

# THE GLOBAL QUEST FOR *TRANQUILLITAS ORDINIS*: AFRICA'S CONTRIBUTION TO *PACEM IN TERRIS*

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## 1. Introduction

This paper examines Africa's contribution to the global quest for *tranquillitas ordinis* (*tranquillity in the social order*) with particular emphasis on the role of African continental and regional organisations in promoting *pacem in terris* (*peace on earth*). The paper explores the role of African organisations both continental and regional especially in solving problems that have beset the continent in the postcolonial era. The context is the turmoil in Africa particularly in the new millennium, where governance could broadly be described as not in the interest of citizens and changes or expected changes in government have been accompanied by violence, bloodshed and large-scale displacement of citizens who have turned refugees in states neighbouring the epicentres of violence. What is also noteworthy, and needs exploring, is the development of a concept of a government of national unity in Africa. This is a concept which is hardly neutral given the circumstances under which it arises and the resistance of African leaders to relinquish political office despite the purported popular elections. What appears to be the inherent tenacity of dictatorial regimes is also a factor to be considered when making propositions for a government of national unity. This is essential given: first the paradox between dictatorship and peace, and secondly, that contestation over office appears to be among the main causes of conflict in Africa. The paper adopts a case study approach and deals with three countries: Cote d'Ivoire, Kenya and Zimbabwe as a demonstration of the role of continental or regional mediation in the resolution of conflict, and hence Africa's contribution to *pacem in terris*.

In a space of four years, (2007 to 2011) Africa experienced major episodes of large-scale violence in over ten countries (Cote d'Ivoire, Kenya,

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Zimbabwe, Sudan, Gabon, Egypt, Tunisia and Libya) to name a few. It appears that one of the most constant triggers to “non peace” is the politics of power, manifest in the unwillingness of regimes or dictators to leave office. For instance, in the last five years, several African countries have held elections where, despite the regime in office losing glaringly, protracted resistance to hand over power to the winning party has invariably led to violence as an immediate knee jerk reaction. The ensuing violence has caused untold social and political destabilisation resulting in floods of refugees to neighbouring states. In some instances there have been violent protests that have led to the removal or resignation of the regime in office (Egypt and Libya) accompanied by scores of dead and massacred civilians (Libya, Sudan, Egypt and the Horn of Africa). In a space of two years (2010 to 2011) North Africa went up in flames when Egypt, Libya, Somalia, Sudan and Tunisia engaged in revolutions that culminated in regime changes leaving hundreds or scores of people dead.

There are regional and continental bodies in Africa that have peace entrenched in their Constitutive Acts or Charters (Peace and security are one of the objectives of the African Union’s Constitutive Act and the Southern African Development community’s principles. See [www.au.org](http://www.au.org) and [www.sadc.int/english/key-documents/declaration-and-treaty-of-SADC](http://www.sadc.int/english/key-documents/declaration-and-treaty-of-SADC)), yet peace still remains elusive and hard to realise in Africa, as not all countries have a smooth and violence-free transition from the old regimes to new governments. There has been mediation and responses by the international and regional organisations such as the Southern African Development Community (SADC) in the case of Southern Africa, the Economic Community of West African States (ECOWAS) in West Africa and the African Union (AU), but the success of this intervention and contribution towards building a peaceful world are subject to analysis and evaluation. It is therefore the task of this paper to look at selected case studies of some of the abovementioned countries and explore the extent to which both the AU as a continental organ and regional bodies such as SADC and ECOWAS have performed in an attempt to resolve these cases of violence thus contributing to the creation of a *tranquillitas ordinis* in Africa. Before we look at the main task it is important to have a summary of events that constituted the violence, together with the causes, perpetrators and the extent of the damage caused to peace.

## **2. Case Studies**

The three case studies upon which the analysis adopted in this paper rests relate to post election violence. All typify the response by the AU as a continental organisation and SADC together with ECOWAS as regional forces

to violent conflicts in the continent and in the respective regions. The adoption of the case study approach is mainly that the narratives project, in detail, both the capacity and political will of African organisations to resolve the endemic African paradox between political morality and political power on the one hand and social justice and democracy on the other. Or rather, the narratives demonstrate the extent to which Africa has been unable to resolve the problem of representative democracy and in the process brought about untold suffering to the very citizens it purports to protect.

### **2.1. *The Conflict in Cote d'Ivoire***

Cote d'Ivoire with a population of about 21.1 million after a decade of political turmoil finally held elections in October 31, 2010. From the year 2000 when Laurent Gbagbo took office, there had been political instability in that country. The country had been divided between the rebel controlled northern region and the southern region mainly because of the predecessor of President Gbagbo, Henri Conan Bedie who emphasised the idea of the *Ivoirite*, the southerners. These were, according to Bedie, authentic Ivoirians in contrast to circumstantial ones (Congregational Research Service (CRS) April 2011). Circumstantial Ivoirians, according to Bedie are the northerners and immigrants. Such a conception of citizenship created divisions within the populace and an ultra-nationalist and xenophobic view by the people from the South developed. Thus one group, the southerners, identified themselves as the true Ivoirians at the peril of excluding and oppressing others. The north and south became two polarised sides not only with different political views but also ethnic divides. One may, therefore, come to the conclusion that besides the controversy over the election results, ethnicity played a major role in the ensuing conflict between President Gbagbo and Former Prime Minister Alassane Ouattara. It is worthwhile to note that in 1995, Alassane Ouattara was disqualified from running as presidential candidate because the electoral law barred anyone who had resided outside Cote d'Ivoire for five years to run for the office of president. In October 1999 the court invalidated the citizenship of Ouattara claiming that he was of Burkinabe decent (CRS April 2011). As a result there were clashes between the police and Ouattara's supporters in October of 1999.

The elections in Cote d'Ivoire had been delayed because of the non implementation of agreements reached between 2003 and 2007 regarding peace, disarmament, citizenship, and voter identification. During the period before the elections there had been episodes of protests which, at times, were violent. Such episodes were prompted and fuelled by contention over land, citizenship and the nature of national identity. Thus the situation in

Cote d'Ivoire was not just political or had only political roots to the crisis, but issues of ethnicity or identifying with one group were part of the conflict, and were prominent underlying factors only triggered by politics. Consequently, both the first and second elections took place in an environment and background riddled with endemic conflict. Quoting the Carter Centre (an institute that advocates for human rights, freedom and democracy), the Congregational Research Service states that the runoff took place:

against the background of a tense and often negative campaign, long-standing disputes about national identity issues and land ownership were ... inflamed by negative political rhetoric and fuelled by a partisan media (CRS April 2011:65).

### **2.1.1. The Election Results**

In the first round of the elections on 31 October 2010 voter participation was at 83.7 percent and the elections were generally peaceful. The Congregational Research Service (April 2011:62) reports that there was a limited insignificant number of tallying irregularities. The results were as follows:

- Gbagbo, of the Ivoirian Popular Front (FPI), running as the candidate of the Presidential Majority (LMP) coalition won 38.04% of the votes;
- Ouattara, of the Rally of the Republicans (RDR) won 32.07% of the vote; and finally
- Bedie, of the Democratic party of Cote d'Ivoire (PDCI) won 25.24% of the vote.

The above are the most significant numbers reflecting the performance of the top three candidates. Since none of these candidates could get a majority vote as prescribed by Ivoirian law, which states that a winning candidate must get over 50% of the vote, a second round of elections was required. This was scheduled by the Independent Electoral Commission for 28 November 2010. Bedie and Ouattara had made an agreement that in the event of a runoff, Bedie's supporters would vote for Ouattara.

The presidential runoff came and passed and both candidates, namely Gbagbo and Ouattara, claimed victory. However the Independent Electoral Commission, certified by the United Nations, announced that Ouattara had won the elections by 54.1 percent of the vote compared to Gbagbo's 45.9 percent. Despite this certification by an independent electoral body, Gbagbo refused to cede power to his rival Ouattara. This sparked political violence and heightened the political tension already caused in part by the ethnic and religious divide between the Muslim north, home to the Akan ethnic group (allied to Ouattara) and the south dominated by the Krou ethnic group (allied to Gbagbo).

### 2.1.2. *Instances of Violence*

Cote d'Ivoire almost degenerated into a fully blown civil war, or one could say it actually did and it would be worthwhile to look at the extent of armed conflict. On 24 March 2011 the Congregational Research Service (April 2011) documented that at least 462 people had been killed in the post electoral violence by supporters of both claimants to the presidential throne. The UN attributed most of these killings to security forces loyal to incumbent president Laurent Gbagbo. The Congregational Research Service reported that on 3 March 2011 security forces killed seven unarmed female protesters. In late March a residential area in the city of Abidjan was shelled, resulting in 25 to 30 deaths. The Congregational Research Service quotes the Human Rights Watch and Amnesty International saying that there was a rise in politically motivated rape as a means of intimidation and also reporting the existence of mass graves in different regions of the country (CRS April 2011). During March the UN reported an increased recruitment of militia by pro-Gbagbo supporters co-ordinated by security forces and also some recruitment to pro-*Forces Nouvelle (FN)*, supporters of Ouattara. Young Patriots, loyal to Gbagbo, were often armed with machetes, clubs or guns and set up roadblocks in the capital Abidjan to hunt pro-Ouattara supporters and obstruct UN staff. Fighting in Abidjan was a frequent event and mostly initiated by state security forces loyal to Gbagbo, who made repeated strikes on opposition strongholds. These raids and strikes made the opposition retaliate, hence so the violence would not end.

The 25 February seizure, from pro-Gbagbo forces, of villages in the western Cote d'Ivoire marked yet another major degeneration of the political climate to a near state of civil war. There were reports of violations of the UN prohibition on the export of arms by the incumbent presidents forces (CRS April 2011). Heavy fighting was reported to have taken place in the area of Duekoue where FN was said to have taken control of the town together with the central town of Daloa. Significantly, the fighting went on from late November through to March and in that time space no effective regional action to bring the fast deteriorating conflict to a halt had taken place. ECOWAS made some ineffective noises but could not take any concrete action. Effective concrete action by the AU was also conspicuously absent besides the usual pontifications about African solutions. Later in the paper we shall try to find possible reasons while there was such prevarication, and why there was no concrete stance taken by the ECOWAS and the AU to resolve the conflict and restore peace, particularly that Cote d'Ivoire had hardly recovered from another protracted bloody conflict into the new millennium.

### **2.1.3. ECOWAS and AU Response to the Situation in Cote d'Ivoire**

On 5 December 2010 ECOWAS issued a statement to the Ivorian political leaders and the people of Cote d'Ivoire to refrain from any acts that would lead to violence. On 7 December of the same year ECOWAS endorsed the election results of the IEC and recognised Ouattara as president-elect of Cote d'Ivoire, also calling on Gbagbo to 'yield power without delay' (CRS April 2011:31). At the same time, the regional organisation suspended the membership of Cote d'Ivoire. On 24 December 2010, in its Extraordinary Summit held in Abuja, Nigeria, ECOWAS demanded immediate and peaceful hand-over of power by Gbagbo to Ouattara. In the event that Gbagbo did not hand over power, ECOWAS stated that they would be left with no alternative but to intervene with legitimate military force to remove the incumbent president. On 28 December, an ECOWAS delegation met Ouattara and Gbagbo in Cote d'Ivoire to try and resolve the crisis. When the delegates had left Cote d'Ivoire, ECOWAS decided to defer military intervention in favour of further negotiations. In their next attempt at the resolution of the situation, ECOWAS leaders were joined by Kenyan Prime Minister Raila Odinga, an AU mediator and this delegation made no apparent headway. In mid January some of the region's countries (Ghana and Nigeria) declined to participate in a possible military intervention with Ghana preferring quiet diplomacy and Nigeria citing domestic security concerns. ECOWAS therefore effectively made little or no contribution to the resolution of the situation in Cote d'Ivoire.

The AU delegated former South African president Thabo Mbeki, in December 2010, to find a legitimate and peaceful solution to the situation in Cote d'Ivoire. Following Mbeki's fruitless action, in January 2011, the AU sent Odinga who reiterated the need for use of force to oust Gbagbo. After Odinga's visit there was a consultative visit by the AU chair Malawian President Bingu wa Mutharika. Again these visits yielded no action or positive contribution to the situation. In late January 2011, the AU sent a high level panel led by the AU Commission chairman Jean Ping and comprising the presidents of Chad, South Africa, Burkina Faso, Tanzania and Mauritania together with the ECOWAS president Victor Gbebo. This panel affirmed Ouattara's election and called on Gbagbo to step down, recommended that a government of national unity be formed (the government of national unity was rejected by both Gbagbo and Ouattara) and the country establish a national truth and reconciliation process (CRS 2011). The implementation of these recommendations proved to be a great challenge. This could have been because of the discord among AU member states as countries like the Gambia recognised the legality of Gbagbo's election. South Africa had also issued

equivocal statements on the crisis. For instance, while endorsing the position of ECOWAS in favour of Ouattara South Africa also questioned the validity of the election outcome. Yoweri Museveni of Uganda also called for an investigation of the poll process and rejected the international recognition of Ouattara. With such discord and challenges the recommendations made by the AU could not be successful in the resolution of the crisis.

The actions of African organisations in Cote d'Ivoire are not different from those that the organisations pursued in other conflict areas. Narration of events the other two case studies used as reference points, namely Kenya and Zimbabwe, will demonstrate the similarities.

## **2.2. *The Turmoil in Kenya***

The turn of events in Kenya after the presidential election of December 2007 demonstrates yet another African failure. Kenya, a country in East Africa, had been perceived for some time by the international community as an example of economic and political stability in the region until the 1990s, when the political elite reintroduced multiparty politics in the country. For a long time ethnicity had been politicised in Kenya, and months before the general elections of 1992, there were clashes between two ethnic groups, the Nubis and Luos (Smedt 2009). Therefore, whereas the violence that erupted after the 30 December 2007 presidential poll shocked the world, this was not anything new in the country's history. When the incumbent President Mwai Kibaki of the Party of National Unity (PNU) was declared the winner, there was widespread violence in Kenya. Why did the violence assume the form it did? Kenya had had similar violent protests before but what most do not realise is that there was an ethnic divide which had been politicised by the men at the top. In Africa nepotism and cronyism have always been riddled with ethnic dimensions. It meant therefore that the victory of Mwai Kibaki was victory for his own tribe, the Kikuyus. Hence the latter would get more favours and resources compared to the others. This had been the case with Kibaki's predecessors. The violence, therefore, turned into revenge killings targeting ethnic groups that were linked to the PNU. While the violence was triggered by the political situation, ethnic tension was one of the underlying predisposing factors. Ethnicity is central in the distribution of wealth and national resources therefore politicians in Kenya resort to political tribalism to gain votes (Smedt 2009). It is reported that Raila had expressed anti-Kikuyu sentiments that fuelled the tension that benefited him politically especially in the slums of Kibera in Nairobi. Writing in the *African Affairs Journal*, Smedt reports that 60 people were killed in Kibera in political and ethnic related violence.

### **2.2.1. Cases of Violence Reported**

The Human Rights Watch (Vol. 20, No.1) quotes the United Nations as saying that by 7 February 2008, up to 500 000 people had been displaced and 1000 killed as a result of the post-election violence in Kenya. Incitement by political leaders was rampant in post election Kenya, the reason being to mobilise support among their ethnic kinsmen. Human Rights Watch has documented that on 1 January 2008, a church was set alight in the Rift Valley area and at least 30 people were burned alive. It is believed that the church had been a place of refuge for Kikuyu residents of Eldoret, in the Rift Valley. In a community outside Turbo also in the Rift Valley, a pastor reported that he knew at least 20 Kikuyu men who were killed during the violence trying to defend their homes. Kikuyu men, on 31 December, carried out reprisal attacks, killed and beheaded several Luo residents and left their heads lying on the road. In Kabati, a town of Naivasha, in the Central Province, 19 people were set alight while hiding in the back room of a house. And these included women and children (Human Rights Watch March 2008:Vol. 20: No.1).

Police brutality was also an issue of concern for the people of Kenya as the police were said to be partial to the Kibaki government. Human Rights Watch reports that in an area in the slums of Kibera, in Nairobi, police shot dead nine people and wounded 19 others (*ibid.*). In the first half of January 2008 an independent NGO confirmed that about 50 bodies in the mortuaries of Nairobi were due to gunshot wounds most likely killed by the police. Live ammunition was used in the densely populated areas of the slums of Kibera and Mathare, in Nairobi. In Kisumu in the Western Province, the Human Rights Watch reports that the police were ordered to shoot to kill (*op. cit.* 25).

### **2.2.2. The AU response to the crisis in Kenya**

In January 2008 the AU sent a delegation led by Mr Kofi Annan, the former UN Secretary General, comprising of Mr Benjamin Mkapa and Mrs Graca Machel, to mediate the crisis. During the mediation the violence decreased and on 28 February a power sharing deal was signed in which Kibaki remained president and Raila became Prime Minister (Human Rights Watch March 2008:Vol 20: No1). When Annan departed as lead mediator, the AU appointed former Nigerian foreign minister, Prof. Oluyemi Adeniji to address issues (recommended by Annan) such as mechanisms regarding constitutional reforms which included electoral, economic and political reforms, as well as justice and reconciliation among others. Noteworthy is that, among the recommendations made by Annan and his colleagues none mentioned the de-politicization of ethnic differences, regarded by analysts as the underlying root cause of the violence in Kenya.

### 2.3. State Sponsored Post Election Violence in Zimbabwe

In the Southern African region, Zimbabwe has been marked by endemic violence since the year 2000. The violence ranged from conflict relating to land grabs to political intolerance. The defeat of ZANU-PF in the elections of March 2008 and the significant inroads made by the Movement for Democratic Change (MDC) in predominantly ZANU-PF areas brought the violence to a climax. Before moving on, it is important to mention who the perpetrators and their allies were. ZANU-PF, the ruling party, was at the helm of the atrocities. In carrying out this violence they were helped by the ex-liberation war veterans, who have been Mugabe loyalists since the land grabs of the year 2000. Allies of ZANU-PF also involved government sponsored militia (known as green bombers) and the security forces (the Zimbabwe Republic Police, the Zimbabwe Defence Forces and the Zimbabwe Prison Services). The Central Intelligence Organisation (CIO) was also an ally of ZANU-PF and was involved in the torture and murder of victims.

ZANU-PF and its allies carried different forms of violent activities. The violence ranged from torture, abductions and killings, looting and destruction of property and re-education meetings of MDC supporters and activists. Re-education meetings were organised by ZANU-PF militia, the war veterans and the army. The purpose was to coerce people into voting ZANU-PF and denouncing the MDC through beatings and torture. Opposition rallies were banned and in some areas such as Mashonaland East, Mashonaland Central and Mashonaland West curfews were imposed.

The violence was intended to punish the Zimbabweans who voted for the MDC in the election of March 29 2008. With regard to the presidential elections, Zimbabwean law requires a majority of 50 percent plus one vote for the winning candidate. Failure to achieve this requires a second round of elections. In the 2008 presidential elections, Morgan Tsvangirai of the MDC won 47.9 percent of the vote to Robert Mugabe's 43.2 percent. There was therefore a need for a runoff. One reason for the violence was to deter people from voting MDC in the runoff, while the other was to displace voters in the rural areas and by so doing disenfranchise MDC supporters.

Subsequent to the elections, Human Rights Watch reports that by 8 May 2008 the Zimbabwe Association of Doctors for Human Rights (ZADHR) had documented about 900 victims of organised violence and torture, and this included 22 deaths. In the next issue (June: 2008) the organisation reported that ZANU-PF, in conjunction with the Joint Operations Command (JOC) which is made up of state security forces, launched a systematic and brutal campaign of violence dubbed *Operation Makavhoterapapi* (Operation Where Did You Put your Vote). In this operation, the authors contend

that ZANU-PF officials, government officials, state security forces and war veterans beat and tortured suspected MDC activists and supporters especially in the Mashonaland West, Mashonaland East and Mashonaland Central provinces. The organisation says it has evidence that senior security officers both locally and nationally organised and incited violence.

The violence ranged from abduction, beatings and killings. For example in the same report Human Rights Watch reported that a 26-year-old man from Mudzi in Mashonaland East was beaten up by ZANU-PF on suspicion that he was an MDC supporter, while a 43-year-old man, an MDC polling agent from Mt Darwin, Mashonaland Central, reported that on 17 April, Assistant Commissioner Martin Kwainona of the Presidential Guard had assaulted him claiming that he [Kwainona] would clear all MDC from Mt Darwin.

The Zimbabwe Defence Forces was also implicated in the violence. There are claims that war veterans and ZANU-PF militia operated from army bases and camps in Manicaland and Harare. Further allegations are that the defence force provided logistical and other forms of support to war veterans and to ZANU-PF so that the latter could carry out acts of violence, while the army was physically involved in the beatings and torture as well (Human Rights Watch: June 2008).

### ***2.3.1. Abductions and Killings during the Violence.***

The Human Rights Watch report of June 2008 details the atrocities carried out by ZANU PF and their allies in a number of places in Zimbabwe. For instance, on 14 April 2008, in Makoni West District in Manicaland, three MDC supporters are reported to have been shot and wounded by war veterans with one victim Tabeth Marume dying from the gunshot wounds. In another incident on 7 May, 12 suspected ZANU-PF supporters abducted beat and murdered 3 MDC activists in Murehwa in Mashonaland East. On 21 May, an MDC activist, Tonderai Ndira, was discovered in a mortuary in Harare's Parirenyatwa Hospital after having been abducted on 14 May. Yet in another incident on 22 May, an MDC senatorial candidate for Murehwa North in Mashonaland East, Shepherd Jani, is said to have been abducted by four suspected CIO agents and his body was later found in the Goromози Mountains.

In Chiweshe, where ZANU-PF carried out re-education meetings a 76-year-old woman together with 70 others were beaten up as their torturers asked for more MDC activists to come forward. Women were stripped naked down to their underwear before being beaten up while barbed wire was tied in the genitals of men, tied to logs and asked to pull the logs while the perpetrators beat them up. It is reported that six men subsequently died from

the torture they had gone through that day. Two men, Alex Chirisiri and Meda, died on the spot. This took place on 5 May 2008.

In Harare, MDC supporters and activists were beaten up and tortured by uniformed members of the army and ZANU-PF supporters. For instance, in Dzivarasekwa Extension in Harare, an MDC activist told Human Rights Watch that about 12 soldiers had come to his house, beat him and his 18-year-old son then took the activist to a nearby bush where they assaulted him using chains and batons. Homes of known MDC activists were raided and the activists abducted and beaten in a bush outside Harare. An MDC activist from Dzivarasekwa Extension reported that on 12 April he was abducted by 12 armed soldiers, handcuffed, dragged naked to a truck while blindfolded and driven to an unknown location. Here he was beaten up for about 30 minutes using batons and chains all over his body. He was told that he was being beaten for ferrying MDC supporters to meetings and rallies. In Chitungwiza, just outside Harare, a 56-year-old MDC activist and chief election agent for an MDC MP was assaulted by soldiers (Human Rights Watch: June 2008).

Reports are estimating that from the 2008 post-election violence, about 3000 people were internally displaced and this was a move to change the political landscape of the affected areas and prevent the MDC from winning the runoff elections. In other instances cases of looting, burning down of homesteads and deliberate slaughter of livestock belonging to MDC supporters was reported. For example in the same edition, the Human Rights Watch documented that Mapengo Mapengu a campaign manager for the MDC candidate for Mutoko in Mashonaland East lost his property when ZANU-PF youths destroyed his home. Mutoko alleges that on 13 April, more than 300 youths and war veterans attacked his home, stoned him and his family. He had to flee to his friend's home and when he came back his mother was severely beaten and his vehicle destroyed. His home was destroyed by iron bars, and fridges, bedroom suite and kitchen unit were also demolished. He also said that out of 70 pigs he owned, only 33 were left and his money was stolen (*ibid.*).

### **2.3.2. Regional and Continental response to the Zimbabwe situation**

The response by both SADC and the AU was far from satisfactory. SADC had conflicting views on the seriousness of the situation. The late President of Zambia Levi Mwanawasa condemned the violence while former president Thabo Mbeki, the SADC appointed mediator refused to acknowledge how serious the situation was. The Human Rights Watch (June 2008) maintains that even after a visit to Harare on 9 May 2012, Mbeki failed to condemn

the violence. President Seretse Ian Khama of Botswana initially refused to recognise Mugabe as president while other SADC leaders would not take any stand regarding the issue. On 12 April 2008, SADC leaders met to address the crisis. This yielded no concrete action to deal with the ongoing violence in the country. The summit failed to condemn the human rights violations by ZANU-PF and its proxy forces mentioned above.

With such conflicting positions on the seriousness of the situation among the leaders of the member states, SADC could not take decisive and concerted action to intervene in the crisis. Despite the mediation efforts by President Thabo Mbeki, the violence continued for the three months leading to the runoff that took place on 27 June 2008. The August issue Human Rights Watch (2008) reports that in the weeks leading to the runoff ZANU-PF supporters and government backed youth militia were involved in abuses such as killings, beatings and torture. The report maintains that in June 2008 alone, about 60 people were killed by ZANU-PF and its allies. The escalating violence prompted the MDC to withdraw from participation in the elections. On 23 June 2008, Thabo Mbeki received the announcement from the MDC leader Morgan Tsvangirai ([www.thepresidency.gov.za](http://www.thepresidency.gov.za)). President Mugabe was therefore unchallenged in the presidential runoff and violence continued even after the runoff. Human Rights Watch has it documented that some African leaders, after learning of the levels of human rights abuses, called for the runoff to be postponed but this fell on deaf ears as Mugabe ignored their calls and declared himself winner (August 2008).

The period after the runoff remained tense. On 21 July, President Robert Mugabe of ZANU-PF and Morgan Tsvangirai of the MDC signed a memorandum of understanding, in the presence of Thabo Mbeki, which was a way of looking for means to resolve the political impasse. A Government of National Unity was formed in 21 July 2008, which Robert Mugabe remained as president. Posts of prime minister and two deputy prime ministers were created, the two deputy prime ministers simply because the MDC had split into two factions. Morgan Tsvangirai was leader of the bigger faction and was given the post of prime minister and his deputy, Thokozani Khuphe, was made second deputy premier. Arthur Mutambara, leader of the smaller faction became the first deputy premier. However Mutambara was later voted out of the leadership of the smaller MDC and replaced by Professor Welshman Ncube, although Mutambara still remains first deputy premier.

While these diplomatic overtures at leadership level went on, common men and women who had suffered in the hands of perpetrators of the violence continued bleeding from the scars with the perpetrators of the violence going about unpunished. To this day African leaders both in the SADC and

in the AU have not taken any decisive action against the abusers and perpetrators of human rights as the latter go free without being held accountable for their actions, despite experiences in the South African Truth and Reconciliation. The government of national unity in Zimbabwe stands on shaky grounds at the moment as it has been for the last three years. In so far as there is impunity and lack of accountability on ZANU-PF and its allies, violence may erupt again in the elections being talked of in Zimbabwe. Thus peace may continue to be an elusive dream for the people of Zimbabwe.

### 3. Attempted Solutions

The above case studies present us with a summary of events that took place in different conflict situations in the African continent. The case studies also help us examine the effectiveness or non-effectiveness of the regional bodies (ECOWAS in Cote d'Ivoire and SADC in Zimbabwe) and the continental body (the AU) constituted in part to deal with crises of this nature. All the above organisations locate development and the common good with peace and security as one of the key objectives for this attainment. Clauses relating to this attainment abound in their charters. For instance, one of the guiding principles for SADC member states is "solidarity, peace and security" ([www.sadc.int](http://www.sadc.int)). SADC has also set one of its objectives to be to "consolidate, defend and maintain democracy, peace, security and stability" (*ibid.*). The AU in Article 38 of the African Charter on Democracy, Elections and Governance states that State parties shall promote peace, security and stability in their respective countries, regions and in the continent. The Charter in Article 23 of the African Charter on Democracy, Elections and Governance has as one of its principles that any refusal by an incumbent government to relinquish power to the winning party shall draw appropriate sanctions.

The case studies demonstrate how Africa has prevaricated when it comes to confronting conflict squarely. Notably, SADC and indeed the AU have preferred mediation and negotiation, which in the case studies above yielded little or no progress towards peace building on the continent. In the above case studies, the AU did not adopt a strong approach such as imposing sanctions on either of the countries especially in Cote d'Ivoire where it was evident that Laurent Gbagbo had lost. Thus the African Union would not take decisive action against a member state, forcing NATO and UN forces to take action. The AU proved to be ineffective in this regard.

Given the Zimbabwean situation both before and after the presidential runoff we may conclude that SADC failed in the above principles. SADC failed to implement its own principles and guidelines. While it acknowl-

edged the violence in Zimbabwe, SADC did not take any concrete action against the perpetrators. As a result the perpetrators of violence continued to act with impunity and to this day no accountability has been taken regarding the post election violence in Zimbabwe in 2008. As was the case in the Kenya elections, the continental body AU, and in the case of Zimbabwe, the regional body SADC resorted to compromised settlements that have not changed the status quo. Thus SADC did not just fail the people of Zimbabwe as a regional body but rendered itself partisan in dealing with the crisis. Mediation and negotiation are only good in as far as they yield a plausible and effective result, not a compromised farce such as the Government of National Unity (GNU) in Zimbabwe. Such indecisiveness shows that SADC compromised its peace and security objective while neglecting the establishment of democracy in Zimbabwe. The government of national unity could have the effect of subverting the democratic outcome of conventional electoral processes as, indeed, is the case in Zimbabwe.

In the long term power-sharing deals have, in effect, been a negation of the democratic electoral outcome and have helped to keep dictators in power. Sponsoring organs, therefore, need to reassess their stance in dealing with crises and peace building in the continent. In principle, power-sharing deals undermine the wishes of the electorate by accommodating and rewarding those who would have lost in the elections. Therefore, as a growing tendency in African politics, they need to be discouraged. African political elites have been able to resist vacating office in their countries assured that they have protection from fellow elites on the continent. This constitutes a compromise on democracy and has a negative impact on peace building. While power sharing deals are just a short-term solution to post electoral violence and cannot guarantee peace in the long run, peace building is a long-term project. If these power-sharing deals are left unchallenged, they will effectively render the vote irrelevant and allow tyrannical regimes to flourish. In the final instance, peace will continue to be a remote realisation in a huge proportion of countries in Africa (Victor Shale of the Electoral Institute for Sustainable Democracy in Africa: 2009).

With regard to Cote d'Ivoire, ECOWAS seemed at first to be taking a progressive role in the conflict until the member countries gave excuses why they would not support active military intervention. Consequently, ECOWAS became ineffective in dealing with a member state in crisis. The AU, seeing that ECOWAS and the two parties in Cote d'Ivoire could not reach a settlement, only wrote several press statements demanding that Gbagbo cede power. A supranational body could have done better than mere press statements. For instance between December 2010 and February

2011, the AU issued about five press statements which were merely reiterations of calls for Gbagbo to step down. No substantial action was taken by the continental body ([www.au.int](http://www.au.int)).

Having pointed out the ineffectiveness of the regional and continental bodies in dealing with crises on the continent, thus contributing to *pacem in terris*, the question we can ask is: why are these organisations incapacitated in peace building in Africa? We can attempt to give plausible reasons why this is so.

#### **4. Conclusions**

An examination of the processes and outcomes in a number of attempts to resolve conflicts in different countries in Africa shows a continent in trouble. This paper will advance four propositions explaining why Africa has difficulty in solving political and, therefore, peace threatening problems in the regions and in the continent.

##### **4.1. Proposition Number One: Absence of a United Voice**

In the case studies cited above we realise that member states in all the three organisations (AU, SADC and ECOWAS) did not present a united voice when the crunch came. In the case of SADC only President Levi Mwanawasa of Zambia strongly condemned the violence in Zimbabwe. In ECOWAS Gambia did not speak with the same voice as the other member states. The AU would not speak with a united voice in both Cote d'Ivoire and Zimbabwe. For instance, South Africa, regarded as a leading member of the AU, issued equivocal statements with regard to both Zimbabwe and Cote d'Ivoire. In the case of Cote d'Ivoire, South Africa first recognised Ouattara as president-elect, endorsing an earlier ECOWAS statement, only to change tune later referring to the election results as inconclusive (Refer to the Statement by South Africa's foreign minister). Regional or continental integration and peace building, therefore, become difficult to achieve under such circumstances. The reason for speaking with different voices could be what Chingono and Nakana (2008) term the parochial interests of the ruling elite prevailing over the masses of the region or the continent. This contradicts the spirit of the supranational bodies especially that of SADC and would possibly hamper development and indeed peace building in both the region and the African continent as a whole. Therefore, whether it is ECOWAS or SADC such interests from member states undermine the ideas of integration and scuttle the AU project of peace building and security on the continent. Peace then becomes hard to achieve in such instances.

#### ***4.2. Proposition Number Two: Absence of Vital Interests***

Whether it is regional bodies such as SADC and ECOWAS or the mother body, the AU, another reason for lack of concrete action is that besides ideology, there are no vital material interests by any member state to intervene in the affairs of another. Where these exist such as, for instance, was the case in the Congo at the beginning of the millennium, Angola, Zimbabwe and South Africa quickly dispatched their armies as peace keeping forces in the Congo. Therefore, when no material benefits, whether economic or otherwise exist from the intervention, their keenness to sacrifice their personnel for an ideal declines. It is probable that if one or several member states in the SADC region or ECOWAS or even the AU had vital interests such as economic investments or infrastructural investments in Zimbabwe in the case of SADC, Cote d'Ivoire in the case of ECOWAS, the position would have been different. The AU is no exception. It is probable that if any member state had any vital interests in the three case studies, that member state would have had more influence and possibly taken a firmer stance on the country involved. Evidence to support this probability comes from the 1998 invasion of Lesotho by the South African National Defence Force (SANDF). In September 1998, the SANDF invaded Lesotho under the pretext of restoring law and order "but in reality, the SANDF was there to protect dam construction" (Crawford-Browne 2007:143). This means that the SANDF would only protect the dam if it benefited South Africa, only if it proved to be of vital importance to South Africa even though it was said to have been acting on behalf of SADC.

#### ***4.3. Proposition Number Three: Compromised Positions***

While both the AU and regional organisations such as SADC and ECOWAS project ideological interests in either a united Africa or in regional stability, a common feature in most African regimes is the unwillingness of the elite in office to give up power. Political office brings with it inordinate material wellbeing and status. The wealth of African political elites relative to their citizenry is disproportionate to the national GDP, thus demonstrating a situation where political office equals economic power. Because of this a good number of African political elites overstay their welcome in office. Therefore, when elections threaten regime changes, mediating elites are compromised by their own positions back home. How, for instance would a Mugabe resolve conflict over the election results in Cote d'Ivoire when he is faced with the same situation in his own backyard?

#### 4.4. Proposition Number Four: Internal Weaknesses within States

While theoretically there is equality among member states in organisations such as the AU, ECOWAS and SADC, a good number of African states are weak states internally unable to govern effectively and incapable of adopting an independent foreign policy. The root causes of these weaknesses are internal antagonisms resulting in political instability and, therefore, incoherence in policy. The result is bad management of resources leading to political instability. Most of these states rely heavily on foreign international aid to render internal services. Therefore, to expect such states to adopt a coherent foreign policy or to act consistently within a foreign policy domain is to expect them to be suicidal. Hence, it is no surprise that organisations such as the AU, ECOWAS and SADC comprising mainly of weak states demonstrate inconsistencies and weaknesses in foreign policy. The interests of competing international powers are, at times, at variance with the dictates of conscience regarding appropriate behaviour in foreign policy positions.

The position described above is exacerbated by the gross inequalities in capabilities among African states where economically and politically strong countries such as South Africa, Nigeria and Egypt (before 2011) sit side by side with politically-torn countries such as Gabon, Burundi and others no name a few. The dominance of stronger states in the relationship is inevitable, given such gross disparities in power and capabilities. Given this position, all the other three propositions advanced above coalesce thus rendering the prospects of honest peace brokers impossible.

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