Peace and Conflict Resolution in Africa

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Lessons and Opportunities

Edited by

Ernest E. Uwazie

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PREFACE

This publication is primarily the product of the 25th Annual Africa & Diaspora Conference in 2016, organized by the Center for African Peace & Conflict Resolution at California State University, Sacramento, on the theme of Peace and Conflict Resolution in Africa 25 Years Later: Lessons, Best Practices and Opportunities. The conference papers were selected to reflect case studies and some theoretical perspectives on the persistent search for the right size and scope of visioning and programming on peace and conflict resolution in Africa. Understandably, this collection of ideas, thoughts and proposals will resonate with the field of Peace and Conflict Studies as well as benefit from critical reviews and advancement of future research.

I am grateful to the contributors who made this publication possible as well as our conference lead co-sponsor, Mediators Beyond Borders International. Despite the obvious challenges of coordination and timely submission of the final papers, the contributions are quite informative of some the best practices, reflective of various programmes and settings and thought-provoking.

Although each author is responsible for the contents of her/his contribution or paper, I have taken care to not distort the content or meaning of each contribution in my role as the editor. Any errors or mistakes herein are regrettably unintended. The views expressed in this publication are solely those of the contributors or authors, and they do not necessarily represent the viewpoints or are an endorsement of the 2016 conference organizers: Center for African Peace & Conflict Resolution (CAPCR)-California State University, Sacramento and the Mediators Beyond Borders International.

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Ernest Uwazie
Editor
June 2017.

CHAPTER ONE

INTRODUCTION
PEACE AND CONFLICT RESOLUTION IN AFRICA: LESSONS AND OPPORTUNITIES

ERNEST UWAZIE

In the era of the so-called "New World Order", Africa's conflict situation was mostly violent and centre-stage, particularly between the 1980s and the 1990s. Academics from various disciplinary backgrounds, policy makers, community leaders and advocates of peace and democracy from various parts of the world, especially (Pan) Africanists, engaged in many robust exchanges and debates about the way forward (see Deng 1991; Zartman 1999 & 1989), including the development of the African Union's Africa Peace and Security Architecture (http://www.peaceau.org/en/topic/the-african-peace-and-security-architecture-apsa). These exchanges on the search for peace led to the development or founding of institutions and training programmes as well as educational curricular materials and related pedagogy toward promoting the peaceful resolution of conflicts in communities and networks, increasing access to justice in society, complementing or modernizing the familiar, informal traditional justice systems, facilitating democratic processes and governance, creating a culture of peace, and/or enhancing the environment for business developments (Ikejiaku 2011; Uwazie 2014). Emerging from the peace discourse is a vision of peace education for service and leadership development anchored on the tenets of social justice, from interpersonal transactional relations to social and attitudinal shifts (Best 2006), with the ultimate goal of achieving a culture of peace.

Arguably, Africa is "rising" in the 21st century, with declining violent conflicts and an increase in stable democracies and economies, a far cry from the previous periods of devastating civil wars and widespread violence (see also Global Peace Index: http://visionofhumanity.org/app/uploads/2017/06/GPI-2017-Report-1.pdf; Uwazie 2011). However, challenges

remain, especially in light of the current cases of violent extremism, uneven transitions of political leadership and setbacks on term limits, manifestations of ethnic/religious hatred among large numbers of, perhaps disaffected, youth and population growth. Further, the widening global wealth gaps, with particular emphasis on Africa, threaten Africa's promise for peace and security under the fundamentals of social justice (see further: https://financialtribune.com/articles/world-economy/22459/africa-wealth-gap-grows-as-poverty-deepens). In sum, the following papers or chapters document cases of programmes and strategies of peace and conflict resolution in Africa, demonstrating lessons for best practices, opportunities for change, and recurring challenges for further inquiry and solutions.

In Chapter Two, Pauline Baker's conference keynote paper, "Africa: Is the past a prologue?" argues that 25 years seems to be a turning point at which people begin to reflect on the past and make provisions for future endeavours. To underscore that idea, she noted four trends in Africa that can serve as a view into what the next 25 years could look like. The question is whether these trends represent a "prologue" – forecasting future trends – or a "preamble" –summarizing past performance, notably economic development, reduction in interstate conflict, democratization and growth of organized terrorism and violent terrorism. The paper concludes that the fundamental choice is not between democracy and dictatorship, even though it is often portrayed that way, but between legitimacy and the lack of it given issues of just governance, corruption, conflicts and troubling fluctuations in political transitions and the power elongation by "Africa's big men".

In Chapter Three, "A paradigm shift: resolution of intergovernmental disputes – a case study of Kenya", Jacqueline Kamau examines the historical and contemporary circumstances that resulted in the development of a system of devolution of power or decentralized governance under the 2010 Kenya Constitution as a political conflict resolution strategy, with the courts playing a central role in reconciling competing interests. The principle of devolution under the Constitution recognizes that communities have the right to manage their own affairs and further their development. She concludes by proposing the use of alternative dispute resolution (ADR) in resolving related intergovernmental disputes resulting from the system of devolution, and the courts only as a last resort, to avoid case backlogs and adverse impacts on the timely resolution of conflicts.

In "Court-annexed ADR in Africa", Chapter Four, Daniel Yamshon argues that ADR, namely mediation and arbitration, is the "new normal" in Africa. He outlines six broad categories of the court's relationship with

the alternative dispute resolution system. He concludes that the rate of resolution or settlement of conflicts under either category does not seem to be dependent on the type of ADR system, whether or not it is court annexed or connected, but rather the quality of the mediators.

In Chapter Five, "ADR practice in Ghana – Opportunities, challenges and the way forward", Martin Nwosu traces the key developments in alternative dispute resolution in Ghana from an initial project in 1996 to the landmark 2010 ADR Act 798. The paper discusses the ADR achievements in Ghana as well as the challenges facing a wider application or practice of ADR in Ghana, with particular focus on the Court-Connected ADR (CCADR), the Pre-trial Settlement (ADR) Conference of the Commercial Court, and the role played by the bench and the bar. The paper concludes with a puzzlement over the lack of legal professionals and others taking full advantage of the opportunities provided by ADR, and recommends some programmatic and structural changes, including the creation of an ADR Centre.

Chapter Six, "The phenomenology of communities in conflict: Research for peaceful solutions with the San of South Africa", Andreas Velthuizen uses his research experiences with the San people of South Africa to argue for new research paradigms that promote social innovation in the area of human peace and security. Such a new paradigm, he proposes, would involve trust building as well as the discovery and reconstruction of knowledge and non-racial identity; complementary but critical culturally sensitive reflective dialogue to attain a holistic understanding of conflict, as well as solutions designed with the community. Further, he suggests a new focus in African conflict studies that includes the study of poetics to challenge historic dominant discourses and pose an alternative to these discourses. The main point is that the knowledge of conflict in Africa can contribute to positive change in African communities recovering from violent conflict.

In "Cross-cultural mediation training in Sierra Leone: Best practices in pedagogical, evaluative and mentoring processes to address community crises using technology", Chapter Seven, Loretta Raider, Diane Fulton and Judith Ogden share their best practices and lessons learned in the Train-the-Trainers programme in Sierra Leone. The training model bridges community leadership and conflict resolution training curricula cross-culturally with community leader-led action plans during the significant Ebola-related community crises and conflicts in Sierra Leone. These best practices include processes from curriculum development and workshop implementation to comprehensive evaluations of the workshop and mentoring and coaching for the implementation of community-based

programming, particularly focused on conflict resolution and the peaceful mediation of issues arising from the Ebola epidemic in Sierra Leone. Due to the impossibility of travelling to and within Sierra Leone during the crises, the entire training system was delivered via technology using electronic tools such as teleconferencing, online discussion and presentations, online surveys through Qualtrics links, Skype and telephone interviews, and e-mail and Zoom mentoring. The chapter concludes with some interesting findings and results from the project, with implications for the programme planning for training the trainers, pedagogy and the impact on the participants.

In Chapter Eight on "Land disputes and remediable injustice in Ethiopia", Data Barata examines recurrent land disputes in the Dawro highlands of Southern Ethiopia, where land disputes highlight an intriguing interconnection between the past and the present along class, ethnic and socio-political lines, with varying levels of conflicts between state and indigenous /customary institutions. The main argument pursued in the paper is that in contemporary Ethiopia, there is an overwhelming sense of injustice pertaining to the resolution of land disputes and land governance in general. The paper argues that the state's recurring pronouncements or declarations of "equality, social justice, and good governance" seem unmatched with reality; these contradictions or unmet public expectations often provoke public anger and perception and have the unfortunate consequence of frequent conflicts over land, sometimes violent, even between aggrieved neighbours and family members. The paper analyses several land cases, with some intriguing processes and results, and concludes by questioning the state's efficacy in rendering justice on land matters.

Chapter Nine by Michael Walker, "Gendered conflict and the micro-politics of riverine use and access in Central Mozambique", analyses issues and controversies over the access to riverine lands in Central Mozambique, revealing how women's land use rights are undermined by the commodification of riverine areas through the expansion of both cash crop production and the introduction of new agricultural commodities. He states that an increasing informal riverine land market, combined with cash crop production, restricts women's access to lands they have long cultivated, and this raises questions about equitable land use rights under agricultural intensification, and reflects the centrality of gender relations in shaping the struggle over land, water and labour in the household and community.

Chapter Ten by Mark Asu-obi, "Managing extremism in Northern Nigeria: the role of justice development and peace – Kano", discusses the

role of the Justice Development and Peace Commission (JDPC), Kano, in managing violent extremism in this northern Nigeria region. The paper laments the seeming inability of the various efforts or programmes to address ethno-religious conflicts in Nigeria, leading up to the current and perhaps most challenging Boko Haram insurgency, and how the work of the JDPC has resulted in relative peace, albeit temporary. The recurring problem, the paper suggests, requires the need for civic engagement to achieve sustainable peace.

Chidi Amaechi's Chapter Eleven, "The religious origin of Umuada (Daughters of the Community) peacebuilding culture among the Igbo of Nigeria and the Igbo diaspora", attempts to analyse the religious origins of the "Umuada" as a resilient peacebuilding structure indigenous to the Igbo of South-eastern Nigeria. The Umuada, or the group of married daughters, is highly respected and beheld with much reverence because of their courage in enforcing peace and order in their respective natal communities. Although their activities transcend every facet of the people's lives, the Umuada is mostly noted for their judicial, conflict resolution and reconciliatory roles. In modern times, many of them, especially those in the diaspora or urban settings, have metamorphosed into larger associations, co-operative societies and peacebuilding non-governmental organizations with which they try to sustain the ability to live up to their traditional obligations regardless of their places of marriage. The paper suggests that faith-based organizations should be involved at every stage of the peacebuilding process since religion could imbue and steer adherents to an unalloyed commitment to peace.

In Chapter Twelve, Colins Imoh's paper, "Reconciliation: the missing link in the Niger Delta amnesty programme" reconciliation is key to peacebuilding and he examines the emphasis on "peace" without reconciliation. The Niger Delta presents an excellent case study with which to explore this question as the amnesty, proclaimed in 2009, was principally driven by the economic interests of major stakeholders, notably the government, oil companies and ex-militants, rather than the needs and interests of the affected communities. The paper seeks to draw attention to the missing peace link, or the needs and interests of communities, to demonstrate that long-lasting peace cannot be achieved without the real experience of reconciliation. Best practice strategies adopted by NGOs working with communities in the region are referenced to illustrate how best to insert this missing link. He argues that the glorification and reward for the (ex)militants through generous monthly financial allowances and vocational skills training while ignoring the plight of non-militant youth could lead to further conflict.

In Chapter Thirteen, Nathaniel Umukoro's paper, "Regime type, human rights violations and violent conflicts in the Niger Delta of Nigeria", asserts that the Niger Delta has witnessed various forms of human rights violations (HRVs) such as extrajudicial killings, rape and torture during military and civilian regimes over successive military and civilian regimes in Nigeria. He argues that the role of regime type and HRVs in violent conflict has not been holistically addressed. Using both primary and secondary data, the paper examines two regime types of (mis)governance: military, 1993–1999, and civilian, 1999–2009. He concludes that, although both the military and civilian regimes were complicit in the incidence of HRVs, those that occurred during the civilian regime contributed more to the escalation of the conflict in the Niger Delta, perhaps contrary to the norms and expectations of civilian-democratic governance.

In Chapter Fourteen, Peter Nwokeke's paper, "Elite perversion in resource depletion and conflict in fragile states of Africa: The case of Nigeria", examines elite perversion in resource depletion in Nigeria, arguably resulting in austere economic hardship. The paper explores different ways leaders of integrity can restore social order in Africa, in contrast to certain elites' negative role in African economy and its consequence of poverty breeding violence. Adopting a development theory in nation building, the paper outlines the key direct problems or results of corruption in Nigeria, oddly dubbed the "resource curse", with the resultant effect of creating conflict zones.

Esther Oshionebo's Chapter Fifteen, "Gender differences in school rules and regulations for Peace", discusses the extent to which codified rules and regulations could be used as peace-enhancing tools for the attainment of peace and gender mainstreaming. A descriptive survey is used to ascertain the extent of receptivity of selected peace-value-based school rules and regulations among males and females at the University of Lagos such as: dress code, examination rules/codes of conduct, non-violent relationships, use of vernacular and proper communication and tolerance among others. The students were found to be receptive to peace-based rules. The paper recommends that school or university administrators promote school rules as a tool for inculcating the culture of peace in educational institutions and that students should be involved in the formulation of school rules and regulations.

Chapter Sixteen, Ogechi Okafor's paper "Assessment of the pupils' receptivity of peace and conflict preventive intervention in South-Eastern Nigeria", suggests the need for early peace interventions, especially among the youth, for the creation of a more sustainable culture of peace. The paper examines the extent of pupils' ability and willingness to accept

conflict prevention interventions such as team work, social interactions, allegorical tales, dialogue and listening, mutual understanding, free self-expression and classroom behaviour. She assesses how these conflict prevention strategies could be used to inculcate peace values such as non-violence, unity, equal right and opportunities and conflict prevention at basic school level in South-Eastern Nigeria. The survey results revealed that the early introduction of intervention tools equip formative basic learners with the right values irrespective of background differences. The paper recommends appropriate strategies and intensive efforts in promoting peace and preventing conflict among pupils to enable them to imbibe the culture of peace.

Chapter Seventeen, "Addressing male youth violence in Nigeria through restorative justice" by Jude Nibo and Julie Shackford-Bradley, offers an alternative conflict analysis that invites the contemplation of new strategies for responding to conflicts, based on the notion that while conflict is inevitable, violent conflict that results in mass death and destruction can be significantly reduced. The paper is premised on the theory that violent responses to conflict are borne out of societies with high levels of violence and harm perpetuated through social and governmental institutions. The paper suggests that restorative justice should be a responsive strategy to violence in Nigeria, like in other countries where large parts of the population grow up in families and neighbourhoods permeated by domestic or other forms of structural violence among adults.

Chapter Eighteen, Basil Ugorji's paper on "Ethno-religious conflict in Nigeria" traces the source of the question of peaceful co-existence in Nigeria's interethnic-religious society to the country's colonial amalgamation of northern and southern regions in 1914, culminating in the 1967–70 civil war and many other claims of ethno-religious strife or violence post-civil war. The paper argues that the more recent Boko Haram violent attacks and terrorism seem to have reignited the age-old debate about whether the country's diverse ethnic groups and Christian-Moslem religions can ever co-exist under a nation-state. Drawing on postcolonial criticism and other relevant social conflict theories, the paper attempts to analyse the drivers, dynamics and sources of ethno-religious conflict in Nigeria. The paper concludes with some recommendations on alternative ways to address ethno-religious conflicts in Nigeria.

In Chapter Nineteen, "Decoding the triumph of doctrine: The success of Ghana's international peace support operations", John Frinjuah posits that Ghana has been a beacon of peacekeeping around the world, with evidence from its first United Nations (UN) peacekeeping mission in the

Congo in 1960, and to date in other parts of Africa and beyond. He further argues that peacebuilding as a doctrinal responsibility is one that Ghana takes seriously. The paper investigates the doctrinal triumph of Ghana's Peace Support Operations (PSO), specifically delineating the historical underpinnings, its security policy as relating to PSO, and how that has developed and changed over the years in response to key missions and new challenges on the continent and beyond. The findings seem useful for theoretical grounding and the identification of best practices for possible replication of international peacekeeping across the continent.

Chapter Twenty, by Robert and Josephine Dibie, "Leadership, conflict, peace and economic development in Sub- Sahara Africa", analyses the complex dynamics of public governance, leadership, conflict and economic development in select countries in Sub-Saharan Africa. It argues that ineffective political leadership and conflict will serve as levers to poor economic growth and social development. Servant leadership and democratic representation are a continuous process of development that could be accomplished through the participation of the citizens in their own development. Using multiple conceptual frameworks of structural conflict theory as well as negative and positive peace, the paper reveals that there is a negative correlation between authoritarian political leadership and economic growth in Africa. In addition, there is a positive relationship between authoritarian political leadership and conflict in several countries in Africa. It proposes that Sub-Sahara African nations need to establish capacity-building projects that could help to nurture changes in behaviour, attitudes, peace and humanist paradigms, thereby promoting peaceful shared governance and inclusive democracy.

Chapter Twenty-One by Idowu Johnson, "Beyond orthodox strategies: Managing conflicts and sustaining peace through communal ethics, traditional values and methods in Africa", argues that the phenomenal rise in violent conflicts in Africa since the end of the Cold War has been an obstacle to peace and sustainable development. The paper suggests that in spite of the proportionately high rate of resources expended on defence in many African countries, internal strife and ethno-religious conflicts remain intolerably high. Through a variety of measures, from mediation through sanctions to military interventions, many states in Africa have taken measures to bring an end to violence. The paper posits that the community of nations remains a necessary actor in managing conflicts and sustaining peace. The paper concludes that a homegrown peace approach within the context of communal ethics and traditional mechanisms should be incorporated in the methods of resolving conflicts and sustaining peace in contemporary Africa.

Conclusion

The overall lesson from the preceding chapters is that despite the gains or achievements in reducing Africa's deadly conflicts, the continent is far from celebrating an unqualified success. Over the past 25 years, the optimism about the promise and possibilities of intensely competitive Chinese investments, elevated international goodwill, increased revenue from higher oil prices, abundant natural resources and the rising expectations of democracy dividends seem to have sobered to widespread disappointment and anxiety. Nonetheless, Africa remains incredibly resilient. The message conveyed from the case studies of programmes and theoretical analyses is hope and cautious optimism for a truly transformed Africa in another 25 years through sustainable efforts at peace restoration and good governance.

Understandably, many of the chapters were reflective, including Baker's paper on the successes and failures of foreign intervention, aid and internal security support to chart a better future. A fair number of the papers beg the questions: How will African countries adapt to a democracy suitable for its people and culture? How can ethic-religious extremism exist while respecting cultural diversity and a pluralistic society? How do you create or develop the next generation of peace leaders under a peace architecture that is anchored on the tenets of social justice?

Arguably, a stable, more peaceful Africa in the future seems more likely because of mass social and political movements, at home and abroad, particularly the conscious and engaged youth. In sum, the subject of peace and conflict resolution must be strategically, consciously and conspicuously mainstreamed into emerging democracy and development initiatives and goals, never to be assumed or taken for granted even under a perfect democracy.

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CHAPTER TWO

AFRICA:
IS THE PAST A PROLOGUE?

PAULINE H. BAKER

A quarter of a century has passed since the end of the Cold War, ushering in what was widely regarded as a New World Order. For Africa, the outlook was especially hopeful. It was widely believed that Africa would no longer be a battleground for great power competition, that most lingering wars would end, and that attention would shift to development and democratic consolidation.

What has history shown? Overall, the record has been mixed – an optimistic outlook during the 1990s but with more setbacks as we moved into the 21st century.

There were four major post-Cold War trends.

Economic improvement: The most dramatic improvement was seen in Africa's macroeconomic performance. "Excitement about Africa's economic growth prospects had reached [a] fever pitch in the early 21st century," reported the Institute for Security Studies (ISS), a think tank based in South Africa.[1] There was talk of an African renaissance, growing investment interest from the West, and – for economies that were based on oil and minerals – windfall profits that could have solidified development gains in education, health, agricultural production and infrastructure. China also became a major investor and trading partner for Africa, supplying capital improvements in exchange for mineral resources to fuel its own rapid economic growth. But China's fortunes have declined in recent years, which has had a major impact on Africa. While there is still economic potential, and China remains active in selected countries such as

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[1] Jakkie Cilliers and Julia Schunemann, "The future of intrastate conflict in Africa: More violence or greater peace?" ISS Paper 246, May 2013.

Nigeria, the shine has dulled on predictions of major economic take-offs in Africa generally.

Interstate conflict reduction: The second major trend was an overall decline in the number of deaths from violent conflicts, a pattern that also helped African economies rebound. Although there were horrific instances of violence, such as the 1994 genocide in Rwanda, overall, Africa experienced a peace dividend in the 1990s, especially in interstate conflicts. There was less foreign involvement in local conflicts and fewer proxy wars. However, particularly in central Africa, there are continuing conflicts – in South Sudan, Somalia, Burundi, the Central Africa Republic and the DRC – not to mention sub-national or non-state challenges from sub-national rebel groups, Islamic extremism and uncertain transitions in Zimbabwe, Uganda and elsewhere.

Democratization: A third positive post-Cold War trend was an increase in the number of countries holding elections, which generated optimism about democratization. The African Union took a stand against military coups by agreeing to expel any country whose government came to power through a military takeover. But as the number of elections increased so too did electoral fraud and electoral violence. Even when elections were deemed mostly free and fair, post-electoral governance often lacked the features of constitutional democracy, such as a free press, the rule of law and respect for human rights. Elections did not necessarily displace one-man rule or one-party-rule. The so-called "big men" of Africa stayed in office, many for decades. Ignoring or overturning term limits has become the latest device used for elite self-perpetuation, adding another ploy to stem the tide of democratization. Thus, despite the frequency of elections, levels of freedom have become fewer or been perverted in recent years. Larry Diamond, a democracy expert, wrote that:

> Since 1999, the rate of democratic breakdowns in the world has accelerated significantly…. The number and percentage of democracies peaked in 2006 and have ebbed since then. These unfavorable trends have been particularly evident in Africa, where the proportion of democracies has gone from about half in 2006 to little more than a third today.[2]

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[2] Larry Diamond "The next democratic century," *Current History*, January 2014. Diamond's generalization was made before Nigeria's 2015 election, which was a major step forward for African democracy, but his overall assessment of the continent's trends remains valid.

Terrorism: It is no accident that some of these trends created fertile ground for the fourth trend: the growth of violent extremism. Sub-national groups have been terrorizing civilians for decades in Africa but organized Islamic extremism in religion-based movements, such as Al-Shabaab, Al Qaeda in the Maghreb (AQIM) and Boko Haram, is a new kind of threat that has spread fast. Boko Haram alone has caused more civilian deaths in West Africa than ISIS has caused in the Middle East, impacting Nigeria and its immediate neighbours. Boko Haram is currently the deadliest terrorist organization in the world – responsible for over 20,000 deaths and two million displaced persons. Islamic fundamentalism has also threatened other countries, from Mali to the Ivory Coast.

Africa is now at an inflection point. We need to assess if these reversals are signposts of what is to come – that is, if they represent a prologue to Africa's future. A prologue in this context means that the series of events and circumstances presage similar events and circumstances to come.

It would be folly to ignore or belittle the significance of past trends but nor do they necessarily fully control outcomes in the future. Moreover, the recent setbacks, while representing daunting challenges, are not insurmountable.

One of the most significant challenges ahead for Africa is a massive youth bulge, which some have labelled a "time bomb" and others have labelled a "windfall" for new ideas, innovations and achievements. Approximately half of sub-Saharan Africa's current population is between the ages of 15 and 29. In the next 25 years, Africa will become the youngest region on the planet. Based on its current rate of population growth, by 2100 Africa will have 4.4 billion people, or four times its existing population.

Another related challenge is urbanization. By 2050, more than half of Africa's people will be living in fast-growing cities. Lagos, the continent's largest city, had a population of 600,000 at the time of independence in 1960. By 1990, the number had grown to 4.8 million. By 2010, the population had soared to 10.8 million and by 2025, it is projected to be 18.8 million, though some say that the city has already reached that size. Will Africa's cities be the engines of economic development, good governance and dynamic leadership or will they be concentrations of urban poverty, political unrest and criminality?

There are other new challenges as well:

- The downturn in China's rapid economic growth was unexpected. Will China stand fast with or retreat from Africa, or compel Africa to become more self-sufficient?
- The plunging price of oil helped some states but pulled the rug out from others. Will Africa use this shift in fortunes to diversify its economic base or will it adopt protectionist policies and accumulate more debt?
- The spillover of unrest from the Middle East and North Africa (MENA) is more extensive than anticipated. Can sub-Saharan Africa contain the spread of Islamic fundamentalism and address the main drivers of such revolts or will it slide down the slippery slope of anarchic rebellions like the MENA region?
- Climate change is causing environmental damage in the world's most vulnerable continent. Droughts and flooding are occurring with more frequency than in the past. Scientists have warned of waves of environmental refugees and increased communal conflict from climate change, putting Africa at risk for food water, and energy shortages in the future.[3] Can Africa manage these threats?
- Finally, the changing face of poverty is challenging conventional development thinking. The poor are now often found in middle income countries that have high rates of income inequality. The international development community is focusing on these fragile states, which have increased in number over the last decade. According to the OECD, the number of fragile states has risen from 28 in 2006 to 50 in 2016. Half of the world's poor live in them, but since many are middle-income countries, new paradigms are needed because economic development, though important, has not proven to be the cure-all for stability and good governance that many had predicted. Even with economic growth, many states are still very fragile, and, in some instances, rapid but unequal economic growth has increased group grievance and the delegitimization of the state.

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[3] Jakkie Cilliers and Julia Schunemann, "The future of intrastate conflict in Africa: more violence or greater peace?" *Institute for Security Studies Paper*, 246, May 2013.

New research findings

This leads to research I conducted on state fragility and state resilience. Scholars and policy analysts have accumulated a significant amount of data on fragile states. What has been lacking is knowledge and understanding about which indicators are most important, how they relate to one another and how they correlate with indicators of conflict risk.[4]

Some of the main highlights of this research follow:

1. Fault line for fragility: The three factors most likely to foreshadow violent conflict were the loss of political legitimacy, growing group grievance and poor macroeconomic performance. The primacy of political legitimacy stood out as the single most important factor associated with conflict risk among those measured.[5]

2. Route of recovery: Six factors are needed for recovery – improved political legitimacy, better public services, decreased demographic pressures, reduced inequality, good macroeconomic growth and better human rights.

3. The link between radicalism and poverty is more complex than usually thought. It is widely assumed that a high predictor of whether young people will participate in political violence is youth unemployment, but growing evidence in the literature suggests that there is a second factor also at work: a sense of injustice from the contrast between unemployment and the wealth accumulation of elites. The perceived relative deprivation of youth (or other deprived groups) compared to the perceived prosperity of others, especially if it is seen to be at the expense of the marginalized or disempowered groups, is what ignites anger. My research findings were consistent with this view.

4. The relative importance of economic growth and economic equality varies with time. Macroeconomic performance is an important factor for post-conflict recovery – along with reduced group grievance and improved political legitimacy. But a reduction in

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[4] "Exploring the correlates of economic growth and inequality in conflict-affected states," Creative Associates International, 2015. http://41pylqn86jp37e3n04us8vqq.wpengine.netdna-cdn.com/wp-content/uploads/2003/01/Exploring-the-Correlates_Economic_Growth_Inequality_Conflict_Affected_Environments_Baker.pdf.

[5] The indicators measured came from the Fragile States Index, produced annually by The Fund for Peace. Details are contained in the reference cited in footnote #4.

economic inequality is more important for long-term stability in conflict-affected environments.

What do these findings mean for Africa's future? It means that the debate over democracy versus dictatorship should be seen in a new light.

Richard Joseph, a noted Africa scholar who is a non-resident Senior Fellow at the Brookings Institution, wrote that "what is good in governance may not necessarily be democratic", a view commonly expressed in the early years of African independence. It was often criticized as a self-serving justification for dictatorship. That view is being resurrected today, however, particularly by development economists who maintain that authoritarian order and economic modernization are preferable to an imperfect democratic system that promotes rent-seeking and competitive clientelism. Joseph maintains that history has shown that there is an African preference for "the primacy of political order" – the capacity to project force domestically and externally as demonstrated by authoritarian governments such as Chad, Ethiopia, Rwanda and Uganda. "Attitudes towards these regimes are influenced by the fear of disorder and terrorist violence", he says. "Their failings in democracy, the rule of law, and observance of human rights, while acknowledged, are more tolerated and even excused".[6]

Richard Joseph's observations may be reflective of the attitudes of political elites, of traumatized populations that have experienced extreme violence and of African constituencies that are too poor to organize peaceful protests. Given the chance to express their opinions freely, most Africans have shown again and again that, while it may take time, they prefer democracy and an open society to authoritarianism and closed systems.

My research suggests that this debate may be missing the central point. The fundamental choice is not necessarily between democracy and dictatorship, though the West often portrays it that way, but rather between legitimacy and the lack of it. The fear of disorder is real in many instances, but it exists; it is a mark of the state's fragility, particularly of a decline in political legitimacy.

I found a statistically significant correlation between the loss of political legitimacy and the largest increase in conflict risk**.** This correlation – the loss of political legitimacy with heightened conflict risk –

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[6] Richard Joseph, "Dilemmas of democracy and state power in Africa," *The Brookings Institution*, January 7, 2016.

was stronger than any of the other conflict drivers measured. [In order of importance, conflict risk was correlated with loss of legitimacy, demographic pressures (including natural disasters), uneven economic development (inequality), fragmented security forces, human rights violations and a lack of the rule of law, poor public services, rising group grievance, and poverty and economic decline. However, as indicated earlier, it was the cluster of some these factors that tend to be most important in assessing conflict risk.]

Scholars have long known that legitimacy matters in promoting political stability. However, legitimacy is often cited as an afterthought or as a corollary of other factors. In addition, it is often measured simply by the quality and frequency of elections, or other standard democratic instruments such as a liberal constitution, the existence of secular courts, in disregard of other sources of legitimacy.

In fact, political legitimacy is the primary factor defining whether a fragile state slides into violent conflict or takes a new path toward resilience. In that respect, it is a "driver of drivers," a pivotal factor pulling other indicators in whichever direction it goes.

I am not saying that the lack of political legitimacy is the only factor, or necessarily the prime factor in each and every case. Rather, it is a central indicator in most cases. It may be regarded as the "canary in the coal mine", the one factor that analysts and policy makers should watch most closely in evaluating the potential for conflict risk in fragile states.

It is also interesting, and somewhat surprising, that my research revealed that poverty and economic decline, which are commonly associated with internal conflict, were correlated with the smallest increase in the aggregate conflict risk score until other factors were considered. As I noted earlier with regard to youth unemployment, the common notion that poverty leads to violence is partly true. Poverty does not necessarily inspire rage or violent conflict if everyone is poor, but it tends to inspire rage when a marginalized group feels that others are getting ahead at its expense.

That is why corruption has become such a hot issue in fragile states. It not only erodes state institutions, perverts economies and undermines the rule of law but also plants the seeds of deep political resentment and group grievance, especially if extreme poverty along racial, ethnic or religious lines exists in the midst of corruption.

How does a country achieve political legitimacy? Elections surely are one way. Internationally, the ballot box is the most frequently cited source of political legitimacy, provided elections are conducted well. In multicultural societies with weak institutions, however, legitimacy is a

many-faceted thing. People may withhold their consent, depriving the government of political legitimacy, on many grounds. There is:

- Performance-based legitimacy (mainly, economic improvements, personal security, the provision of public services, the effectiveness of state institutions)
- Justice-based legitimacy (related to the ability of individuals and groups to be fairly represented, to be protected against discrimination, to get redress for their grievances and to have access to an impartial judicial system)
- Authority-based legitimacy (in some states, the strongman is not only feared but also admired, and people feel that he is the only alternative to disorder)
- Religion-based legitimacy (divine or God-given authority, the existence of a state religion or a state created as a sanctuary for a religious group that had suffered from discrimination or repression)
- Founders' legitimacy (liberation leaders, "fathers of the country," icons of political movements, such as those that have been led by anti-colonial figures such as Mahatma Gandhi or liberation leaders such as Nelson Mandela)
- Tradition-based authority (traditional rulers, especially in local governance, where such leaders symbolize group identity and status)
- Identity-based legitimacy (in which group identity is linked with the state, such as Iran ruled by Shiite Muslims)
- Consent-based legitimacy (idea of the social contract, constitutionalism)
- Ideological legitimacy (communism, fascism, nationalism, nationalism, etc.)
- Other legitimacies: charismatic leaders, historical claims, "son of the soil" indigenous claims, a sense of national identity, level of civic engagement, recognition by other states, etc.

Defense and development communities often focus on economic development and political order without sufficiently considering political legitimization, mostly for fear of getting too political. However, while that concern is valid, it can lead to creating a policy vacuum that could contribute to a larger explosion later on. There are numerous examples of western countries backing unpopular leaders for security reasons, or initiating large-scale, top-down development schemes (such as the Provincial Reconstruction Councils in Iraq) to capture "hearts and minds".

Many have failed due to the mistake of not taking the political legitimacy of the host government into account. International efforts to promote democracy with leaders who lack local legitimacy (such as accepting a flawed election or endorsing a coup d'état) will generate popular cynicism and alienation.

It is true that fear of disorder can explain why many people resign themselves to authoritarian or "illegitimate" regimes, as Joseph argued, particularly in post-conflict societies that have suffered national traumas. Rather than risk a recurrence of civil conflict, it is understandable that people may choose to bide their time until there is a natural succession or a crisis that opens up new avenues for change. But sooner or later – in contexts of extreme inequality, low political legitimacy and deep-seated grievances – popular dissatisfaction is likely to spill over into explosive anger, as it did, for example, in the Arab Spring.

The future

No one knows what such anger will produce in the future. Will it be revolutionary change, a new authoritarianism, civil war, democratic transformation, terrorism or the total fragmentation of the state? The Institute for Security Studies, cited earlier, summed up Africa's future as follows:

> Although prospects for sustained development are brighter than before, Africa's future will also be a turbulent one. However, much of Africa is better placed than ever to achieve prosperity and to continue its general downward trend in the incidence of intrastate conflict.[7]

Is Africa really "better placed than ever" to go on the path toward greater resiliency? In many respects, yes. Fundamentally, the people of Africa will set the direction, not just the leaders. Several iterations of Afrobarometer surveys confirm that African populations continue to aspire for good governance and democracy. Nigeria's 2015 election, after numerous previously rigged or mishandled contests and years of military rule, is a good example. Most observers felt that the country was hopelessly caught in a spiral of one rigged election after another, but Nigeria stunned the world when, for the first time, it peacefully transferred power from one democratically elected party to another in 2015.

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[7] Cilliers and Schunemann, op. cit., p. 19.

Moreover, the incumbent president graciously conceded defeat and did not try to hold on to power when confronted with the poll results.

And there are other examples. Senegal held a referendum to reduce a president's term of office, not extend it. Civil society organizations are using new techniques to ensure free, fair and credible elections, including social media, local election monitoring, parallel election counts, improved press coverage and widespread networking to prevent election violence.

Africa is also mounting more assaults on corruption and insisting on the rule of law. South African courts have held the ANC government of Jacob Zuma to account for allegations of widespread corruption. Nigerian President Muhammadu Buhari is singularly focused on containing corruption, fulfilling an election promise. And while there is a long way to go, many other states are beginning to shine a light on illicit capital flows out of Africa. By stemming the outflow of resources, Africa can mobilize domestic assets, reduce its dependence on foreign aid and foreign loans and strengthen state institutions.

Africa is also diversifying economically. In an increasingly polycentric world, African economic options are multiplying, with potential growth in trade not only with China but also with India, Brazil, Japan, Malaysia and, most importantly, other African countries.

In addition, there is good news on agriculture. A recent report in *The Economist* noted that "between 2000 and 2014, grain production tripled in countries as far-flung as Ethiopia (the drought-affected harvest was an exception), Mali, and Zambia. Rwanda did even better".[8] Cameroon, Ghana and Kenya also improved agricultural production. Control of agricultural production by governments is diminishing and "as a result, innovation is accelerating. Africa has seen an explosion of seed companies producing clever hybrids, which can endure drought and resist disease".[9]

Another report by *The Economist* also saw a brighter future for investment and consumer-based economic growth. It concluded that "Africa's market of 1.2 billion people still holds huge promise" despite "barriers to doing business everywhere, such as weak infrastructure, lack of power, red tape, and corruption".[10] It cited the continent's youth, growing purchasing power, diminishing poverty rates, growing literacy, abundant natural resources, widespread use of modern telecommunications

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[8] "Miracle Grow," *The Economist*, March 12, 2016.
[9] Ibid.
[10] "Special report: Business in Africa," *The Economist*, April 16, 2016.

technology and the peoples' entrepreneurial spirit. "Africa holds promise like no other", it stated.[11]

There are many other sources of African resilience as well:

- The growing middle class, estimated by a Standard Bank study in 2014 to have tripled in size since 2000
- Cultural innovations, as illustrated by Nollywood (Nigeria's booming film industry), and ever-expanding breakthroughs in African music, fashion, art and literature
- New capacities to manage crises, such as the ability of Nigeria to contain the Ebola virus and overcome local resistance to vaccinating children against polio
- Improved capabilities for early warning of drought and potential famine as experienced in the Horn of Africa, with better government responses

So, is the past a prologue? In my judgement, a more accurate way to think about the past is to view it as a preamble, introducing and perhaps challenging the future but not predetermining it.

African dynamism and innovation can turn past trends, daunting as they are, around toward future resilience. It will not be easy. It will take time. There will be setbacks. And there are no easy shortcuts. Success depends upon good leadership, generational change and – most important of all – improved political legitimacy in the eyes of the people.

Africa is showing encouraging signs of taking control of its own future, using its own assets and demanding its own solutions. Africa's past is the preamble that has set the scene for a coming fascinating journey. I expect that it will be a gripping narrative – one that will inject both a sense of realism among Afro-optimists, who underestimate the depth of problems, and inspire a dose of idealism in Afro-pessimists, who underestimate its capacity for resilience.

I cannot wait to see how the story evolves.

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[11] Ibid.

CHAPTER THREE

A PARADIGM SHIFT: RESOLUTION OF INTER-GOVERNMENTAL DISPUTES – A CASE STUDY OF KENYA

JACQUELINE KAMAU

Introduction

The British Empire established the East Africa protectorate in 1895. Kenya, which was part of the British protectorate, became a British colony in 1920.[1] It attained its independence on the 12th of December 1963, and became a republic in 1964.

It was declared a one-party state in 1982. Section 2A of the Constitution of Kenya, enacted in 1963, was repealed in 1991, giving way to a multi-party democracy. By this time, the majority of the Kenyan people had begun to agitate and clamour for change after feeling marginalized for not being in the areas that appeared to support the government of the day.

The colonial set-up had ensured that development was mainly concentrated along the railway line, which passed through the said major towns, with the headquarters in Nairobi city, areas where the British resided. Historically, the very centralised government meant that the political, social, economic and judicial systems were slightly more structured in the major towns in Kenya, with particular emphasis on its capital city, Nairobi.

Due to these historical injustices, rural areas or areas that did not support the government of the day often had few or no resources allocated to them. This inequitable allocation of resources meant that there were too few and insufficiently equipped schools, housing, hospitals and

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[1] https://en.wikipedia.org/wiki/History_of_Kenya