem with the LRA[16] whose actions have direct impact on peace in the countries neighbouring her, namely the Democratic Republic of Congo and Sudan, among others.

The way forward

Recommendations to scholars

It would be recommended that the scholars and the intellectuals in the IGAD region should continuously get together actively and participate in the quest for a just and lasting peace in the Sudan and to discuss issues that are of concern for the region. This can be aptly done through formation of a regional body made up of scholars and intellectuals. This body will be an intellectual oasis and give recourse to the many problems that this region faces.

Recommendations to the civil society in the region

The civil society has been documented to provide positive social change all over the world. The experience of Sudan clearly shows that without the interventions

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[16] Lord's Resistance Army

of the civil society, the peace process would not have been as legitimate as it is at the moment. The onus is therefore on the civil society in conflict-prone countries to consolidate interventions aimed at mitigating effects of conflicts as well as contribute to their obviation and resolution of conflicts.

Recommendations to policy makers

In Sudan there is the current need to change the focus from one of humanitarian to development. This is an identified area of importance now that the peace agreement has been signed. The policymakers in the region should therefore streamline their foreign policies to make them congruent with the needs of countries that are emerging from conflict.

Figure 1: Map of Sudan

For many years, Sudan has experienced military rule. Most probably the policy makers have a military background and the challenge is transformation from military to civilian psychology. This direction is the only way to ensure the sustenance of the CPA. There should be constitutionalism, equitable representation and inclusion in the CPA institutions. There is a need for policy makers to develop a motto of peaceful co-existence and dialogue. In this case, dialogue should be North-South and South-South. It should also include other areas of conflict and potential conflict namely Western and Eastern Sudan. It is worth noting that the Moi African Institute has in the recent past strived to bring conflicting groups in Southern Sudan to the negotiation table with a view to encompassing them in the CPA, thereby sustaining peace. The SPLA/SSDF Agreement is a manifestation of this. It is also worth noting that talks continue in Abuja, Nigeria under the auspices of the African Union with a view to ending the conflict in Darfur.

Recommendations to the regional and international community:

The regional and international community should make a point of immediately following up on their promises to those countries emerging from conflict. In April 2005, donors met in Oslo, Norway, where they pledged to support the reconstruction efforts as per the JAM recommendations. The international community should also be unrelenting in their support for the sustenance of the CPA. The IGAD countries have provided immense support for the peace process in Sudan and their efforts resulted in the CPA signature. It is hoped that they will continue to provide even more support for peace in the Sudan and the region.

Having noted all the foregoing, I would like to take this opportunity to thank the organisers of this forum for their foresight in envisioning a regional conference focusing on the role of intellectuals and scholars in the IGAD regional peace process. It is my hope that this forum will contribute to the prevention of conflicts and resolution of those already existing.

Somalia: A nation in search of a state

Khalif Hassan Ahmed[1]

Historical setting of the Somali nation and the state

Somalia is located in the eastern most corner of Africa, known as the Horn of Africa. It has a population of over eight million with a territorial space of 632, 000 square kilometres. Somalia has reportedly rich inland and offshore natural resources. Agriculture and livestock are potential areas for development but this potentiality has never been tapped. Failure to utilise this potentiality for development is anchored on poor administration by successive Somali governments, lack of technical know-how and capital for investment. Somalia is considered to be one of the poorest nations in the world development index.

Somalia was always considered to be an exception with regard to the rest of Black Africa due to its extraordinary ethnic, cultural, religious and linguistic homogeneity. This led to the description that was proffered to Somalia, prior to its independence, as the nation without a state." In his famous work entitled the Africans, Professor Ali Mazrui wrote: *"Most other African countries are diverse people in search of a sense of national identity. The Somalis were already a people with a national identity in search of territorial unification."* The ethno-cultural peculiarity has always been a great source of a national pride, heritage and a jealously guarded bond uniting the Somalis.

However, the last 14 years dictated otherwise and redefined the aforementioned similarity with depreciation. The boasted homogeneity transformed into clans, sub-clans and political factions. The negative dispensation has led to the dissolution of the state and nation, a veritable collapse of Somali society into the worst kind of ill fated and exploited clannism. Those who knew Somalia and its people are confounded by the incredible social upheaval in a country so admired and praised for its exceptional unity and cohesion. The scope of the social disintegration has shocked both non-Somalis and the indigenous population. These challenges have tested all initiatives to resolve the Somali crisis.

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A domestic school of thought considers the breakdown of the Somali social fabric as completely natural and argues that the clan is a reality in the social organisation and must be taken into account during power sharing to rebuild the Somali State. A pool of foreign sociologists, anthropologists and experts back this argument. Such thinking interprets every manifestation of life in Somali society from a purely tribalistic point of view and insists that everything has to be put under the clan microscope.

It would be illogical for one to deny that clannism has been the basis of the Somali social organisation. However, the ongoing practice has nothing to do with the traditional Somali culture. Contrary to the current practices, the kinship system, despite its limitation that is consistent with its nature, including the irresponsibility of the individual and the inferiority delegated to women, promoted collective solidarity and the individual identification.

This practice of the clan does not threaten the existence of the state and national unity. It is viewed as a primitive form of socio-political organisation that all societies have passed through over the course of social evolution and development.

What has induced the current ills facing Somalia?

In my opinion, the current challenges experienced in Somalia began long ago and have accumulated before transforming to their current form. The trustees in the political leadership of Somalia applied a sectarian approach and politicised clans to their advantage. This exploitive use of the clan is responsible for what I called "*politicised clannism.*" It was driven by elites who were under the influence of the dynamics of the *3Fs*[2] and have transformed the *Kaamil inertial factor*[3], which was responsible for the unity that nurtured the independence of Somalia. The negative dispensation that followed had to do with the *Kuffe inertial factor*[4] and shaped the declining political timeline. The dynamics of the 3Fs were mismanaged and led to failures due to leadership crisis. The elites including the new politicians (faction leaders) are the driving force of this negative inertia that only concentrated on their vested interest and used the machineries at their disposal to deplete the social code. This hegemonic force is responsible for the homogenic tendencies that tested the effectiveness of all initiatives to resolve the Somalia crisis. The genetic makeup and social reengineering of the past realities was given a new tone and flavour by

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[2] The 3Fs refers to Fears, Fatigue and Friction – (For details see the dynamics of the 3Fs)

[3] For details see the Kaamil Inertial Factor on the other pages

[4] For details see the Kuffe Inertial Factor on the others pages

the shadow structures. They are modern in their transaction and unconventional in their set up and intervention. The shadow structure[5] is forces of the assumed power and has strong regional and international networks that transcend beyond Somalia. It is these networks that motivate their existence and interventions, which in most cases represent external agendas. They are a threat to any attempt to restore law and order in Somalia. For us to understand the actors, issues, interests and the agendas defining political, security and the socio-economic domain, we revisit each of these factors in detail.

The genesis of politicised clannism

Claudia Riveries (1987) noted that conflicts assume a character of struggle between political factions bidding for power, rather than a clan nature. The writer argued that the most acute conflicts arise not so much between classes but between elites that possibly make use of ethnic arguments. Struggle for power generates conflicts that are clannish in nature, but in its true essence is between rival factions of elites. The crisis facing Somalia was deepened through politicised clannism and it is this model that is responsible for the current ills facing Somalia. In my opinion, it is the politicised clannism that is a real threat to the existence of the state and national unity. This model logically runs to the antithesis of a state and defines the current picture of the Somali political and socio-economic landscape. Politicised clannism was introduced into Somalia and efficiently made use of by colonial powers that sought to penetrate existing social cohesion to undermine the movement for national independence. Once independence was achieved, the elites regurgitated the policies of the colonial masters and hence this led to what was perceived as the success of the governing elites' struggle for power. The lack of political awareness of the masses became a window of opportunity for the ruling elites and contenders of such thinking.

There are more conceivable ways of exercising struggle for power other than politicised clannism, which is an unjustifiable discourse in its form. Disintegration of a society empowers forces of dissimilation and shrinks chances of rebuilding the nation. Conflicts are manipulated to serve the power struggle of the elite. Politicised clannism is subjective and loses sight of the socio-cultural context of homogeneity, a suitable description of the case of Somalia. It serves only a handful of greedy, power-hungry and self- centered individuals.

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[5] Shadow structures: faction leaders, extremist militant Islamic groups and mafia-style business cartels (see Fig 4)

The first signs of the negative practice of clannism came into full implementation in the mid-sixties and thereafter moved in dribs and drabs until it came to what it is today. In post independence Somalia every clan advocated for its stakes in order to have sufficient representation in government. Power was thus manipulated in line with politicised clannism thinking. The struggle for Somalia's independence promoted cohesion and shared values between the Traditional, Religious and Elites. The traditional leaders as custodians of collective wisdom were pivotal in the social mobilisation to back up the efforts of the elites in the struggle for independence. The religious leaders as forces of the moral and spiritual guidance all along supported the efforts and were complementary with the traditional clan leaders. The moral and social codes allowed Somali society to run smoothly and became a strong pillar for the elites.

The unity of purpose was not sustainable and disintegrated due to interference and penetration by the colonialists. Some members of the traditional and religious leaders were used as an entry point and ended up working for the colonial masters. The gap widened after the elites running the post independence Somali governments adopted the colonial ideals and imposed modernity based on a European concept. But in the end they failed to get the Somalis to understand it. People only saw it as a tribal dispensation on the scale of a state and as administration whose function was paralysed at all levels by corruption. The new state, therefore, had nothing to offer them in exchange for the customary laws whose use it had forbidden.

Some scholars contend that the first Somalia, born with independence, can be called a democracy as far as it was founded on a multiparty system and freedom of speech. But in reality, that democracy, designed according to a European model, was totally unsuitable to Somali people. The military officers who took advantage of the window of opportunity from the discontent generated by the civilian government were welcomed due to the tone of their initial political programme that was seen as clear, simple and addressing aspirations of the Somalis at that time. Their political programme was as follows:

- Rebuilding of the great Somali nation, dismantled by colonization
- Cleaning the administration
- Eradicating tribalism through laws whose goals were to limit the clan's power
- Promulgating laws limiting the impact of traditions (equality between men and women, for example)
- Simultaneously giving new value to Somali culture by means of its language, its folklore and the cult of Somali heroes.

Siyad Barre's ascension to the presidency and his increasing taste for power caused the initial programme to gradually lose its substance. Within a few years, things went back to where they were when the civilian government left. Corruption settled in again and was led by men directly linked to the government. Clannism has also made a full comeback, orchestrated by Siyad Barre and his men.

The Somali people lost a great deal of their social references and found new ones to replace the old. But by comparison with the previous situation, the gap, opened between the population and its ancient traditions, had widened even more. Islam, which had until then always provided a haven, had been banished by the military regime, the reason being the espousal of the communist theories on one hand and on the other the Imam's daring disapproval of the regime's use of power. Siyad Barre installed a dictatorship, created a private police force, censored the press, and tolerated no freedom of opinion.

The situation deteriorated in this period in which the regime's office bearers became irremovable. Reward systems were based on favouritism and clan membership rather than capability and merits. Power and public resources were used like individual property and dished out to clan members to create solid foundation and sustained clan support. This new type of clannism permeated into every pillar of the state setup and has corrupted the distribution and management of public power. Politicised clannism has become the standard practice in the governance of Somalia.

The great Somali Poet, Abdullahi Timacade warned about the threats of politicised clannism and its infusion into the state affairs when he noted: " *Dugsi maleh qabyaaladu waxay dumiso mooyane"* (Politicised clannism has no firm foundation other than disintegration).

In the move to oust the Siyad Barre regime and its aftermath, the various groups of elites jostling for power transformed a people's war against a dictatorial regime into a clan civil war. If a more tactical approach had been pursued, the dictatorship could have been ousted by less tragic means.

The use of the politicised clannism widened in all fora both within Somalia and outside. The rejectionists of such thinking with a sense of nationalism are outnumbered and frustrated by advocates of the politicised clannism who are forces of the assumed power and define the current political discourse. Those hiding under the cover of politicised clannism have vested interest and move beyond such thinking when their interest is threatened. The desperate politicised clannism call is hinged on the buzzword, "*Tolla'ayey yaa Reer Garas ahay"* – meaning Help!! Who is a member of Garas clan." Most of the conventional militias' commanders have misgivings over the discipline of those mobilised on such

a framework. But their mechanism for mobilisation at times of threats belies the negative use of the clan. It is *Sarkaal beleed*[6] that has thrived in the annals of warlordship and proved wrong the conventional warfare technicians in Somalia: Colonels and Generals. All the peace initiatives to address the Somali crisis empowered the symbol of the politicised clannism – warlords.

Conflictual portraits and symbolised reality within Somali peace talks and beyond

Figure 1 advocates for clan representation and is a symbol of the current reality while Figure 2 demonstrates a sense of nationalism and is a symbol for the salvation of Somalia in the form of a reminder of the achievements made by the Somali Youth League (SYL) during the struggle for Somalia's Independence. The person in Figure 1 argued that he was fighting for a cause and not a symbol for the clan. He said that challenges of the clan are understandable to him. His well known motto to the conferees in the Mbagathi talks right from the beginning to the end was *"Shirka looma dhamo"* – (the conference is not inclusive).

Fig 1

Fig 2

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[6] Sarkaal Beleed – has no formal military background and was crowned by the respective clans to lead militias' onslaughts, proving successful in most of their unconventional engagements

Initiatives after the fall of the Barre regime

Since the outbreak of the civil war in 1991, Somalia has had 14 peace conferences. All, except the Arta Peace Conference held in Djibouti and the IGAD-led Somali Peace Conference, floundered prematurely. The Arta Peace Conference nurtured the Transitional National Government (TNG) in 2000 following five months of deliberations in Djibouti. However, the TNG could not move beyond a portion of Mogadishu and ended up as a paper state. The IGAD-led Somali Peace Conference held in Kenya was the longest initiative ever held to resolve the Somalia crisis. The conference that began on October 15, 2002 in the Kenyan western town of Eldoret and later relocated to Mbagathi, Nairobi culminated in the selection of 275 members of the Transitional Federal Parliament on August/September 2004. Thereafter, President Abdullahi Yussuf Ahmed was elected in a ceremony held at Kasarani grounds in Nairobi on October 15, 2004. The President appointed Prime Minister Ali Mohamed Gheedi and his first cabinet appointment was brought down by a parliamentary vote of no confidence. The president later reappointed Gheedi as his Prime Minister and another cabinet formed was confirmed by Parliament.

Since 1991, the Somali peace processes have been measured and appraised with predictable results or trends. At the end of each peace and reconciliation process to resolve the Somalia crisis, its outcome is assessed to encounter three fundamental negative developments: mushrooming of political factions, proliferation of arms and resumption of fighting. These given reactions are attributable to fear of the unknown and subsequent resistance to maintain the status quo. It is also defined as a reaction to managing change; from a state of lawlessness to restoration of law and order – for all.

The IGAD-sponsored and Kenyan-hosted process is not immune from these realities as the Transitional Federal Institutions (TFI) started to face political rifts within its ranks. The dispute is anchored on lack of consensus on three fundamental issues including the transitional seat of the government and engagement of a protection force from the African Union (AU), including Frontline States. This has induced wrangles that ultimately led to incoherence and relocation to two different sites. These rifts have marked the split of the TFI into two opposing camps operating from Mogadishu and Jowhar respectively.

While the two groups operating from two different locations both failed to garner systematic international support, several efforts, both domestic and external, to bolster dialogue within the TFI also failed due to both sides sticking to their original positions. However, the situation changed following a meeting of

the Speaker and the President in Aden, Yemen and has ended with the signing of the *Aden Declaration* on January 05, 2006. The declaration was short of details and it is unclear at this stage whether the key armed ministers in Mogadishu and other armed political actors would be amenable to the agreement. It is obvious in the Somali political jigsaw that when an obstacle is addressed a new one appears. Though the TFP session was held as planned in Baidoa, some of the armed ministers failed to turn up. A member of the armed ministers voiced his opposition to an appeal made by the president in the session held in Baidoa. Some of the armed ministers in Mogadishu and other armed factions announced a *Coalition for Peace and Counterterrorism* on February 18, 2006. The move has marked serious confrontations in Mogadishu that left approximately 100 killed and over 100 wounded. The announcement is contrary to the Transitional Federal Charter, Chapter 14, Article 71, paragraph 08 on transitional period that stipulates, *"Effective from the conclusion of the Somali National Reconciliation Conference held in Kenya, all militia organizations, armed groups and factions in the territory of the Somali Republic shall cease to exist and shall turn in their weapons to the Transitional Federal Government."*

That provision is seemingly ambitious and fails to take note of the reality in Somalia and in particular in the absence of reconciliation as a mechanism for trust building. The armed ministers are unlikely to handover their weapons easily without putting in place practical safety nets as their level of vulnerability will increase.

Keen observers on the Somali political landscape contend that the challenges in the TFI are attributed to lack of operational and state management skills. This is evident in the execution of the TFI businesses in which no session, whether parliament or cabinet was held successfully except the parliamentary sessions to elect the House Executive and the President. The TFP has also failed to form the house sub-committees for the past year and a half of its existence.

The Somali parties were divided and their case was entrusted to regional actors with conflicting agendas and interests. The TFI was not founded on reconciliation and remained inorganic in nature. The divided structures defined by rifts relocated to two separate locations in Somalia: Mogadishu and Jowhar. As a house divided cannot stand, their division and insistence on deterrence measures on both sides poisoned the public. In my opinion, the Yussuf-Sharif agreement suggests the traditional politics of personality rather than being issue-based. Though Somalia's crisis is elite driven in view of the shadow structures dominance, there was need to focus on issues and the wider TFI constituency in order to unlock the stalemate. The agreement in my view is *a victory, which is an indica-*

tor for failure. The playground is surrounded by fears, fatigue and friction. It is this reality that requires proper management. The international community and the regional actors are reportedly enfeebled by lack of at least minimal unity on the Somali crisis. Their unity would have been instrumental in empowering the Somali leaders from their operational and state management weaknesses.

The wounds of the bitter clan conflict that ravaged Somalia in the past decade are yet to heal. The TFI split into two rival factions soon after its birth and as a result is seen largely as a titular government with no jurisdictional powers. It is neither in exile nor in control of state territory. Hence, genuine reconciliation and sustainable peace among the rival Somali factions and the restoration of a functioning broad-based central government seems elusive. As a "failed state" Somalia is today a country without a functioning government, laws and judiciary system. It is a country where uncertainty abounds; where the rule of the gun is the only recognized rule.

In present-day Somalia, criminal offences and human rights abuses are the order of the day with its perpetrators enjoying unlimited freedom. Trade in arms is a booming business with automatic assault rifles easily available for sale throughout the country. The unregulated arms proliferation and trafficking is threatening the stability of the entire Horn of Africa region. The president of the TFG has repeatedly called for lifting of the arms embargo to Somalia to allow performance in the field of security. His rivals both within the government and outside vehemently opposed the appeal and instead urged the international community and in particular the UN Security Council to maintain the arms embargo. They further argued that measures to disarm and collect the abundant arms in Somalia are required rather than marketing new consignments, which would only exacerbate the already fluid situation.

Rebuilding of the Somalia state and its bottlenecks

The domestic and the external nature of the Somali catastrophe deserves a critical and hard look. In the domestic circle, there are three structures that define the political, economic and social discourse. The three are traditional (both religious and elders), modern and shadow structures. The traditional clan elders and the religious leaders were complementary and worked jointly on the community matters. However, the shadow structures that represent the forces of the assumed power (warlords, extremist religious militants and mafia style business) maintained exclusive ownership of the processes in all fora to discuss the fate of Somalia.

Table 1: Comparative analysis of the current Somali structures

Type	Traditional	Modern	Shadow
Traditional structure:			
• Kinship	Dominant	Related	Abused
• Xeer (customary law)	Dominant	Partially used	Not considered
Values:			
• Human rights	Respected	Respected	Violated
• Peace & Tolerance	Highly observed	Promoted	Violated
• Gender issues	Highly respected as per religion	Highly promoted as per donor doctrine	Exploitive
• Democracy	Dominant with consensus	Promotion with interest	Dictatorship
Religion	Highly compatible with the traditions	Compatible	Observed
Governance	Fragmented clan-based government	Democratic decentralized governance	Autocratic centralized or unitary regional government

Traditional structures (clan and religious leaders)

These are the oldest institutions in the Somali Society. Despite the disintegration of the Somali state and subsequent civil war, they remain the only real functional structures, supporting social, political and economic activity in the country. They also act as resource-bases, providing support and guidance to disoriented civil society organisations in Somalia.

The traditional religious structures, and in particular, the moderate elements complement the traditional institutions by holding together loose traditional organisations in Somalia. Traditional institutions have strong leadership structures, which if strengthened, can be used for nation building in the future. The traditional kinship structures have positive, bottom up hierarchies from the family to the nation (Quos to Qaran) that can be important in efforts to rebuild the nation. The top down hierarchy from nation to family (Qaran to Quos) serves to legitimatize factional groupings.

The traditional structures as the custodian of the collective wisdom would be vital in building on the shared values to reinvest the collective consciousness.

The morality and ethics marred by the warlord rule would be transformed through the engagement of the traditional structures that combine the forces of social code and morality. The traditional leaders are seen as forces of legitimacy but were tested both by the reign of Barre's regime and the annals of the warlordship.

Despite being loosely structured and lacking capacity to address key issues, the traditional clan leaders remain the most articulate platform for addressing peace, human rights, democracy and ultimately reinvestment on shared values as bases to rebuild the nation.

Modern structures

This term refers to fairly new structures that came into being from 1980. They proliferated with the arrival of UNOSOM II in Somalia in 1993. This includes prototype governments, business groups, NGOs, professional associations, umbrella groups and local authorities formed to address and champion for various social and political interests within the Somali political arena.

Modern structures have been characterised by the active involvement and participation of ordinary people in championing human rights and gender issues, peace promotion and development programmes. Most modern institutions should have relatively well-defined organizational structures and networking/umbrella systems that can be utilised for promoting these same goals as well as an ultimate vision of nation building in Somalia. Modern structures, right from the beginning have suffered from the lack of an enabling environment or the capability to participate effectively in the peace processes. The international donor institutions have also tended to marginalise them. However, given the required (human and financial) resources, modern civil society structures could become important and effective institutions for Somalia in the future.

The civil society organisations including women and diaspora organisations played a vital role in the socio-economic domain. The civil war has changed roles and women are today business managers while men have become 'house husbands'. This new role gave women an additional responsibility. Critics hailed that with women's domination in business the circulation of money slowed. Many right thinking and well informed domestic and external actors contend that women are genuine in their pursuit for a peaceful and just Somalia. They have contributed generously on all initiatives to salvage Somalia including the recent Mogadishu stabilisation programme, which was finally turned into a white elephant by the armed ministers.

The Somali diaspora revitalised the private sector and gave flavour to the economy. In the past, some of them have played a negative role and rallied behind their clan constituencies with economic powerhouses that ultimately became the sources of arms purchase. Some groups within the local population are ill informed and mirror the Somali diaspora in a definition based on their negative perception and call them names like *Nafadii Dibada*[7] (Disables from Diaspora). In their argument the diaspora community are mentally disabled due to the harsh conditions in their second countries of citizenship. Others argue that some within the diaspora think globally and act globally instead of thinking globally and acting locally.

The modern structure could become a vehicle for definition of the civil society if they develop shared values and come up with a common agenda. Currently most of the civil society organisations are donor driven and implement projects with a short lifespan, complying with the desire of the funding agencies. For sure, civil society in Somalia and the Horn region are in an embryonic stage and could not transform overnight.
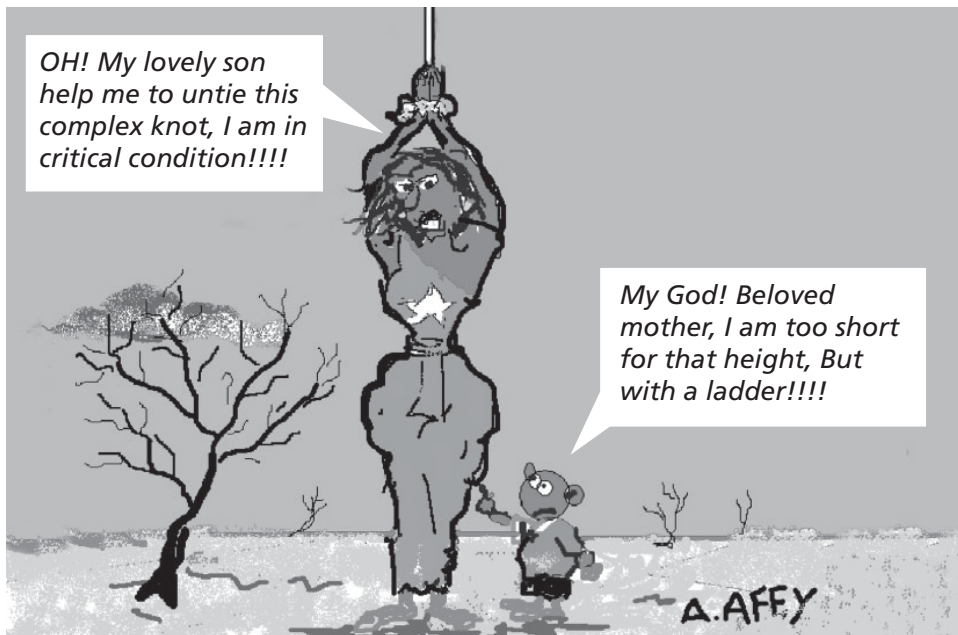
Fig 3: Somali civil society and the challenges in Somalia

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[7] Some members of the Somaliland population call the diaspora community *Nafadii Dibada*. However, many others view the returnees from the diaspora as lively and having improved the condition of many sectors including Education, Health and Telecommunication and Transport, among others.

Shadow structures

These are an offshoot of the traditional and modern structures. These include warlords, clan militia heads, mafia-style business groups and the extremist militant elements. However negative their impact, they are key to understanding the current political economy in Somalia. All the three types of shadow structure – warlords, mafias and the militant religious extremists – feel that they would be future victims should a functional authority occupy the Somalia political space. They tend to subvert traditional Somali values. Nonetheless, at times the shadow structure has close and two way traffic relations with the traditional and modern structures. This occurs during the external threat whereby both traditional and modern structures demand the services of the shadow structure to defend their communities. It also occurs conversely when shadow structures have political tensions and demand traditional and modern structure services to safeguard their political gain.

Shadow structures are seen as the biggest obstacle to the realisation of peace and security in Somalia as they are seen to perpetuate civil wars and disrupt any attempt to restore law and order. One of the reasons why the TNG collapsed was attributed to its failure to recognise this factor, which is perceived to represent both internal and foreign interest. Shadow structures have vested interest in maintaining the status quo and are responsible for the political and security checkpoints in Somalia. When their interest is endangered they turn to political clannism and mobilise their clan constituency to defend their empire. Shadow structures claim to be legitimate and to have powerful leaders but often exert their influence through intimidation, repression and corruption. They have stronger regional and international networks and are modern in their transactions but unconventional in their mindset. The shadow structures have conflicting agendas and represent contesting external interests but are unified in their resolve to derail any setup that would restore law and thereby threaten their existence. They are unified in defying the traditional norms where their interest is endangered.

The shadow structures get support from abroad and their hidden agenda is to prolong civil strife in Somalia. These same external supporters were intent on giving the shadow structures a high profile in all peace conferences.
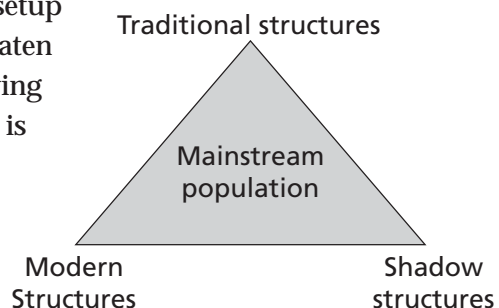
Fig 4: Current structures of the Somalia political, socio-economic arena

Equally, modern and shadow structures lack proper leadership; as such none can work in isolation to help break the current political stalemate in Somalia. Note:

- Fears and conflicting positions are a reality here
- Mainstream population are held hostage
- Political nomadism is evident with the shadow structures and in particular the warlords.
- Interests dominate within the shadow structures
- Traditional structure left in shadow boxing

The dynamics of the 3Fs

All the challenges prevalent in the Somali political scene are hinged on the dynamics of the 3Fs (fears, friction and fatigue). This factor seen as a killer assumption has necessitated the emergence of hegemonic forces responsible for the catastrophe facing the region today and in particular Somalia.

Somalia as an example is under the rule of zonal warlords controlling fiefdoms. The culture of violence, supremacy of the gun and dependency on politicised clannism as anti-thesis of a state defines the political discourse. The centripetal tendencies that have forces of dissimilation moved downwards destroying the nation, clan, sub-clan, sub-sub clan and finally to the family to solicit support. The 3Fs have both local and external dimensions and it is this reality that is refuelling the mistrust and building on the hostile environment within Somalia. If fears, friction and fatigue were mishandled it would lead to failure.

Fears

Fears are associated with the unknown, role in past atrocities and experiences. If not addressed, the actors influenced by fears would eye the future with pessimism and assume a static position to maintain the status quo. This is a reality for the shadow structures that feel threatened by the restoration of a legitimate and functional government. Fears dominated the Somali peace conference held in Kenya and has induced some of the deadlocks experienced in the course of the two-years plus. Due to the inherent fears, the parties involved in the Somali Peace talks assumed conflicting positions.

The playing field in the Somali Peace Conference held in Kenya was characterized by fears and assumed positions both among the domestic stakeholders and the external actors. There were fears between the political groups that made

them take opposing positions as protection. The armed groups feared certain members or groups within the civil society from the beginning and tried to limit their role in peace talks throughout. The Somali stakeholders were surrounded by fears that have ultimately degenerated into mistrust and pushed them into certain positions, while sometimes not understanding the implications. This was a hidden conflict and caused the major stalemate.

The centre point of the conflict was that political factions saw themselves as the legitimate authority to make decisions on all issues, and perceived all the other groups as their 'public'. They want reconciliation, but only on their own terms. In their fear of becoming future victims, the political factions at the peace conference held on tightly to exclusive ownership of the conference and its outcome. Those who left the peace conference and in particular the National Salvation Council and TNG camp of Abdikassim, feared falling into the hands of those who remained, thereby becoming victims. In an effort to protect themselves, they insisted that the process must be inclusive and their concerns noted.

The civil society groups on their side felt victimized and painted a picture implying that the peace process was simply legitimizing and putting in power those who inflicted the suffering on the Somali population. The priority for civil society was reconciliation and their power came from voicing their concerns. Civil society became aggressive when enforcing their rights to present their views. In view of the atrocities inflicted on the civic population, civil society has become aggressive in seeking and demanding an accountable leadership.

The Somali intellectuals, as a potential vehicle for the process and future interventions, were marginalized except those who sang to the tune of the frontline states. Such reactions were based on fear of their faculties to discredit the plots and influence the conferees. Some of the victims of such attempts included Professors Gandhi and Samatar. The understanding of your surroundings and its interpretation was seen as a challenge to the intentions of some forces and was greeted with the usual buzzword – " *shir dumis*" meaning 'betrayer of the conference'.

The frontline states (Kenya, Ethiopia and Djibouti) also faced fears and as a result, have assumed conflicting positions. Their fears concerned the future relations and the make up of the government to be formed. Some of them were intensely involved in Somalia and supported certain groups, to meet their own ends. An example of an area where their concerns dominated was the amendments on the charter made by the plenary on the issue of citizenship. Despite the unanimous agreement by the plenary that was in favour of the stipulation on the 1960 constitution, the plenary amendments were not reflected as proposed by the delegates. In a follow up to this, a senior member of the IGAD Technical

Committee asserted that if the plenary amendments were accepted, it would be a threat to two of the frontline states' members. This has seemingly strengthened the argument made by Daniel Arap Moi, former president of Kenya, that the frontline states fear having a strong government in Somalia that would try to continue the expansionist agenda.

The fear among the frontline states on the emergent government created was an obvious competition between the Somali groups and among themselves. The main actors among the frontline states are Djibouti and Ethiopia. Although Kenya was the worst hit by the insecurity in Somalia, it has no well-defined policy on Somalia and remained naive of the political dynamics in Somalia.

Ethiopia has a defined policy on Somalia and has a significantly better understanding of the political landscape of Somalia. According to a member of the IPF who has been following the process keenly, *"Ethiopia has a legitimate interest but this interest should not be sorted in an illegitimate way that would compromise the life of the ordinary Somali citizens"*. Ethiopia's foreign and security policy towards Somalia is one of damage limitation.

Fig 5: The dynamics of the 3Fs

The shortcomings in the political landscape and every effort to restore peace in Somalia has its bearing on the dynamics of the 3Fs. First, fear whose manifestation is based on the unknown and future prospects. The more forward steps taken, the more the level of fear grows. In the light of such a situation the political elites are likely to assume exclusive ownership of the process and insist on being the deciding factor. Such fears were evident in all the Somali peace talks in which the faction leaders dominated the scene including the IGAD-led Somali Peace Conference.

The post-independent Somali government's elites and the corruption practised by some elements with those systems as well as abolishing of the traditional system by the military regime of Siyad Barre has its basis on fears.

The resultant mistrust among the Somali political actors and other members of the population has its genesis in the domination and repressiveness exercised by the previous governments. The domination, including land tenure system and the politics of strongman-ship contributed to these inherent fears.

Fears would then come in form of perception of being a current, immediate and future victim. The actors assume conflicting positions to influence business
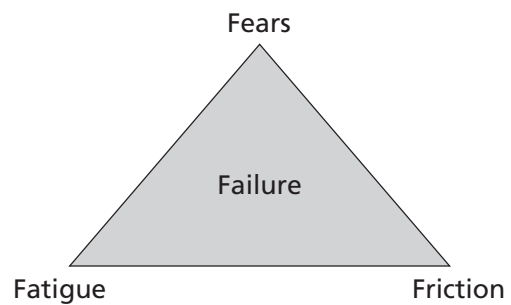
to their advantage. In pursuit of protective measures to save themselves from any eventualities, the respective Somali actors in some cases might end up obstructing their own process. The divisions within Somalia's TFI are anchored on fears.

On the regional front, the Ethiopian government announcement banning democratic expression has similar bearings. The Ugandan leadership's insistence on maintaining the status quo and blockage to alternative leadership is founded on fears. The suppression of civil society organizations in Eritrea is also founded on that factor. The Kenyan reformist agenda was resisted by some of its primary drivers. It is notable that after crossing the bridge of the so-called second liberation, some of the main players rebelled from their own pledge that brought them to office. Whether it is the business within the region or the mansion syndrome remains to be seen. Some African leaders were assessed to be crusaders of the reform agenda before moving into the State mansion but completely became different persons after ascending to the highest office. The mansion is State House for the case of Kenya and Uganda and Villa-Somalia for Somalia.

The citizens of the Horn region have entrenched fears for their respective leaderships especially those with a history of belligerence. It also has an external dimension whose attempts at damage limitation diffuse existing law and order. In both cases, the common interest might be overridden by individual gains. These fears can be addressed by a collective approach towards confidence building.

Finally, the inorganic structure produced by the Mbagathi conference and failure to legitimise itself through performance on the ground, rather than insistence on protective and deterrent measures exacerbated the already fluid situation. Their move to limit the cabinet appointments to only those serving in the transitional federal parliament at the end of 2004 becomes a mismanaged fear that contributed to the anorexia that has clouded the Somali public.

Most of the appointments failed to reflect the agreed criteria in measures to implement the priority of the TFG that is expected to promote reconciliation.

The regional actors' fear of the Somali issue and in particular the neighbouring countries except Djibouti are based on possible revitalisation of the vision of a greater Somalia. Kenya is passive compared to Ethiopia that is seen as aggressively pursuing its damage limitation policy. The Somalis' sense of nationalism had an outward pursuit to regain the remaining Somali entities under the control of the neighbouring countries. However, many Somalis in the intellectual circle contend that the federalism adopted by the conferees in the Somali peace talks was aimed at reversing the outward forces with an inward dispensation.

The federal systems of governance were not appropriate for Somalia without beginning with other stages that would slowly erode the politicised clannism thinking. One member of the frontline states remained in pursuit of its agenda through the local Somali actors.

The security agenda pursued by some western actors are hinged on fear of turning Somalia into a hideout for terrorist elements. The way to do that is not through personality-based approaches that only address the tip of the iceberg. The religious militant growth capability is founded on fear of becoming an immediate victim.

Friction

Friction develops from fears and it is based on contradictions of approach, interests and policies both within the local and external actors. Individual vs. common interest has some degree of friction and would endanger the desire of the majority. The search for a stable and peaceful Somalia and imposition of a sectarian approach creates disharmony. A homogenic agenda imposed by hegemonic forces (shadow structures) contradicts popular desire and questions acceptance and image. Protagonist exposures and pragmatist dispensation are incoherent. Inclusive and exclusive ownership of a process is incompatible. The Somali faction leaders engaged in the IGAD peace talks held in Kenya maintained exclusive ownership of the process with the support of IGAD member States. This action contradicted the selection process in which the clan criteria were to be promoted but instead politicised clannism became a reality. This has left traditional leaders at the mercy of warlords. The undermining of the reconciliation agenda and major concentration given on the power sharing negated the outcome.

The incoherent intervention applied by several external actors including those violating the UN arms embargo to Somalia and applied through the local Somali actors contributed to the animosity within the Somali groups. The high profile killings prevalent in Mogadishu involving the Somali intellectuals, security elites and religious leaders are a manifestation of the conflicting approach applied by some external actors through the local Somali players. The recent fighting between the Union of the Islamic Courts and the Coalition on Counterterrorism and Restoration of Peace is linked to this game played in the local theatre.

Fatigue

Fatigue emerges from lack of progress and a continuous demanding environment. The Somali public are exhausted with dozens of peace conferences without tangible

performance on the ground. In reflection of the fatigue that has surrounded the population following failure of armed groups to come up with an alternative solution, Somali Poet, Mohamed Hashi Dhamac "Gaariye" noted; *"Dabaalnima kama aha degel maahsanaantuye, wixi lagadagaalamay wax u dooriyaan jirin[8]."*

> (The confusion that has surrounded the population is not attributed to foolishness, rather it has to do with lack of change to the previous circumstance that caused the rebellion).

The TNG formed in Arta generated considerable support from the public and its failure left a reality gap in public opinion. The failure of the TNG has somehow killed the public morale and hope over the outcome of any peace conferences. Hence the Somali public experiences on the past initiatives and its implications have induced unwillingness to invest in the ongoing process.

The Mbagathi conference that dwelt on people and was more personality based without striking proper balance on the three elements of problem, people and process, harnessed challenges that became leverage for the emphasis given to the power sharing. The broadening of the matter at stake and promotion of issues would have allowed the actors to see the happenings and overcome anomalies in the process. The mediators/facilitators would have encouraged Somali ownership and allowed involvement of the Somali artists and media to avoid meditation to the conference project. Such projection could give the process added value and prepare the ground for post-agreement interventions. Lack of proper communication on the process to the population at home contributed to the challenges facing the TFI.

The international community has all along supported the previous and ongoing initiatives but are also facing unwillingness from the part of their taxpayers to invest in an uncertain set-up whose local players are at loggerheads. The international community's loss of interest and lack of commitment from the part of the five permanent veto-wielding powers is a testimony to this argument. This is likely to be reversed if only Somalis get their act together and reconcile their conflicting agendas and interests. The Aden (Yemen) declaration and the ensuing meeting in Galkayo between the TFI leadership to mend their differences and TFP session held in Baidoa on February 26, 2006 has to pave way for dialogue and togetherness within the TFI. The major challenge the TFI faces is lead-

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[8] Extracted from, *"Dabataxan"* by Mohamed Hashi Dhamac Gaariye (in Hargeisa)

ership. According to the argument of Professor Alexie Kuzmin, the leadership lacks operational and state management skills. Since the formation of the TFG, no cabinet or parliamentary session has ended with any accepted resolutions. Most government business became personalised and failed to adhere to the provisions of the charter. The politicised clannism still plays an important role in TFI business. Across the grain politics defines the playing field.

The leadership factor

Prophet Muhammad (Peace be upon Him) taught the principle of leadership through service 14 centuries ago that the leader of the nation is their servant[9]. The logic in this teaching is that the leaders should be service-oriented agents for the people, offering viable alternatives and solutions to their problems. Such leadership promotes image and acceptance within the population as an instrument for continued public support to realise long-term goals and harness political and socio-economic prosperity.

The current crop of leaders occupying the Somali political space are students of the repressive military regime and have only shown a repetition of the past legacy. There were some positive and great examples to be followed unlike the repressive military regime. Imam Ghazzali indicates in Kimya' al Sa'adah that a learned man once told the great Khalifah Harun al Rashid to be aware of which chair he was sitting on! He explained in terms of the qualities demonstrated by the four caliphs during their reign and noted that the chair:

- Abu Bakr (RA) once sat on – so be truthful
- Umar (RA) once sat on – so differentiate between right and wrong
- Uthman (RA) once sat on – so be modest and benevolent
- Ali (RA) once sat on – so be learned and just

The leadership required to lead Somalia out of the quagmire has to demonstrate statesmanship and become a role model. Such leadership should lead by example and abide by the laid down laws and provisions within the charter in order to avoid unnecessary leeway that would pave the way to retrogressive agendas. The leadership has to bring hope to the beleaguered nation and energize its resolve in pursuit of the remaining part of the journey. The leaders within Somalia's political showground are arguably self-styled politicians and have her-

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[9] Sunnah Al Daylami and Sunan al Tabarani, Training guide for Islamic workers

alded politics of exclusion that overemphasised culture of "me" instead of "we". In one convictional argument, "all statesmen/women are politicians, but all politicians are NOT statesmen/women[10]." The politicians may sometimes be driven by occasional personal interests while the statesman/woman looks at the wider picture and answers the common aspirations and interests of the population as a trustee.

In the current context of Somalia, those who have an economic empire and control militiamen and technicals qualify to be called politicians. This clique got themselves the code name – new politicians. They view those who served in the previous regimes as defeated brutal forces the population was liberated from. To them, the politicians who served in the past successive governments represent their fears and deserve no space in any future dispensation. There is seemingly a silent war between the old politicians (politicians who served in the past regimes) and the new politicians (faction leaders). Both groups vie for the support of traditional leaders to succeed with their agenda. The Arta Peace Process moved the old politicians and the traditional leaders closer and has empowered one group of the politicians. The IGAD-led Somali Peace Conference gave some sort of legitimacy to the new politicians and since then politics of exclusion has been applied including cabinet appointments that were limited to the sitting lawmakers.

In the conventional thinking, leadership has four generic definitions: crusader, salesman, agent and fire fighter. The crusader has vision and puts in place strategies to realise the vision. The Religious Brotherhoods (Dhariqa) had vision and were pivotal in the spread of Islam within Somalia and the Horn of Africa from the 14th century. The Christian Missionaries that came to Africa in the 18th century were another example of such leadership. The crusader has a sense of proactiveness. In the case of Somalia, leadership of such kind was observable within the liberation movements and in particular the SYL[11]. However, this momentum became unsustainable and died in stages; first it enfeebled during the military regime and finally evaporated in the annals of the warlordship. In this era, the weighing scale is how much power you wield through the barrel of the gun and not ideas; it is strongmanship and not statesmanship that matters on the drawing table. Somali statesmen who came to the peace talks held in Kenya (Eldoret and Mbagathi) were frustrated by local proxies representing external agendas. In pursuit of their agenda, some external actors played their game through their loyalist in the Somali political scene.

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[10] Bildhaan, an international Journal of the Somali studies, volume 2, 2002

[11] SYL- stands for Somali Youth League: the nationalist movement that was the vehicle to Somalia's Independence

The salesman has to have effective marketing skills to sell commitment to his∕her constituents while agents stand for the wishes of those they represent. It is argued that some members of the TFI in actual sense represent themselves and have no legitimate constituents. In some cases, the public are held hostage and cannot criticise the actions of their self-styled agents. Most of them are reactive and fall in the fire-fighter category. They do not have early warning systems and remain event oriented.

In order to understand the leadership apparatus, we would revisit the Kaamil and Kuffe Inertial factors. The two factors are resultant of positive and negative combinational force. The Kaamil[12] Inertial Factor is projected when Kasse[13] (power of discernment) and Karre[14] (power of action) are joined together. It brings together high capability and intents. The Kuffe[15] Inertial Factor is induced when one of the combinational forces become negative: Kasse + Karrin. The outcome of such combination becomes weak and shapes its decline. It is argued that no mortal being is born without some degree of the combinational factors. However, the positive indicators of the two combinational factors are realised when the capacity to enact change is in place. Inability to change the status quo and embrace good social order would explain the negative inertial force – Kuffe. When a person tries to push a lorry in order to start its engine and fails to do so, then the force becomes Karrin (inaction) and the inertial factor would be negative - Kuffe (failed). If the same person understands the need to increase the number of the people and ventures in realisation of that idea with success then the inertial factor becomes positive – Kaamil. So, it is the power of comprehension that ultimately led to mobilisation of a group of people and the truck pushed and its engine started. At the same-time, an individual can overcome the burden if he∕ she understands the source of the problem and addresses it: i.e. the defect was related to the battery and a brand new replacement is made. This is true for leadership and one has to have the two combinational forces to promote positive

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[12] Has both Somali and Religious tones: In the Islamic religious doctrine and in particular on the Fuyuthat Al-Rabaniyah of Sheikh Abdulqadir Jeylani, Nafsul Kaamil is the best rewarded soul that has performed its obligation as ordained by the Almighty Allah. In the Somali context, Kaamil is used in several aspects: first it indicates full capacity to undertake assignment. It is also used as names and in particular male, and refers to somebody born with the exact timings and conditions. For the female, a slight change is made and letter 'A" is added at the end and stands for the same thing.

[13] Derived from Somali and relates to understanding/comprehension

[14] Originates from Somali and is used as name: explains tempers. It is also used to explain economic ability.

[15] Derived from Somali and stands for falling down.

inertial factor. If one cannot have sufficient combinational factor, another person with strength on his weakness area would be complementary.

The scholars of human nature know that a man has two inherent qualities, the intellectual power, which enables the individual to know and understand the reality of things which he views, and the power of action. This power gives him the quality of discerning between the good and the bad, useful and useless and the things worthy of selection and rejection. After having selected a course of action, the inherent qualities belong to the human self. One is the source of comprehension and the other is the source of activity. Besides these two fundamental qualities, there are many other complementary and additional forces, which are derived from the fundamental qualities of discernment and activity. The philosophy of human morality is based on these qualities and the whole subject deals with good morals and bad morals due to the moderate or excessive indulgence of these qualities. What we call "wisdom" in moral philosophy is the name given to these two fundamental qualities. It is the wisdom that makes the human individual a masterpiece of God's creative art. The success and progress of the human being depends on the soundness and health of these two qualities, and their moderate use. Just as an individual is a combination of the inherent qualities of discernment and activity, so is the nation's collective quality of action and discernment a clear reflection of the individual qualities. When a nation works on these qualities, a uniformity and concord becomes conspicuous in her aims, objectives, beliefs and actions. The collective performance of the nation will be healthy and fruitful, yielding valuable results for itself and humanity at large if the collective nature of the nation is healthy and has not become distorted. Such a nation will successfully fight and conquer the forces of evil and disintegration, and the forces of virtue and goodness will come out and prevail on the social order.

Since wisdom has been called abundant good, the scholars of human psychology have unanimously stated that wisdom is not a name for man's abundance of knowledge; it definitely includes human conduct. This is so because knowledge, which does not produce virtuous action, is only a burden. The fact has been elaborately impressed in a traditional saying of the holy Prophet Muhammad (peace be upon him), which says: *knowledge without a suitable action is a burden and action not based on truthful knowledge is misguidance.*

In that case, the power of discernment has to come first and the identified option implemented through the power of action. Discernment-based action is likely to succeed.

The Somali renowned Poet, Abdullahi Mohamed Dhoodan cited, in a reminder, the need to have the power of discernment and that of action together as

follows: *Inkastoo tixgalin ay rabtayo toox na lagu sheego tabar xoog ma ahe ileen garasha baa taagleh, tanfaraaruq mooye haday dhimato towfiiqdu tashi qiira waaya ileen taaba galli mayo[16].*

> (Even if recognition was the desired framework and we are seen to be power-ful,. power not founded on discernment is not strength. If division defines the discourse and unity dies down, indeed discernment without action is likely to fail)

The Kaamil inertial factor

| KASSE (Power of Discernment) | **+** | KARRE (Power of Action) | **=** | KAAMIL (Complete) |
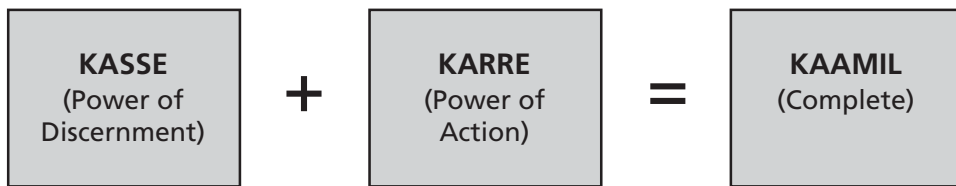
Figure 6. Kaamil inertial factor.

Here, the Kasse and the Karre work jointly and produce a complete outcome referred to as Kaamil. This is an area of challenge for all the three Somali structures (Fig 6) involved in the political, social and economic domain. This is the positive combination and an individual, group or nation with such a combination is likely to prosper. The Somali nation all along lacked the Kaamil inertial projection to realise progressive momentum. The only time Somalia had the Kaamil orientation was during the struggle and immediately after independence. Though the degree of the Kasse forces was mediocre due to the lack of adequate intellectual input, the actors in play had vision as well as stamina and willingness to learn. The moment independence was attained, one of the factors contributing to the Kaamil outcome began turning into negative factors and finally led to Kuffe Inertial Factor (failure). This is an obvious phenomenon in the Horn region: Kenyan reformist agenda and momentum that led to the NARC's ascension to power had both Karre and Kasse elements but transformed one of the combinational forces from the positive inertia to negative after two years of running the show. Hence, the happenings are in a state of Kuffe. Ethiopia has

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[16] Extracted from the Dhodaan's poem entitled, *"Tabaabacay"*

similar challenges and falls in the Kuffe category. The Somali TFIs are negative on one of the contributive forces to the positive inertial factor and at the same time suffer from ailments on the remaining positive force. The TFI is Kuffe by definition and practice at least this time round.

Kuffe inertial factor

KARRE (Power of Action)	+	KASSIN (Absence of Discernment)	=	
KASSE (Power of Discernment)	+	KARRIN (Inaction)	=	KUFFE (Failure)
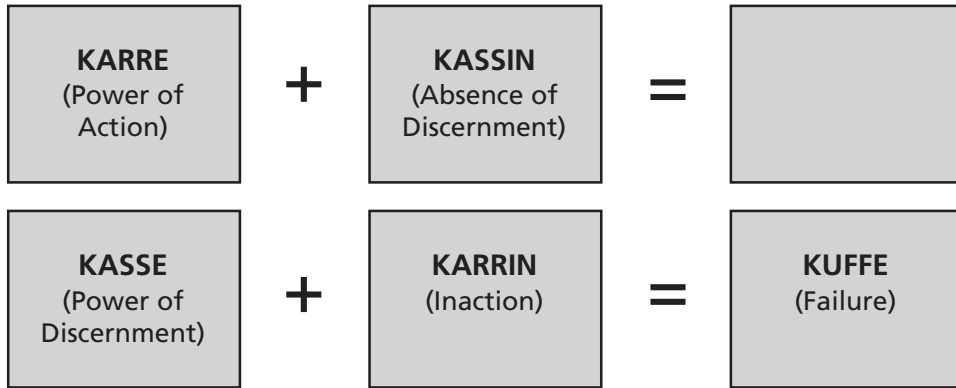
Fig 7: Kuffe Inertial Factor

On the Somalia front, the shadow structures, which represent warlords, extremist militant Islamic cells and mafia-style business groups, have the power of action but are devoid of the power of discernment. Their setup is factored as: Karre + Kassin = Kuffe. They have applied cross cutting strategies across the clan divide and have stronger networks both within and outside Somalia. To be important they have attacked morals and ethics and depleted the conventional customs to give space to promotion of their unconventional strategies. They are modernised in their transactions but lack intellectual modernity. They safeguard their vested interests and economic empires.

The modern structures are categorised as Kasse + Karrin = Kuffe. They understand the road to the salvation of Somalia but are hampered by inadequate power of action. The Somali catastrophe would be properly addressed if the Kaamil inertial force were enacted and that would come in form of the combined force of Karre and Kasse.

The traditional structures are classified as Kasse + Karrin = Kuffe. They have an understanding of the challenges facing Somalia but their implementation powerhouse was interfered with and hijacked by the shadow structures.

The battle between the structures is to win the heart and minds of the silent majority, which is the public. The civilian population's agenda is peace and stability and restoration of law and order. That would only be achieved if the three main actors work together and complement one another to come up with the positive inertial factor - Kaamil. The shadow structures wield the power of action in the form of material and human resources (militias) but are devoid of the power of discernment. The traditional and modern structures' power of action is weakened by the shadow structures' application of politicised clannism. The perceptional definition made by the shadow structures against them also questions their mechanism to transform the negative patterns spread out by the shadow structures. They have good understanding of the road to salvation but would require attention to the forces resisting change in a non-violent manner.

Way forward

The way forward could only be promising and harbours prospects that answer the concerns and fears of all the interest parties in Somalia if their individual and collective commitments contribute to:

- A Somali state based on the shared values of respect for civil rights with an accountable and respected leadership
- Sustainable peaceful co-existence between Somalia and her neighbours. *(refer to Figure 8 – the New Somalia Security cycle)*
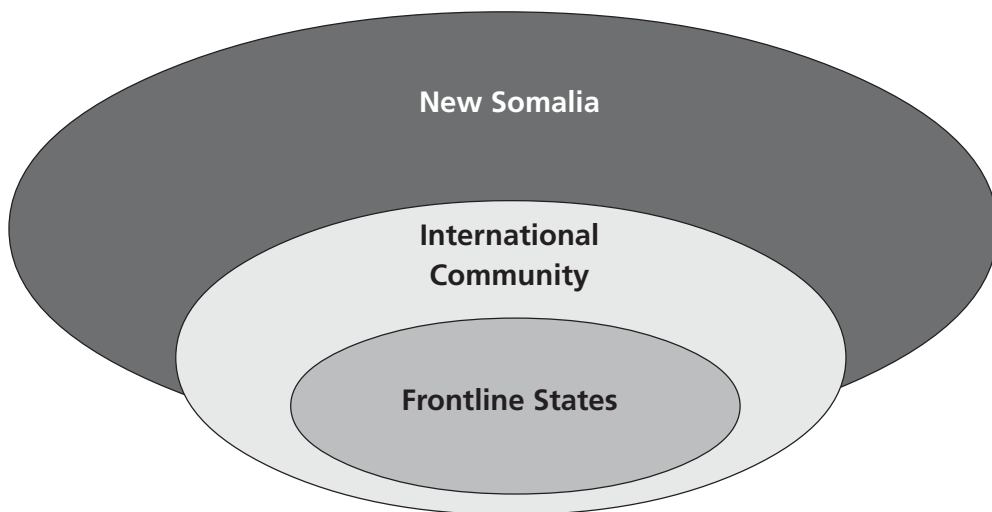
Figure 8. The New Somalia Security Cycle

Note:
- Somalia state based on the shared values of respect for civil rights with an accountable and respected leadership
- Notion of 'strongman' replaced by 'statesman'
- Sustainable, peaceful co-existence between Somalia and its neighbours
- Unified approach by the frontline states
- Unified policy of cooperation and constructive support from other external actors.

Future potentials

In flight theory[17] (Theory of Aerodynamics), one has to make an effective airport analysis in order to facilitate safe takeoff and landing, otherwise it would lead to an accident. The five factors to be considered are temperature, pressure, altitude, wind and weight. The flight pilot has to strike a balance in those factors to avoid any unforeseeable risks. The weight is dependable on a reflection based on the temperature, pressure, altitude and the direction of the wind. Any attempted landing may lead to the flight overrunning the runway causing an accident that harms both the crew and the population. Hence, the Somali crisis if symbolised as such, is faced with a strong tailwind that manifests itself in form of regional, international or local actors' pressure. A remedial measure would be to put in place a special performance instrument installed on the process in form of reconciliation. The international community has to play the role of head wind to stabilise the takeoff and the landing. The headwind and the tailwind have to be balanced to enable safe landing and takeoff.

In a nation dogged by two sets of challenges and with the TFG crowned as its government, there is need to employ reconciliation at all levels beginning with the TFI. The emphasis has to move away from personalities and problems to compliance with the context. The TFG leadership has to overcome the reality gaps and adhere to the charter. The outcome of Mbagathi has to promote reconciliation and legitimatize itself with performance on the ground. This fact has to be reflected in their actual business. The weaknesses in the operational and management aspects of state need to be addressed by bringing on board Somali intellectuals and practitioners as advisors and technical experts. Seeking expertise would drive them from the challenges brought by "*The Peter Principle*[18]." The

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[17] Interview with Captain Mohamed Mohamud Ali "Capt. Weli" – A Somali Flight Captain and former Colonel in the Somalia Air-force.

TFG should conduct self-assessment and objectively address its weakness. Failure to address its vulnerability and escape from the reality would leave the Mbagathi outcome as "victory, which is an indicator for failure." The outcome should be seen as a process and not the end. The process has to be utilised properly to become a means to the end.

The Somali intellectuals have to infuse their faculties and empower the various actors in the political, social and economic domain. The possible option to be pursued by the intellectuals could be, "Empower for discontinuity and empower for emulation"'. They have to begin their intervention first with empowerment of the civic actors to activate them and become a role model for change in reversing the retrogressive attitudes within the shadow structures. The modern structure has to avoid being subsumed by the homogenic tendencies common within the shadow structures. Moving closer to each other would build on image and acceptance and introduce influential examples deserving emulation. It will also develop reassurance and ameliorate the human and institutional insecurity.

To overcome the manipulations by self-centered groups there is need for the civil society organisations to promote political awareness. The traditional leaders and moderate religious groups could be empowered to build on the social codes, morality and ethics as instruments to project strong pillars for nation building. The civil society has to come up with a self-definition and promote shared value within itself. A respected civil society personality could be identified to become a goodwill ambassador to build on the shared value. There is need to liberate the youth whose future was misused and ended up as a powerhouse for the shadow structures. The socio-economic superiority espoused by the women has to be encouraged and more space in other sectors explored. Their superiority has to be used as an opportunity but their concerns should be addressed first.

The picture is not all gloomy as there is room for international and local Somali actors to collectively correct the anomalies in the Somali political scene. The outcome of the Mbagathi process, which is inorganic in nature, has to be legitimised with organic structures through promotion of linkages with the grassroots. Civil society has to be empowered as a vehicle for partnership and change. Through reconciliation, the dynamics of the 3Fs would be turned into an opportunity but this would be sustainable only if the shadow structures pursuing dwarf strategies swallow their pride.

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[18] The Peter Principle results from a condition called demands overload. The person is performing to his or her maximum capacity, yet cannot meet the job demands. The skills, the role, the knowledge needed for the job are beyond his capacity.

To disconnect the stronger regional and international links enjoyed by the shadow structures, the UN Security Council has to come up with a practical resolution to address the violation on the arms embargo to Somalia. It is the Somali civic population that is on the receiving end. The international community should abstain from the double standards and overcome the fatigue that sometimes overwhelms them, so as to resolve the Somali crisis once and for all.

The international community has to revisit its intervention and overcome the incoherence, and attempt to come up with some unity on the issue of Somalia. Their incoherence paves way for rejectionists to shoot down any initiative to resolve the Somali crisis. The international community could pursue a policy of *neither withdraw nor dominate.*

The TFG has to first put its house in order and then engage in dialogue with Somaliland. Somaliland made significant progress and has to be lauded for the investment that nurtured this positive outcome. At all costs imposition has to be avoided and the path of dialogue pursued. The militarised politics responsible for the negative peace prevailing in Somalia has to be abandoned and replaced with dynamic, accommodative and knowledge-based peace culture consistent with the traditional and religious values of the local population.

Africa's forgotten human rights crisis: The Eritrean experience

Dawit Mesfin

The story of Eritrea is a mixture of joy and sorrow. This is not an account of oppression, resistance and valour of Eritrea's liberation fighters. Again, this is not about the magnitude of sacrifice that was paid and the amount of blood that was shed to liberate Eritrea. Evidently, those who went through an armed liberation struggle would definitely know the dynamics of warfare. It suffices to mention that the anguish was immense, the clamour of the victims is still heard, and the sounds of the silenced guns still reverberate in the minds of the ex-fighters as well as those who lived through the conflict. The scars of the conflict are seen, not only on the bodies and souls of the older generation, but also on the young. In short, the fields, mountains and valleys of Eritrea bear the testimony of the severity of the conflict because they shelter over 60,000 young men and women who were martyred in the liberation struggle.

One can argue that scores of Eritreans are a product of that era. Eritreans watched the heroism the martyrs put into effect in order to secure Eritrean sovereignty. As a result of that effort Eritrea is a free country now; at last it has become a member of the world community. But the story of Eritrea does not end there.

The majority of Eritreans never thought that in post-independence Eritrea Human Rights Watch would write the following:

> *The Eritrean government's tyranny became more ruthless in 2005. Rule by force and caprice remains the norm, as the government aggressively moves to intimidate the population and to isolate it from the outside world.*[1]

Again, who would have thought that the world renowned Amnesty International would denounce Eritrea as follows:

> *Hundreds of people were arrested for the peaceful expression of their opinions or religious beliefs. Political prisoners were held indefinitely without charge or trial, many incommunicado and in secret detention places. Thousands had been held since a major crackdown on dissent in 2001. Torture was reported, including of people fleeing or evading military conscription.*[2]

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[1] Human Rights Watch: Eritrea 2005 By HRW: Human Rights Watch Jan 18, 2006

[2] Amnesty International Annual Report - 2005

To put it in a nutshell, after securing independence Eritreans made up the second largest number of asylum applicants in the UK this year. That speaks volumes for itself. Again, it is incomprehensible to see how the same fighters who liberated Eritrea would run away from the country they themselves liberated.

The current government came to power in a 1993 popular referendum in which voters chose to have an independent country managed by a transitional government run by the Popular Front for Democracy and Justice (PFDJ). Once PFDJ came to power it blocked all means to hold a democratically elected government. National elections, which were scheduled to take place nine years ago, were never held. At the moment, the only authorised political party is the PFDJ.

The obligatory national service for every Eritrean citizen from 18- 40 years with no reward other than meagre pocket money is one of the main causes of persecution in the country. The government forcibly recruits youngsters every year; and those who are recruited remain in the service indefinitely. There are thousands of students who were recruited in 1997, the year the national service went into effect, and are still in the service nine years after the obligatory service went into effect. The conscripts live in poor living conditions, they were made to participate in a series of wars with Ethiopia and were forced to abandon their studies. Tens of thousands of youngsters are fleeing to the Sudan, Ethiopia and other countries.

The prevailing conflict with neighbouring Ethiopia also provides an environment for human rights violations and intolerance towards the young. In 1998 border disputes around the town of Badme erupted into open hostilities. This conflict ended with a peace deal in June 2000, but not before leaving both sides with tens of thousands of soldiers dead. A security zone, patrolled by UN forces, separates the two countries. However, Ethiopia refused to let it be demarcated without further discussion. The unresolved border issue compounds pressing problems because the Eritrean government uses it to continually deploy the majority of its labour force at the war front.[3]

According to the Bureau of Democracy, Human Rights, & Labour (US Dept. of State)[4] the list of human rights abuses in Eritrea is widespread. The abuses include:

- Inability of citizens to change their government, unlawful killings by security forces, including some resulting from torture
- Numerous reports of torture and physical beatings of prisoners, particularly draft evaders

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[3] Country profile: Eritrea *http://news.bbc.co.uk/1/hi/world/africa/country_profiles/1070813.stm*

[4] Bureau of Democracy, Human Rights, & Labor (US Dept. of State) Mar 9, 2006

- Prohibition on prison visits by local or international groups, except in limited cases by the International Committee of the Red Cross (ICRC)
- Arbitrary arrests and detentions, including an unknown number of political detainees
- Executive interference in the judiciary and the use of a special court system to limit due process infringements on privacy rights
- Severe restrictions on freedom of speech and press
- Restrictions on freedom of assembly and association
- Interference with freedom of religion for religious groups not approved by the government
- Restrictions on freedom of movement, both within the country and on departing the country.

The human rights abuses in Eritrea have produced many activists who adamantly oppose the current regime's misguided tactics and administration. Many human rights organisations have blossomed throughout the world to combat the crisis that has been neglected by the world community. They are calling for an independent inquiry on the killing of *Adi Abeto* in prison on November 4 2004[5], the release of all political prisoners including the 11 dissidents who attempted to introduce reforms, to free independent journalists and the youth, and allow them to have access to their lawyers and families. The various civil society groups are calling on the government to fully respect fundamental freedoms of the population including freedom of expression, freedom of association including the formation of political parties and to lift the ban on independent press.

Many Eritreans never thought they would speak out and campaign against the current leaders who were once their heroes. They took them for granted; i.e. they would go all the way in fulfilling the promises made by our martyrs. Although Eritreans consider themselves free, they have yet to experience the rewards of freedom. Personally, in Europe I participated in various campaigns, and it is in those campaigns that I came to learn the suffering of our people. I came across gruesome stories, chilling experiences and discomforting situations.

In order to describe the pain, the injustice and despair of the victims whose rights have been trampled by the Eritrean government, here is a letter written by an indirect victim.[6] I chose this letter because I am familiar with the story as well

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[5] PUBLIC Amnesty International Index: AFR 64/008/2004, 9 November 2004

[6] The letter was sent by Mrs B. Mesfin to Amnesty International – the Netherlands on 2005 Human Rights Day.

as the storyteller. To me, the letter encapsulates the human rights crisis in Eritrea. It reads as follows:

It is difficult to describe injustice once you are in the thick of it. Not only does it drive me mad, irate and irrational, but it also numbs my mind even though my heart, ridden with impatience, races rather uncontrollably. I hear people say that incarceration of loved ones is like cancer. It eats you day in and day out from the inside. Especially, when a family member is unjustly incarcerated in a place where the court system is literally non-existent, the cancerous propensity becomes more acute. Although I admit taking this description beyond this point will be out of my analytical range, I can safely say that is what best describes my sentiments at the moment.

The frustration is simply too much to bear when I think of the things that happened to my beloved sister. Frankly, her suffering and the unjust system that has taken her in is way beyond my own comprehension. Seeing her unfair incarceration saps my strength. It is not fair to suffer silently as if the whole world, which is bustling with movements and activities, looks on. Yes, I feel the world I live in has suddenly gone quiet on me. I never thought I would see things in their still form while I am still alive – i.e. witnessing movements in slow motion and in deafening silence. I often ask myself why there are no means to address this blatant injustice in a more effective way. I guess I am partly to blame.

I personally believe that talking about my own problems within the Eritrean setting creates more problems for others. I realise that we, family members of the victims, are systematically kept quiet. We cannot cry foul because of the fear that worse things might happen to those who are within reach of the government. I think this is a case where victims are further victimised by the bullying demeanour of the government and our very own inhibitions.

Please bear in mind that I am looking at my sister's imprisonment from a safe distance. I admit, even if I am not in the proximity of the danger zone, her ordeal has affected me gravely. My absent mindedness, lack of motivation, permanent weariness and loss of trust in my fellow countrymen are few symptoms of my condition that emanates from this ordeal. With that in mind, it should not be difficult to imagine how the effects of her suffering are mirrored on my immediate family circles in Eritrea. I find it difficult to describe what my poor old mother and Aster's only son are going through at the moment. I know my brothers and sisters in Eritrea are also suffering from this ordeal. I can tell that my mother's feelings have gone numb because she is totally resigned to herself and rather mutely awaiting God's intervention. When I hear people's comments that make me ill at ease, that the action the government has

taken on my sister is fair and just, I break down as their vicious words tear me apart. I hate to admit it but I have lost a great deal of hope in people's goodwill.

Some friends advise me not to be impatient. Why should I not be impatient? Someone's life is rotting away in prison. And that someone is my sister. We grew up together, we confided in each other when we were young. She was my best friend. I always think about the day she left me behind in order to join the liberation front. She was only seventeen. At the time, I simply could not accept the fact that my sister had left for good. I thought I was never going to see her again. I also remember how her departure affected the whole family. We were not equipped to deal with a trauma that comes with the loss of a loved one who happened to be the most vibrant member of the family. We were simple people trying to deal with a complex issue. Looking back, I could see the sense of emptiness that hit mother. She would remain quiet for a long time; and at times she used to talk to God as if she was having a live and normal conversation with Him. She usually ended her one-way dialogue by saying 'Lord, I won't dare ask you to bring my little girl back to me but please protect her'. What was more painful was to see father, God bless his soul, grieving quietly; Aster was his best friend and she entertained him more than all of us put together. She used to sing for him; she dared to dance in front of him, something we were never allowed to do. Poor old father, he felt Aster's absence the most.

It is not hard to imagine how my parents felt when my older brother followed Aster to become a liberation fighter. He gave up a lucrative job, through which he was supporting the family, in order to become a freedom fighter. I knew his departure devastated them. I was next to leave our household; but I did not join the liberation front, instead I left for Germany. I had to leave in order to fill in the financial vacuum that was created at home. Isaias, my brother, also chose to become a freedom fighter after I had left. A sick father, a fast-aging mother, a disabled brother and a couple young ones were left on their own.

May 24, 1991 was the happiest day of my life. Our freedom fighters freed Eritrea. My two brothers and my sister, who gave a total of 60 years between them to the cause, achieved the unimaginable. Two returned and one fell in the battlefield. I was told that Isaias, my baby brother, was martyred in 1985.

The 30-year struggle that was bitter and bloody, which consumed over 60,000 young fighters, brought independence to Eritrea. But somehow it failed to bring liberty along with it. As far as I know, that is what my sister reminded the government of – to bring on liberty to Eritrea. Unfortunately, that cost her dearly – her freedom. Now, I do not know the whereabouts of my sister. I do not know whether she is dead or alive. No one has seen her since 20 Sep 2001.

The government media is oblivious to the suffering of the prisoners and their families. As much as possible the media ignores their mere existence, and sometimes they

misinform the public by portraying my sister and others like her, as traitors and defeatists. Her 'crime' was to sign an open letter to the President to bring about reforms.

I believe the PFDJ, the current and only ruling political organisation, is comprised of people who had very little to do with the promises made by our martyrs; it is comprised of people who have forgotten the way we were during the liberation struggle. The Eritrean struggle belonged to all Eritreans, not the few people who ended up owning it as if it is their own private property. The current 'owners' have certainly betrayed the Eritrean revolution. Sadly, Aster ended up becoming the victim of her own struggle.

Aster, a veteran and highly respected fighter, one of the first women to join the armed struggle, who trained thousands of young fighters, who later held a ministerial position in post-independence Eritrea, gave up her youth by fully committing herself to the Eritrean cause. Once she asked for reforms she was given an identity which is not hers. Her 25-year history turned into dust. It is unimaginable for a revolutionary, in its true sense of the meaning, to become a 'defeatist' and a 'traitor' after successfully accomplishing the liberation mission.

Leaving politics aside, what I find fascinating is the level of fear instilled in the Eritrean society, including that of the ex-fighter community. What is to be done in a country where there is no freedom of expression, abuses go unreported, and prisoners are not brought to justice? I wish there were more purpose-driven institutions like Amnesty International to keep the fire burning in our hearts until justice is served.

I believe in justice and the promotion of human rights. I believe in my sister. I believe in her innocence. And I also believe that sooner or later the truth will prevail!
B. M.

The letter highlighted a liberation fighter's sacrifice and the implication of the armed struggle on society and individual households. It also talked about the frustration, helplessness, uncertainty and fear people experience. But most of all, it was both a call for help and the victim's belief in justice.

Similar problems are prevalent throughout the IGAD countries: for the most part in Ethiopia, Sudan and Somalia. Therefore, it can be argued that Eritrea's forgotten human rights crisis is representative of what is taking place in many parts of Africa today.

There are many segments of our societies that are in a better position to promote justice. It takes individual and institutional efforts, especially when the efforts are concerted, to see justice take its course in an unjust society. One of these segments is led by scholar/intellectual guild of our society. Although some Eritrean scholars and intellectuals have done their part to alleviate the current dilemma, I would say the majority of them have either remained quiet or turned

their back to the calls of despair coming from the people. In this case I am refer-ring to the scholar/intellectual community in diaspora.

I am aware of the fact that Eritrean scholars and intellectuals, like their coun-terparts from other parts of Africa, are:

- Still attached, either mentally or through family ties, to their countries of origin; meaning, they are susceptible to government intimidation
- Inundated by the demands and lifestyles of their host countries
- Not networked enough to use campaign resources and facilities effectively.

Therefore, some of the problems Eritreans scholars and intellectuals are going through is understandable. However, they should not forget that they sought refuge in their host countries in order to avoid oppression and unjust practices in their home country. In fact, people back home expect their intellectuals to be in sync with their predicaments.

During the last couple of decades, we Africans have not managed to produce intellectuals of Ali Mazrui and Samir Amin's calibre. The reasons for this appar-ent void could be many, but there is one particular reason which I find compel-ling; and that is the void created by the gradual decline of a purposeful and all encompassing movement such as the Pan-Africanist movement. According to Thandika Mkandawire[7], the Director of the United Nations Institute on Social Development, 'it is impossible to discuss Pan-Africanism without bringing in the intellectuals who conceived it, while on the other hand the intellectual en-deavours have attained full meaning only through their grounding in the pan-africanist movement'. In other words, the intellectual development of the previous generation was based on a stage that was created in and somewhat by the post-colonial era in Africa. Pan-Africanism provided the purpose; it was one of the most important causes for intellectual prowess of the time.

In today's Africa, many African intellectuals, like their predecessors, continue to examine the source, kind, shape and contents of the grave situations that con-tinuously define life in Africa. Unfortunately, the majority of the intellectual discourse has not managed to find its way out of the university halls yet. On the other hand, '*the African intelligentsia has fallen silent, leaving plenty of room for the development of a pernicious Afro-pessimism upheld by self-styled ´Africanists*'[8]. In this

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[7] Thandike Mkandawire: African Intellectuals – Rethinking Politics, Language, Gender, and Development, p.2. Codesria - 2005

[8] First Meeting of Intellectuals of Africa and the Diaspora: Organised by the African Union - Dakar, 6-9 October 2004

critical period, as Africans continue to put up with diseases and destitute, African intellectuals are faced with a challenge to ensure that their search for ideas remain grounded in the realities of ordinary Africans and contribute to the sustainable development of Africa.

Just like the 'old intellect', intellect a la Mazrui, was somewhat grounded on activism via Pan-Africanism, today's intellectualism in Africa should find a nurturing arena in which it will be allowed to flourish. There is nothing wrong, in fact it is all right to ground today's intellectual growth in Africa on the values of human rights. African intellectuals should reconnect with African reality via the struggle for human rights.

Samir Amin once said:

> *Challenges are not only economic; they are cultural, political, and geo-strategic. I have always been an activist, since a very young age. I don't think I am an "academic" in the conventional sense of the term, that is, someone who is hidden away in an ivory tower observing the world from afar.[9]*

The statement may seem a bit too harsh but it certainly provokes a few thoughts in us. I believe that Samir Amin is simply implying the fact that there is a missing link between the African scholars/intellectuals and African societies which needs to be rectified. Could he be referring to that crucial ingredient that will help African intellectuals utilise their intellect more effectively? Perhaps yes.

I personally want to remain an optimist; that one day I will see African intellectuals rally behind a cause that will give Africans hope, urge them to stand up for their rights and that of their countrymen, and challenge governments that do not represent them in an effective and co-ordinated way. In other words, African intellectuals need to remobilise and renew their commitment to an effective operational coalition. They should help in bringing back that old time movement that created the Ali Mazrui's of the time. I do not see any reason why today's struggle for human rights cannot acquire the grandeur in consciousness that Pan-Africanism once achieved.

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[9] In a 2003 interview with the Third World Forum, *http://zmagsite.zmag.org/Aug2003/bouteldja0803.html*

Ethiopia, on a threshold of democracy?

Melakou Tegegn

This paper outlines the limitations and problems of the ruling party in Ethiopia, Ethiopian Peoples Revolutionary Democratic Front (EPRDF) on democracy and development. The notion of democracy and civil society in Ethiopia, as elsewhere in traditional formations, must be perceived by taking the relationship between social and political exclusion and the state of poverty or under-development as a crucial link. This in turn necessitates analysis of the under-development of the determinant elements within the social formation, namely the institutions of governance and the level of organization or effectiveness of the civic sector on one hand; and the alarming state of the development challenges that the country faces on the other. The institutions of governance are too feeble and under-developed to live up to the challenges that the country faces. On top of this, the EPRDF's ideological lens, namely 'revolutionary democracy', led it to adopt policies that either failed to conform with the reality of the country both when they came to power in 1991 and during the testing 2005 elections, or neglected the most determinant domains of development.

EPRDF's failure in policy ranges from freedom to development. From the development perspective, the most conspicuous policy constraint is the one on the civic sector. The impact of the deliberate marginalization of civic actors such as trade and professional unions, NGOs and associations is the exclusion of this sector from effectively participating in the development and democratization processes. As we have seen before, the dire state of poverty in general and the alarming state of its determinant factors such as gender, environment, rural development and population, indeed affirms the crying need for the participation of the non-state actors to mitigate the problems posed. On the contrary, the EPRDF's policy in this regard is to deliberately exclude independent non-state actors or make them party affiliates and follow the party diktat. In the mean time, the country is thrown into a terrible dilemma. The EPRDF is neither capable of meeting these gigantic development challenges nor has it allowed the non-state actors to contribute to their mitigation. The EPRDF will not develop those capacities in the foreseeable future. Fifteen years in a life of this destitute country that is hit quite frequently by sporadic famines and food shortages is too long to contemplate waiting until the EPRDF develops the desired capacity. This is even if we accept the notion that it is only the state that must be the sole actor in development, a notion advanced by all statists and dictators.

The history of the experiences of many countries unambiguously attests to the fact that without the participation of the civic sector no development can take place. The EPRDF leaders sometimes echo this message in their official pronouncements. But, their real policy is the opposite. Now, after fifteen years of rule, the EPRDF is still determined to pursue its erstwhile policy based on its 'doctrine' of revolutionary democracy. The writing on the wall as made clear during the 2005 elections is however a rejection of its policies, and its exclusionary policies in the main. The freedom to express what one thinks freely is the crucial distinguishing factor between humans and animals. Scientists have proved that there are animals that even think but are unable to express their thoughts in words. Humans are the only ones who have that natural gift. Suppressing humans from their natural ability to express what they think is tantamount to reducing them to the level of animals.

Freedom in general disentangles the social inertia that has hitherto tied the people hand and foot. Freedom of thought, freedom to work, freedom to help others, to participate and so on need to flourish in a society gripped with poverty and under- development. The prevalence of freedom unravels the human potential and creativity as was witnessed during the Renaissance, Reformation, Enlightenment, Industrial Revolution and even now when the information and communication technology brings us new discoveries almost by the month. Releasing the potential of humans is the key in this case that can only be attained through freedom. The EPRDF is doing exactly the opposite, stifling the human potential and suppressing its creativity. It is this state of affairs that had prevailed during the past two regimes that led to social implosions of one sort or another.

In this sense, the EPRDF is digging its own grave, to use Marx's famous term, at two levels. First, by suppressing freedom, it is cultivating social implosion of various types. Sporadic and spontaneous revolts have now become common features in the country. When the spontaneity gives way to an organized political revolt could only be a matter of time. Second, by suppressing the freedom of the civic sector, it is only leaving its own institutions of governance bureaucratic and stagnant. Interaction with the civic sector and positive responsiveness towards it by the institutions of governance in traditional formations is a crucial factor for their development towards a full-fledged state. In an impoverished country such as Ethiopia, the institutions of governance cannot develop through service provision, as the Tunisian government managed for instance, because it has no wealth.

Interaction with and positive responsiveness to the non-state sector constitutes a crucial link both to the process of development of the institutions of gov-

ernance towards a state and the civic sector towards a full-fledged civil society. Coexistence between state and society is not only marked by all-positive aspects such as mutual recognition and cooperation, but also by engagement though engagement does not have a negative connotation. The separate existence of state and society also connotes that they are different entities, but they need modalities for coexistence. The existence of differences of opinion and interest emanates from the fact that they are different entities and this is only natural. The recognition of the naturalness of these differences is the cornerstone of the idea of coexistence between the two. It is precisely this naturalness that does not exist in the vocabulary of the EPRDF.

Consequently, because the activities of the non-state sector is restricted and exists under tremendous pressure, it has so far failed to become an engaging force. Because the EPRDF reads engagement as opposition and at times as treason, the non-state sector exists with a perennial fear of being dissolved altogether. It has therefore recoiled from engaging the government, thereby undermining its own development in the process. In the 2005 elections, NGOs were officially branded as opposition and as actively engaged in overthrowing the government.The Deputy Prime Minister, Addisu Legesse, officially said this in an interview with Radio Fanna after the vote counts. From the perspective of the development of the internal dynamics within the non-state sector too, failure to become an engaging force has also contributed to another failure of the sector, namely the failure to develop its own perspective. This failure will always leave the non-state sector to fall prey to other perspectives advanced by other sectors. As long as it is bogged down with government restrictions and marginalization, it will remain prone to surrendering to perspectives other than its own. The characteristic feature of freedom and democracy, on the other hand, is the proliferation of ideas and perspectives by individuals and more importantly by sectors. As we will see in the following pages, this has huge impact on the state of choices, and political choices in particular.

Ethiopia faces an extremely serious problem at the environmental, gender, rural development and population fronts. The record of the EPRDF in addressing these fundamental issues of development is abysmal, which is commensurate with the characteristic features of an inept dictatorship. The paradox of a historical proportion that puts the country on a brink of collapse emanates from the EPRDF's policies that obstruct the participation of the non-state sector as a whole. It won't be exaggeration to say that by the advance of each hour, Ethiopia is too late to solve these problems.

The EPRDF's own dictatorial policies kept it away from society. The separation of state and society had been complete long before the 2005 elections so that the EPRDF had no chance of narrowing the gulf between itself and society. What Meles Zenawi said about a discussion on the land question being a dead issue for the EPRDF, is very true of EPRDF's attempt to narrow the gulf it created between itself and society. Rapprochement with society had already been a dead issue when the 2005 elections came.

The 2005 elections, end of EPRDF's two-track gimmick?

The 2005 parliamentary elections is the major event of historical proportions to take place in Ethiopia's contemporary history after the 1974 Revolution. In February 1974, the peoples of Ethiopia finally said "no!" to the absolutist rule of the imperial regime in the only way possible at the time, through a social implosion that went down in the country's history as the February Revolution. Three decades later almost to the month, the peoples of Ethiopia finally said "no!" to the exclusionist, ethnically parochial and impoverishing rule of the EPRDF through the 2005 elections. Why were the 2005 elections unique when the country had already undergone two parliamentary elections in 1995 and 2000? Let's briefly deal with the background to the particularities of the 2005 elections.

By 2004, the rule of the EPRDF had already reached a dead end. Two years earlier, a large-scale famine hit close to 15 million people in many regions including new ones that had never been hit before. Though the 2002 famine was a large-scale one, the country has always been hit by food shortages even under conditions of officially claimed bumper harvests. The writing on the wall was clear: the EPRDF had failed to resolve the country's problem of food security. What Meles promised the Ethiopian people back in 1991 that they would soon start eating three times a day had become a pie in the sky. On top of this acute crisis in a country with a growing population, the EPRDF's record on repression and systematic clamp down against opposition forces, the civic sector and any expression of dissent is well known and had created a huge gulf between government and society. The EPRDF internal crisis of 2001 that culminated in the purge of numerous party members from all of its affiliated organizations had already weakened it and tarnished its image when the prime minister as well as leading EPRDF officials openly admitted that the "EPRDF had deteriorated to its core because of corruption and other political vices" (Tefera Walewa in 2001). Although the faction that won the day managed to assure its control of the government and party, whether or not the EPRDF had really weathered the storm would remain to be seen.

In 2004, it was made clear that this didn't happen as another round of crisis emerged within the EPRDF leadership. The crisis developed as the prime minister had earlier continuously expressed his frustration at the manner in which the country and regions were run. The prime minister's frustration turned to anger that led to personal attacks of his ministers and regional heads. In one of these meetings held in April, the prime minister attacked key ministers such as the Foreign Minister, Seyoum Mesfin. He characterized the work of foreign affairs as "weak and hopeless", and chastised the Mayor of Addis, Arkebe Equbai, strongly ridiculing his work and accusing him of "rapproachment with the class enemy" referring to his meetings with the business community. He leveled a strong critique against his Deputy Prime Minister and Minister of Rural Development, Addisu Legesse. He also attacked and ridiculed other officials with the exception of Girma Biru, the Minister for Economic Development, and Genet Zewde, the Minister of Education (*Tobya, Miazia 14, 1996*). Some of the officials attacked by Meles responded harshly too, creating a tense situation. At that point, the Foreign Minister, Seyoum Mesfin, suggested that the EPRDF resigns and transfers power to a provisional administration composed of people capable of leading the country, upon which Meles angrily responded that that would not happen. This was an indication that the meeting of the EPRDF Council tacitly admitted that the EPRDF had failed to administer the country. It was in the spirit of such conclusion that the next EPRDF Council meeting held in July resolved that the parliamentary election scheduled for May 2005 should be open and fair. That decision was to make the 2005 elections unique and different from the past elections. As one activist from CUD (Coalition for Unity and Democracy), the main opposition party, informed me, "Dawit Yohannes, (the speaker of parliament at the time, MT) has personally told Birhanu Nega (one of the CUD leaders now in jail, MT) that the EPRDF Council had decided to accept whoever the people elect (name of informant withheld for security reasons). When Dawit gave this information to Birhanu, the latter's group had just announced the formation of their political party and their decision to enter the race. This was followed by the government's announcement of its readiness to open up its media apparatus, both broadcasting and print, for all contesting political parties to transmit their messages. The most important decision was to broadcast the political debates between the contesting parties live on television and radio.

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[1] Dawit Yohannes and Birhanu Nega were great personal friends in their exile days in the US during the military rule.

Most dictators tend to fight tooth and nail to stay in power. Both the imperial regime and the Derg refused to read the writing on the wall when their rule came to an end and chose to fight to death instead of stepping down for the wishes of the people. In the case of the EPRDF leadership, it is difficult to say whether its July decision to accept the verdict of the electorate was a reflection of an initial reaction to the leadership crisis or if it was a determination to step down if that was the wish of the electorate. Nevertheless, it made an official commitment to accept the elections results. Despite this decision, however, a faction seemed to be determined to reverse it in practice by mobilizing the membership. Unleashing violence in some regions (Eastern Gojjam), intimidating the electorate and blocking the involvement of civic actors in election education processes (blocking the participation of local NGOs in voters' education and the expulsion of three US NGOs working on election education) are all reflections of the attempt to reverse the tide. It seemed that this faction prevailed later and none other than Meles was its mastermind. Nevertheless, the EPRDF's Council July decision enthused many people about the elections. In effect, this decision was to end the hitherto principal political gimmick, namely the two-track policy of the EPRDF, i.e. appearing democratic for the West but remaining authoritarian in practice.

The election campaign kicked off in October 2004 with the debate on the role of civil society. Though still fragmented, the opposition was much more organized now as compared to the debates during the 2000 elections. By that time, the Unity of Ethiopian Democratic Forces (UEDF) was the only opposition coalition expected to pose a formidable challenge. At the beginning of the debates, the main opposition coalition, CUD, was not even born. It was soon announced that a political organization called Rainbow Coalition led by prominent intellectuals such as Birhanu Nega was born, registered at the Election Board and was entering the race. That constituted a major boost to the enthusiasm of the population as that was the first time after the Red Terror period that prominent and popular intellectuals entered politics. At that point, Meles' famous reference to the absence of a formidable opposition was no longer uttered by EPRDF politicians. The first debate that the Rainbow Coalition took part in was on rural development in which Birhanu Nega shone like an emerging star by literally destroying the arguments of the EPRDF. By contrast, the performance of EPRDF candidates, the minister for rural development and deputy premier was poor. Consequently, public interest in the debate and the elections as a whole rose sharply. Throughout the debate, at which all top EPRDF officials except Meles took part, the EPRDF performed so poorly that the disparity between the EPRDF and the opposition and CUD in particular was high. Many wondered how the country could be

ruled by such officials, who displayed that they were much less knowledgeable than the opposition. In the process, the popularity of the opposition and that of the CUD skyrocketed.

Right from the participation of the CUD in the debates, the EPRDF seemed to have sensed that it would lose the debate and probably the election too so it came up with a new stratagem; the usual game of all dictators — protecting law and order. Its leaders cited passages from a book written by Negede Gobezie, one of the exiled leaders of the UEDF, and claimed that the opposition was preparing an uprising. Although the author of the book is from UEDF, the EPRDF however targeted CUD instead. Lidetu Ayalew, a controversial figure within the ranks of the CUD, publicly confirmed EPRDF's allegations when he said in one of the debates that since the EPRDF would eventually steal the elections, the Ethiopian people would perform a miracle by resorting to a political uprising a la Ukraine and Georgia.[2] With that the EPRDF continuously accused the CUD and the opposition of preparing for an uprising and that it would resort to stringent measures to have law and order observed.

This was the same game that the EPRDF played when it dissolved a political party called the United Democratic Nationals (UDN) on the morrow of its accession to power in 1991. The following is a narrative by Theodore Vestal about how the EPRDF dissolved the UDN.

In July 1991, a few days after the Transitional Charter was issued, the EPRDF was challenged to live up to its rhetorical promises about human rights and freedom of association by a newly organized multiethnic political party, the United Democratic Nationals (UDN). In responding to a peaceful challenge from an organization that took seriously the purported guarantees of the Charter, the EPRDF provided a preview of its methods of subjugation that were to become all too familiar during the following years. A full panoply of public and private sector weapons were unleashed upon the opposition.

The government-controlled media, especially radio could attack the UDN, but other than leaflets or word of mouth, the opposition party had no effective means to reply. False accusations of the party's being a tool of one ethnic group, or worse, having former supporters of the Derg among its members, could be used with impunity to besmirch the UDN. EPRDF informants infiltrated the party and reported UDN plans and any speeches that could be

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[2] Lidetu Ayalew is widely believed now to be EPRDF's plant from the outset

interpreted as being anti-government or anti-charter. The TGE [Transitional Government of Ethiopia, i.e. MT] attempted to use a proclamation governing peaceful demonstrations to prevent the UDN from holding a mass protest against widespread killing in fighting between ethnic groups. When that scheme was foiled because of pressure on the TGE from donor nations, who still were concerned with democracy in Ethiopia at that time, a successful rally of more than 100,000 demonstrators turned out on a Sunday at Meskel Square. Throughout the rally, the EPRDF continued to harass participants. Gunfire was heard as marchers passed by what was already being called the "Eritrean Embassy". Troops along the parade route taunted demonstrators to the point that some young marchers hurled stones at the "guards". Military vehicles full of soldiers tried to drive at high speed through the mass of people assembled in the square. When UDN leaders addressed the rally with a loud-speaker system, electricity in the area suddenly was cut off. Nevertheless, the protest was a success.

The next day, the party's three top leaders were arrested, detained without charges, and imprisoned for two months – supposedly for being responsible for the rock-throwing incident under the terms of their demonstration permit. The charge, finally brought against the leaders, of making "seditious statements" was flimsy at best – but trumped up charges may be all that is necessary for a conviction in a less than independent judiciary. Upon the urging of the US Embassy, a writ of habeas corpus *was brought, and the UDN leaders were released on bail.*

Stymied in court, the EPRDF sought extra-judicial solutions. After UDN leaders were released, they remained under surveillance by the EPRDF, and one narrowly escaped an assassination plot against him. Meanwhile, the UDN, though never officially banned, had its activities curtailed and its offices physically occupied by the EPRDF. Members of the UDN were harassed, and the party was prohibited from holding any further rallies, and was not allowed to stand for democracy and unity. It was rendered impotent by the debilitating sting of the EPRDF prior to the 1992 elections. Firmly in control of most of the election apparatus, the EPRDF found means of disqualifying many opposition candidates who were ominously tarred with the brush of being discredited "monarchists" or as collaborators with the Derg. Voters suspected of lacking requisite loyalty to the EPRDF likewise were disenfranchised on spurious allegations (Vestal, 1991:177-178).

One has only to substitute the name CUD for UDN to read the post-2005 election situation. What the EPRDF did to the leaders of CUD and to the organization and its supporters is exactly the same as it did to UDN back in 1991.

As the 2005 election campaign gets heated up the EPRDF also resorted to intimidation tactics using violence particularly in rural areas. In Eastern Gojjam, it killed a number of CUD activists while in Oromiya region, close to 20 members of UEDF were killed in separate incidents. The EPRDF also used to capitalize on Hailu Shawul, who was just elected as chair of CUD, accusing him of "feudalism" and having served the Derg regime as an official. That became the rallying point to mobilize its own members. The election began to assume ugly features with these violent actions and negative campaigning by the EPRDF as correctly criticized by Anna Gomez, the head of the EU election observers' team. In the meantime, a public opinion poll held by a local NGO, African Initiatives, gave 36 percent of the votes to the EPRDF while the CUD and UEDF trailed as second and third respectively behind. The week before the election was momentous, the people had never seen such massive rallies held throughout the country. The first to hold a mass rally was the EPRDF on Saturday May 7 at Meskel Square. It was thought to be the most massive turnout that the country had ever seen. Close to one and a half million were estimated to have come out for the EPRDF rally upon which the principal speaker, Meles, publicly said, "This wave does not need to rig the elections!" That evening, the leaders of the EPRDF, who had already been complacent by the African Initiatives poll results, were now more convinced that the majority of the population was with them.

The next day, May 8, the CUD called its rally at the same place, Meskel Square. Close to four million turned out; there was no space for all in Meskel Square and people had to amass in the many adjacent streets. Close to a million, who marched past Meles' Palace, shouted slogans against the EPRDF, condemning its rule. As millions and hundreds of thousands thronged into the square from many sides to display their support for the CUD and listen to its leaders, it was indeed obvious that the political map of Ethiopia was changing. Though the EPRDF sabotaged the rally by disconnecting power at Meskel Square, the wrath of society was displayed unambiguously. One private newspaper called the turn out 'Sunami'. The Ethiopian television that had heretofore televised every election activity however did not dare to transmit the images of the CUD rally. That was covered by the private print media instead. The CUD held a number of similar rallies in all the big towns such as Dire Dawa, Bahir Dar and Awassa that turned out to be sunamis too. These rallies in the major towns of the country demonstrated that the EPRDF is unambiguously opposed in urban Ethiopia.

On May 15, election-day, polling stations opened as early as 6 a.m. Queues started to build up in many places from 5 a.m. as a huge turn out was expected. The enthusiasm to vote was high. Now, why didn't this happen in the previous

elections and why did it happen in 2005? This was mainly because people were enthusiastic now as they thought the elections would be genuine and clean, as all the major pre-election events led them to conclude as such and they wanted to punish the EPRDF with their votes. The presence of international election observers in urban areas discouraged EPRDF cadres from doing as much mischief as they could. The EPRDF had attempted to sabotage the casting of the votes in many places. In Bahr Dar for instance, where the residents of the town displayed their choice through a mass rally days earlier, the government disconnected power to encourage people to go home when evening set in while thousands of voters were still queuing to vote. But, the voters waited for hours on end till the authorities restarted power. In Oromiya region where there were fewer international observers, EPRF cadres resorted to outright violence and use of force to sabotage the elections. Election boxes were stolen and replaced by new boxes stuffed with pro-EPRDF election papers. In Shashemene, a big town in Oromiya region, the leading EPRDF candidate, was none other than the head of the country's security, Workneh Gebeyehu. EPRDF cadres snatched the ballot box and as others attempted to stop them, one person was shot dead. Acts of violence were also reported in many places in Oromiya and Southern regions. Despite such violence, the people cast their votes peacefully. Normally, election violence erupts as a result of some action by the electorate. In the May elections however, the violence was instigated by government forces and in Oromiya it was the police. Evidently, society displayed that it was ahead of the government in a some ways.

The EPRDF panicked after the sunami rallies in the towns. It was through this panic that its die-hard faction seems to have gained the upper-hand and the EPRDF shifted from its stated commitment to accept the verdict of the electorate. Meles made this clear when on the evening of the election day, he went on air to declare a sort of state of emergency in the capital for a month and that all the country's armed forces are under his personal command now. As such, rallies and outdoor political expressions were banned. The next day, before all the results from polling stations were collected, the EPRDF declared that it had won majority seats in the new parliament. That was in contravention of the election rule as it was only the election board that was supposed to announce election results. The EPRDF claimed more than 300 seats, i.e. more than 50 percent while the European Union Observers' mission put the figure differently – 47 percent for CUD and 36 percent for the EPRDF. The most acclaimed election by African standards began to be marred with EPRDF's insistence on having won.

Claims and counter-claims dominated the post-election scene. With Western donors as intermediaries, the EPRDF and opposition agreed on a verification

process. However, the EPRDF went ahead unilaterally with the verification process upon which the opposition withdrew in protest. The election board, of which information has now become official that it is indeed the arm of the EPRDF, decided on re-elections where there were disputes. Amazingly, ministers such as that of defense and information and heads of regional states such as that of Oromiya, who had lost the first round of polls when the vote casting was free, resorted to extreme forms of violence to intimidate voters during the re-elections in their constituencies. There were no observers this time. The EPRDF was declared winner in more than 90 percent of the cases and all the EPRDF officials were 're-elected.'

There had never been such political enthusiasm in Ethiopia as during the 2005 elections since the days of the 1974 Revolution. A great many people were convinced that the EPRDF would be outvoted and thrown out of office. It was indeed outvoted but was not thrown out of office. Short of that however, the EPRDF admitted to having lost in the capital by 100 percent and most of the country's towns, save Mekalle, Tigray's capital and Metu in Western Ethiopia, went to the opposition. The EPRDF also conceded that more than 190 seats in the federal parliament had gone to the opposition. That by itself constituted a victory in the eyes of many who know the EPRDF closely. It was in this spirit that I wrote in an English weekly at the time, "Undoubtedly, the 2005 elections have turned out to be one of the greatest landmarks in the contemporary history of Ethiopia. Landmarks in history are measured primarily by the actions of its population that are expressions of their conscience. The February Revolution of 1974 was one such landmark in the country's modern history not because the revolution succeeded to overthrow the emperor's regime; nor is it because it failed to bring about a government of its own. But mainly because the population passed a historic verdict in the only way possible at the time: by social implosion. That was a crucial decision for the ordinary Ethiopian at the time as it could cost lives (and it did), but the people took to the streets come what may! They finally said no! to the emperor's rule. Thirtyone years later, almost to the day in May 2005, the people of Ethiopia said no! to the way the country had traversed since 1991, this time in a different way: through the ballot box. This time too, the people said to themselves, "Come what may!" Ethiopia is now in a much better political situation than it was in 1974; it is now possible to have a government of the people's choice" (Fortune, May 2005). The basis for such optimism was not an assumed victory by the opposition but the gains so far attained constituted, in historical terms, a great leap by themselves. Close to 40 percent of the parliament seats, a clean sweep of the capital's administration, majority in almost all the

administration of the towns except two, constituted an undeniable change in power relations in Ethiopia.

Now, the die-hard faction of the EPRDF that had introduced the stratagem of "protecting law and order" came out openly against the commitments it entered into and went against its own decisions to respect the popular verdict. It had to stay in power by hook or crook. Playing the stratagem of protecting law and order was the chosen card it wanted to play and set the trap for the CUD in the main to fall into that trap. Once it fell into the trap, then the CUD would be charged with treason. As one US government document put it, "A common tactic of tyranny is to charge opponents of the government with treason" (http://usinfo.state.gov/products/pubs/whatsdem/whatdm6.htm). Thus, the trap was set. Moves needed to be taken to provoke the CUD to fall into the trap.

At that point in time, the die-hard faction of the EPRDF came out with surprising provocative moves. The old EPRDF-dominated parliament that was supposed to have been dissolved, under a normal condition of freedom, passed new laws directed against the opposition. It introduced extremely strange parliamentary procedures that literally prevent opposition deputies from discussing and debating in the parliament, issues that they want to raise. As one such rule has it, deputies need a 50 percent + 1 vote to have an agenda set for discussion, a move condemned by the European Parliament. This implies that the opposition cannot have an agenda registered or raise any issue for discussion and debate because it could not constitute 50 percent + 1 in the new parliament. That alone defeats the very raison d'être of a parliament. The parliament also passed a new law aimed at crippling the powers of the capital's administration by shifting these powers to the federal authorities. The opposition's threat that it would resort to a protest movement tickled the EPRDF as one step closer to falling in the trap.

In the meantime, the opposition insisted for the verification process to be inclusive and at the end, UEDF came up with the idea of forming a coalition government with the EPRDF that would call a clean election in a year's time. In the middle of this, the CUD signaled that it was falling into the trap when its leader, Hailu Shawul, called from Washington for the removal of the EPRDF government and vowed to start a protest movement. The EPRDF must have sighed with relief, as the CUD had fallen into the trap, as that was sufficient to charge it with treason. Upon his return to Ethiopia, Hailu Shawul made sure that the CUD would not enter parliament. The EPRDF pretended as if it wanted the opposition to join the parliament and started to accuse it of derailing the Constitution by preparing an uprising against the state. Thereafter, things got out of hand for the CUD as protesters went into the streets against the EPRDF, upon which a massa-

cre took place twice, in June and November. The EPRDF rounded up to 11,000 persons, the entire CUD leadership, editors and journalists of the private media and some NGO activists. All were charged with treason. A state of terror reigned in the country so reminiscent of the days of the Red Terror. Opposition was quelled, so was civic activism.

The CUD's refusal to enter parliament was to have enormous consequences not only to the party but also to the process of democratization as a whole. The scale of space that the CUD was to have, had it decided to go to parliament would have meant a much broader space and freedom for the emerging civil sector. It was crucial for the CUD to know its political adversary very well. Regimes such as the EPRDF are extremely stubborn and will never give up power that easily. The most likely political scenario that would have had huge impact on the level of social organization within the emerging civic sector, was the following:

- The opposition would have 199 seats in the federal parliament, quite a substantial presence as compared to the composition of the old parliament that had not more than 15 opposition and independent deputies
- With that number of deputies, it could have generated a lively policy debate that had never been the case and which could be taken as a signal to a move towards democratization
- As members of parliament, they could enjoy immunity from prosecution for expressing their views, which is an asset under the EPRDF rule
- They could have galvanized a popular opposition for the next five years thereby creating a solid electoral base
- They could have existed as a political force to reckon with that would give them the leverage to negotiate further reforms such as the reforming of the electoral board, for instance
- By fully controlling the administration of the capital and constituting the majority in most town councils, they could have introduced an effective and much more efficient administration than that of the EPRDF as a strategy for the next election.

Above all, the CUD needed time to restructure its own organization, which was rather amorphous and to seriously work to attain unity as it was a very fragile coalition. There was a serious conflict of personalities in the leadership and between member organizations (for further reading, see Lidetu, 2005) that needed to be sorted out urgently. These internal weaknesses alone should have prompted the party to attain a grace period during upon which it would address them properly, reorganize and prepare itself for the next election. Joining parliament

was the first step forward in this direction. Had the CUD resorted to such measures, the EPRDF would have been in deep trouble as that was what it did not want at all. The CDU should have decided to enter parliament much earlier and prepared the public for the next election just like the UEDF did. Secondly, had the CUD entered parliament and proceeded to accomplish what is outlined on page 225, the EPRDF, most likely, would have been ousted by the next election. Since that did not happen, a regime that should have stayed in power for only five years will now stay in power probably for 15 years. And that is the biggest nightmare for society and a big blow to the prospects of democracy and development.

The exclusion of the CUD from political involvement was followed by a further clamp down against the opposition and any expression of dissent. The overwhelming majority of private newspapers that served as the only alternative source of information were closed down with serious negative impact on the democratization process. The NGOs also fell under careful scrutiny.

The impact of this situation is enormous on the process of the emergence of a civil society in Ethiopia. Space for the civic sector will be trimmed as the government might go ahead introducing the stringent draft laws on NGOs/ associations and media. There was a big chance for institutions that fell under the EPRDF's jurisdiction such as the Confederation of Ethiopian Trade Unions to become independent of government and become a real representative of workers. That has now come to an end. The government's attempt to control even funeral associations known as *Idirs* will be reinvigorated thereby killing their chance of becoming independent. As restriction of NGO activity goes on, the atmosphere for NGO's intervention will be discouraging thereby diminishing their role in the development and democratization processes. The cumulative impact of all these negative factors will be the stifling of the level of social organization within society and destruction of social capital. That is going to have a devastating impact on the efforts to eradicate poverty and under-development.

The gulf between the EPRDF and society has never been widened as it was in the aftermath of the 2005 elections. In terms of acquisition of freedom and space for society, Ethiopia has gone back by decades. The feeble civic sector in Ethiopia that needed freedom and a democratic system for its own development will most likely be further stifled for sometime to come thereby prolonging the emergence of a civil society. The stifling of the civic sector will further restrict the independent participation of society. A civic sector made dormant by the restrictive policies of the government means the weakening of the capacity of the institutions of governance, which in the final analysis impacts on its capacity to deliver services and perform as an effective government.

With the policies it is currently following, the EPRDF is indeed digging its own grave. The Ethiopian social formation that entered a serious crisis in 1974 when society abhorred the political conditions that govern its life are still intact 30 years later, if not worse. The EPRDF government, ostensibly a champion of ethnicity, has miserably failed to resolve the nationality problem as Negasso (interview, 2006) and Merera (2003) strongly affirm. Like all petty-bourgeois ethnicists, the EPRDF that galloped all these years over the form of the resolution of the problem neglected the essence of the construction of the whole problem. In societies such as Ethiopia, nationalism has hardly emerged as a political phenomenon. The various ethnic sentiments were misread as 'nationalism', therefore the right to self-determination including the right to secession as the 'solution' was opted for without a rigorous study and analysis of the concrete manifestations of the various forms of ethnic sentiments and their cause. What ethnic problems in Ethiopia needed as a solution is not the so-called right to self-determination, the right that has never been respected anyway, but safeguarding equality and well being and above all, respect of the rights of the individual subject. Safeguarding equality needed freedom to prevail and a democratic system to preside. For well being to be taken care of, what is crucially needed is a developmental state. The technicist slogan for the right to self-determination and its inclusion in the Constitution as Article 39 has only served the petty-bourgeoisie of the various ethnic groups in what Merera calls PDOs (people's democratic organizations) that ganged up as 'the federal state' to protect the parasitic privileges it has so far enjoyed. A democratic system must first of all recognize the rights of the individual as a citizen. "A system that cannot protect the right of the individual cannot protect the rights of the collective" (Worku, 1993: 84).

The EPRDF project is an undeniable failure. This failure can only be attributed to malgovernance and the misguided concoction called 'revolutionary democracy' as its credo. It has failed to build a state as a modern institution of governance positively responsive to the needs and cries of society. The deliberate suppression of the nascent civic sector backfired to the stagnation and underdevelopment of the institutions of governance. The low level of social organization as a consequence of the prevailing state of no freedom in turn perpetuated the social status of the individual subject Ethiopian, as replete with fear and want as ever.

The experience of the last 14 years of EPRDF's rule indicates that the essential element in the entire issue of national question is the centrality of development and democracy rationales to prevail over the adherence to the principle of right to self-determination once regional autonomy has been attained. A genuine prac-

tice of self-determination which involves a genuine regional autonomy by the various ethnic groups of the country should have automatically led to concentrating on the rights of the individual. Prevalence of development and democracy rationale could have empowered communities, collectives and individuals, which is a crucial component in the process of emergence of a civil society. The overriding rationale of the governance must have been to transform the hitherto subject to a citizen. The developmental challenges that the country faces are monumental and require urgent and swift shifts towards democracy and development. The structural and conjunctural constraints for the emergence of a civil society and democracy have to be removed. Otherwise, Ethiopia is doomed as leading economists, environmentalists and sociologists have warned us all along.

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Index

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Suzanne Samson Jambo is a Southern Sudanese civil society activist. For many years, she has worked with indigenous Southern Sudanese non-governmental organisations (NGOs) on capacity building and improving organisational structures. She has assisted different Sudanese women's indigenous NGOs' efforts to integrate international, regional and local human rights provisions that are women-friendly into their respective programmes. With a particular focus on Southern Sudan, she has been working on human rights issues, having previously worked with international organisations such as Amnesty International Secretariat in London, UNICEF and the United Nations - World Food Programme. Ms. Jambo holds professional degrees in Law and Applied Social Sciences respectively. Ms. Jambo is currently the Coordinator of the New Sudanese Indigenous NGOs Network (NESI-Network), an umbrella body for Southern Sudanese civil society groups. Ms. Jambo was one of the co-founders of NESI in 2000. NESI Network is an indigenous civilian body comprised of 66 local organizations operating in various sectors within Southern Sudan.

Khalif Hassan Ahmed is a Political and Security Analyst with over 480 published articles, features and analysis on Somalia with emphasis on the peace processes and other happenings within the political and security landscape. He is a development practitioner with over 12 years of working experience with humanitarian organizations and some UN agencies engaged in Somalia. He is a Trainer on Security Management and Conflict Transformation with extensive knowledge on the actors, issues and interests prevalent in the Somali political and security scene. He reported from the IGAD-led Somali Peace Conference held in Kenya both in Eldoret and Mbagathi to over 600 recipients including governments, regional and international bodies, UN bodies, NGOs, civil society actors in both Somalia and Diaspora, scholars and academics spread all over the world. He has received seven awards for peacemaking, humanity, creativity, neutrality and professional reporting during engagement in Somalia and the peace processes in particular, from both domestic and external actors (from 1994 to 2004).

Dawit Mesfin is a human rights activist who has participated in various campaigns to promote the basic rights of Eritreans all over the world. He is a writer and commentator on Eritrean affairs, and has travelled widely to give presenta-

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