

VIEWS AND ANALYSES FROM THE AFRICAN CONTINENT

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## African troops and the Somali quagmire



**SA'S  
SECRECY  
BILL**



**WHAT ZIM  
CAN LEARN  
FROM  
KENYA**



**KUFUOR:  
WE DIDN'T  
SELL OFF  
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# Dear Reader...

This issue of The African.org focuses on Somalia, where up to 600 foreign terrorists are reportedly active, trying to capitalise on the dire situation in that shattered country. Their intention is clear. As the United States retreats from Iraq and, shortly, Afghanistan, these foreign combatants intend to open up another front to draw in and bleed the West. In doing so they are tapping into a deep sense of deprivation in Somalia, where divisions between a small, super-rich elite and the impoverished masses are evident, and where clashes along religious lines are running deeper than elsewhere.

Today's world is clearly one of greater awareness of the divisions between rich and poor, between the West and the rest, and between Christianity and Islam. Intolerance, mostly by fearful Christians, is on the rise, and this is most evident in the US, the most religious (and powerful) of the industrialised countries. These tensions are rising at a time when the world is more interconnected than ever and where events in one part could have huge repercussions elsewhere. In Gainesville, Florida, only tremendous pressure temporarily dissuaded Pastor Terry Jones, author of a book entitled *Islam is the Devil*, from burning copies of the Koran to commemorate the events of 9/11. In avowedly liberal New York, demonstrators chant and protest against plans to build an Islamic cultural centre near Ground Zero where the twin towers of the World Trade Centre once stood. Commentators are left shaking their heads at the extent to which the American cultural and racial melting pot has become as divided as old Europe is accused of being.

Culture and our sense of belonging

to particular groups are malleable – like ethnic identity and tribe, they can change over time. Latent allegiances have often been mobilised by demagogues such as Hitler and Stalin, with tragic consequences. This has been particularly evident in Africa where the Hutu/Tutsi divide formalised by Germany and then Belgium during colonisation would explode in repeated mass murder and eventually genocide in Rwanda generations later. In neighbouring Kenya, ethnic mobilisation by successive post-liberation leaders has turned brother against brother in clashes that are now also increasingly violent.

Africa is a hugely complex continent with hundreds of languages, cultures and customs that have lived side by side for centuries. It is also increasingly divided along religious lines. In sharp contrast to most other regions, very few people are religiously unaffiliated and, according to a global study by the Washington-based Pew Research Centre on Islam and Christianity in Sub-Saharan Africa, religion is 'very important' in the lives of roughly 9 in 10 Africans.

And Africa is becoming more religious every day. Samuel Huntington's bogey of conflict between civilizations could well gain religious salience in Africa along the 4 000-mile swathe of land, from Somalia in the east to Senegal in the west, where these great faiths meet. This volatile religious fault line has seen repeated attacks on US embassies and Jewish targets in Uganda and Kenya in the east, battles between the security forces of Mali and Algeria with al-Qaeda's movement in the Maghreb in the west, and the rise of Boko Haram in Nigeria.

Terrorism in Africa is obviously affected by events elsewhere. Modern terrorism is firstly rooted in the search for meaning and explanation of the relentless and grinding poverty that ordinary Africans experience in their daily lives – a phenomenon not dissimilar to the massive (but generally unreported) incidence of Hindutva terrorism, Islamic fundamentalism and Naxalite radical insurgency in India. As of 2006, at least 232 of India's 608 districts were afflicted, with differing intensities, by various insurgent and terrorist movements. In August 2008, National Security Adviser M K Narayanan noted that as many as 800 terrorist cells operated in the country. Much of this conflict goes unreported as global reporting focuses on India's rising economic and political power and not – as is the case with Africa – on its massive internal violence and instability.

Former US Senator Tip O'Neill once famously said that all politics is local. Indeed, so is all terrorism. Yet events in Somalia, Nigeria, Afghanistan, India and elsewhere share a common origin. Africans, Indians, Somali and Afghans turn to radicalisation and bigoted violent response as a reaction to their personal circumstances and the destitution they view daily in contrast to the opulence transmitted in real time through the internet, smart phones and in the printed media of the 'other world'. Globalisation is driving radicalisation, and Africa, the poorest continent with the highest population-growth rates, has much to lose if our leadership do not place development and the interests of our peoples first.

Jakkie Cilliers

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**Steve Song** is a Telecommunication Fellow at the Shuttleworth Foundation in South Africa. He highlights trends and issues underlying the incredible growth of the undersea-cable initiatives currently underway in Africa. The ongoing initiatives are expected to deliver more than 20 terabits/second to sub-Saharan Africa within two years.

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**Dr Judy Smith-Höhn** is a Senior Researcher in the ISS's African Conflict Prevention Programme. In addition to assessing the situation on the ground in Zimbabwe, she articulates the prerequisites needed for staging a credible election in 2011. She concludes that the environment is not conducive as yet.

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**Richard Cornwell** of Cornwell and Associates, is an independent analyst who has previously worked as a senior research fellow at the ISS's African Security Analysis Programme. He gives a historical overview of the failed state of Somalia and the dynamics that continue to drive it further into a violent and politically unstable abyss.



"We won't leave the year 2010 without having elections" – Laurent Gbagbo

## Environmental diplomats to meet in Addis

African diplomats are to participate in a two-day event in Addis Ababa, starting on October 12, with the theme: 'Environmental Diplomacy in the 21st Century.' It is jointly organised by the UN Environmental Programme (UNEP), the African Union (AU) and the UN Economic Commission for Africa (ECA).

Debates will focus on climate change, hazardous chemicals, desertification, biodiversity, and the way forward in international environmental governance. According to the organisers, the event seeks "to provide participants with unique insights into the complex and highly important reality of the current environmental challenges and the roles diplomats have to fulfil."

Meanwhile, the 2010 United Nations Climate Change Conference, also known as the 16th session of Conference of the Parties (COP 16), will be held in Cancún, Mexico, from 29 November to 10 December.

Four preparatory rounds of negotiations were scheduled for 2010. The first three of these were held in Bonn, Germany and the fourth round

will be in Tianjin, China from 4 to 9 October.

South Africa is to host the 2011 COP 17 from 28 November to 9 December 2011.

## Côte d'Ivoire poll now set for 31 October

As per the recommendation of the Independent Electoral Commission (IEC), the government of President Laurent Gbagbo of Côte d'Ivoire has set the new presidential poll date for 31 October.

The Côte d'Ivoire elections, which were initially to be held in 2005, have been repeatedly postponed, most recently from March. Gbagbo, who has held on to power for the past 10 years, recently told Radio France International (RFI): "I'm always surprised when people come and question me on this subject ... It's not about what I would like, but what has to be done. What has to be done is in the process of being done. We won't leave the year 2010 without having elections. I'm certain about that."

However, the UN peacekeeping mission in Côte d'Ivoire, also known as UNOCI, has urged stakeholders to set up a credible timetable for the repeatedly delayed polls. The UNOCI was established in Côte d'Ivoire in 2004

following a bloody civil war in 2002 that split the country into a rebel-held north and government-controlled south.

The voter registration and DDR (disarmament, demobilisation and reintegration) processes appear to be the most contentious at this stage. The voter registration process raises questions of national identity that had previously contributed to the outbreak of the civil war, while Gbagbo's insistence on carrying out the DDR process before the poll has been dismissed by the opposition as a pretext to delay the elections indefinitely.

## Burkina prepares for November poll

Early this year, President Blaise Compaoré of Burkina Faso confirmed the date of the country's next presidential election as 21 November. Voter registration was conducted throughout March this year.

Compaoré came to power in 1987 after ousting Thomas Sankara, who was thought to be a close friend of his, in a military coup. The hugely popular Sankara was respected for promoting health and women's rights. He famously replaced ministerial luxury cars with modest ones. His modesty, however, antagonised vested interests both in the country and abroad.

Compaoré was re-elected to the presidency for a five-year term in November 2005. The constitution had been amended in 2000 to limit the presidential term to five years, renewable once, beginning with the November 2005 election. The amendment was controversial because it made no mention of retroactivity, meaning that Compaoré's eligibility to run in the 2005 presidential election, his third, was a matter of debate. The Constitutional Court ruled in October 2005 that the amendment was not retroactive, and Compaoré went on to win the November 2005 poll with more than 80% of the vote. ■

(Sources: UNFCCC website, ISS Peace and Security Council Report, and ElectionGuide.com)

# Newswatch

## The unravelling of Benin's president's rule

Considered for many years to be a test case for democracy in West Africa, Benin has entered into a socio-political turbulence that could be detrimental to the consolidation of its democratic experiment. The latent conflict between President Yayi Boni and the key state institutions exposes the vulnerability of that experiment. Various political actors in the country accuse the president of wanting to weaken state institutions to his own benefit. They argue that while Boni has promised to fight corruption and promote economic growth, his administration has become mired in scandals that threaten its very survival.

Last year, funds earmarked for Benin's hosting of the Community of Sahel-Saharan States Conference were embezzled. More recently, another financial scam was uncovered that involved the Minister of Interior, Armand Zinzindohoue, and Attorney General, Georges Amoussou. The two allegedly condoned the fraudulent activities of a financial institution known as ICC-Services, which was set up as a credit and financial assistance scheme targeted mainly at women who own small or big enterprises. The company raked in an estimated US\$192-million before the fraud was uncovered. Preliminary investigations indicate that the money was used for political, religious and money laundering activities at the behest of Boni.

Some members of parliament (MPs) have called for Boni's resignation and prosecution. So far 50 of the 83 MPs have petitioned the parliamentary Speaker to put the issue to vote. To pass, it will need a simple majority. The president's support base has been gradually eroding and the rejection of most of his proposals by parliament is revealing. Often he has to resort to presidential decrees to see them through. Seen against such a background, it is highly unlikely that Boni will survive the parliamentary vote, which will be used for the first time against a sitting president. This could certainly herald a new variable in the democratisation process in Benin, and in Africa.

## Guinea-Bissau requests international force

In early August, Guinea Bissau's President Malam Bacai Sanha appealed to the international community to send a stabilisation force to his country. The stabilisation force is to be provided by the African Union, the Economic Community of West African States (ECOWAS) and the Community of Portuguese-Speaking Countries (CPLP).

This came after what could be called a politico-military incident exposed once again the fragility of the country and principally the weakness of the president who promised to rid Guinea Bissau of its chronic instability caused mainly by the army. Some see in Sanha's call an expression of his powerlessness and the inability of the political and the military elite to restore peace and stability in Guinea Bissau.

Sanha finds himself locked in a power game, which keeps the country and the reform process hostage. His call for the stabilisation force acknowledges that the balance of power is not in his favour, and this could be an impediment to the successful post-conflict reconstruction in spite of all his good political will. The army has agreed to welcome the stabilisation force, provided that it is approved by parliament and that sufficient details are given to the military hierarchy on its structure and mandate. However, this force will be useless if it is not incorporated in a revised and adapted post-conflict reconstruction programme that creates the framework for the development of an effective state administrative capacity, a coherent socio-economic plan and an incentive for security sector reform.

## No AU-ICC rapprochement yet

The July 2010 African Union (AU) summit held in Kampala made it clear that the International Criminal Court (ICC) has not yet succeeded in winning the hearts and minds of African leaders. The summit reiterated its previous decision that AU member states should not cooperate with the ICC in the arrest and surrender of President Omar Al-Bashir of Sudan. The summit also delayed the opening of an ICC liaison office in Addis Ababa, censured the ICC prosecutor, and urged African states not to forget their obligations to the AU when considering cooperation with the court.

The AU has had a frosty relationship with the ICC ever since it issued the arrest warrant for Al-Bashir on charges of war crimes and crimes against humanity in March 2009. The relationship grew colder when the court added the charge of genocide in July this year.

The most significant aspect of the recent AU summit decision is that it restates the agreement reached at the AU's 13th summit in Libya last year, in which member states decided that because the AU's request to the UN Security Council (UNSC) for the deferral of ICC proceedings against Bashir had not been acted upon, member states would not cooperate in the arrest and surrender of the Sudanese president.

The decision confirms that AU concerns with the ICC are deep-seated and largely revolve around the Bashir indictment, and the role of the UNSC in the work of the ICC. These latest developments suggest that much still needs to be done to foster, let alone build confidence in the ICC at the level of the AU. ■

# Letters to the editor

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## In search of a professional cop

As long as there is a thin line between professionalism and political partisanship, the incidents like the former SA police chief being convicted ('The Rise and Fall of SA's Top Cop', *The African.org*, August/September 2010) will be a recurring phenomenon. Positions such as police commissioner, army commander, etc, are best left to the professional police and army officers. The same goes for the National Prosecuting Authority (NPA), which should be led by a legal professional with impeccable integrity.

It is just beyond comprehension why South Africa has chosen the appointment system that is currently in place. It is enough to have the minister of police and the deputy as political appointments, and this for the simple reason that they are expected to provide political direction in accordance with whatever party they represent. But logically and practically, a police force should be led by a professional law-enforcement officer.

It is hilarious seeing those 'civilians' feeling uncomfortable and cartoon-like in their police commissioner uniforms. For most police officers who reach that rank, the profession has been a calling from a tender age – the irresistibility of the badge and of the blue uniform. They don't tend to be the type of a police chief who is more comfortable in Italian suits than in uniform. The

professional police sweat over time, build a career, hoping and praying that one day they will reach the pinnacle. It must be disheartening for them to see the often-clueless politician scaling the heights of their ranks, ostensibly on account of having shouted a slogan at Polokwane or somewhere.

Introduce professionalism within the police force and let the best professional police officer be appointed to lead it. Finish and klaar!

*Mwesa Kasongo  
Johannesburg, South Africa*

## The balance of global power

It may seem like a shift in balance of power, ('Western Hegemony, Asian Ascendancy and the New African Scramble', *The African.org*, June/July 2010) but the reality would reflect a continuous effort to strengthen a multi-polar world where interests would be shared on a global scale as well as economic and social diversity. In my opinion it is not a shift from West to East, but an economic balance between West and East based on mutual dialogue and respect.

*Archibald Twum Prempeh, UK*

## Is Kagame an epitome of perfection?

Your main articles in the last issue (August/September 2010) on Rwanda were really an eye-opener. Rwanda, under Paul Kagame, has erroneously been portrayed as the epitome

of perfection in Africa. Not long ago, Yoweri Museveni's Uganda was the beneficiary on this sort of unquestioning praise and patronage. It is exactly this kind of Western double standards that irks many Africans.

Although Kagame is popular with Rwandans and has been on the cutting edge of development efforts in Rwanda, Rwandans and the international community must still be allowed to question his actions, particularly his human rights record. I doubt the sustainability of Rwanda's development model, particularly as seen against the 'ethnic autocracy' backdrop that one of your writers aptly described.

*Yves Kirezi  
Cape Town, South Africa*

## Masking intolerance

The recent killings and attempted assassination attempts, in the run-up to the Rwandan elections, have unmasked Paul Kagame for what he is: an ethnic autocrat. The Rwandan genocide was terrible enough, and Kagame must not be allowed to use it to mask his intolerance.

*James Naholo  
Windhoek, Namibia*

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# Failure of the state project

As the crisis in Somalia deepens almost daily, with violence costing more and more lives, **Richard Cornwell** looks at the root causes of the conflict

Any attempt to understand the current situation in Somalia requires at least a passing familiarity with that country's history. During the 19th and early 20th centuries, the Somali nation became divided under the nominal rule of four imperial powers: Britain, France, Italy and Ethiopia. This remains an important consideration today because there are substantial Somali populations living outside the boundaries of the now notional state of Somalia, mainly in Djibouti, Kenya and Ethiopia. At one time or another, this fact has created considerable regional and domestic problems for all four countries, and influences their policies towards their 'collapsed' neighbour.

By the mid-1960s, the political situation in the Republic of Somalia was becoming affected by the growing fragmentation of clans and clan alliances, which led to a massive proliferation of political parties, and unstable governments. More damaging,

however, was the perception that a narrow political class was exploiting the system for personal benefit, something that has continued to bedevil Somalia's political culture. Attempts to suppress discontent by adopting a more authoritarian style of rule left the leadership even more dangerously isolated, and in October 1969 the president was assassinated and the army seized power.

## Siad Barre and the assault on 'tribalism'

The new ruling Supreme Revolutionary Council was led by General Muhammad Siad Barre, who shortly announced that the country was embracing "scientific socialism", a choice largely motivated by Somalia's increasing dependence on Soviet aid. This also signalled a massive assault on the dominance of clan and lineage

in Somali life. It is not so easy to undo the social fabric by presidential fiat; nevertheless the regime persisted in its attempts at social engineering. These included the sedentarisation of nomadic populations, which further complicated the clan map. As the years passed, Barre's centralising tendencies increased and the regime passed gradually into tyranny, with all its usual trappings of the cult of the hero leader.

The immediate origins of the Somali crisis may be traced to the collapse of Somalia's state following the fall of President Siad Barre in 1991. His regime was eventually overwhelmed by the combined, though disparate, efforts of clan-based forces, many of which were supported by Ethiopia. A confused

*Ugandan peacekeepers from the African Union Mission to Somalia (AMISOM) return to their base from routine patrols in Somalia's capital of Mogadishu.*



period of civil war followed, particularly in the south and centre of the country, and control of Mogadishu and its hinterland was contested by numerous warlords and militias. In the north, the region now known as Somaliland sought to insulate itself from the mayhem by unilaterally declaring independence in 1991, a move that is yet to garner international recognition.

By 1992 the increasing instability in Somalia, and the humanitarian crisis that followed in its wake, persuaded the UN Security Council to mandate the deployment of a small peacekeeping mission, UNOSOM I. This was largely superseded in December 1992 by UNITAF, a multinational force some 37,000-strong under US command, with a stronger mandate to protect relief workers. This mission was reasonably successful and was accompanied by negotiations that led to the conclusion of a peace agreement in Addis Ababa in March 1993. UNITAF then handed over to UNOSOM II, which was also given a robust mandate, with the additional task of supporting national reconciliation and reconstruction. Unfortunately the 1993 peace agreement proved too fragile to restrain the ambitions of the numerous warlords and their business partners and UNOSOM II soon found itself in the midst of vicious intra-clan fighting. Efforts to disarm and neutralise one of the warring factions in Mogadishu embroiled the mission in combat, resulting in severe casualties and even heavier loss among the civilian population. In March 1994 the US withdrew its substantial troop contribution to UNOSOM II, a move followed by three European nations. In March 1995 the remainder of the force was evacuated; this signalled an embarrassing failure to achieve its most important goals and was to act as a barrier to international engagement for the next few years.

## Attempts to reconstitute the state

The 1993 accord was only the first of several attempts to achieve peace, reconciliation and the reconstruction of a functioning state in Somalia. In 2000 an agreement in Arta, Djibouti, established a Transitional National Government (TNG), but this survived only two years, its effective authority having been restricted to a part of Mogadishu. Further conflict eventually led to protracted talks in Kenya, which resulted in the establishment of a Transitional Federal Government (TFG) and other institutions in 2004. The TFG also experienced difficulty in establishing its control and legitimacy, partly because it was depicted as an Ethiopian surrogate, partly because its leaders hailed from the northeast and were seen as hostile to Mogadishu's clans, and partly because its constituent warlords refused to cede their military or financial power to the TFG. Nor was international assistance forthcoming in anything like the amounts that had arrived during the Cold War.


Internal squabbling and sporadic internecine violence made the TFG vulnerable to a coalition of Islamic courts, which emerged in an effort to restore some sort of order, in conjunction with traditional clan mechanisms. By late 2006, these formed the Islamic Courts Union (ICU), with its own formidable militias. It was ready to challenge the largely discredited TFG, which had called in Ethiopian military advisers. Unwisely, some of the more radical among the ICU leadership also threw down the gauntlet to Ethiopia, arguing for the mounting of a jihad and the revival of irredentist claims to Ethiopia's Ogaden region.

In December 2006, Ethiopian forces intervened in Somalia to support the beleaguered TFG in a move tacitly supported by a US administration alarmed at the ICU's alleged links to al-Qaeda. The ICU forces were quickly routed and the TFG returned to take control of Mogadishu and much of the

south and centre of Somalia. This did not end the insurgency, however, but moved it in more violent and radical directions, partly because of the insurgents' success in linking ideological and nationalist aims, and also because of the destruction and heavy civilian losses inflicted by the TFG's military reaction.

The deployment of AMISOM, authorised in early 2007, was expected to provide the cover for Ethiopia to withdraw its forces from Somalia, a move that was eventually completed in January 2009. AMISOM was never brought up to its authorised strength, but the initial Ugandan component was gradually reinforced and augmented by troops from Burundi. The AU's assumption was that this was an interim mission, pending the arrival of a stronger international deployment with a UN mandate. Yet so unstable and violent was the situation in south and central Somalia, and so great the gains made by the insurgency, that neither other African states nor powerful UN members were willing to commit anything more than moral and financial support. Under these circumstances the TFG's position remained parlous, and the plight of the population dire.

Despite efforts to incorporate the more 'moderate' sections of the old Islamic courts movement, as well as the appointment of one of its leaders to the presidency, internal factionalism and pervasive corruption have all contributed to the continuing inability of the TFG to maintain its control beyond a few square kilometres in Mogadishu. There can be no doubt that without substantial external assistance, which itself would undermine the government's credibility and lead to the infliction of further civilian loss and displacement, the regime will fall.

The question that excites outsiders in particular, though it is of more direct concern for the Somali population itself, whose opinions are rarely canvassed, is this: What will arise in the TFG's place? 



**RIGHT2KNOW**

**Let the truth be told  
Stop the Secrecy Bill!**

A responsive and accountable democracy that can meet the basic needs of our people is built upon transparency and the free flow of information. The gains of South Africans' struggle for freedom are threatened by the Protection of Information Bill (the Secrecy Bill) currently before Parliament. We accept the need to replace apartheid-era secrecy legislation. However, this Bill extends the veil of secrecy in a manner reminiscent of that same apartheid past. This Bill fundamentally undermines the struggle for whistleblower protection and access to information. It is one of a number of proposed measures which could have the combined effect of fundamentally undermining the right to access information and the freedom of expression enshrined in the Constitution.

The Right2Know (R2K) Campaign is an umbrella campaign representing a broad front of civil society groups. We believe a responsive and accountable democracy able to meet the basic needs of our people is built on transparency and the free flow of information. The R2K campaign statement -- "Let the truth be told. Stop the Secrecy Bill!" -- was drafted following parliamentary hearings on the Bill in July 2010 and demands that secrecy legislation must comply with constitutional values. It is based upon detailed submissions made to Parliament by civil society groups.

Support for the Right2Know Campaign has snowballed since our initial launch in Cape Town's St. Georges Cathedral on August 31 which had the support of 200 organisations and 400 individuals. Two weeks later almost 350 civil society organisations (300 of which are based in South Africa) and 9,000 individuals now support the Campaign.

Right2Know is planning a week of action starting with the Black Wednesday commemoration on October 19.

**Sign on, educate, activate!**  
**[www.r2k.org.za](http://www.r2k.org.za)**



Members of the hardline al-Shabaab Islamist rebel group parade through the streets of Somalia's capital Mogadishu, January 1, 2010.

# Troop surge in Somalia won't solve anything

Following more than two decades of failed interventions, African countries are being called upon to send more troops for a 'surge' against Islamic militants in Somalia. **Jakkie Cilliers, Henri Boshoff and Festus B Aboagye** question this move

The African Union's recent decision to call for a 'troop surge' in Somalia raises a number of questions. One of these is why the AU should suddenly make this appeal after four years during which regional and international actors have largely ignored the Somali crisis. In addition, the effectiveness, sustainability and desired outcomes of such a surge should be questioned. Past experience has shown that this kind of international intervention can, on the contrary, serve to radicalise the situation and cause the conflict to spiral out of control.

The AU's decision to reinforce the African Mission in Somalia (AMISOM)

by almost 2,000 troops was no doubt heavily influenced by the Kampala suicide bombings on 11 July this year, less than a fortnight before the AU's bi-annual Heads of State summit in that city. The Somali jihadist group al-

**Africa has been called upon to 'spill blood' while the international community, particularly the West, simply donates money**

Shabaab claimed responsibility for the bombings, focusing world attention on the security situation in Somalia and the wider Horn of Africa.

But although the bombings may have galvanised Africa's political will on the strategic course of its intervention at such a critical juncture, it is by no means certain that the AU's member states will be so quick to contribute the required troops and capabilities to AMISOM after their delegations return to their respective capitals and reflect upon the Somali situation. The desired 'troop surge' would increase the size of the force from the current level of around

# Somalia

## The intervention dilemma

6,300 (4 Ugandan and 3 Burundian battalions) to around the level of 8,000 that was previously mandated in 2007.

In line with its strategy of disengagement since the Somalia debacle of the mid-1990s, the international community – particularly the US and the UK – continues to expect the AU and its member states to assume the burden of contributing troops. In the wake of this year's bombings, the US, which reportedly has already provided US\$200-million in support of the intervention in Somalia, promised to increase its funding and be consistent in its new commitment towards AU efforts in Somalia. Britain has also welcomed the increase in AU troop levels, calling on African states to provide the required

forces as well as to intensify the training of Somalis themselves.

### A dire security situation

According to AMISOM, the political and security situation in Mogadishu and Somalia remain dire, volatile and unpredictable. The realities on the ground in Mogadishu and Somalia present a number of scenarios ranging from civil war to localised insurgencies, in which Al-Shabaab, Hizbul Islam and other protagonists control portions of the central and southern regions, and large parts of Mogadishu. Somalia's Transitional Federal Government (TFG) and other temporary institutions, weak and lacking in national legitimacy, are actually in control of only a few square

kilometres, including the presidential compound and other vital areas.

As for the precarious humanitarian situation, Refugees International has indicated that there are "approximately 1.5-million IDPs (internally displaced persons) and over 500,000 Somali refugees in neighbouring countries... more than 3.6-million Somalis (40 percent of the population) are dependent on external assistance." This situation is expected to worsen given Al-Shabaab's destruction of relief stocks in recent times.

### AMISOM's hands are tied

The AMISOM deployment and mandate implementation are threatened with failure because of their lack of attention to the key principles of peacekeeping

## The surge: lessons from Afghanistan

The Somalia situation presents parallels with Afghanistan, where the USA and NATO coalition forces have been fighting with the Taliban since 2001. There, the surge in US and NATO forces has had the opposite effect to that intended: instead of stabilising the situation and providing security for the Afghanistan government, it has led to increased attacks on the coalition forces and government structures. The excessive use of force and the killing of so many civilians in drone and other attacks, including crossfire, have played into the hands of the Taliban by undermining the 'hearts and minds' efforts as the population turned against the coalition forces.

In Afghanistan, too, security setbacks have compelled the coalition command structure, and indeed the US government, to rethink their strategy, including dialogue with the Taliban. So why can such best

practice not be applied in Somalia? And why will the peace brokers not engage with Al-Shabaab? AMISOM will fail if there is no coherent political process, no common regional approach, and continuing divisions within the international community. External interventions have not yet enhanced the prospect of a durable solution in Somalia, and they will not be able to do so under existing circumstances.

### The terrorism dimension: A critical factor for a holistic strategy

Terrorism is not mindless violence. Its intention is to elicit a reaction that will serve a particular purpose. Al-Shabaab's attack was intended to draw additional foreign forces into Somalia and further inflaming what is already a regional crisis. This was similar to what Al-Qaeda brilliantly achieved with its 9/11 attack on New

York – possibly the most cost-effective terrorist attack in history.

But despite the fact that feelings in Somalia are currently aroused by the same radical Islam as in Afghanistan, there will be no comparable international developmental or military push in Somalia because the international community has still to re-engage there after earlier failures and this would involve tremendous operational challenges. Even though Somalia does not have the same rugged and inaccessible terrain as that of the Afghanistan-Pakistan border, the greater Somali nation straddles borders well into neighbouring Ethiopia and Kenya, providing a hinterland for the spread of radicalism – and giving good reason for alarm. The related costs could also be counted in terms of military as well as collateral civilian casualties that impact negatively on the hearts-and-minds aspects of the intervention.

established by the UN after decades of experience.

AMISOM's mandate is not achievable because, contrary to the requirements set out in 2000 by the Lakhdar Brahimi Panel, the force lacks the means and resources to do the job properly, and because there is a lack of substantive political support from within the region and internationally. Admittedly, since Western disengagement in the mid-1990s, the AU has assumed much greater leadership and involvement on the continent. But in addition to advancing the peace process and attempting to find African solutions to African problems, Africa has been called upon to 'spill blood' while the international community, particularly the West, simply donates money.

It is unreasonable to expect AMISOM, given the weakness of its mandate and lack of means and resources, to deliver anything resembling the conditions needed for peace in an increasingly challenging environment. Even though the political rationale for the intervention is plausible, the AU should not throw caution to the wind and, against Brahimi's wisdom, apply best-case planning assumptions to situations where the local actors in Somalia historically have exhibited worst-case behaviour.

Furthermore, whatever is done in Somalia needs to be sustainable. It therefore appears tempting to suggest an AU/UN hybrid operation in Somalia (UNASOM), replicating the experiences in Sudan's Darfur in 2007. Such an engagement, although likely to improve the mission level capabilities, would only be a cosmetic change unless it also confronted the huge command and control challenges and found a way of neutralising radicalised armed groups through dialogue more than use of force.

The danger here is that African forces, through various unsustainable and once-off enticements by individual partners, will be cajoled into Somalia and then



*An armed militant from Somalia's Hizbul Islam rebel group maintains order during a demonstration against the presence of the African Union (AU) peacekeepers on the outskirts of Mogadishu February 12, 2010.*

**For all its money and resources, the single most important factor in Somalia must be to keep the Americans out, for they serve as a magnet, drawing international radicals from elsewhere**

starved of resources at the same time as donors blame AMISOM for inefficiency and negotiate among themselves for control of strategy through financial donations. AMISOM has not always inspired confidence and could be overwhelmed by demands to account for its numerous assistance and aid commitments.

In the current situation, the AMISOM operation, coupled with US, regional, UN and other international support, appears increasingly to serve as a magnet to 'internationalise' the conflict, attracting foreign elements to the side of Al-Shabaab and other insurgents and, more pertinently, radicalising such armed groups – and the local population.

## Past failures

It is important to also look at the merits of the surge in historical terms and the lessons that ought to be learned from the UN and international interventions in the 1990s. One important lesson from all the missions in Mogadishu is that the

respective surges were accompanied by mandate revisions. What we are seeing now, however, is an insufficient surge without any review of the weak, insufficient peacekeeping mandate of AMISOM. What's more, its supporting organisation, the AU, does not have the management or logistic capacity for such an operation.

The Ethiopian military intervention in Somalia in support of the TFG from December 2006 to January 2009 can be seen as another lesson that the AU and the international community are ignoring. Ethiopia had to drastically increase its force level – to as many as 20,000 troops – to deal with the ICU, but

with limited success because of the lack of acceptance of the TFG and the fact that the population viewed the Ethiopian forces as foreign invaders. The question is, what has changed, and why would a surge in troops, to levels still less than those of previous interventions, now be able to stabilise the situation?

The danger in Somalia is that foreign invasion (which is how AMISOM is being portrayed by Al-Shabaab) could lead to increased terrorism. The more partners such as the USA get behind and are involved in Somalia, the worse the situation could become for the neighbouring countries as they eventually are left to face the brunt of the consequences of intervention. This then, is the first key ingredient of any effort in Somalia – real African leadership and ownership – which is different from African topdressing at the bidding of others.

Among the requirements of such an approach is control over clandestine US and other military strikes and operations

into Somalia from Camp Lemmonier in Djibouti, home to the Combined Joint Task Force – Horn of Africa, and from navy ships offshore. The escalation of US Predator drone strikes into Pakistan may be killing some terrorists, but they are also killing and maiming many locals, and, arguably, contributing more to inflaming passions than the military impact is worth. For all its money and resources, the single most important factor in Somalia must be to keep the Americans out, for they serve as a magnet, drawing international radicals from elsewhere. US support is important, but it should be provided through mechanisms such as the UN Trust Fund that has been set up for AMISOM.

### Towards a coherent Somalia strategy

The key problem in the approaches by the AU and the international community is that there is no peace to keep in Somalia. The desire of the US and its allies for the AU and its forces to prop up and defend the TFG in Mogadishu is not a peacekeeping mission. It is also not a peace enforcement mission since there is no peace agreement to be 'enforced', and the prospects of assembling a coalition large enough to provide stability in Somalia remains distant. Although 8,000 troops will certainly be better than 6,000, they will still be insufficient. Quite probably, a surge in troop deployment is not a realistic answer.

In Afghanistan, ISAF/NATO have deployed almost 120,000 troops. A similar troop-to-population ratio in Somalia would indicate a need for 40,700 soldiers. There has been some mention of a future AMISOM troop figure of 20,000 – two-and-a-half times the current ceiling – but even this target can be reached only with considerable international assistance or substantive Somali involvement. The Ethiopian military deployed anything from 15,000 to 20,000 troops in Somalia earlier for a specific military purpose and

then withdrew, aware of the dangers of being trapped in an operation that was only going to get worse and still not achieve any durable security in Somalia.

The most important component of peace in Somalia remains missing – a legitimate all-inclusive political process that involves all key stakeholders, not only the TFG, Puntland and Somaliland, but also Al-Shabaab and Hizbul-Islam, who control large portions of Somalia. This is something that cannot be imposed from

**The danger here is that the Africans, through various unsustainable and once-off enticements by individual partners, will be cajoled into Somalia and then starved of resources**

outside, as borne out by the experiences of the USA, the British, the Canadians and the rest of the 40 members of the coalition in Afghanistan. Nineteen successive efforts at facilitating a peace process in Somalia have failed, largely because they have been imposed from outside, to suit groups of external interests and actors. Until such time as an appropriate internal process is initiated, the best AMISOM can do is to provide a fragile safe haven where people can seek refuge from time to time, and as a 'green zone' for the TFG, to show that the existing approach is more attractive than the brutal and oppressive regime of Al-Shabaab.

To find a lasting solution to the Somalia problem will involve recognition on the part of the international community that the TFG does not appear to offer the best basis for reconciliation. In conjunction with the international community, the AU

should embark on a more comprehensive political process that brings on board the other Somali 'states' (Somaliland and Puntland), and all entities and institutions that have a stake in the future peace and stability of the country.

In seeking a lasting solution, the AU and the international community must recognise the critical regional dimensions to the Somali conflict revolving around the interests and concerns of others, especially those of Ethiopia and Eritrea. It is doubtful whether a lasting solution can be found without the fundamental involvement of these two countries. The challenge for the AU and the international community will be to prevail upon neighbouring countries whose populations include substantial numbers of Somalis to de-link their security concerns centring around ethnic Somali populations (Oromo and Ogaden) from the main conflict in Somalia. These countries should also be encouraged to find political solutions to their respective intrastate ethnic (Somali) tensions, while other neighbouring states such as Eritrea and Yemen are prevailed upon to guarantee not to inflame the conflict.

With such political arrangements in place, the AMISOM peacekeeping mandate should be transferred to the UN, which has much more institutional expertise and is better resourced for such complex missions as is obviously required in Somalia. The mission should not be configured as a hybrid operation, and should be given a robust, humanitarian mandate to ensure security in support of emergent transitional institutions and assistance.

While it is tempting to argue for strategies such as the stabilisation operations in Iraq and Afghanistan, these are inappropriate and neither practically nor politically feasible. It would be counterproductive to contextualise the Somali conflict principally within the 'war on terror', even though that dimension cannot be ignored. ■



*Without a resolution in sight for the Somali crisis, after more than two decades are al-Shabaab militants daring to take their war to the rest of the world?*

# Who's who in the Somali quagmire?

**Anneli Botha** retraces al-Shabaab and its sub-group's activities

In August 2009, Australian police announced the arrest of four men linked to al-Shabaab, accusing them of planning a suicide attack on Holsworthy Military barracks, an army base outside Sydney. This was followed, in January 2010, by the assassination attempt on Kurt Westergaard in Denmark by Mohammed Muhideen Gelle, a Somali national allegedly linked to al-Shabaab. Westergaard is the cartoonist of the controversial Prophet Muhammad cartoons.

These were the first signs that here was a new fundamentalist group that could potentially pose a danger, not only to Somalis but also elsewhere in the world.

Consequently, the United States, Australia, the United Kingdom and other western European governments began to assess the potential risk members of the Somali expatriate communities posed to their own domestic security. Many of the young Somali men suspected of joining al-Shabaab as

foreign fighters immigrated after the collapse of Somalia's government in 1991. Initially, most showed little interest in the political events of their homeland.

This, however, changed in December 2006, with the Ethiopian military intervention in Somalia. The intervention, backed by the United States, prompted an outcry among the Somali diaspora worldwide. Despite the withdrawal of Ethiopia from Somalia in January 2009, al-Shabaab continued to aggressively recruit foreign fighters through its internet-driven propaganda network. Subsequently, Somalis from countries such as the US, Canada, Britain, Scandinavia, Pakistan and

**Takfiris considers a political authority that does not abide by its interpretation of Islam as illegitimate and apostate**

the Netherlands, to name but a few, are fighting for al-Shabaab. This has, as a result, led to many unanswered questions, such as, who exactly are al-Shabaab and Hizbul Islam?

## al-Shabaab

The origins of Al-Shabaab Al-Mujahidin can be traced back to *al-Ittihad al-Islamiyya* and *Ittihad al-mahakim al-Islamiyya*, commonly known as the Islamic Courts Union (ICU). In 2006, a coalition of local Sharia courts and Islamists in Mogadishu defeated the Alliance for the Restoration of Peace and Counter-Terrorism (ARPCT). While the ICU-led coalition was comprised of both moderate and extremist elements, it also included al-Shabaab ('The Youth'). Headed by Aden Hashi Farah Ayro, al-Shabaab was already at that period the best armed, the best trained and perhaps the most committed of the different factions. During this period, the ICU managed to provide a level of stability not commonly known to Somalia. Even piracy ceased to be a threat in the region.

The defeat of the ICU in December 2006 led to the emergence of several factions. The less militant members of the ICU went into exile in Eritrea and Djibouti, where they formed the Alliance

# Somalia

## Roleplayers

for the Re-Liberation of Somalia, while the field commanders, the more radical faction, remained behind and formed al-Shabaab and later Hizbul Islam.

Ideologically, al-Shabaab follows the Takfiri doctrine. Takfiris have a set of beliefs that separate them from the Salafist movement (those striving to live and practice Islam as during the time of the prophet Muhammad). Takfir refers to the action of declaring a fellow Muslim a kafir or an unbeliever. This allows Takfiris to justify the use of violence against other Muslims, which in other branches of Islam is considered unacceptable. Takfiris consider a political authority that does not abide by their interpretation of Islam as illegitimate and apostate.

Secondly, Takfiris believe that one who commits suicide while attempting to kill his or her enemies is a shahid (or martyr). Such a martyr's sins are therefore absolved. This has resulted in indiscriminate killing of both Muslims (classified as *kafir*) and non-Muslims.

Additionally al-Shabaab can be associated with al-Tawhid wal-Jihad,

a movement made infamous by Abu Musab al-Zarqawi in Iraq, particularly in its acceptance of foreign fighters and the use of suicide bombings. Although individual reasons for joining al-Shabaab might be different, the aims of al-Shabaab can be summarised as: the establishment of a Somali Caliphate to wage jihad against the enemies of Islam (including the elimination of other forms of Islam contrary to its own interpretation – particularly Sufism); and the removal of Western influence, including the expulsion of foreign troops (most notably the peacekeepers) in Somalia.

Headed by Ahmed Abdi Godane, alias Sheikh Abu Zubeir, the top structure of al-Shabaab comprises of a 10-member Shura (meaning 'consultation' or council). This group is further subdivided into sub-emirs responsible for the military, theology, political information, external relations and others. Further, the organisation also has two sub-units - the military unit commonly known as *Jaysh Al-Usra* (the army of hardship), and the *Jaysh Al-Hesbah* unit (the army

of morality), which is responsible for maintaining law and order. The Shura council and operational autonomy of different cells allows each commander to pursue his own military strategy and administer the areas conquered independently.

Despite the temptation to view al-Shabaab as a single unified organisation, the opposite is true. Analysts estimate that in late 2009, al-Shabaab composed of 12 different groups, all using its label. Its decentralised leadership, is, in turn, supported by local religious leaders charged with providing strategic religious guidance.

It is therefore not surprising that besides the common objectives mentioned above, al-Shabaab does not have a single doctrinal blueprint for the organisation. Instead of a clear chain of command, al-Shabaab has a resilient horizontal organisational structure. Ultimately this characteristic impedes the organisation's ability to consolidate its resources and power towards achieving its ultimate objective. In other words, although Sheikh Ahmed Abdi Godane, alias Abu Zubeir, remains the figurehead of al-Shabaab, it is not clear to what extent he is really in control of the organisation.

The organisation is geographically divided according to the regions, each with its own commanders. With the defeat of the ICU's hard-line elements, (Aden Hashi Farah Ayro), Hassan al-Turki and Mukhtar Robow went to southern Somalia, where they divided the territory into three operational areas that reflected clan realities on the ground. Ayro took charge of central Somalia and Mogadishu while Al-Turki took control of the Juba valley and Robow took the Bay and Bakool areas. Ayro was killed in a US missile attack in May 2008. Later, through the success of al-Shabaab, four commanders, including Sheikh Ali Fidow, took control of the Mogadishu Command.



Hard-line Islamist al-Shabaab fighters conduct a military exercise in northern Mogadishu's Suqaholaha neighbourhood.



Becoming bolder by the day... a Hizbul Islam militant on the outskirts of Mogadishu.

## Joining al-Qaeda

In February 2010 Sheikh Hassan Turki, commander of the Ras Kamboni Brigades, and Abu Zubeir issued the following statement: "We have agreed to join the international jihad of al-Qaeda... We have also agreed to unite al-Shabaab and Kamboni mujahideen to liberate the Eastern and Horn of Africa community who are under the feet of minority Christians." In another example of open alignment, Abu Zubeir issued a communiqué through the Global Islamic Media Foundation, al-Qaeda's media outlet in June 2008, in which he stated that the movement was fighting within the framework of the global Jihad. He also sent his greetings to Osama bin Laden, Mullah Muhammed Omar, Abu Omar al-Baghdadi. This was however not the first sign of an alignment with al-Qaeda that stretched back to the early 1990s, when Osama bin Laden was based in Sudan.

## Hizbul Islam

Ali Yassin Mohamed, a Somali-Swedish national, founded Hizbul Islam (the Islamic Party) in January 2009. The impact of Ethiopia's invasion (with the tacit support of the US) into Somalia, appears to have radicalised Somali expatriates such as Ali Yassin Mohamed. Before the formation of Hizbul Islam,

## The decentralised nature of al-Shabaab and its inimitable fervour to take the war to its perceived enemies have compelled governments around the world to take note of the instability in Somalia

Ali Yassin Mohamed was arrested in Sweden for allegedly financing al-Shabaab. After his release on 11 June 2008, he travelled to Somalia in January 2009, where he participated in founding Hizbul Islam. The second Somali-Swede, who was involved with Hizbul Islam, was identified as Suldaan Garyare. Garyare was never arrested for terrorism in Sweden, but he is said to be close to Hassan Dahir Aweys. Historically Hizbul Islam was formed after four factions merged to fight Sheikh Sharif Ahmed's new Somali government. The four groups were:

- **Hassan Dahir Aweys**, representing the Alliance for the Re-liberation of Somalia (ARS) that was created in Asmara, Eritrea in September 2007. The Alliance included Aweys, the former chairman of the Shura of the ICU; Sharif

Sheikh Ahmed, executive chairman of the ICU; Hussein Mohamed Farrah, former Deputy Prime Minister of the Transitional Federal Government (TFG); and Sharif Hassan Sheikh Aden, former TFG Speaker of Parliament. Their main objective was to remove the Ethiopian-backed government. Considered more moderate, the alliance included former Somali politicians and representatives of the diaspora. However in May 2008 the Alliance suffered internal splits and infighting over the holding of peace talks with the TFG.

- **Jabhatul Islamiya** or the Islamic Front, which merged with the ARS in January 2009. Headed by Mohamed Ibrahim Hayle.

- The **Ras Kamboni Brigades** founded by Hassan Abdullah Hersi al-Turki who, was initially the commander of *al-Itihaad al-Islamiyya* and later a commander in the ICU.

- **Mu'askar Anole** (Anole School) also known as *Mucaskarka al-furqan* (al-Furqan Camp)

In summary, Hizbul Islam and al-Shabaab share a common enemy and objectives, and despite differences that might involve violent clashes, Hizbul Islam has often hinted at plans to merge. They could be following the example of the Ras Kamboni Brigades that merged with al-Shabaab in February 2010.

The decentralised nature of al-Shabaab and its inimitable fervour to take the war to its perceived enemies have compelled governments around the world to take note of the instability in Somalia. How these countries respond will ultimately impact on generations to come. Learning from Iraq and Afghanistan, one can only hope that those planning to respond will realise that fighting an insurgency involves more than a military intervention. The crucial factor to consider is that of the mission's legitimacy in representing the populace's best interest. ■



*Kenyans have recently chosen a constitution that is expected to radically change the face of their country.*

On 27 August Kenyans trooped to the polls in large numbers and voted overwhelmingly for a new constitution promulgated to give birth to a new nation.

**Wafula Okumu** looks at the process that led up to this event and what other countries can learn from Kenya's success

# Kenya's lessons for Zimbabwe

The process of making a new constitution started 20 years ago, marked by violent street skirmishes, piecemeal amendments and failed reviews. In 2005 there was a referendum that changed the face of Kenyan politics and germinated seeds of the violence that engulfed the country after bungled elections in December 2007.

Despite the acrimony of those elections, the protagonists entered into a power-sharing arrangement. This political marriage was not given a long life, but has produced a new constitution that, if fully implemented, will radically change the face of Kenya.

The new constitution is a product of the deal brokered by former UN secretary general Kofi Annan and other eminent African personalities to address the root causes of the political violence that has accompanied elections in Kenya since

**The country that has paid keenest attention to Kenya's coalition management and political transformation is Zimbabwe.**

multi-parties were introduced in 1991.

The new constitution has a number of features that will revolutionise governance in Kenya. While avoiding creating two centres of power with a position of executive prime minister, the new constitution ends the era of imperial presidency by checking and balancing executive powers through creating a senate, boosting legislative oversight powers and creating commissions to implement land policy and other national matters. The constitution also increases the governing role of citizens by giving them the power to recall poorly



## To a great extent, the success of the Kenyan deal hinged on the relationship of the principal political players: Kibaki and Odinga

Kenya to address the political crisis that continues to threaten to tear Zimbabwe apart?

After Kenyans had washed themselves in a bloodbath that claimed more than 1 100 lives and displaced over 300 000 people, the international community was relieved when President Mwai Kibaki and Orange Democratic Party (ODM) leader Rail Odinga agreed to form a coalition government. They also agreed to establish commissions looking into human rights violations and the 2007 presidential election results and procedures, and review the constitution to address the underlying causes of the violence, including land ownership, youth unemployment and regional poverty.

### Lessons for the world

The speed with which this deal was reached and implemented has attracted attention from as far as the Philippines and as close as Zanzibar on how to manage coalitions and make constitutions that address economic and political problems. But the country that has paid keenest attention to Kenya's coalition management and political transformation is Zimbabwe.

When the Kenyan deal was struck in February 2008, there were murmurs that a trend of trading democracy for stability in Africa was being established by allowing election losers to repudiate the results or incumbents to rig themselves into staying in power, and then negotiate 'elite pacts' to share the spoils at the exclusion of the poor and marginalised. Among the countries seen as potential power-sharers were Tanzania/Zanzibar, Ghana, Uganda, Nigeria, Senegal, Ethiopia, Zambia and Malawi.

Nevertheless, the speedy resolution

of the 2008 Kenyan political crisis has offered useful lessons on managing both conflicts and power-sharing coalitions. One could say that although the Kenyan response to election rigging – widespread and dramatic violence – shook the country to its senses to address long-standing historical grievances, poor governance, economic mismanagement and other issues, it came at a high price: thousands of dead and displaced people, more than US\$1-billion property destruction, and the reversal of an impressive economic performance of 7.1% annual growth.

The Kenyan power-sharing government started on a shaky ground. At the outset, it was dogged by controversies and challenges that kept its guarantors on the edges of their seats. For instance, there was constant bickering between and within the main political parties on matters such as patronage and privileged access to subsidised credits, foreign exchange allocations, import licenses, public-sector jobs, protocol arrangements of the prime minister and vice president, handling sensitive issues such as immunity, critical policy initiatives, cabinet appointments, and a litany of other issues.

The Zimbabweans seemed to have learnt from the mistakes of Kenyans when they negotiated the Global Political Agreement (GPA) that formed a coalition government comprising of President Robert Mugabe's ZANU-PF and the two Movements for Democratic Change (MDC) of Morgan Tsvangirai and Arthur Mutambara. For instance, while the Kenya National Dialogue and Reconciliation (KNDR) pact did not have an implementation and monitoring committee, the GPA has a mechanism

performing parliamentarians and participate directly in running local development projects.

With very extensive human rights protections, Kenyans can boast of being in the same league as South Africa, which is touted as having one of the best constitutions in the world in terms of human rights. The new Kenyan constitution has also dealt a fatal blow to impunity, exclusion and marginalisation of communities and groups, abuse and misuse of public resources and offices, as well as tribalism, nepotism, and other negative 'isms' and schisms.

### Many hiccups before the referendum

It should be noted that it was not smooth sailing all the way to 4 August. Among the incidents that almost derailed the making of the new constitution were the illegal insertion of the words 'national security' in the bill of rights, a grenade attack on a rally opposing the proposed constitution, and the deliberate use of misinterpretation, propaganda and lies by its opponents.

Why did the Kenyan peace deal work while Zimbabwe's has hobbled? What lessons can Zimbabweans draw from



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that is supposed to review it after 12 and 18 months. Ironically, the KNDR that depends on the goodwill of the two principals seem to have worked better than the GPA that has a joint monitoring committee.

Two and half years later, and despite widely being regarded as ill-defined, Kenya's power-sharing deal has delivered more outputs than Zimbabwe's more elaborate one. The KNDR has proved that it is not the elaborate enumeration and clarification of government powers that is most critical, but rather the personalities of the principals. Raila Odinga, despite having residual powers delegated by Kibaki, used his personality to acquire and exercise more executive powers than those stipulated in the deal, and is generally regarded as a de facto co-president. On the other hand, Zimbabwean Prime Minister Tsvangirai seems to exist at the mercy of Mugabe, who continues to hog the executive powers.

## Personalities a key to success

To a great extent, the success of the Kenyan deal hinged on the relationship of the principal political players: Kibaki and Odinga. Besides having a good chemistry between them, they respect each other and have a history of working together in opposition to Moi and as allies in the post-Moi government. On the other hand, Mugabe and Tsvangirai have never worked together and deeply loathe each other.

Kibaki's and Odinga's personalities are neatly complementary. While Kibaki is a relaxed, patrician politician who shuns public appearances, Odinga is a charismatic crowd pleaser with strong grassroots support. Kibaki also likes to delegate and feels comfortable enough to share the limelight with Odinga, who possesses acute political instincts that Kibaki is aware of, not threatened by,

and respects. In the case of Zimbabwe, Mugabe avidly despises Tsvangirai for his lack of intellect and overreliance on foreign support.

Additionally, Kibaki is deeply conscious of his legacy, which was blotted by the post-election violence, and did not object to Odinga doing the donkeywork to restore it. But Odinga also had an interest in seeing the deal succeed: building a track record on which to run in the 2012 presidential elections. Odinga's ascent to the presidency will be a personal milestone: to obtain what eluded his father, who, despite being fondly called "the best president Kenya never had," remained the doyen of opposition politics due to cultural stereotypes from some Kenyans about his ethnicity. In fact a joke doing the rounds in Kenya in 2007 was that Americans would elect a 'Luo president' before Kenya did!

In Zimbabwe, Mugabe is not as constrained by term limits as Kibaki, who had to invest his remaining presidential days in crafting a legacy. With a twilight presidency, Mugabe is desperate to salvage his sunken political legacy.

## The role of the international community

When the violence broke out after Kibaki's re-election, it engulfed most parts of the country and paralysed the region. Countries such as Uganda, Rwanda, Burundi, Eastern DRC and South Sudan, which rely on Kenya for access to the sea, felt the costs of the violence that halted the transportation system and almost shut down the regional economic engine.


The African Union (AU) swiftly dispatched its then chairman, Ghanaian President John Kufuor, on a fact-finding mission to the country. Thereafter, he recommended the formation of a group of eminent persons under the leadership of Annan. Annan, having recently retired, had time and saw an

## When the Kenyan deal was struck in February 2008, there were murmurs that a trend of trading democracy for stability was being established in Africa

opportunity to spruce up his image in Africa that had been dented by criticism that he did little or nothing to stem the 1994 Rwanda genocide when he was UN undersecretary for peacekeeping.

Armed with an endorsement of regional organisations such as the East African Community (EAC) and the Inter-governmental Authority on Development (IGAD), an AU mandate, financial backing from the Western countries, technical expertise from the UN and civil society, and the support of the Kenyan people, the Annan-led team struck a peace deal within a month.

In conflict situations such as Zimbabwe and Sudan the international community is divided in understanding the conflicts and addressing them, but in Kenya it spoke with one voice. While Kofi Annan, Graça Machel and Benjamin Mkapa worked full-time facilitating the Kenyan deal, two South African presidents have facilitated the solution to Zimbabwe's political crisis on a part-time basis.

It remains to be seen whether other Africans will learn from Kenya's experience. However, Kenya's constitution-making and power-sharing success should not be regarded as the best blueprint or model of successful peacemaking, as all countries go through different experiences that influence the deals reached and how they are implemented. It is not easy to replicate the Kenyan experience, but it is useful to keep it in mind as a reference. 

# Unite to win

In the ongoing discussions about the performance of Africa 50 years after independence, **Issaka K Souaré** looks at the role of opposition political parties and their often-failed attempts at conquering power.

Regardless of whether their independence was regained, through elections or liberation wars, the vast majority of African countries adopted *de facto* or *de jure* one-party systems, where any opposition was either co-opted or coerced. Military

rule became a feature of governance in most countries, and most military regimes transformed themselves into one-party states or disallowed any party activity. Only a few countries (eg Botswana, The Gambia, Mauritius and Senegal) continued their multi-party

system, albeit with varying degrees of competitiveness.

In this period, there were only three opposition electoral victories recorded, two of which were aborted through coups. In Mauritius, following the country's June 1982 general elections,

*The Mauritian coalition, that brought two opposition leaders to power in 2000 is still considered the all-time most ingenious.*



a coalition led by Anerood Jugnauth's Mauritian Militant Party (MMM) defeated the Labour Party of Prime Minister Seewoosagur Ramgoolam and took over as the new ruling party.

In Sierra Leone during general elections held in 1967, Siaka Stevens from the opposition All People's Congress won the poll following a constitutional reform in 1971. Stevens later became president rather than Prime Minister.

The other denied opposition victory in this period happened in Lesotho in January 1970, when the opposition Basutoland/Basotho Congress Party (BCP) won over the ruling Basotho National Party. However, the election was annulled soon after the results were announced, on the pretext that the poll had been marred by violence and disturbances instigated by South Africa's apartheid security forces. As a result, BNP Prime Minister Leabua Jonathan refused to leave power and remained in position until a military coup in 1986.

## Opposition victories since 1990

The fortunes of opposition parties changed dramatically in 1990. The end of the Cold War coincided with the establishment or re-introduction of multiparty political systems across Africa. From the early 1990s, almost all African countries adopted new constitutions that provided for democratic multiparty systems and the holding of competitive elections at regular intervals. Today, Libya is almost the only African country without a party system. The continent has three monarchies (Lesotho, Morocco and Swaziland) with different degrees of constitutionalism, and Somalia has not had a functioning polity since 1991.

Between January 1990 and August 2010, there were at least 111 leadership changes in Africa, including 77 peaceful

and 23 unconstitutional ones. Of those, 18 led to political opposition candidates coming to power in 14 countries. Compared to the Cold War era, this is a significant improvement in the opposition parties' score sheet, but in proportion to the number of peaceful changes and the high hopes aroused by the opposition parties, their performance appears disappointing.

## The opposition's poor performance

To most observers of African politics and to almost all opposition leaders, the answer is simple: ruling parties rig elections and the opposition parties fall victim to this.

There can be no denying that in the yet-to-be consolidated democratic systems of Africa, most ruling regimes resort to fraud in their attempts to stay in power. But how true

is this claim if opposition candidates have actually won power in 18 instances? A cursory look at these 18 opposition victories could give some answers: 11 were generally the result of a coherent opposition coalition (bipolarised system), while five others occurred in two-party systems.

The only two exceptions to these conditions occurred in Malawi in 1994 and Côte d'Ivoire in 2000, where there was an effective multiparty system and an opposition candidate won without a formal coalition with others.

The first coalition win arguably happened in Zambia in October 1991. In that historic poll, almost all opposition parties rallied behind Frederick Chiluba's Movement for Multiparty Democracy (MMD) against the incumbent Kenneth Kaunda and his United National Independent Party (UNIP).

Perhaps the most ingenious opposition victory through a coalition was engineered in Mauritius in 2000. This was a coalition between two opposition parties, one led by Paul Béranger (from the minority European ethnic group but represented in parliament as the main opposition), and the other by Anerood Jugnauth (from the majority Hindu ethnic group but not represented in parliament). Because a non-Hindu had never been elected Prime Minister in Mauritius and Béranger did not have any realistic prospect of winning alone, the two leaders agreed to form a coalition following whose victory the Hindu leader would become Prime Minister

for the first three years of the term, after which he would become President while Béranger succeeded him as the executive Prime Minister. In this way, the

## The modest record of opposition victories on the continent is not the fault of ruling parties alone.

coalition got votes from both the majority Hindus and minority groups. It won the poll, bringing to power in 2003 the first and only non-Hindu PM in Mauritian politics.

Meanwhile, opposition candidates have won twice in both Cape Verde (1991 and 2001) and Ghana (2000 and 2008), and once in Sierra Leone (2007). But all the three countries have had an effective two-party system since the 1990s. In Cape Verde power alternates and is more or less equally shared between the African Party for the Independence of Cape Verde (PAICV) and the Movement for Democracy (MpD). In Ghana, it is between the National Democratic Congress (NDC) and the New Patriotic Party (NPP), while the APC and SLPP have dominated the political scene in Sierra Leone since independence in 1961.

The reason for the low turnout in most African elections in recent times is because many people do not want to vote for the ruling party, yet they also do not want to 'waste' their vote on a fragmented opposition that does not stand any realistic chance of winning.

## Two exceptions

Regarding the two cases that do not conform to either two-party or bipolarised systems, both can easily be explained. In Côte d'Ivoire, the erstwhile ruling Ivorian Democratic Party (PDCI) had boycotted the October 2000 election and the military junta had not allowed the popular candidate for the opposition Rally of Democrats (RDR) party, Alassane Ouattara, to run. This meant that Laurent Gbagbo's Ivorian Popular Front (IFP) party only had one serious but unpopular challenger in the military junta and so did not need a coalition to win the poll.

In Malawi, Bakili Muluzi's United Democratic Front (UDF) won the 1994 poll with 47% of the vote against the Malawi Congress Party (MCP)'s long-term ruler, Hastings Banda (33.45%), despite the presence of a popular third party, the Alliance for Democracy (AFORD) of trade union leader Chakufwa Chihana, which got 19% of the votes.

## And the real explanation...

What all this suggests is that opposition victory is generally conditional on being in a two-party and/or bipolarised system. The two-party system referred to here is not *de jure*, but a system in which two main political parties effectively control more than 80% of a country's parliamentary seats or votes on a more or less equal basis in consecutive elections. The bipolarised system is a situation where myriad opposition parties come

together to form a coalition against the ruling regime to create an ad hoc two-party system.

This is not to argue that once a political system fits one of these two categories the opposition will automatically win. It simply means that they are necessary, but not sufficient, for an opposition win.

Let's now look at some recent opposition losses. In the August 2009 presidential election in Gabon, the ruling party's Ali Bongo was declared winner with 41.7% of the votes, against 25% for each of his two closest rivals, who ran as independent candidates. With a 'first past the post' system, a coalition between these two individuals would have landed them victory with at least 50% of the votes, 8% clear of Bongo.

Likewise, in the December 2001 presidential elections in Zambia, Levy Mwanawassa carried the flag of the ruling party against some 10 opposition candidates. The latter failed to unite behind the most serious challenger among them – the United Party for National Development's (UPND's) Anderson Mazoka – and as a result, Mwanawassa won with just 29.15%, against Mazoka's 27.2%. Yet the third candidate bagged 13.1%; the fourth 10.12% and the fifth 8.9% of the vote. A coalition of any of these candidates with Mazoka would have given him more than what he needed to beat the ruling party's candidate.

Beyond these retrospective figures, formidable opposition coalitions can have a psychological effect that

dissuades a ruling regime from rigging an election to achieve victory. The reason for the low turnout in African elections in recent times is that many people do not want to vote for the ruling party yet they also do not want to 'waste' their vote on a fragmented opposition that does not stand any realistic chance of winning. Opposition coalition-building can therefore restore the hope of such voters and persuade them to vote. Also, seeing popular support for the opposition, an ill-intentioned ruling regime may be discouraged from rigging.

The modest record of opposition victories is therefore not the fault of ruling parties alone. The opposition has its share of responsibility for failing to unite. Many opposition parties have understood this but are still finding it difficult to translate the lessons learned into reality. For example, a number of main opposition parties in Benin (which has only been ruled by independent candidates since 1991 and is seen as a model of democracy on the continent) have united behind a single candidate in a bid to win the March 2011 presidential poll. There is similar talk in Uganda for the 2011 election against President Yoweri Museveni, but this is still just talk. The Egyptian opposition is blowing the same *vuvuzela* against President Hosni Mubarak, while two opposition parties in South Africa, the Democratic Alliance and the Independent Democrats, reached agreement in August 2010 to unite in upcoming elections. Given the many other dynamics at play, as shown in the Mauritian case (2000) above, it is not clear whether these coalitions will manage to conquer state power. But one thing is certain: by uniting, they will almost inevitably increase their share of vote, either at local, regional or national level, immediately or in the long run – provided they stay the course. 

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Former Nigerian President Sani Abacha was notorious for looting state assets

# Recouping Africa's stolen assets

The United States announced its new asset-recovery initiative to the AU Summit in Kampala in July 2010. **Gladys Mirugi-Mukundi** writes that the initiative effectively sends a strong message that the US will not be a safe haven for monies plundered from African economies

Addressing the AU Summit in Kampala in July 2010, US Attorney General Eric Holder reiterated that combating corruption generally and in the United States in particular was his government's top priority. In that context, he announced the launch of the US Department of Justice's new Kleptocracy Asset Recovery Initiative, "aimed at combating large-scale foreign official corruption and recovering public funds for their intended – and proper – use: for the people of our nations." He informed the gathered Heads of State and Government of the African Union that his office was "assembling a team of prosecutors who will focus exclusively on this work and build efforts already underway to deter corruption, hold offenders accountable, and protect public resources."

The significance of these words was not lost to observers across the continent, who have become accustomed to rhetoric from political actors on ending corruption and recovering stolen national coffers. Indeed, if Holder's words were translated into real action, it would impact not only on numerous asset-recovery initiatives on

the continent, but also on governance and development in Africa.

The importance of recovering assets stolen from public coffers in Africa, most of them now stashed away in foreign bank vaults and offshore investments, cannot be overemphasised. African policymakers and law-enforcement agencies have long been aware that tracing and retrieving the proceeds of crime, tax evasion and corruption is a monumental task. Apart from the practical challenge of limited or non-existent cooperation by suspected culprits, the majority of whom still retain power and political sway in African governments, asset-recovery efforts are also being stifled by money-laundering schemes of increasing complexity. Most of the few recorded initiatives have floundered, either because of the absence of effective

**An estimated 25% of the GDP of African countries is lost to corruption each year.**

investigative leadership within the victim countries, or because of sabotage by the suspects.

Numerous studies have attempted to estimate the amount of money being laundered worldwide. However, because money laundering is not restricted to assets corruptly acquired by state leaders, it is not always possible to estimate the amount of money laundered from Africa. According to a 2008 Basel Institute on Governance book edited by Mark Pieth, "Africa loses about US\$148-billion annually... which represents more than 10 times what it receives as donor aid from the developed countries." Arguably it is "little wonder, therefore, that despite billions of dollars in aid, scores of African countries have become poorer than they were 15 years previously" while their leaders and politically connected elites have become richer and the illicitly gained wealth hoarded abroad.

The U4 Anti-Corruption Resource Centre estimates that at least 25% of the GDP of African countries is lost to corruption each year. In such situations, the political and economic elites almost

always elude the tax authorities. The joint Stolen Assets Recovery Initiative by the United Nations Office on Drugs and Crime (UNODC) and the World Bank summed up the challenges encountered in locating the proceeds of corruption by political or economic elites, especially where they have been moved across borders. The challenges include:

Limited legal, investigative and judicial capacity; inadequate financial resources to pursue complex cases; and non-responsive foreign jurisdictions where stolen assets are hidden, often in developed countries, to requests for legal assistance.

Experiences from Nigeria, Zambia, Zimbabwe and Kenya are a clear indication that countries embarking on asset-recovery operations encounter legal and practical difficulties as they tread a thin line between justice and repatriation.

The first challenge is the immunity from criminal and civil law proceedings vested in sitting heads of states. Heads of states in Africa have a lot of leverage in determining the course of such proceedings. As Daniel Scher puts it, "recovery attempts are complicated within African countries, because those who are most implicated in public looting usually have the most power and influence. Yet the potential rewards, in the form of the repatriation of money into development-starved countries, make asset recovery an attractive undertaking."

It has become a cliché that where political will is absent, recovery efforts will amount to nought. Indeed, investigations cannot even begin during the tenure of the suspect head of state, allowing time for the dissipation of stolen assets.

The second challenge, closely related to the first, is the failure to initiate domestic proceedings or follow through proceedings that may have been already started. For instance, despite the findings of the Kroll report on stolen assets linked to former Kenyan President Daniel Arap Moi and his close associates in the

## Asset-recovery attempts are complicated in African countries, because those who are most implicated in public looting usually have the most power and influence

infamous Goldenberg scandal, no asset-recovery proceedings have been brought to this day.

The third challenge is the capacity to support recovery measures in terms of institutional and legal frameworks. Successful asset-recovery initiatives are driven by dedicated agencies and supported by enabling laws. This has been demonstrated most vividly in Nigeria and South Africa. The cooperation of foreign jurisdictions is more likely to be secured if it is requested by credible institutions.

Fourth is the need for collaboration between state agencies that have a bearing on asset recovery. Conflict and competition rob the legal framework and procedures of coherent application. They usually result from positioning disparate institutions against rather than in collaboration with one another. Potentially competing agencies include customs and taxation authorities, security intelligence agencies, asset forfeiture units and anti-corruption commissions.

It is important to protect mandated institutions from the interference of both politicians and suspected culprits. The success of asset-recovery efforts hinges equally on access to substantive financial resources. It is often difficult to accurately budget for the tracking and recovery of assets. This has led some countries to use recovered criminal assets to fund further asset recovery.

Fifth is the need for bilateral and

international cooperation and support to effectively trace and recover looted proceeds, which are often stashed away in foreign bank accounts and offshore investments. The complex corruption investigation of the former chief executive of the Lesotho Highlands Water Project, Masupha Sole, showed the intricacy of the international cooperation required. The kind of support announced in Kampala by the US Attorney General is therefore welcome.

The US message is that it will not be a safe haven for monies emanating from the plunder of African economies. The recent announcement by the British government that it will repatriate \$66.8 million siphoned by corrupt Nigerian government officials to offshore accounts is another welcome development.

The notorious excesses of the late General Sani Abacha's regime in looting Nigeria's wealth are often presented as the epitome of grand corruption and money laundering of state wealth to foreign bank vaults, perhaps only rivalled in scale and grandeur in Africa by those of Mobutu Sese Seko of the former Zaire (the Democratic Republic of Congo). The relative success thus far of the asset-recovery efforts of the Abacha loot can be credited not only to Nigeria's commitment to recover the stolen proceeds but also, importantly, to mutual legal assistance and cooperation in jurisdictions where the wealth is stashed.

Holder's message to the African Heads of State and Government was that the latter need to set up and strengthen effective, credible frameworks to deal with corruption and money laundering. Institutions that include financial-intelligence and asset-retrieval units should be created without further delay. The United Nations Convention against Corruption and the African Union Convention on Preventing and Combating Corruption demand nothing less. ■

# "We didn't give our oil away"

Ghana is set to start producing large quantities of offshore oil later this year. However, some believe the Ghanaian government has already 'sold off' the oil to foreign concerns. **Liesl Louw-Vaudran** spoke to former president John Agyekum Kufuor about the deals signed under his administration and his views on how Africa is governed

**Ghana recently discovered large quantities of oil and there are a lot of expectations around that. But even before that, Ghana, the 'Gold Coast', was Africa's second-largest gold producer and still a poor country. Why have these resources not benefitted Ghanaians?**

You can't discuss this issue without referring to history. Serious gold mining in Ghana started in colonial times in the 1890s when Ashanti Goldfields was formed by the British. Then, 100% of the gold was theirs. So in the 50 or 60 years leading up to independence, all they did was pay royalties and land rights to the traditional rulers in the area they mined. None of the gold went to the people.

**But then Ghana became independent.** This situation continued until the 1970s, when the military government decided to take a majority share, with a slogan

about capturing the commanding heights of the economy. Then another military regime came into being only to sell off the majority equity of the state to foreign companies; I believe Lonrho and some German group. The state was reduced to a minority shareholder.

**The deal with AngloGold was struck when you became president in 2001. Are you happy Ghana got a fair deal? The perception is that the gold is just shipped out, with foreign companies and others benefitting more than the citizens.**

When I took over, the equity of the state was just under \$125-million. The government I succeeded had sold off a chunk of the equity just before I came to power, for what they declared to be \$600-million. I remember people asking about where the \$600-million was and the then-finance minister told the government that it had been used

to balance the budget [laughs]. So no one really saw how this money benefitted the state.

Initially, AngloGold offered something like \$179-million to merge with Ashanti. My government refused. AngloGold is the number-one gold producer in the world, so it came powerfully, with transaction advisors and so forth. We made up an equally powerful transaction group, which we got from the Société Générale of France. We then went into negotiations that lasted several months.

We managed to conclude negotiations with the offer raised to \$350-million and retain the share the government had before AngloGold came on board, as well as the name Ashanti. AngloGold is now AngloGold Ashanti wherever it is quoted, in London or New York or Frankfurt or anywhere.

**What will happen to the gold deals in the future?**

This deal was struck around six years ago. I am sure Ghana's equity should now be, if not a billion dollars, not very far from that.

Governments in Africa were initially at a disadvantage because we inherited many concession agreements from colonial times, when the authorities took whatever they wanted. But succeeding regimes have now become quite adept at tackling contractual relations professionally. Now I believe many governments are waking up. And in Ghana's case, depending of course on the government of the day, no concession should go without due negotiation, with the best skills and practices that would pertain anywhere on earth.

**A lot of people are now looking to Ghana after the big oil find offshore. Can Ghana get more benefit from this?**

The oil was struck in my time. Ghana had been searching for commercial quantities of oil for a hundred or so



years, since colonial times. We didn't succeed until late 2006 on the eve of Ghana's golden jubilee, when a company called Kosmos struck this oil in quite large quantities. We've been told that this field contains about one and a half billion barrels in reserves.

From the little I've learnt from these concessioners, they never tell you the real truth. I believe this estimation to be very conservative and that the

reserves could be upwards of three billion barrels. The terms we used to negotiate are terms that I believe to be international, because Ghana had struck oil before and a succession of powerful companies had come to our shores and all had left saying there wasn't any oil.

**But are there institutions in place to make sure that if a good deal is struck, the money doesn't go into the pockets**

**of an elite?**

Let me speak for my government; I can't speak for the present government or any other government. When we learnt we were oil-bearing we immediately approached Norway, because everyone was saying this was the best system to ensure that the benefits were passed down to the people. Norway kindly sent a government minister to come to talk to us and we staged an international

conference with Norway, Britain and, I believe, some people from our sister-country Nigeria.

The whole purpose was to show us the framework by which we could dedicate funds for specific social ends like education to make sure no one person would dip into them and begin to cheat the rest of the people. We did all that and from that we prepared a draft law for our parliament. Unfortunately we couldn't finish with the law before we found ourselves out of power.

**In other countries, Chad for example, there were also negotiations, and civil society and institutions like the World Bank participated to make sure the oil money was used transparently. Yet here the ruling party and those in power have just gradually discarded these agreements.**

Well, as I said, it was under me that Ghana struck commercial quantities of oil. Within two years I was out of power. I don't know what this new group is going to do, but I pray it will follow up where we left off with the framework and the enactment of the laws effecting the rule of law and transparency, to make sure all the people of Ghana can be beneficiaries of this find, so it can be a blessing rather than a curse.

**Can your party, the NPP, do anything in parliament to make sure this happens?**

My party is quite strong and articulate in parliament. We try to keep the government on its toes. The bane of democracy is that the opposition may express themselves and talk, but the government, the majority, has its way at the end of the day. So we just hope the people of Ghana will be awake and demand that government acts transparently for the good of the people and this civil society. They don't have to be political, but all Ghanaians and the friends of Ghana should be looking to ensure that the right things

are done for the benefit of Ghana. Fortunately the extractive industries initiative is now in place, and I believe the US Congress has also enacted a law to strengthen the watchdog role of ensuring that oil companies act transparently. There are also other international organisations coming up to strengthen the watchdog role.

**There seems to be some dispute with Côte d'Ivoire over whether some of the oil belongs to it?**

Ghana and Côte d'Ivoire are bound together both onshore and offshore. Côte d'Ivoire struck oil much earlier and has been pumping oil over the last few years. Ghana is a new entrant. We have struck near the border with Côte d'Ivoire. I don't think we're straying into Côte d'Ivoire territory at all, but it is good for the two sister countries to anticipate all the possibilities because, after all, this thing is happening below the ground. Since it is liquid, one country's reserves may stray into the other's and we hope we can adhere to a gentleman's agreement and the relationship between the two countries stays as friendly as possible forever.

**Looking at the issue of leadership in Africa, you are one of the few African leaders who left power after your two terms in office. Weren't there people around you who said, "Don't step down, it's not in our interest"?**

I didn't have that in my tenure as president. If we look again at history, most of the leaders were the ones who more or less forced their countries out of the dominance of foreign powers. That's what catapulted them into leadership. Unfortunately for them and for Africa, they had not been exposed to managing societies and governments and business. They weren't exposed to the workings of international relations.

The first 30 years of independence displayed a series of strongmen and

coups d'état and uprisings. Naturally when people like those get into power they display a kind of messianic mentality. They believe that without them everything would collapse. By the turn of the century and the end of the Cold War the strongman syndrome started petering off. Constitutionality came into ascendance, not only in Africa but all over the world.

**What about you personally?**

I was privileged to have entered politics when I was fairly young, in the 1960s, first as a member of parliament and then deputy minister of foreign affairs for Ghana. I had been educated in some of the best institutions you can find anywhere, in law, philosophy, politics and economics.

By the time I became president under the 4th Republic in 2001, I was set on respecting the constitution. That year marked a wave of change in Africa where the leaders themselves said that Africa was about good governance, respect for human rights, respect for property rights, the private sector and partnerships between the African nations and the outside world on the basis of a win-win situation. So the fact is that Africa has moved from the phase of strongmen to the phase of constitutionalists. I was a product of constitutionalism, and even if pressure was put on me to extend tenure, I wouldn't. And if I did feel it necessary to extend tenure, I would do it by constitutionally provided means.

**And not change the constitution?**

I don't have the power to do it.

**What is your message to heads of state who believe there is no life after being a president? How is your life as a former head of state?**

I took power knowing I would step down, whether for a good life, a bad life or whatever. I knew the law was binding on me.



Now I feel like a free man. I go camping. I accept invitations when I want to and reject them when I want to. My message to my brothers is that since all of us come to power through a constitution, respect the constitution as an article of faith. Respect the constitution, otherwise we betray Africa.

**You were chair of the African Union in 2007 and 2008. Some say the AU is just a huge bureaucracy and to move things faster we need a small informal group of countries like the G8?**

If you measure the AU against other institutions, like the European Union, you see that perhaps it is over-anxiety over Africa and its difficulties that makes people want a magical change overnight. I believe the African Union has taken its first few steps correctly with Nepad, the African Peer Review Mechanism and with the regional groupings. In East Africa they now have the common market in place and the parliaments are working together. In West Africa we have Ecowas, but you know the challenges we are confronted with: one is language; another is the connection with our former colonial masters. They are affecting even the currencies, transportation, communications and many other things.

So if we have these challenges within regions, you can imagine what they are like when we talk of the continent. Yes, I wish things could go faster, but the institutions are yet to mature.

**You seem critical of Ecowas and yet**

**politically is has been perhaps the most successful, in the case of Niger for example?**


I was chair of Ecowas twice successfully and I think everything should be put into perspective. Ecowas has been there for 20 or 30 years, but how long has it been so successful? The intervention in Niger was just recently and yes, Ecowas boycotted, but it took a domestic coup d'état to effect the change that Ecowas was advising. And I believe it has been done elsewhere on the continent, not only in Ecowas. Much as we all want the vision to be realised quickly, a bit of realism will help.

**There seemed to be an effort to elevate the status of the AU commission chair in 2003, when former president Alpha Omar Konare was appointed. Why didn't that work? We are back to a former foreign minister as chair.**

Governing requires trial and error from time to time, especially when institutions are so young. Konare was

given the chair. He was a longstanding president of his country: a very powerful man, a brother and colleague of the presidents. So naturally it wasn't easy to see him as he should have been seen, as the administrator. In a corporate environment you have the board more or less sitting on the chief executive to account, to work out the programmes and effect the decisions of the board. So here the distinction between the board and the chief executive was blurred. I believe this is why, next time around, the summit decided to move a step down for a foreign minister who would ordinarily stand to attention when addressing the summit. It might be better for the development of the African Union.

**South Africa's role as a powerhouse was prominent during former president Thabo Mbeki's term, but even then some people said it should play a stronger role. Do you think SA should be a leader in the AU?**

The union is a union of equals. No doubt South Africa is a powerhouse economically and developmentally, but politically it is just one of 53 countries. I believe South Africa is behaving properly. It should lead by example, in terms of good governance and the partnership between the public and the private sector, to ensure development for all the people in terms of human rights and of relating with the rest of the world. South Africa is one of the emerging nations, it is a member of the G20. Not many of us have access to these international forums, so SA should use these institutions and should be the advocate for Africa. But South Africa should not become a policeman just because it is powerful and violate the sovereignty of the rest of us. People struggled for centuries and decades to gain independence, so whether they are big or small, their rights should be respected. 

*Jeremiah Murimi (R) and Pascal Katana, Kenyan electrical engineering students demonstrate how a "smart charger" connected to a bicycle powers a mobile phone at the University of Nairobi. Smart charger users will spend an hour of cycling to fully charge a mobile phone, about the same duration it would take if it was plugged into the fixed electricity socket.*

While acknowledging the ongoing domestication of existing technologies to the African situation, **Andrews Atta-Asamoah** argues that there is an urgent need to develop and implement national technology and ICT policy frameworks



# Kenya excels in 'Afro-technology'

Amidst the barrage of troubles emanating from Africa's insecurity and underdevelopment, stories of ingenious attempts by ordinary Africans to contribute to the continent's quest for development continue to simmer across the continent. Refreshingly, most of these attempts point to a growing realisation of the need to develop technologies appropriate for Africa's specific needs. One area where this trend is most evident is the mobile phone industry.

*"The attempts by ingenious young Africans to find ways of meeting the needs of the masses offer important lessons in the continent's quest for development"*

Apart from the popular use of mobile phones for money transfer and banking in some parts of Africa, there has been a massive injection of African innovations in other aspects of mobile phone usage on the continent. A 2009 innovators' contest launched by mobile phone giant Nokia – 'Calling All Innovators Africa' – provided an opportunity for mobile phone developers to create applications capable of enhancing the use of mobile devices in South Africa and the rest of the continent.

Of the 125 mobile applications that made the entry from across the world, a number of African submissions from South Africa and Kenya made their way to the top 20 and received awards for quality, innovation, creativity and relevance to real-life African situations. These include 'Afridoctor', an application that allows people to submit photos of ailments to a panel of medical professionals for advice, as well as 'E-bird' and 'MrSnake', which provide intuitive electronic field guides to the birds and snakes of South Africa, respectively.

Even though they did not claim any of the top 10 spots, two impressive African entries ended up in NOKIA's OVI store for downloads and use by NOKIA phone users on the continent: 'Afro Hot or Not' and 'Wazzup'. Developed by two students from the University of Nairobi in Kenya, the applications have become popular among young East Africans. 'Afro Hot' provides a platform for social networking that enables users to rate and arrange to meet each other if desired. 'Wazzup', an entertainment application, enables users to keep track of fun events happening in Kenya, Uganda, Tanzania and Mozambique.

Two Kenyan students, Jeremiah Murimi and Pascal Katana, recently developed a dynamo-powered device that allows bicycle riders to charge their mobile phones. The device has the potential to help rural communities without electricity to sustain their connectivity to the world via mobile telephony. At the University of Cape Town, another Kenyan student, Silvian Wanjiku Gitau, was awarded the 2010 Anita Borg Memorial Scholarship for her proposal for M-ganga – a mobile application designed to record, catalogue and map out traditional medicine for everyday use and archival purposes. In Ghana, an application known as 'mPedigree' has been developed with the aim of helping to curb the escalating

menace of drug counterfeiting on the continent.

Whilst these happenings have not received much attention from development actors in Africa, apart from ardent followers of technology trends, the attempts by these ingenious young Africans to find ways of meeting the needs of the masses offer a number of important lessons in the continent's quest for development.

First, they firmly establish the fact that Africa is rich not only in natural resources but also in talented and innovative young people who are ready to use their ingenuity to improve the lives of others. Though their attempts may seem simple compared to innovations elsewhere, the technology history of the world points to the fact that the technologies with the most impact on lives have often been the most simple. The relevance of technology to the immediate development needs of its users is often what makes the difference. In this sense, Africa's technology requirements differ greatly from those of other continents, and result largely from the continent's need to meet its day-to-day challenges.


Second, the trend towards the development, and sometimes domestication, of technologies appropriate for the African situation is instructive. The importance of technology to realising the development needs of Africa cannot be overemphasised. Adoption of appropriate technology in areas such as ICT holds the key to promoting investments in important national development sectors such as health, agriculture, tourism, banking, communication and education, among others. Investment in these areas is, in turn, indispensable to job creation, improved yields in agriculture, improved information exchange and connectivity, better banking services and improved education, all of which have implications

for the realisation of the development goals of any country.

As a result of these benefits, developing continents such as Africa risk a technology overload as they may be tempted to embrace technologies without considering their immediate relevance to the needs of their citizens and national development goals. However, not every type of technology hitting the globe in the 21st century may be appropriate or relevant to Africa's development.

## "The importance of technology to realising the development needs of Africa cannot be overemphasised"

What Africa requires is the development of appropriate technology or the domestication of existing technologies to the African situation. To this end, these young Africans are pointing in the right direction – but such occurrences cannot be left to chance and the commitment of individuals to make a difference in the area of technology development. There is a need to institute a set of national initiatives and policies aimed at promoting the ingenuity of young Africans. This could be reflected in the design and adoption of national technology and ICT policy frameworks capable of guiding young people to channel their ideas to address national goals and development concerns.

Against this background, the AU's recent attempt to make ICT a key component of the Union's deliberations has come at an opportune time. However, deliberations at the continental level require a great deal of national-level buy-in and political will before they can be translated into achievable goals. 

# Is Zimbabwe ready for elections in 2011?

**Judy Smith-Höhn** writes that the prerequisites needed for the staging of credible, peaceful elections in 2011 in Zimbabwe have not been addressed, particularly the security apparatus factor



*A portrait of President Robert Mugabe, displayed at Independence Day celebrations.*

Over the past decade, elections have been a controversial business in Zimbabwe. The question on many people's minds is whether Zimbabwe, nearly two years after signing a Global Political Agreement (GPA) that ushered in a power-sharing Interim Government (IG) in February 2009, is indeed ready for another election in 2011. This question can be better answered by looking back at the conditions prevalent during the previous elections, highlighting the main causes for the violence and electoral irregularities that ensued in these instances.

### ZANU-PF institutes electoral authoritarianism

In 1999, in response to mounting

popular discontent over the lack of implementation of economic and political reforms, gross mismanagement, excessive government expenditure and rising corruption, the Zimbabwe Congress of Trade Unions (ZCTU) formed a political party – the now well-known Movement for Democratic Change (MDC). This was also around the time when the fast-track land-reform process became increasingly violent, with President Mugabe encouraging the forcible acquisition of the mostly white-owned farms as a means of rewarding ZANU-PF supporters for their loyalty, a move which further crippled the economy and led to chronic shortages of basic commodities.

In the 2000 parliamentary elections, Mugabe's ZANU-PF faced serious competition for the first time since independence (ZANU-PF won 62 and MDC won 57 out of the 120 contested seats). Later, elections in 2005 were marred by gross manipulation and suppression of dissent, and the MDC split in November 2005 after Tsvangirai overruled senior members who voted to participate in upcoming senate elections. The split led to the formation of two factions: the MDC-T led by Morgan Tsvangirai, and the MDC-M led by Arthur Mutambara.

In March 2007, the Southern African Development Community (SADC) mandated the then South

African President Thabo Mbeki to mediate between the government and the MDC. The goal was to pave the way to a new constitution and to create the conditions for free and fair elections. However, Mugabe proceeded unilaterally to declare 29 March 2008 as the date for the next elections, although the MDC had wanted to postpone them until a new constitution was adopted. Violence and intimidation of opposition supporters was again expected in the run-up to the March 2008 parliamentary and presidential elections. Some observers claimed that there was a skewed playing field ahead of the elections due to pre-poll manipulation and the accreditation of only friendly countries and institutions to observe the polls.

Such reports notwithstanding, and for the first time since independence in 1980, ZANU-PF lost its majority in parliament to the opposition MDC. The ZANU-PF led government, however, withheld the results of the presidential elections for several weeks, raising suspicions that Tsvangirai may have won an outright victory. After finally releasing the results – with Tsvangirai winning 47.9% of the total votes compared to Mugabe's 43.2% – the country was geared for a run-off on 27 June 2008. A few days prior to the event, however, Tsvangirai announced his withdrawal from the race, citing the increased violence against his supporters as cause for his decision.

## Requirements for holding credible elections

Have the conditions that led to the violence of 2008 changed enough to guarantee the holding of peaceful, credible elections in 2011? The answer is a resounding no. While the realisation of a power-sharing agreement in September 2008 saw an end to the international isolation of Zimbabwe, the negotiations failed

## The conditions that led to the violence witnessed in 2008 have not changed enough to guarantee the holding of credible, peaceful elections in 2011

to address the fears and demands of hardliners and potential spoilers on both sides of the political divide. Most prominent in this regard is the failure to clarify the position of the security apparatus, or offer any assurances, such as amnesty for offences committed against the population, to secure the support of this set of actors when the deal was struck.

Prior to the inauguration of the interim government, the Joint Operations Command (JOC), chaired by the Minister of Security and comprising army commanders, air force, intelligence service and prisons, served as the central oversight body for all government operations and policies. Given the pivotal role played by the JOC commanders in the past, securing the future of this particular group of potential spoilers is essential for any sustainable political transformation to take hold.


Nearly six months into the rule of the inclusive government and following five failed attempts at scheduling its first meeting, the newly established National Security Council (NSC) – headed by President Mugabe; with Prime Minister Tsvangirai as a member – finally met in August 2009. However, it is reported that the JOC, while officially dismantled under the GPA and replaced by the NSC, still meets regularly and continues to maintain an influence on developments in the

political sphere, particularly with regards to the implementation of the GPA and the associated difficulties in resolving the well-known outstanding contentious issues.

## Adversaries to improve relations

In conclusion, it should be noted that democratic procedures tend to exacerbate existing tensions in an already divided society. Social and political conflicts intensify with the launch of election campaigns as opportunistic politicians exploit such tensions to pursue their own vested interests. We have already witnessed this trend in the case of Zimbabwe.

An initial delay of elections could allow for an improvement of relations between the adversaries before entering into this inherently conflictual process. The South African transition in the early 1990s is a case in point. By the time elections were held, the confidence-building efforts undertaken during the negotiation process had begun to bear fruit. The parties had begun to trust each other, political forces had collaborated with each other – hence decreasing the likelihood of a contested election or, in the case of South Africa, a hardening of the ethnic divide. In Zimbabwe, conditions have not been established to render any electoral process to be free of rigging, violence or intimidation.

However, one key challenge faced in Zimbabwe is the question of buy-in from all stakeholders involved in the transitional process. And given the lack of progress in fully implementing the GPA, the statement made by Robert Mugabe at the signing of this historical document almost two years ago points to a not-so-promising absence of political will for reform: "The opposition will always want more than what it deserves. It will devise ways and means of getting power." 



*It's not a question of whether Zimbabwe has diamonds but how that resource is managed to benefit its people*

## How clean are Zim's stones?

The approval for limited sales of Zimbabwe's diamonds by the World Diamond Council is potentially a huge financial boost for the country. But **Dianna Games** says controversy continues to dog Zimbabwe's near-miracle diamond discovery

A sleepy backpacker's lodge and bar outside the border town of Mutare in Zimbabwe became a thriving hangout overnight for Zimbabweans with smart cars and bricks of money during 2007.

Author Douglas Rogers, whose parents owned the place, were puzzled about what sparked a turnaround in the fortunes of their little business at a time when the country was bankrupt, he wrote in his bestselling book about their lives, *The Last Resort*.

They discovered that the hordes of new visitors were living the high life on

the proceeds of illegally lifted diamonds from the Marange fields that lay just over the hill from their front door, not far from the border town of Mutare. The revellers wanted a place to celebrate away from the prying eyes of the authorities.

The diamond-driven excesses that Rogers describes in his book appear to be a thing of the past – Zimbabwe has had to clean up its act in order to be approved by the Kimberley Process, which certifies diamonds as being conflict-free, and sell the stones legally on world markets.

The Marange field holds diamonds

valued at billions of dollars, making it key to unlocking development in Zimbabwe, given the lukewarm response of international donors and development institutions towards funding the unity government.

Mining minister Obert Mpofu has suggested that neighbouring Botswana, a significant diamond producer, envies Zimbabwe's find, saying: "In Botswana it takes mining companies more than 100 tonnes to produce one carat of diamond but in Zimbabwe one tonne can produce 15 carats."

While the World Diamond Council debated the merits of allowing Zimbabwean diamonds to flow into international markets, Zimbabwe was sitting on a stockpile of 4.5 million carats of diamonds valued at US\$1.9bn – a third of the country's debt.

But realising this asset means Zimbabwe has had to convince the industry that its stones are not 'blood diamonds', which are loosely defined as a resource whose extraction has funded conflict and caused human misery.

The diamond rush to Zimbabwe's eastern highlands drew many thousands of people to leave their homes and jobs in search of riches at a time of economic devastation.

After initially encouraging people to become mining entrepreneurs, seemingly to create goodwill for a government in which most people had lost faith, the state decided to crack down on diggers after claims that Zimbabwe had lost US\$400m in potential revenue from smuggling in just nine months.

The military conducted a three-week offensive in 2008 in which more than 200 diggers are believed to have been killed. Although the government tried to suppress the extent of the humanitarian disaster, the news quickly filtered out.

At its meeting in Russia earlier this year, the Council gave the go-ahead for limited sales of Zimbabwean diamonds after Kimberley Process certification and the government's own insistence that it had undertaken the required reforms, including removing soldiers from the area of commercial production.

Two supervised auctions scheduled for 2010 were to be followed by a Kimberley Process review to decide on future exports. The first auction of 900 000 carats raised \$72 million.

Interest in Marange has peaked since the World Diamond Council ruling, and the mines ministry says it is evaluating applications from more than 200 local and foreign companies to operate there.

But the industry, which could contribute as much as \$200 million a month towards economic restructuring and recovery in a cash-strapped Zimbabwe, remains plagued by concerns and controversies.

One concern is that significant looting of the diamond pot will rejuvenate the fortunes of Zanu-PF, already calling for an early election to end the unity government arrangement. The mining companies working in a joint venture with the government are fronted by former military heavyweights and the mining minister himself is a Zanu-PF stalwart.

Already there are claims of missing money, with finance minister Tendai Biti saying that \$30 million from the diamond auctions cannot be accounted for.

A second controversy that has dogged the diamond fields is the contested ownership rights to the concession. The prospecting rights were originally held, in the early 1980s, by mining giant De Beers, which released its exclusive prospective order in March 2006 because the alluvial nature of the field did not suit its mining portfolio.

A locally owned London-listed company, Africa Consolidated Resources, took up the rights. But the government cancelled the licence just months later, claiming it had been issued in error.

The field fell to the state-owned Zimbabwe Mining Development Corporation (ZMDC), which began commercial exploitation in a joint venture with two controversial companies with local and South African shareholders – Mbada Holdings and Canadile Mining.

The choice of partners was criticised in parliament by Zimbabwe's mining committee. Legislators questioned the companies' experience in diamond mining and the reputations of their directors, who were not subjected to proper scrutiny in the awarding of the contracts. According to reports, the directors include ex-Zimbabwean military and dodgy dealers from the Congo and Sierra Leone, as well as

former mercenaries.

The two companies refused to be questioned by the parliamentary committee and attempts by committee members to visit the diamond fields were blocked by the minister, raising questions about what was actually happening on the ground.


The detention of a Zimbabwean NGO worker at Marange compounded the impression of undue secrecy around the diamond fields.

Questions have been raised about Mpofu's newfound wealth, with parliament noting that he had, in 2009, paid cash for 27 properties in his hometown of Victoria Falls and in Bulawayo.

The minister faces court action for allowing diamonds from Marange to be sold in violation of a Supreme Court order earlier this year banning the sale of stones and upholding the claim of ownership made by African Consolidated Resources in terms of its original licence.

Security is still an issue and soldiers continue to patrol the non-commercial areas of Marange. Smuggling has proved hard to rein in, particularly given the area's proximity to a long and open border with Mozambique.

The pace of the country's reconstruction is likely to become inextricably linked to the success of the diamond industry, given the funding potential it offers. But for this to happen, the Treasury needs to find a way to ring-fence the proceeds from diamond sales in a development fund that has legislated priorities in terms of sectors and projects agreed on by all parties, with time frames for delivery and proper oversight.

This should be complemented by a strict auditing process, with real consequences for actors in the supply chain if money is found to be missing. There needs to be multiparty oversight on any new mining licences, especially given that the mining minister is himself under scrutiny for his decisions and actions. 

# African fibre, now what?

While it is impossible to predict what the full impact of the undersea cables initiatives currently underway in Africa will be, **Steve Song** highlights trends and issues on the horizon of the uncharted territory of African connectivity

Twelve months ago, a single undersea cable (SAT3) with a maximum capacity of 120 gibabits/second linked sub-Saharan Africa to the rest of the world. Today, five cables (SAT3, Seacom, TEAMs, EASSY and MainOne) offer a potential capacity of more than 8 terabits/second. This represents a more than 70-fold capacity increase in one year. While this growth is incredible, even more undersea cables are planned. If all plans come to fruition, more than 20 terabits/second of capacity will serve sub-Saharan Africa within the next two years. To put this in context, 20 terabits/second capacity is nearly 60 million times the capacity of a typical broadband (384 kb/s) ADSL connection.

## The emergence of regional hubs

Not all African countries have benefited equally from current and planned undersea cable initiatives. For instance, many coastal countries have been bypassed completely. One cable initiative, the Africa Coast to Europe (ACE) cable, which will go live in mid-2012, has made a strategic choice to focus on these smaller countries. ACE plans to connect more than 20 countries along the west coast of Africa. However, even with ACE in place, these countries are unlikely to see the dramatic price drops that their better connected neighbours have enjoyed because ACE will maintain a monopoly in the region.

This situation highlights a need to develop regional terrestrial infrastructure that can bring competition overland to African countries. This is even more

relevant for landlocked countries that have no possibility of landing their own undersea cable.

Indeed, such regional connectivity hubs are now emerging, with Kenya, South Africa, and Nigeria as the current dominant players. Each of these countries is the landing point for at least three and possibly more cable initiatives and has made significant investments to extend infrastructure past its national borders.

## A catalyst for national infrastructure

The sunk cost (pun intended) of these undersea cables has been a massive catalyst for the development of terrestrial fibre optic infrastructure. African countries are rushing to build terrestrial fibre backbones to take advantage of the new higher-speed and lower-cost international connections. Even landlocked countries like Rwanda and Uganda have built fibre backbones that connect with other terrestrial projects and find their way to the coast. This, in turn, has brought more cross-border cooperation and allowed landlocked countries to participate in undersea cable projects. The need of undersea cable investors to begin generating significant returns on their investment as quickly as possible has led to partnerships and initiatives that otherwise might not have existed.

## The toughest border to cross

Despite all the creative partnerships that have emerged, bureaucratic hurdles remain a significant barrier to regional connectivity. For example,

many cross-border fibre projects are obliged to convert to microwave towers to cross the frontiers. This is due to a lack of policy and regulation covering the laying of cable in the no man's land between countries. Cross-border infrastructure is an essential catalyst for intra-African trade and development. As is often the case in telecommunications, policy lags behind technological development and the challenge to regulators is to move out of the way of investment in telecommunications infrastructure.

## More competition

A slow but welcome consequence of the new undersea cables has been increased competition and a consequent drop in the cost of internet access in sub-Saharan Africa. In South Africa, for example, Internet Service Providers (ISPs) began to lower prices nearly nine months after the Seacom cable went into operation June 2009. Since then, broadband ADSL costs have dropped nearly 60%. In Kenya, newcomer Bharti Airtel, which recently acquired Zain Africa, has begun a mobile price war that has seen dramatic drops in the cost of both voice and SMS services.

## More dependency

A perhaps unforeseen side effect of the arrival of high-speed, affordable international bandwidth has been the dependency that it has created. Businesses large and small increasingly rely on fast, consistent internet service for their daily communication and transactions. Failure can be very costly.



*Increased competition in the last-mile market is likely to shrink the digital divide*

## A slow but welcome consequence of the new undersea cables has been increased competition and a consequent drop in the cost of internet access in sub-Saharan Africa.


This dependency was made evident during two major outages caused by cable breaks in the Seacom cable in April and July of this year. African businesses and individuals have been quick to adapt to lower prices and faster speeds, yet with that adaptation has come expectations of reliability. Many businesses were significantly derailed by the outages.

This highlights the need for redundancy in international connectivity, for backup links and alternate routes to the internet. Towards that end, Seacom has signed an MOU with the Nigerian undersea cable company MainOne to join their cables by extending MainOne's cable from Nigeria to South Africa, effectively encircling the continent.

This would mean that a cable break would not affect traffic on Seacom/MainOne's network because the cable will have two possible routes to reach Europe. However, does the redundancy created through this joint initiative justify the millions of dollars being invested in it? Given the plethora of cable initiatives, can Seacom and MainOne rationalise this investment as opposed to negotiating with other cable operators for redundancy?

So far, cable outages, while inconvenient, have not had a profound overall impact on business in Africa. The outages are rather a taste of how readily broadband will be taken up in Africa and how quickly it will bring change.

## The future

Based on current internet demand on the continent (extremely modest compared to the rest of the world), it is difficult to imagine that even a fraction of the planned 20 terabits/s of capacity will be used. But when you consider the hundreds of thousands of kilometres of terrestrial fibre either existing or currently under construction and the millions of people on the continent without affordable access, it feels like the potential finally exists for the digital divide to shrink dramatically in Africa. Of course, real change depends on affordable last mile access and the key to that is opening access to communication spectrum and allowing new competitors into the last-mile market. 

Steve Song is a Telecommunications Fellow at the Shuttleworth Foundation in South Africa

# Lesotho's water won't last forever

South Africa depends heavily on the Lesotho Highlands Water Project (LHWP) for its water security, but **Oscar Gakuo Mwangi** believes that security cannot be guaranteed unless concerns of climate change are addressed urgently.

President Jacob Zuma's August state visit to Lesotho, where he signed two further agreements related to the LHWP, underlines the importance that South Africa attaches to water security.

However, climate-change scenarios foreseen for Lesotho paint a bleak picture for the water sector. Lower precipitation as a result of climate change is predicted likely to result in a reduced availability of fresh water.

Coupled with the current population growth rate and necessary levels of service, this means that a condition of water stress could be reached earlier than previously anticipated, with serious implications for national and international security.

### The state of water resources

Although regions of the country may face

periods of insufficient rainfall, water is Lesotho's most important and abundant natural resource.

In fact, Lesotho has abundant natural water available throughout the year. Nationally, the renewable water resources are estimated at a total of 5 925 million cubic metres of static water and 341 million cubic metres of renewable groundwater. Groundwater resources are estimated at 500 million cubic metres per year, while the national average utilisation of renewable groundwater resources is just 1,7% – a very small percentage of what is potentially available.

The total internal renewable water resources per capita per year are 2 519 cubic metres. The average total available water in Lesotho is about 150 cubic metres per second, with national consumption at less than 2 cubic metres per second. Supplies, therefore, far exceed demand. Of the total water withdrawal of 43,6 million cubic metres per year, industry is the main user, taking 22 million cubic metres. This is followed



by the domestic sector at 21 million cubic metres, while agriculture utilises only 0,6 million cubic metres of water per year. Improved drinking water sources are available for 79% of the total population, comprising 88% of the urban population and 74% of the rural population.

Geographically, Lesotho is located entirely within the Orange River basin. This basin covers an area of about one million square kilometres and is the most developed shared river system in southern Africa. The Orange's main tributaries are the Senqu in Lesotho, the Vaal in South Africa and the Fish in Namibia.

Lesotho's abundant water supply, along with a treaty signed on 24 October 1986 by the two governments, allows it to export water to its only neighbour, South Africa, through the Lesotho Highlands Water Project (LHWP). This bi-national project is one of the largest water-transfer schemes in the world.

The project consists of four phases. On completion in 2020, water transfer works, five dams and 200km of tunnels will have been constructed between the two countries. The project already earns Lesotho substantial revenues in royalties from water deliveries that totalled US\$225 million between 1996 and 2004. Royalties from water and project-related customs dues currently account for approximately 28% of Lesotho's GDP.

## Water management deficiency

The biggest water-related challenge for Lesotho currently lies not in the scarcity but rather in the abundance of its water resources. This is mainly a function of four institutional factors.

First, the country's poor water policies and legislation lack a supporting policy and legal environment that ensure the provision of water for various purposes. The Water Resources Management Policy of 1999, for instance, does not adequately deal with key areas that relate to water



*Water is an important instrument of foreign policy and hydro-policy. Lesotho Prime Minister, Pakalitha Mosisili (left) with SA's Jacob Zuma who was in Lesotho recently.*

resource development. The country's current legislation in the water sector – the Water Resources Act of 1978 – is not in line with international agreements and developments. Furthermore, the state's institutions, such as the Department of Water Affairs, do not have the capacity to regulate and enforce water legislation in a meaningful way.

Second, the institutional capacity of the state to assess and monitor water resources, especially in the management of critical data and inventories, is limited. Third, the country has poor water conservation and management strategies. These strategies do not take into account important issues such as recycling water for industrial use and the quantity of or reasons for water loss in the country. Finally, the state has so far been unable to enhance the capacity of rural communities to manage rural water schemes.

However, to its credit, Lesotho is well aware of these challenges, as evidenced by the country being a signatory to a number of important and relevant international treaties such as the UN Framework Convention on Climate Change (UNFCCC). Despite being a

small and poor country, Lesotho was the fifth country in Africa and 23rd among developing countries to undertake studies and submit its findings on climate-change related policies.

The country report concludes that Lesotho is highly vulnerable to climate change, particularly in the agriculture, forestry, health, rangelands and water sectors. This is due to several environmental, geographic, socioeconomic and political factors that contribute to growing levels of poverty in the country.

## Dire forecasts

Predicted climate-change scenarios for the water sector in Lesotho indicate a reduction in surface and subsurface run-off owing to anticipated lower precipitation. If one considers the current population growth rate, the projected climate change, and fresh water availability, it is estimated that the country will enter a period of water stress with less than 1 700 cubic metres per capita per year, and a water scarcity period with less than 1 000 cubic metres per capita per year, by the years 2019 and 2062 respectively. This translates to

a reduction of slightly more than 60% of the current availability per capita per year. Under climate change, these lower levels of service are likely to be reached earlier than predicted. This will have adverse effects on both national and international security.

At the national level, the reduction in the availability of water will have serious ecological consequences leading to the cessation of many water-based economic and social activities. It will also lead to dry springs and wells, lower water tables and higher borehole costs, reduced yields of many water sources, and severe water stress, particularly for the rural population, which depends mainly on groundwater.

Lesotho's overall hydroelectricity generation and irrigation potential are also likely to be affected by the expected lower surface and subsurface flows. Water-based sport and tourism potential are also likely to be affected by climate change. Nationally, it will impact negatively on human security.

At the international level, a reduction in the availability of water may lead to interstate conflict; hence threatening international security. A reduction in precipitation in Lesotho due to climate change will result into reduced run-off in the catchment area of some of the largest rivers in southern Africa, especially in the Orange River Basin. This is likely to affect several water-based activities in South Africa and Namibia.

Owing to predicted dry spells, the yield of many storage dams in the Lesotho Highlands Water Project LHWP is likely to be lower, leading to reduced water exports to South Africa and lower royalty incomes for Lesotho. These are an important non-tax revenue source for Lesotho, and a reduction of this revenue will result in lower social expenditures with a resultant increase in human suffering and poverty in the country.

The predicted lower run-off could also lead to conflicts between Lesotho and

South Africa. Lesotho is currently water abundant and is transferring water to South Africa. With the predicted lower run-off, however, South Africa is likely to be increasingly dependent on Lesotho for water by the year 2075. While the terms for the transfer of water are set out in the LHWP treaty, conflict is likely to arise since it is expected that it will be pragmatic as well as morally right for Lesotho to provide for its domestic water needs before exporting any surplus to South Africa in the future.

### Hydropolitics and security

The extent to which interstate conflict over water could occur in future is debatable, since water is perceived as a source of both cooperation and conflict. As a result of the hydropolitical interests of the political elite, climate-change concerns have been overlooked; hence they pose a threat to security. Hydropolitics – the 'authoritative allocation of values in society with respect to water' – occupies a central role in climate change and security. These values centre on water as a source of cooperation and development, and are regularly reflected in the sanctioned discourse of the political elite in Lesotho.

Lesotho's situation differs from that of water-scarce countries (where the political elite tends to place blame on a number of historical and environmental factors) in that the political discourse around water focuses on abundance, not scarcity, with particular attention paid to water as a source of cooperation and national development.

This is the current basis of hydropolitics in the country. It is observed in the LHWP, which is a notable example of interstate political and economic cooperation.

In his official inauguration speech of Phase 1B of the LHWP in March 2004, King Letsie III of Lesotho said: "The ... Project ... forms a firm basis for ensuring that Lesotho is duly assisted to graduate

from the economic status of a least developed country to that of a developing one ... Through this Project, we have demonstrated ... that regardless of the differing levels of economic development, we are two neighbours that can cooperate for mutual benefit."

Water in Lesotho has become an important instrument of foreign policy and hydro-diplomacy. Hydropolitics pays attention to issues of high politics, hence the political discourse on water and the LHWP tends to ignore current and future environmental concerns associated with climate change as well as environmental degradation. The current hydropolitical interests of the political elite of Lesotho are likely to override future climate change concerns and security, thus creating the conditions for potential future interstate conflicts.

### Securitisation and politicisation of climate change

Inasmuch as climate-change-related policies have been articulated, Lesotho faces challenges in the implementation of these policies because of several economic and political factors. The most serious include budgetary limitations, institutional and cultural rigidities, and technological limitations.

To avoid the predicted negative scenarios, Lesotho now needs to adopt coping strategies that will ensure it is prepared to address major problems associated with future climate change. In order to achieve this, the country should politicise climate-change concerns so they become matters of high politics and are not relegated to the realm of low politics. ■

\*For the full paper go to [www.issafrica.org/publications/monographs](http://www.issafrica.org/publications/monographs)

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# A climate of deafening silence

Though the call to address the challenges of climate change has been embraced by virtually all governments and scientists, this global drumbeat seems to be of little concern to African governments or civil society groups, writes **Bonnie Ayodele**

The silence around climate change is spectacularly evident in the Niger Delta, the economic nerve centre of Nigeria, which, according to a recent United Nations Development Programme (UNDP) report on the Niger Delta, accounts for about 90% of the country's foreign earnings. In fact, the Niger Delta has been hit by a massive climatic change brought about by the exploration and exploitation of natural resources, and this has ignited volatile conflicts in the region.

The discovery of commercially viable oil resources in the Niger Delta region of Nigeria has brought mixed fortune to the country. Paradoxically, it has been both a source of wealth (blessing) and a source of crisis (curse).

For many, oil and gas exploration in Nigeria is a curse to Nigeria's political and economic interests. In spite of its production of oil, the Niger Delta region remains the most underdeveloped and poorest region in Nigeria. According to the UNDP report it suffers from "administrative neglect, crumbling social infrastructure and services, high unemployment, social deprivation, abject poverty, filth and squalor, and endemic conflict."

The UNDP report on the Niger outlines a series of environmental crises and concludes that the environment is very important to the Niger Delta people, "where nearly 60 percent of the population depends on the natural environment – living

## Climate change

Niger Delta



*Stirrings in the Delta... unlike the outrage that accompanied the recent Mexico Gulf oil spill, the cries of the Niger Delta have fallen on deaf ears.*

and non-living – for their livelihoods."

It further reveals the extent of the impact of climate change on the local environment, stating that "industrialisation, urban development, and oil and gas exploration and exploitation have infringed on the people and their environment, resulting in alteration of habitats, biodiversity loss, deforestation and pollution."

Physical manifestations of the environmental problems include flooding, siltation and occlusion, erosion, shortage of land for development, canalisation, oil spills, gas leaks and flares, subsidence, depletion of forest resources, erosion, effluent and waste from oil operations

Another report released by

Nigeria's Community Research and Development Centre (CREDC), titled 'Coping with climate change and environmental degradation in the Niger Delta of southern Nigeria', highlights in detail the climatic and environmental changes that have occurred in the Niger Delta region and shows the relationship between those changes and poverty and conflict.

### Dangerous daily gas flaring

One of the causes of climate change and global warming is gas flaring and oil spills. This is also one of the most devastating environmental occurrences in the Niger Delta. Gas flaring may be as old as the discovery of oil in the region. It has not abated, but is on the rise.

Nigeria flares about 24 billion cubic metres of associated oil annually. Almost 70% of the oil fields in the Niger Delta flare their gas every day. Most oil communities live with this reality and, at 13,000 to 14,000°C, these flares produce 35 million tons of carbon dioxide and 12 million tons of methane.

This practice contributes greatly to global warming and poses a health hazard to the surrounding populations. Of even more concern is the inability of the oil industry regulators in Nigeria to enforce the laws on gas flaring reduction effectively in accordance with the World Bank Global Gas Reduction Partnership (GGRP). The industry is yet to comply with the deadlines for gas flaring as demanded by the government, making this an ongoing problem for the region.

Another fundamental problem contributing to climate change in the region is oil spillage. Oil spills devastate the environment and generate conflict between the host communities and oil multinationals.

The US Department of Energy estimates that over 4,000 oil spills discharge more than two million

barrels of crude oil into the land and coastal water of the Niger Delta annually. Of these spills, 50% are due to corrosion, 28% to sabotage by aggrieved communities, 21% to oil production operation, and one per cent to drilling, the inability to control oil wells effectively, failure of machines, and inadequate care in loading and unloading vessels.

One of the most visible consequences of the numerous oil spills has been the loss of mangrove trees, which were once sources of both fuel-wood for the indigenous people and a habitat for the area's biodiversity.

### The delta under water

A second environmental change is coastal erosion and flooding. The rise in sea level and flooding are already affecting millions of people worldwide. Nigeria is not excluded from this climatic problem. The occurrence of coastal erosion in the Niger Delta has been reported by the Nigerian Environmental Study/Action Team. The team also reported that the rise of the sea level and repeated ocean surges

will not only exacerbate the problems of coastal erosion that are already a menace in the Niger Delta, but will also increase the problems of floods and intrusion of sea water into freshwater sources and ecosystems, thus destroying such stabilising systems as mangroves, and affecting agriculture, fisheries and general livelihoods.

Some areas in the coastal region have been obliterated by coastal erosion. In Forcados, for instance, communities have been displaced and some oil wells have been lost to the ocean owing to erosion. Coastal erosion poses a serious problem for the people and economic activities in the Niger Delta, especially the traditional occupations such as farming and fisheries. Erosion has also affected vegetation, especially the mangroves and forest.

Another adverse effect of the sea level rise in the Niger Delta is the increased salinity of both surface and underground water owing to the intrusion of seawater. This has led to the death of aquatic plants and animals that cannot tolerate high salinity. Seawater intrusion has already

## The troubled Niger Delta

The Niger Delta is located on the Atlantic coast of southern Nigeria, where the River Niger divides into numerous tributaries. It is the second largest delta in the world with a coastline spanning about 450km, terminating at the Imo River entrance. With well over 5 200 oil wells in the area, and about two million barrels of crude oil per day that pass through 275 flow stations and are exported through 10 terminals, the region has been subjected to the greatest environmental abuse recorded in sub-Saharan Africa.

The 7 000 square kilometres of swamp, forest and plains present

limitless opportunities for ecotourism. The ecology of the area is highly diverse and supports numerous species of terrestrial and aquatic flora and fauna and human life. Its 15 million inhabitants, comprising more than 40 ethnic groups, is spread over 6 000 communities. About 1 500 of these host oil multinational corporations and their operations. Niger Delta is the economic nerve centre of Nigeria, accounting for 90% of the country's foreign exchange. The region is abundantly rich in oil reserves, making the country the largest oil producer in the entire sub-Saharan Africa and the second largest reservoir of natural gas.

had a serious impact on food security, agricultural activities and the availability of fresh water.

Recently, it was discovered that there is a high rate of underground water pollution, which is threatening the human life in the oil communities of Ekerekana in the Okrika local government area, Eleme in that area and Woji in the Obio- Akpor area of Rivers State.

A study of water samples from these communities collected by the Department of Earth Sciences of the University of Gothenburg in Sweden showed that large quantities of hydrocarbon had polluted their water sources. The laboratory analysis showed large quantities of hydrocarbon to be present in their streams and even in boreholes sunk in the area. This is clear evidence of oil exploration activities leading to the degradation of the environment.

## Disappearing forests

A third environmental change is deforestation and land degradation, both of which are affecting large areas of the Niger Delta because of the high levels of industrial activity by multinational corporations. According to the federal government of Nigeria, deforestation and land degradation have been on the increase in the Niger Delta and western part of Nigeria. The minister of environment has stated that 37% of the country's forest reserves were lost between 1990 and 2005 as a result of illegal and uncontrolled logging, incessant bush burning, the gathering of fuel wood and clearing of forests for other land uses. There is almost a complete absence of primary forests as a result of deforestation and degradation, the minister added.

Despite these findings the issue of climate change in Nigeria is yet to receive the necessary attention. This is compounded by the lack of genuine policy responses and coping strategies that can mitigate the effects of such change.



*For these children at Port Harcourt, the benefits of oil exploitation amount to nothing more than a mountain of industrial waste.*

## What the government should do

The manner in which poor and vulnerable countries can design coping strategies to mitigate climate change depends largely on how they can stabilise greenhouse gas emissions, improve the capacity of their agencies and educate their people on a green environment.

It is imperative for the Nigerian government to formulate a policy agenda that takes into consideration the symptoms of its vulnerability and its way of adapting. The government must consider the recommendations of the Intergovernmental Panel on Climate Change (IPCC), which pointed out that sustainable development can reduce a country's vulnerability by enhancing the adaptive capacity that will allow government agencies to cope with climate change challenges.

The Adaptation Master Plan, a strategy put in place by the Nigerian government recently, aims to fine-tune modalities for incorporating sustainable development and early warning strategies in its preparedness and response to the effects of climate change.

The Master Plan includes the National Action Plan to Mitigate the Effects of Climate Change, the Adaptation

Strategies of Action in Nigeria, the National Ozone Programme of Action, the National Forestry Development Programme and the National Action Plan to Combat Desertification and National Capacity Self-Assessment (NCSA).

While these action plans are laudable, their implementation may remain very problematic as most government policy responses to the environmental crisis in the Niger Delta have been only recorded on paper and have not seen the light of the day.

There is a need for effective collaboration between and among governments and civil society to develop the concept of an integrated approach. This means combining several development strategies into a coherent unit so that it will be more effective. Finally, the need to adopt some of the general approaches to climate change in Nigeria is imperative, and in particular, the oil industries must be reorganised, with better operational legislation. ■

For the full paper go to [www.issafrica.org/publications/monographs](http://www.issafrica.org/publications/monographs)

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## The AU should do more

As countries try to coordinate climate change mitigation efforts in the run-up to the COP17 conference in South Africa next year, **Jo-Ansie van Wyk** suggests a way forward for the African Union (AU)

Climate change is considered to present a security challenge 'more complex than the Cold War'. It is now also conventional wisdom that climate change has already affected human security (including ecological sustainability) and will continue to do so, which may result in human rights abuses, and intra and interstate conflict and wars. The African Union (AU) regards climate change as a threat to the continent's future wellbeing.

Notwithstanding this, climate change has not been institutionalised as a security issue, nor has climate security, which is a more comprehensive definition of the issue. Climate security addresses and implements measures to reduce the impact of greenhouse gas emissions on humans and the environment and to achieve sustainable development.

Climate insecurity is an additional stressor and threat multiplier.

The AU needs to develop a climate security policy in terms of Articles 9(1)(a) and 13(1)(b) and (e) of the Constitutive Act of the AU. The fact that Africa is regarded as one of the most vulnerable continents

in terms of climate change means that the AU needs to take the initiative to combat the adverse effects of this matter on the continent.

The AU's response to climate change follows on from its commitment to the international environmental regime and its own environmental regime. Early outlines of an AU climate change regime are emerging but they face several obstacles, such as member states' conflicting needs and interests, the hype over bio-fuels and carbon trading, and lack of progress among member states to implement national climate change policies.

Parallel efforts to address the impact of climate change on the continent seem to affect the AU's response by diverting funding and expertise to parallel projects. The following additional recommendations are intended to improve, enhance and sustain the AU's response to climate security:

To AU member states one may recommend to establish a climate change commission; accommodate

indigenous knowledge systems; develop new and support existing research capacity; conduct research on the sociopolitical impact of climate change; formalise, adopt and implement national climate change policies; share climate change adaptation and mitigation technology; improve the role of the private sector through public-private partnerships (PPPs); improve capacities to respond to climate change, such as the enhancement of coastal defences (in the case of coastal states) and prevent deforestation and desertification.

Meanwhile, the AU should engage in normative commitment and development of a comprehensive response to climate change; improve AU environmental governance structures; adopt a general framework and plan of action on climate change, including standards; establish a climate change directorate; amend the African peer review mechanism (APRM) to include the effective response to climate change of member states; institute environmental peace building and foster international collaboration.

In addition the AU should improve negotiation skills vis-à-vis climate change; improve early-warning mapping; cooperate with regional organisations and improve public awareness and civil society involvement via ECOSOCC (the AU Economic, Social and Cultural Council).

Jo-Ansie van Wyk is lecturer in International politics at the University of South Africa

# A flawed Protection of Information Bill

Civil society organisations and the media in South Africa have joined forces to protest against the proposed Protection of Information Bill. **Lauren Hutton** explains why this law poses serious dangers for freedom of expression

Legislation to regulate the classification and declassification of information has been expected in South Africa since the end of the apartheid regime. The current legislation – The Protection of Information Act – dates back to 1982 at the height of the centralised security state. The 1982 Act does not find resonance in a democratic society with constitutional imperatives of openness, transparency and accountability. In this regard, the new Protection of Information Bill has been welcomed as a step towards improving access to information by creating restrictions on the types of information that can be classified and controlled and limits on the periods for which information can be classified.

When this Bill was originally proposed in 2008, there was much public concern about provisions that could infringe upon media freedom and the constitutional right to information. The Bill was withdrawn towards the end of 2008 and a redrafted version has now been presented for debate. At first glance, there are some improvements to the Bill; overall it is more concise and coherent. However, many of the fundamental issues, brought to the fore by the media and civil society groups, remain unchanged.

The function of the Protection of Information Bill should be to establish

the parameters in which secrecy can be employed by government departments. The starting point for determining the parameters for secrecy, is thinking about what needs to be kept hidden. We can all acknowledge that there are legitimate secrets that need to be kept secret. We can consider the vital importance of concealing the identities of agents who have infiltrated cross border smuggling rings or criminal networks or even concealing the existence of phone taps against persons suspected of inciting violence.

But we can also acknowledge that there are disadvantages to excessive secrecy and the over-classification of information. Some commentators point to the causal relationship between secrecy and abuse of power as an argument against broad classification regimes. Government agencies are stewards of public trust; fundamental to that trust is information sharing.

**In order to be effective, oversight structures need to start seriously questioning what is secret and why certain information should not be disclosed.**

The argument can easily be made that transparency is essential for good governance and accountability. Without that transparency, a climate of distrust can be created which is contrary to effective government and can even prove counter to security interests and priorities. Over-classification and excessive secrecy prevents the sharing of information, over-burdens security officers who are tasked with protecting information, is costly, counter-productive, hinders oversight and is susceptible to abuse.

The debate on access to information is taking place at a time when rapid technological development and an information explosion have exposed how vulnerable and penetrable the information systems of government really are. Also the global security context is characterized by multilateral, transnational and cross-border cooperation to counter threats that are not limited by geographical borders.

This means that risks of overclassification are equal to or greater than the risks associated with the sharing of information. This also means we need to be very clear on what we need to protect and devote sufficient resources to the protection thereof. In relation to the Protection of Information Bill currently under debate in South Africa, the Bill fails to



*Mail & Guardian editor Nic Dawes addresses the Parliamentary Portfolio Committee hearing, Cape Town*

provide any clear idea of what needs to be protected and creates such a wide net of information that should be protected that in practice it is going to be difficult and costly to implement, in all probability to the detriment of the protection of legitimate secrets

For example, the term 'national security' as used throughout the Bill creates difficulties. Firstly, the definition of national security is expansive, vague and imprecise. The Bill defines national security as: "the resolve of South Africans as individuals and as a nation, to live as equals, to live in peace and harmony, to be free from fear and want and to seek a better life, and includes protection of the people and occupants of the Republic from hostile acts of foreign intervention, terrorist and related activities, espionage and violence, whether directed from or committed within the Republic or not, and includes the carrying out of the Republic's responsibilities to any foreign country in relation to any of the matters referred to in this definition."

From this definition it is very difficult to ascertain what is and is not an issue of national security. Similarly, the

definition of national interest in Chapter 5, Part A (11) of the Bill provides little clarity on what is in the national interest. The phrase 'all matters relating to the advancement of the public good' virtually equates national interest to all areas of government activity. If such broad definitions of national security and national interest are utilised in the legislation, there needs to be greater clarity of what within these realms constitutes legitimate areas of activity for the state security sector, intelligence functions related thereto and areas in which secrecy can be legitimately employed. Otherwise, the role of intelligence, the functions of the state security sector and the legitimate use of secrecy become functional aspects of all government departments.

**Coupled with the broad definition of information that can be classified, this clause will hamper anti-corruption and whistleblowing activities**

These two definitions are particularly controversial because they are used as the basis for determining if information should be kept secret. Information that if released could be harmful to the national interest should be protected. But then the definition of national interest does little to define what the limits are of that. Given the problems with the definitions of national interest and national security as mentioned above, these terms are not useful as guides to justify the restriction of access information. In South Africa, access to information is guaranteed as a right enshrined in the Constitution. The Bill of Rights further details that Constitutional rights may only be limited to an extent that is reasonable and justifiable in an open and democratic society. Many critics of the Information Bill are claiming that the broad and vague definitions create limitations on the right of access to information that are unreasonable and unjustifiable and thus the Bill is unconstitutional.

Further concern can be raised about the inclusion of commercial information as information that could require protection. The Bill defines commercial information as commercial, business, financial or industrial information held by or in the possession of an organ of state. Such information may be protected if the disclosure thereof could cause financial loss or prejudice commercial interests of an entity. The inclusion of commercial information into the scope of information that can be classified is controversial and opens the space for the classification of information that could reveal irregular expenditure and potentially corrupt activities.

Other areas of concern that have been raised by civil society groups include:

- The lack of independent review or oversight mechanisms
- The lack of a public interest clause

## Press Freedom Index

Of all the countries surveyed by the 2009 Reporters Without Borders Press Freedom Index, Ghana ranks the highest as the best place in Africa for journalists to operate. Eritrea, by contrast, is considered “the world’s biggest prison” for journalists, with around 30 journalists festering in the country’s jails. Africa’s rankings among the surveyed total of 175 countries are as follows:


27. Ghana	82. Comoros;	116. Congo	144. Swaziland
30. Mali	Mozambique	119. Angola	146. Democratic Republic
33. South Africa	86. Uganda	127. Morocco	of Congo
35. Namibia	89. Senegal	129. Gabon	148. Sudan
44. Cape Verde	92. Guinea-Bissau	132. Chad	153. Tunisia
51. Mauritius	96. Kenya	134. Madagascar	156. Libya
57. Burkina Faso	97. Zambia	135. Nigeria	157. Rwanda
62. Botswana; Liberia;	99. Lesotho	136. Zimbabwe	158. Equatorial Guinea
Malawi;	100. Guinea; Mauritania	137. Gambia	164. Somalia
Tanzania; Togo	103. Burundi; Côte d’Ivoire	139. Niger	175. Eritrea
72. Benin; Seychelles	109. Cameroon	140. Ethiopia	
80. Central African	110. Djibouti	141. Algeria	
Republic	115. Sierra Leone	143. Egypt	

These two aspects become increasingly important when considering the application of penalties and offences. The Bill makes it an offence punishable by up to 25 years imprisonment to communicate, deliver, obtain, collect, capture or make available classified information that could ‘directly or indirectly prejudice the state’. Coupled with the broad definition of information that can be classified, this clause will hamper anti-corruption

and whistleblowing activities and will be detrimental to legitimate research and investigative journalism efforts to expose irregular government practices, abuses of power, etc. The suggestion has been made that the Bill include a public interest clause which would offset the offences if the disclosure of classified information is deemed to be in the public interest i.e. to expose irregular or illegal conduct.

The Bill provides scope for more

information to be classified and fails to provide coherence or clarity in what should be protected information. The use of expansive definitions and concepts such as national interest and national security creates room for more secrecy and does not guarantee transparency and public accountability.

It is ultimately the role of parliament to consider the legal framework for secrecy but we have witnessed a worrying factor in which the parliamentary committees charged with oversight duties over the intelligence services operate within the circle of secrecy and accept whatever the intelligence services consider as classified. In order to be effective, oversight structures need to start seriously questioning what is secret and why certain information should not be disclosed. Changing the paradigm in which we use secrecy calls for a fundamental policy review, which cuts to the heart of intelligence work and occupies a central position in democratic, transparent and participatory governance. The paternalistic role of the state security services in determining who should know what should be questioned and we cannot freely succumb to allowing the state security sector to become player, coach and referee. 



Adv. Pansy Tlakula, Special Rapporteur on Freedom of Expression of the African Union Commission on Human and People’s Rights, spoke at the launch of the Right2Know campaign in Johannesburg. The campaign was launched by civil society organisations to protest against South Africa’s proposed Protection of Information Bill and a proposed Media Tribunal. Tlakula said the proposed Bill would tarnish the country’s image in the rest of the continent.

# SA police kept its promise

**Johan Burger** looks at crime fighting during the 2010 World Cup

In the run-up to the World Cup, South Africa's murder rate (close to 50 per day) also became a favourite yardstick used by the foreign media and other security 'experts' against which to measure the threat facing soccer fans who would travel to the country. Efforts by the authorities to point out South Africa's excellent record as far as big-event security is concerned fell on deaf ears.

The Institute for Security Studies was one of the few independent organisations that highlighted the difference between the ability of the police to prevent and reduce crime in general and their ability to provide adequate levels of security for specific events. The Institute referred to research that demonstrated the specific contexts within which South African violent crime tends to happen. Docket analysis reveals that in 81.5% of murder cases the perpetrators knew their victims, and 65.4% of murders happened as a result of very specific social conditions. It was therefore quite unlikely that foreign visitors would fall victim to serious violent crimes such as murder.

Added to the crime threat, the run-up to the tournament saw a renewed fear of terrorism and its potential destructive impact on the World Cup. It was generally recognised that the terror threat was not so much against South Africa as it was against the event and in particular against countries involved or associated with the war in Iraq. Some of the concern was prompted by the attack on the bus carrying the Togo national soccer team during the Africa Cup of Nations in January 2010, and the arrest in May of a Saudi army officer with links to al-Qaeda in connection with an alleged plot to launch attacks during the World Cup against teams from countries

that supported the war in Iraq. In a briefing to the United States Congress Counter-Terrorism caucus, also during May, the bold statement was made that there was an 80% chance of such a terror attack happening during the World Cup in South Africa.

So, how did it come about that the World Cup went off with no serious security problems? As with the security for other big events, the SAPS was the lead organisation for this tournament and planning started immediately after FIFA's May 2004 announcement that South Africa would host the 2010 event. The SAPS applied the tried-and-tested operational coordinating structures and concepts that had proved effective during past events such as the 2000 Olympic Games in Athens and the World Cup tournaments held in 2002 and 2006.

At the heart of the security operation was the National Joint Operational and Intelligence Structure (JOINTS), which worked closely with the Security Directorate of the FIFA Local Organising Committee (LOC) responsible for specific event security requirements, and conducted regular joint planning meetings to integrate their plans and ensure role clarification.

When the security plan was put into action during the beginning of June 2010, the JOINTS planning structures were all similarly reorganised into an intricate system of national and regional operational committees known.

Because of the size and the international nature of the World Cup, the JOINTS also liaised with a range of regional and international police and intelligence structures to gain their support and cooperation. This cooperation and support became visible

during the implementation phase when a number of international cooperative structures were established and linked to the JOINTS structures.

The SAPS were allocated an impressive R1.3 billion budget for this event. R665 million was spent on equipment and R640 million for staff deployment. The SAPS had also raised its staff levels by over 60 000 members during the years leading up to the event. This resulted in a police-to-public ratio of three to 1 000, which compared favourably with the international average of two to 1 000. In addition, the SAPS sent senior members to attend big events elsewhere, notably the 2006 FIFA World Cup in Germany, where they were able to work with local authorities and gain valuable lessons and experience.

In addition to the various types of specialised teams deployed for all kinds of contingencies, the SAPS appointed dedicated task teams in each of the 10 host cities to investigate event-related crimes and bring them before dedicated World Cup courts as speedily as possible. The Department of Justice also established 56 special courts to deal with offences related to the World Cup.

The combination of special investigative teams and special courts appeared to be highly effective. In the end, 222 of the 704 crimes committed outside the stadiums and the 290 committed inside the stadiums resulted in criminal trials. At the end of the tournament, there were 138 convictions, 12 acquittals and 52 cases withdrawn, and by the beginning of August 2010, 20 cases were still outstanding. The apparent success of this system had a reassuring impact on South Africans and visitors alike and according to some

# South Africa

Crime


*Members of the South African police take up positions on a street in Cape Town, during a training exercise as part of preparations for the 2010 World Cup soccer tournament April 29, 2010.*

indicators also a positive impact on crime. For example, ADT, a private security company, said that the crimes usually reported to it were down by 70% in the west of Johannesburg and 60% in the east during the World Cup.

However, it is very difficult to determine whether during this period there was indeed a lower general crime rate across the country. The police have released no official crime figures and, unless they make a special report available, South Africans will have to wait for the crime report in September 2011 before being able to verify claims that crime is down.

Many people also ask whether the improved crime situation apparently experienced during the event could be sustained or at least contribute to lower crime rates for the country in general. At this stage it would appear that we have benefitted from the security experience during the World Cup, at least in terms of best practices such as dedicated detective task teams, special WC courts, high density and visible policing – but only time will tell if we were able to sustain this.

There were also problems experienced and new lessons learnt from this World Cup, such as with the poor management of the security companies employed by the Local Organising Committee that resulted in strikes by private security officials at four of the ten stadiums. This added to the heavy burden of the SAPS, which had to draw on recruits from police training colleges to fill the gaps left by striking security guards. However, the police were clearly prepared for such a contingency and did what was needed with speed and efficiency.

The end result was a successful World Cup event with low levels of mostly petty crimes such as theft, and no serious security incidents. The success of the event was summed up by a spokesperson of the US State Department, quoted in a Sport24 report on 13 July, who remarked that “it was the first time an African nation hosted the World Cup, and South Africa proved its ability to do so quite nobly.” 

ADT, a private security company, said that the crimes usually reported to it were down by 70% in the west of Johannesburg and 60% in the east during the World Cup.

# Peace and security hijacked by conflict

Although the official theme of this year's 15th Ordinary Session of the African Union (AU) Heads of State and Government held in July in Kampala, Uganda, was 'Maternal, Infant and Child Health and Development in Africa', the spirit and orientation of the summit were heavily influenced by the 11 July bombings in Kampala, which killed more than 80 civilians.

The summit, held in the year declared by the AU as the 'Year of Peace and Security in Africa', took place just two weeks after the bombings in the Ugandan capital. As a result, security was very tight, access to the conference venues was difficult, and issues of peace and security in the region featured prominently on the agenda.

## Crisis situations across the continent

The various ongoing conflicts in Africa, post-conflict areas and early-warning issues all featured on the summit agenda. Attention was hijacked by the Somalia conflict, which has proved to be among the most complex of peace and security problems, thanks to the ever-weakening Transitional Federal Government (TFG), ongoing fighting in Mogadishu and the Kampala terrorist attack. As usual, the AU expressed its support for the TFG and strongly condemned the Kampala attacks and other acts of violence by Al-Shabaab and other terrorist groups hostile to the TFG and the AU Mission in Somalia (AMISOM).

Angered by the Kampala attacks, Uganda, which contributed most of the AMISOM troops, pushed for the deployment of more troops and the enhancement of the mission's mandate

in Somalia. The Assembly allowed the deployment of 2 000 more troops to bring AMISOM forces to the level mandated by the AU, and requested the chairperson of the commission to appoint a 'High Level Personality' to enhance global support and attention to Somalia. The Assembly also repeated its call for AMISOM to be transformed into a United Nations Peace Mission in order to enhance its effectiveness and capacity.

The Assembly also urged proper implementation of the provisions of the Ouagadougou Political Agreement to create an enabling environment for speedy elections in Côte d'Ivoire, where issues surrounding the voter identification process, and lack of progress in implementing the disarmament, demobilisation, and reintegration (DDR) process, have exacerbated disagreements between the president and opposition groups.

Guinea and Niger also featured on the agenda, with the Assembly calling for a speedy and smooth transition to constitutional order. Decisions on Mauritania called for the resumption of political dialogue in accordance with the Dakar Framework Agreement. The Assembly strongly condemned the interference of the army in the politics of Guinea Bissau, and it encouraged the SADC Mediator, former President Joachim Chissano, to continue efforts to resolve the Madagascar crisis.

With respect to interstate tensions, the Assembly noted the improved relations between Chad and Sudan. It expressed concern at the continued impasse in the peace process between Ethiopia and Eritrea and reaffirmed its readiness to assist the two countries to overcome the current deadlock and normalise their



Olusegun Akinsanya

relations through dialogue.

Sudan was also discussed, as security deteriorated in Darfur and tensions between the North and South increased ahead of the January 2011 referendum due to hesitation from some elements in the leadership of the north about holding the referendum as scheduled. The summit urged the National Congress Party of the north and the Southern People's Liberation Movement to address these problems, including the fate of the disputed oil-rich area of Abyei and the completion of the demarcation of the North-South border, in accordance with the 2005 Comprehensive Peace Agreement (CPA). The AU has also extended the mandate of the United Nations African Union Mission in Darfur (UNAMID) for a further 12 months and requested the Security Council to follow suit.

Regarding the Central African Republic (CAR), the AU called for elections to be held in October and December 2010.

## The Year of Peace and Security

On 9 January 2010, the AU Commission launched the official festivities of the Year of Peace and Security. The Kampala Summit reviewed the progress made in implementing the Year of Peace and urged member states to sign and ratify relevant AU instruments, including the African Charter on Democracy, Elections and Governance. 

Ambassador Olusegun Akinsanya is the former Nigerian ambassador to the AU and now serving as Institute for Security Studies (ISS) office director in Addis Ababa, Ethiopia.



*A Kosovo Serb man waves a flag with Serbian colours, while protesting against Kosovo's independence in the ethnically divided town of Kosovska Mitrovica in 2008.*

# Ethnicity, identity and the nation state: lessons from Kosovo

**Festus Aboagye** looks at the latest ruling on Kosovo and its implications for Africa

In its far-reaching decision on Kosovo, the International Court of Justice (ICJ) – the UN court with jurisdiction for inter-state disputes and advisory opinions on legal questions – ruled on 22 July 2010 that Kosovo's declaration of independence 'did not violate international law' because international law contained no 'applicable prohibition' of the declaration of independence by Kosovo's transitional institutions.

Given the developments leading to Kosovo's unilateral declaration, the ruling by the Court raises some very interesting and profound questions around the nature of states, not only in Europe, but also in Africa where the notions of nation-states continue to

**"These concerns may also apply to such societies as in Rwanda and Burundi, as well as to Ghana, Kenya and Nigeria, whose national landscapes are characterised by different degrees of sporadic, destabilising ethnic tensions and clashes".**

arouse considerable academic debate.

In a bid to reverse Kosovo's unilateral declaration of independence on 17 February 2008, Serbia took the commendable path of adhering to international rule of law by requesting a UN vote for an ICJ Advisory Opinion on the question: Is the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo in accordance with international law?

Thus, the ICJ ruling is somehow an emphatic rejection of Serbian claims that Kosovo's unilateralism violated its territorial integrity. On the contrary, even though it simply expressed a non-binding opinion, the ruling by the ICJ as a prestigious and authoritative judicial organ of the UN would appear to enhance the chances of Kosovo's recognition by other member states of the UN, the EU and the Organisation of the Islamic Conference (OIC).

The conditions for Kosovo's unilateralism may have been created in 1999 when Serbian forces were driven out of Kosovo after the NATO bombing campaign against the violent repression of the province's ethnic Albanians, who constituted 90% of its two million population. In the aftermath of that episode, Kosovo was placed under the administration of the UN until February 2008, when its parliament voted to declare independence.

The vicissitudes of Kosovo's sub-national, sub-state identity, in relation to Serbia and Serbian nationalism, may have implications far beyond the Balkans, raising disturbing concerns for countries with irredentist movements within their borders. Such a possibility resonates with contemporary African realpolitik.

## Africa's weak nation states

In light of the political processes already under way within the framework of the Comprehensive Peace Agreement (2005), South Sudan perhaps best exemplifies this paradigm, as does Darfur whose peace implementation is fraught with political hurdles and armed conflict. These concerns may also apply to such societies as Rwanda, Burundi, Ghana, Kenya and Nigeria, whose national landscapes are characterised by different degrees of sporadic, destabilising ethnic tensions and clashes, to Cameroon with its linguistic divide, to Ethiopia which is faced with multiple irredentist and secessionist rebellions, and to the failed state of Somalia which, in spite of avowed pan-Somali aspirations, is still faced with 'irreconcilable' clannish tensions with ramifications for regional and international security.

In these and other African countries, diverse ethnic nations and societies have been ill at ease with one another, aided by history and by misguided post-independent centre-periphery policies of socio-political and economic exclusion, repression and marginalisation. The situation has led to the rather harsh perceptions in academic discourses that African states are no more than geographical expressions, the products of von Bismarck's project (1884-85) that formalised European scramble for African lebensraum and the demarcation of boundaries without due regard to pre-colonial African polities.

One cannot agree more with Ali Mazrui's diagnosis of the construct of modern African states. Mazrui argues in his introductory chapter to the General History of Africa: Africa Since 1935, that the three-stage process of nation building involves: the liberation of territory from European colonisation, the formation of states and nation building.

It is arguable that the liberation process was concluded in 1994 with the

**"Upholding the rule of law will make the continent less prone to devastating armed conflicts, as opposed to the prevailing wisdom of military option as a first recourse and the cycle of conflict that then necessitates peacekeeping or stabilisation interventions."**

advent of democracy in apartheid South Africa when, to paraphrase Kwame Nkrumah, all the pockets of colonialism (and apartheid) were uprooted from the continent. It is equally arguable that on the basis of the Westphalian principles of the notion of sovereign states (sovereignty and fundamental right of political self-determination, legal equality in international relations, and non-intervention in internal affairs), the establishment of 54 independent African states became reality from the 1950s to the 1980s.

Regarding the third and last phase of nation building, however, the view held in this article is that modern African states have failed to consolidate themselves as nation states in the Westphalian sense. In spite of commendable successes in two of the phases of state formation, they have failed in unifying the nations that existed in colonial states by default of Bismarck's project, choosing rather to exploit the fault lines of ethnicity (and culture). That failure accounts for the avalanche of destabilising conflicts since the end of the Cold War.

## Consolidating state sovereignty in Africa

This is one of the key contexts in which Kosovo's troubled sub-national, sub-state identity resonates with Africa and offers a serious lesson in conflict resolution, given the failure of states to evolve into nation states, and rather sticking to a hollow facade of national security and sovereignty. The first lesson from the ICJ ruling is that there may be nothing in the construct of states to make political exclusion and repression, whether by majorities or over minorities, or vice versa, sacrosanct and permissible in international law.

The corollary to this underscores the lesson that the most assured path towards national sovereignty in multi-ethnic societies is the road of fair and equitable access and equal socio-political and economic opportunities for the wellbeing of all peoples. It is certainly not the path of exploitation and exclusion, or of political caprice, in spite of the realities of the continent's colonial past.

The second lesson from the Kosovo experience has to do with one of the fundamental principles established by the Organisation of African Unity (OAU) during its formative years. It is the principle of the 'inviolability of borders inherited at independence', or *Uti possidetis*, which the African Union (AU) reaffirmed in the Algiers Declaration of 1999. This was a rational policy principle for those times. However, blind adherence to this principle to the exclusion of other crucial considerations has been the reason for some of Africa's most intractable post-Cold war conflicts before and since the end of the Cold War.

The lesson here is that the *Uti possidetis* principle may probably not be a sufficient political and legal basis for state consolidation – or territorial integrity – under historical, political and cultural circumstances similar to those

of Kosovo and Serbia. Indeed, could the ICJ ruling rather be suggesting that in some such circumstances, international law may not be adequate in guaranteeing the inviolability of colonial or other borders? And what could that suggestion have for the notion that such borders define the limits of territoriality and sovereignty?

In that event, what political and legal implications could this have as regards international norms and practices around and between states? Even more pertinently, what would be the ramifications be for the integrity of some of Africa's states defined more by their arbitrary 19th century borders?

## Settling disputes by peaceful means

Serbia's example, however, in referring the question to the UN General Assembly for a legal opinion provides yet another, third, good lesson. In pursuing efforts aiming at restoring its own perceived 'rightful' territorial integrity and sovereignty over Kosovo, Serbia did not opt to return to the military option that had devastated the Balkans. Like Serbia, African countries should learn to choose the path of rule of law in resolving political and other disputes.

## Conflicting international reactions

There is another outcome of Kosovo's unilateral declaration of independence that has been impacted by the ruling of the ICJ. The ruling will serve to deepen political divisions between those supportive of Kosovo's independence and those opposed to that reality. This outcome and development obviously have served to draw the line between some EU nations – including Spain and Greece – with separatist movements of their own, and others like China, Bosnia and Russia, that are perceived to be inhibiting the right



*Ethnic Albanians waving Kosovo and Albanian flags travel on a horse drawn cart as they celebrate one year anniversary of Kosovo's independence in Vucitrn Kosovo.*

of self-determination by sections of their societies. Paradoxically, Russia's hand may have been strengthened in its support for Abkhazia and South Ossetia's independence from Georgia.

This divisive dimension of the Kosovo question has a more serious resonance with Africa's proxy conflicts. Many, if not all of Africa's post-Cold War intrastate conflicts have arguably been initiated and sustained by active support from regional and international entities with diverse interests in the outcomes of such conflicts. These proxies, largely organised along ethnic lines, have resorted to the use of the military option to achieve political and military aims and objectives with serious ramifications for regional and even international peace, stability and security.

## The cost of war (and peace support intervention)

The prospect of new ethnic conflicts and the prolongation of existing ones as a result of the failure of African states to build nations may imply the continuing recourse to peacekeeping interventions within the continent.

While peacekeeping may be less costly than armed conflict, it is by no means inexpensive.

Africa needs to exercise care not to undermine or pre-empt the outcome of political processes towards self-determination, such as in the South or West of Sudan. After nearly two generations of first gaining independence of states, the time has long passed for Africa, to have evolved values and institutions to reform, transform and consolidate African societies into nation states in which diverse groups live in peace as one people. Continued adherence to regime security tendencies and practices under national security and sovereignty pretences, and inimical policy agendas of political exclusion and repression, will only engender more instability and human suffering.

The ICJ's ruling on the Kosovo question sends a timely message for African rethinking on state sovereignty, self-determination and human security. The challenge is for Africa to vindicate the wisdom in the inviolability of borders and polities inherited from von Bismarck's European colonial project. 

# A PEOPLE BETRAYED

**THE ROLE OF THE WEST IN RWANDA'S GENOCIDE**  
**NEW UPDATED EDITION**

**'THE BEST OVERALL ACCOUNT OF THE  
BACKGROUND TO THE GENOCIDE.'  
LT GEN. ROMEO DALLAIRE**

**LINDA MELVERN**

**PETER ORNER**

# THE BOY NEXT DOOR

# IRENE SABATINI

**“Poverty is now optional” is  
Greg Mills’ invigorating message’**

Paul Collier, Oxford University; Author of  
*The Bottom Billion* and *The Plundered Planet*

# WHY AFRICA IS POOR

## AND WHAT AFRICANS CAN DO ABOUT IT

**GREG MILLS**

## 50 ANS APRÈS, QUELLE INDÉPENDANCE POUR L'AFRIQUE ?

**CRIMINAL**

(IN)JUSTICE

## IN SOUTH AFRICA

56

*'Informative, succinct and stimulating.'* F van Zyl Slabbert

# Love in a turbulent Zimbabwe

**Poppie Mphuthing** talks to Irene Sabatini, author of the award-winning new novel, *The Boy Next Door*

On the cusp of its independence in 1980, Zimbabwe was the breadbasket of Africa, boasting one of the highest literacy rates on the continent. But in the past decade the economy has collapsed, agricultural production has plummeted, and political repression has become the order of the day. For many Zimbabweans, there was little to celebrate on the country's 30th anniversary of independence from British colonial rule in April this year.

The unfolding tragedy of Zimbabwe is the backdrop of *The Boy Next Door*, the debut novel of Zimbabwe-born Irene Sabatini, whose candid and heartfelt narrative has earned her international recognition.

In June, she won the Orange Award for New Writers, one of Britain's most prestigious literary prizes. "The emphasis of the Orange Award for New Writers is on emerging talent and the evidence of future potential," says the official website. The judges' chair, Di Spiers, describes Sabatini's novel as "an important book... immediately engaging, vivid and buzzing with energy... that will enchant readers and which marks the emergence of a serious new talent."

Speaking with Sabatini over the phone, her bemusement and surprise at receiving the award are hard to miss. "It was out of leftfield. Having that affirmation and acknowledgement that you are a storyteller is so special. I haven't been bluffing..." She laughs musically, something she does throughout the conversation.

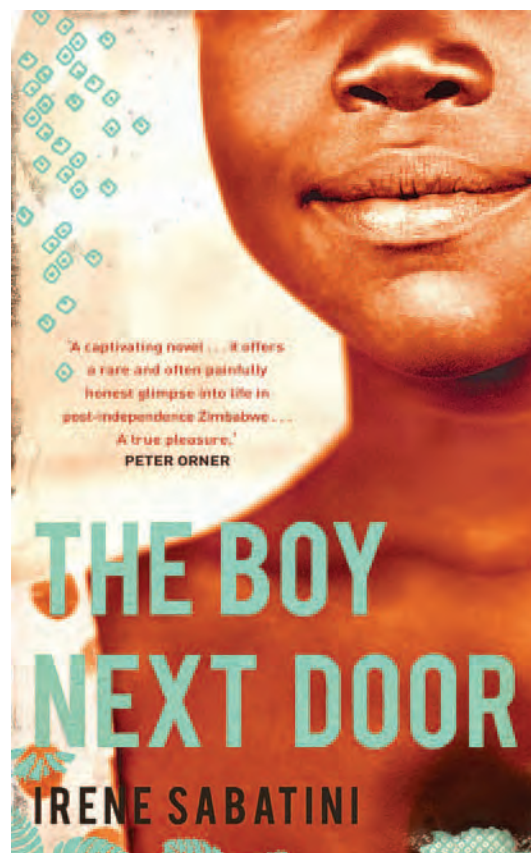
Sabatini, who lives in Switzerland with

her husband and children, has come a long way since her childhood days in Bulawayo, where she was born and brought up. Now 40, Sabatini has lived all over the world. She spent her university years in Zimbabwe's capital, Harare, as well as spending time in London (UK) and Bogotá (Columbia).

In many ways *The Boy Next Door* is a full-circle memoir, a nostalgic trip down memory lane, back to the heady time when Zimbabwe first gained independence and black people took pride and ownership of their space.

These observations and experiences are shared with the reader by the protagonist and narrator, Lindiwe Bishop. A character, Sabatini says, that she has a great deal in common with. Many of Lindiwe's experiences are autobiographical details. Sabatini says they share many characteristics, and: "Like me,

**A sense of foreboding peppers the narrative as the post-liberation society tries to find its way, but ultimately the accompanying tensions reach boiling point.**



Lindiwe loves reading. Actually she's a bookworm, but is always observing the world around her."

*The Boy Next Door* traces the blossoming of an unlikely relationship between Lindiwe, a young mixed-race girl and her twenty-something white next-door neighbour, Ian McKenzie. Sabatini says Ian was created from a mosaic of memories of young Rhodesian boys she grew up with in Bulawayo. Many of them were racist and taunted her, as she was the only black person at her youth group. But despite this hurtful experience, she does not construct Ian as a one-



*“The Boy Next Door was not supposed to be about race and politics,”*

as a partner to Lindiwe, as a father to their son David, and as a professional. “He’s a Rhodie, but different,” says Sabatini. “He’s isolated from his own community. He’s poor white trash but he has an artistic, sensitive side.”

The narrative entwines fictional episodes with historical political

events and figures. Sabatini hangs race politics and contemporary history on a number of fictional episodes. One instance is Ian’s discovery of and growing love affair with photography, which sees him head to State House at the request of President Robert Mugabe, to shoot the latter’s portrait. Sabatini reflects that this is an important episode in the book. “We are complex, multidimensional characters. Every dictator has a humanity to them,” she says.

Stoicism is a constant feature in *The Boy Next Door*. It is displayed by the Bishop family, whose fabric is challenged by infidelity. Lindiwe and Ian’s relationship also embodies stoicism in the face of other people’s prejudices.


Even their individual worldviews and histories put pressure on their nuclear family. When their son David arrives home with a black eye, having been targeted in a racially-motivated attack, the family once again has to face racism head on. The literal divide of black and white challenges the couple’s intimate bond. Lindiwe’s frustration and Ian’s lack of understanding pushes their relationship to the brink. They are a microcosm of the many challenges facing the post-colonial Zimbabwe they live in.

The notion of ‘the boy next door’ is widely seen as an imagined, optimistic image of the perfect love. Sabatini’s novel embodies this and yet simultaneously removes the rose-tinted effect, by positing love in the inglorious light in which it often thrives.

Stoicism plays out more generally too, as a post-independent Zimbabwe strives to unravel the endemic racism of the society and keep in check the excesses of the new black political elite. A sense of foreboding peppers the narrative as the post-liberation society tries to find its way, but ultimately the accompanying tensions reach boiling point.

In light of Zimbabwe’s descent into political and economic turmoil, some readers may view the author’s attitude as unrealistic and oblivious to current realities. But Sabatini is unapologetic. “*The Boy Next Door* was not supposed to be about race and politics,” she says. “Writing the book was an organic process... It’s a celebration of the character of Zimbabwe and how it was. I have a deep love and optimism for Zimbabwe. I have very fond memories.”

Although Sabatini says she didn’t set out to write a novel that espouses particular ideologies about politics and race, these issues are almost inescapable, as the constant backdrop against which the protagonists’ lives play out. But what is clear is that for Sabatini, writing *The Boy Next Door* was therapeutic. “To write that book, I had to be out of Zimbabwe. I had to have peace of mind for the memories to come floating to the surface.”

Sabatini is currently working on her second novel, although she is tight-lipped about the details. She does, however, say that her next offering explores similar dynamics as in *The Boy Next Door*. So, those who enjoy the complex nature of families and social history, watch this space. 

dimensional hateful character. Sabatini says, “Ian is a mystery... He’s open to change. He’s also a realist. He confronts who he is and seeks to change. Ultimately he has a good heart.”

Something special about Ian’s spirit saves him from his own social history, which tells him he should be a racist, patriarchal pillar of Rhodesian society. In the book there is constant reference to Ian’s engrained racist attitudes. He often uses derogatory terms like ‘Gondie’, ‘Aff’ and ‘curry-muncher’, but as the years go by his consciousness awakens. It is his relationship with Lindiwe that enables this. She is the first person of colour with whom he interacts and connects. He inadvertently comes to respect and love her.

“They come from the same place. They have an understanding. They are both dealing with coming from a small, boring place. They share common ground,” says Sabatini.

This observation shows that human beings are more similar than we are different, and that in times of external conflict and pressure human resolve can achieve beyond its own expectation.

Sabatini’s optimism is evident as the narrative traces how Ian matures

## Those who turned a blind eye

**A People Betrayed: The Role of the West in Rwanda's Genocide, by Linda Melvern (Zed Books)**

**Reviewed by** Liesl Louw-Vaudran

The tragedy of the Rwandan genocide will be with us for many decades to come. What exactly happened when, and who was ultimately responsible for the international non-assistance which left up to a million people to die such horrible deaths, is still much debated. In addition, it informs on many of the policy decisions made on other conflicts today.

Melvorn's very thorough account, lauded by (among others) the United Nations force commander Lt Gen Roméo Dallaire, has been updated at a time Rwanda is again uppermost in many minds.

This year's presidential elections in Rwanda and the ongoing war in the Kivus, with the atrocities ascribed to the former *Interhamwe* militia, make this book important reading.

Over the past few weeks, revelations in a new UN report of massacres of Hutus in the immediate aftermath of the genocide have made it necessary to revisit some of these exceptional works on the events.

Though one might have heard about the events in broad terms, the day-to-day and hour-by-hour account of what exactly happened after President Juvenal Habyirimana's plane was gunned down on 6 April 1994 remains a gripping read.

Melvorn went to great lengths to interview as many international roleplayers in Rwanda as possible, focusing on the response of the international community to the genocide.

She narrates in vivid detail Dallaire's now well-known desperation after

so many requests for increased UN presence fell on deaf ears. She describes the bravery of many of the UN soldiers, exposed and vulnerable in a Kigali engulfed by horror and blind killing.

She also applauds the excellent work done by the International Committee of the Red Cross (ICRC), which sheltered and assisted 9 000 people in Kigali and saved up to 100 000 in very grave circumstances during the months between April and July at the height of the killings.

However, central to the book is the question of why the members of the UN Security Council responded the way they did, and why there was such unwillingness to take action. "It is a terrible story, made worse because the true nature of it continues to be deliberately distorted and confused," says Melvern.

She recounts the role of Boutros Boutros-Ghali, then UN secretary general, who initially claimed to be "optimistic" that the peace deal between the Rwandan government and Kagame's Rwandan Patriotic Front would last. Of course, this is the same Boutros-Ghali who, when he was Egyptian minister for foreign affairs, was instrumental in arranging arms sales to Rwanda.

Citing the details of faxes, communiqués and reports in the crucial days leading up to the genocide, she describes the roles of all the key diplomats and UN actors, including the then undersecretary responsible for peacekeeping, Kofi Annan, who later admitted he "could have done more".

In a scathing indictment of the role of the administration of former US president Bill Clinton, she cites Anthony Lake, the security advisor at the time, saying that the US didn't have the means for "resolving every conflict of



this kind".


Melvorn justifiably devotes a lot of time to the role of France in the conflict, drawing a line from its earlier assistance to the Rwandan army and Habyirimana's government to Operation Turquoise.

She describes in detail Dallaire's opposition to the French operation, especially the creation of 'protection zones' - an issue that has been hotly debated ever since.

The painful account of the Tutsis from Bisesero who emerged from hiding when the French arrived but were then attacked by Hutus is vividly described, in a passage in the book that won't easily be forgotten.

Though in the past 16 years France has gone to great lengths to try to justify its actions in Rwanda, including a 1998 parliamentary committee which concluded that France "acted in the best interests of Rwanda", Melvern seems unconvinced.

There is no mention here of what else might have happened in the camps and of any revenge-attacks.

This is a well-written and very well documented account on the Rwandan genocide, and it will no doubt be used by many as a reference on one of the worst atrocities of the 20<sup>th</sup> century. 

# Economic growth uncovered: from Laos to Liberia

Why Africa is poor and what Africans can do about it. Greg Mills, Penguin Books, 2010

From Asmara to Goma, Monrovia to Johannesburg and back to Kigali, Greg Mills has travelled the lengths and breadths of Africa, in a quest to diagnose the ills that plague the continent and find out what to do about them.

He has studied the economies, the leaders' policy choices and the political and historical make-up of dozens of countries to come up with this highly insightful and challenging book.

Mills, director of the Oppenheimer-sponsored Brenthurst Foundation, examines the choices that Africa has to make to ensure future sustained economic growth; "the precondition for social development and individual prosperity". For Mills the key to growth and a prosperous future is "exports, investments and productivity". Africans should also produce and "sell things other people want", while improving governance and removing bureaucratic obstacles that hamper growth.

It is refreshing that Mills does not resort to the normal shortcuts taken by many analysts and policymakers when speaking about Africa's development.

It has become tedious to hear 'experts' looking for African 'success stories' – usually relatively small countries like Botswana, Mauritius or the Cape Verde islands – to hold up as an example for others. Instead, Mills focuses on methods and policies that are successful and, importantly, he compares African countries to those in Asia, Latin America and the former Soviet Union. He writes more about the places he knows best, such as

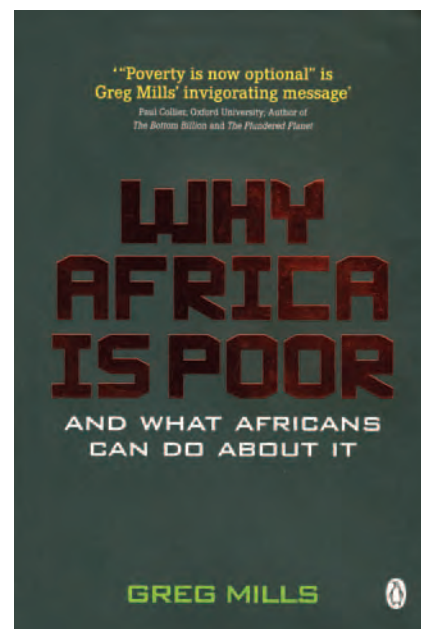
Rwanda (where he worked as advisor to President Paul Kagame in 2008), Liberia, Zambia and the Democratic Republic of Congo (DRC).

He also doesn't bore the reader with endless colourful tales of struggling individuals – bar the odd taxi-driver here and there – which all too often make up the bulk of these kinds of books.

Mills admits that there is "no such thing as a foreseeable future" and that some of his predications might be overtaken by events – just as an excellent book like Robert Calderisi's *The Trouble with Africa* (2006) now seems a little outdated because it appeared before the 2008 global economic crisis. The economic slump, Mills contends, "revealed to Africans something of the nature of their friends". Some of the hugely publicised Chinese projects in the DRC slowly went very quiet until commodity prices rose again. Yet the fundamental requirements for dragging African countries from "high cost, high risk and low productivity" to growth and future prosperity remain the same.

A lot of Mills' advice is not new. Trekking across various intractable export routes, being held up for hours by immigration officials, slowing down Africa's trading ability, Mills admits that he is not the first to say that Africa should cut through some of the red tape.

Similarly, his advice about prioritising agriculture and sorting out the emotional land ownership issues has all been said before. So why has no one listened? Amongst other factors, he cites Africans' "innately skeptical view of outsiders", as well as the fact that leaders have "been able to get away with it", simply because not only



donors but also the electorates have been willing to let them do so.

The "culture of entitlement" that is so well described in Michela Wrong's *Our Turn to Eat* (2009) about corruption in Kenya is another issue touched on by Mills.

He also writes about how implementing reforms (privatising airports, for example) could be an impediment by the ruling elite to short-term gains, since leaders tend to favour politics over economics.

Mills also tackles head-on the issues of culture, sexism, tribalism and a tendency to blame either history or outsiders for what goes wrong. But Mills' huge advantage over other analysts is his vast global experience. He not only knows Africa; he has also sat with Indian women farmers, been to riverfront cafés in Phnom Penh and interviewed Georgian president Mikhail Saakashvili about how he managed to drag his country out of poverty despite not having any oil.

He looks at non-African countries with similarly huge problems, like ethnicity and racism, a history of very brutal wars, environmental degradation, clans and presidents-for-life, and notes that by improving education and skills, as well as

promoting better savings and economic liberalisation, they made it work. Mills contends that good governance and thrift are the main ingredients of Asia's success.

Places like Kazakhstan, which has the "mental inheritance of four centuries of Russian colonisation", and Azerbaijan, with its over-reliance on oil and accompanying environmental disasters (gas flaring and the like), have very similar challenges to many African countries. Yet both these countries have realised impressive growth rates and equally impressive economic and social reforms to achieve greater prosperity for their citizens.

Importantly, Mills concludes that development isn't a zero-sum game: "you don't develop at the expense of others." He looks in detail at Costa Rica, El Salvador and Colombia as places where Africa can learn some lessons, with constant referral to China, India and the US. He praises the Singaporeans' Confucianism, which, he says, brings "a certain conception of duties and obligations" to one's fellow-citizens.

And, while Central American leaders pride themselves in their development successes and "have competitiveness benchmarks at their fingertips" like

the World Bank's *Doing Business* Indicators, Africa's "big men" don't seem to care.

Mills repeatedly states that Africa's problems are not due to a lack of markets, but to bad policies by its leaders. For example,

a country like Eritrea, once clean and functioning, has been turned into a police state by its once-inspiring leader Isaias Aferworki.

And then there is the highly complex issue of aid – at the same time too little and too fragmented but also serving as a way for African leaders to avoid taking tough decisions. Mills examines how aid has "institutionalised economic uncompetitiveness" and how, for this reason, donors can too often contribute to stagnation and perpetuating poor performance.

Experience shows that aid was better used in Asia, for development and not simply to maintain the status quo. He suggests that donors should "draw some red lines" when it comes to conditionality but leave it up to Africans to develop their own reform plans.


Mills anticipates a range of reactions to what he says – especially in a book as ambitious as this. One could,

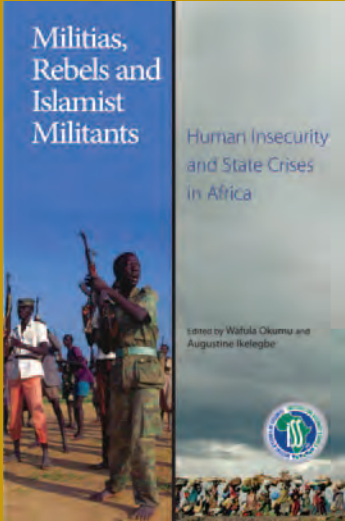
for example, say that not enough attention is paid to the human capacity for growth in a continent with such a backlog in education and, as he says, one third of the population is malnourished.

More attention could also be paid to the issue of democracy, since there have been many success stories from countries with a history of little or no democracy. Is it rather about openness, as the near-visa-free Georgia shows?

Of course, as Mills readily anticipates in the introduction to his book, there will be some who dismiss his advice as that of an outsider – that is, those who differ with the impressive range of people cited singing his praises on the book's cover – but they would be wrong. Who really has a monopoly over the analysis and diagnosis of Africa's problems?

In conclusion, Mills admits that "modernisation is a long and complex business", especially in post-conflict or so-called 'failed' states like Liberia and the DRC.

Africa has a lot going for it, not least its youthful and growing population. The question is, will its leaders take advice? And when will it be Africa's century? 



For all those who wish to understand the contribution these groups make to continuing insecurity in African states, this collection of well-researched case studies is essential reading.

*David M Anderson, Professor of African Politics at the University of Oxford, and Fellow at St Cross College, Oxford*

It is highly recommended reading for scholars, researchers, policy makers and anyone seeking a deeper understanding of militia, rebel and Islamist militant groups and the impact their actions have on human insecurity and the state crisis in Africa.

*Major General Henry K Anyidoho, Deputy Joint Special Representative for the United Nations–African Union Hybrid Operations in Darfur (UNAMID) and former Deputy Force Commander and Chief of Staff of the United Nations Assistance Mission for Rwanda (UNAMIR)*

# African images

Your pictures



Wise old man from the Fulani tribe in the Dogon Valley (Mali)

Ancient mud dwellings  
(abandoned circa 1972)  
under an overhanging  
cliff below the Dogon  
Plateau (Mali) – the last  
refuge of an animist  
culture against Muslim  
invaders.

Caretaker of the mosque in Djenné (Mali) inspecting the terracotta ventilators on the roof of the world's largest mud structure.



# African images

Your pictures

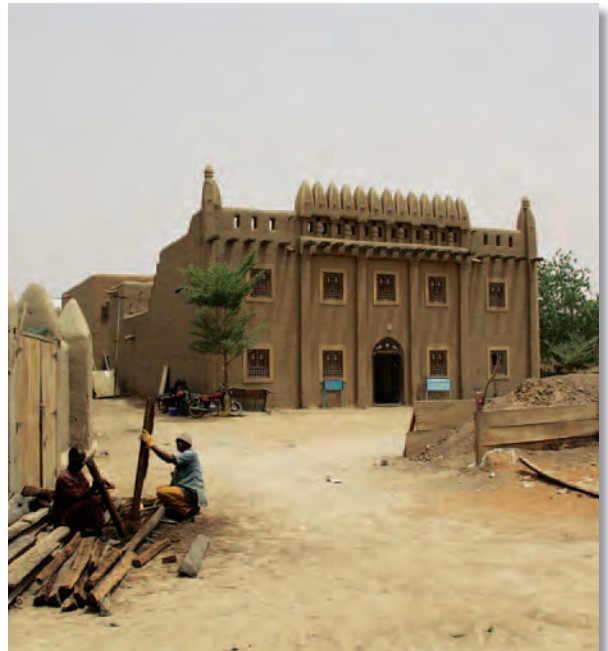


Boy with a homemade kite – Djenne (Mali)

Proud young boy with big dreams - Women's Market, Djenne

Carpenters at work, with the Djenne Library in the background.

Kobus Botes travelled from Amsterdam to Cape Town via West Africa on his motorbike earlier this year – a 29 000km journey that took him just about 4 months to complete. Here are some of his pictures.



# Witch-hunt politics in Southern Africa

Whenever there's a shake-up in the ruling party – like now in Botswana – everyone is affected, from the councillor to the area member of parliament.

**Keto Segwai** writes about the cloak-and-dagger politics of a break-up

When the split finally happens, political friendships that have been painstakingly sewn together and cemented over years are tested to the limit.

The truism that “in politics, the real enemies sit beside me and my opponents sit across the table” becomes a living reality. Silence can be misconstrued as certainty gives way to suspicion.

The growing threat to long-term ruling parties (whether from inside or outside their ranks) across southern African in the last decade not only impacts negatively on party members, it also has far-reaching national repercussions.

A split or the threat of loss of political power brings anxiety, suspicion and witch-hunting in government and other sectors, with the full brunt borne by senior political figures and civil servants, and parastatal and private-sector executives.

This is to be expected, as over the years of ruling (as opposed to governing), political and administrative authority tends to fuse, and the dividing lines between the party and the government become blurred.

In reality the whole government business is thrown into total chaos, as previously experienced in Zimbabwe, Namibia, South Africa and now Botswana.

In Zimbabwe, for instance, the political stability began to unravel in 2000, when the perceptibly invisible ruling party, ZANU-PF, was confronted with a serious

political challenge; first through the constitutional referendum and later with the formation of a credible opposition – the Movement for Democratic Change (MDC). MDC comprised predominantly of the labour movement, which until then was aligned to ZANU-PF.

In Namibia, the liberation-movement-turned-political-party, SWAPO, experienced its first fissure in 1999, when former trade unionist and Robben Island inmate Ben Ulenga resigned his ambassadorial post in London in protest against then-president Sam Nujoma's intended unconstitutional third term. Though in an election held eight months later, the Congress of Democrats (CoD) managed to achieve the mantle of the main opposition, it was rendered ineffective by internecine factional fighting.

However, Namibia's real democracy test came with the founding of the Rally for Democracy and Progress (RDP) in 2007. The ruling party began to target “hibernators” – either dormant members or those suspected of being sympathetic to the splinter faction. The hunt for “hibernators” reached fever pitch in the run-up to the November 2009 election. SWAPO retained the majority vote but the hunt has gone into overdrive – with devastating results to both individuals and the general operation of national institutions.

In South Africa, with Jacob Zuma's

corruption trial, the wrestling of power from Thabo Mbeki, and the subsequent formation of ANC breakaway, COPE threw government business into disarray.


There were persistent calls from the ruling elite for the expulsion of some parastatal chief executives because they were “incompetent and not loyal to the ruling party.” The vanquished from Polokwane were viciously attacked, defied and ridiculed.

Senior politicians, civil servants and private-sector executives suspected of having ties with the breakaway factions were hounded out of their jobs and denied government tenders. Similar purges continue in South Africa, Namibia and Zimbabwe, and are bound to take effect in Botswana.

The political patronage often extended by long-term ruling parties becomes pervasive in appointments to positions within government and parastatals, and it also determines who gets what state tenders. Hence ‘tenderpreneurship’ – an ingenious recent creation of South African wordsmiths.

However, in South Africa, the economy's robustness and its historically strong civil-society movement have to an extent mitigated the dire implications on the defectors and opposition leaders. This is precisely why, even during his stint in the political wilderness, Zuma still had the opportunity to be openly bankrolled by local wealthy individuals and companies.

It also appears the impact has not been that catastrophic on the nascent COPE, which has had the luxury of launching its own internal factional wars using expensive litigation.

The same, though, cannot be said of the situations in Namibia, Botswana, and Zimbabwe, with their comparatively miniscule and entirely state-dominated economies. It is not an exaggeration to say that in such economies, for any business (regardless of size) to associate openly with opposition politics is akin to commercial suicide. 

# New leaders in Africa

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