Thinking Africa

POLICY ANALYSIS

FROM TRADITIONAL TO DYNAMIC APPROACH? UNDERSTANDING AND DEALING WITH INTER-LINKED CONFLICTS WITH A REGIONAL DIMENSION

par Norman Sempijja

Overall my research interests are in international relations, geo-politics, diplomacy, conflict resolution, international negotiations, governance and development. My case study area of interest is mainly in Africa but I also have expertise on European Union. My research interests further entail understanding the security sector reforms (in countries recovering from conflicts), economic policies, acquisition and use of aid plus the democratization process which is geared towards good governance. My aim is to continuously develop these themes and coalesce them into a model of research that can be applied on a wider scale especially in countries dealing with familiar issues.

Am currently completing a PhD in international politics at Kingston University and my thesis entitle: International organisations cooperating for peace. It is an analysis of cooperation between the EU and UN peace missions in DR Congo 2003-2008.

I further have a MA in diplomatic studies from Keele University and my thesis centred on the role of NATO, EU and UN in peacekeeping in Former Yugoslavia.

I also did extensive research on the peace process in Angola and Cambodia during my undergraduate study at Makerere university.

I am currently a visiting lecturer at Rouen business School teaching geopolitics and international relations, international negotiations and geopolitics and international trade.

I have worked as a researcher with Helen Bamber Centre at Kingston University and Scenario development.

Institut de Recherche et d'Enseignement sur la Paix

www.thinkingafrica.org • contact@thinkingafrica.org

EXECUTIVE SUMMARY

Following its initial engagement in the Democratic Republic of Congo (DRC) in 1999 at the invitation of the signatories to the *Lusaka Peace Accord*, the UN has been actively engaged in ending the persistent conflict in the country, and has employed its traditional approach to resolving conflicts like deploying peacekeepers while trying to reform the government and security sector.

However, it seems like after overcoming one huddle, another is just around the corner. For example the elections of 2006 were hailed as a major milestone and there was hope that the remaining areas like in the east of the country would be pacified. This was not the case as in 2008 a rebellion led by Nkunda's National Congress for the Defence of the People known as CNDP broke out and most recently remnants of the aforementioned rebel groups now known as M23 have carried out a rebellion and captured major cities like Goma.

In the interim all fingers have pointed to the regime in Kigali as the main perpetuator of conflict in DR Congo. Furthermore Steve Hege a UN expert recently (Monitor newspaper 18/12/12) accused Rwanda of using M23 rebels to break up the DR Congo state. As will be examined later the conflict for instance in DR Congo has come to have an impact on neighbours in Angola, Rwanda, Uganda, Burundi to name but a few.

The persistent conflict and insecurity, in addition to the limited impact of the UN on the political process has encouraged the role of regional actors to develop a more hands on role in trying to resolve the conflict in DR Congo. The emergence of regional actors as security arbiters has been brought about by the end of the Cold War whereby the interference from superpowers has been curtailed. So this has given regional actors room to have a role in resolving conflicts in their backyards. Coupled with that is the fact that the post Cold War conflicts in most African regions have taken on a regional dimension on proportions not witnessed since these states got independence. Therefore the dynamics of the resolution of such conflicts have proved to be of interest to the neighbouring states. Further still the regional reach of these new conflicts beckons change in the UN approach especially concerning the role of regional actors. As examined earlier, the UN has traditionally deployed peacekeeping missions which have taken on a more robust approach ever since the end of the Cold War. The UN has further tried to employ new programmes like disarmament of combatants, entrenching good governance and reforming the secu-

rity sector. Although this is good it is the belief of the author that a new approach involving neighbouring states and a closer examination of the nature of the state in Africa plus exploring concepts like consociationalism can help the UN in bringing peace to regions like the Great Lakes of Africa.

NATURE OF CONFLICTS IN AFRICA

Post Cold War conflicts in regions like Africa have been characterised as new wars by scholars like Oberg and Hall 2009, and Kaldor 2006. According to Melander, Öberg and Hall (2009, p. 7) these new wars blur the 'distinction between internal and external, public and private, political and economic, civilian and military and even war and peace itself.'

Kaldor (2006, p.5) goes further to argue that these new wars are also intensified by globalisation. Kaldor argues that worldwide entwining endangered the prospects of territory-based sovereignty, yet this is a crucial facet of the modern state. Consequently this has undermined state autonomy and sometimes leading to breakup of states. This has been a result of the slipping grip of states' monopoly over lawfully controlled violence, a consequence of the trans-nationalisation of military force.

However, the new war thesis does not capture an essential dimension of why Africa's conflicts are persistent and at the same time taken on a regional aspect. These analyses exclude the important context of state formation in Africa as a leading contributor to ongoing conflicts. Attention to state formation is essential to understanding Africa's security challenges and especially solving the challenge of intractable conflicts. The DR Congo is an illustrative example of this particular problem.

During the scramble and partition of Africa in the 19th century, territories were gobbled up by competing European powers without regard to the tribal borders that had existed. Tribes that had lived side by side were split up finding themselves on different sides of border of different colonies and later states. This has led to porous borders in Africa and indeed the borders have looked artificial especially in the context of the DR Congo which shares a border with nine nations.

The artificiality of the borders has resulted into conflict spill over as a persecuted tribe has always sought help from cousins across the border. This has led to sometimes clandestine or open support for these tribes by neighbours and in some instances has resulted into conflict between the states.

These borders have also proved to be porous in that some states have been unable to secure them thereby encouraging rebels in some states to use neighbouring territory as a spring board to attack their homeland. Sometimes they have launched these attacks with the help of the host government but have also proved to be uncontrollable especially when they are no longer of strategic importance to the host nations. It should be noted that the harassed states have often used tit for tat tactics to fend off rebels by using proxies in the offending state to fight their enemies.

For instance, the contention between Uganda and Sudan from late 80's to the time of the creation of South Sudan state was among other reasons based on the regime in Kampala's support for the Sudanese People's Liberation Army (SPLA) led by Garanga. In turn the regime in Khartoum supported the Lord's resistance Army (LRA) led by Joseph Kony in retaliation. Similarly President Mobutu (of Zaire now DR Congo) harboured Rwandese Hutu rebels after the genocide in 1994 and turned a blind eye as they launched forays into Rwanda to destabilise the country while at the same time harassing people of Tutsi origin in eastern Zaire. This ultimately led to Kigali regime launching an attack on Zaire. Rwanda was aided by Uganda which was having cross border attacks from the Allied Defence forces (ADF) that were using eastern Zaire as a launch pad.

Apart from the nature of the borders, regions like the Great Lakes have been grappling with citizenship questions for example in Uganda, Rwanda and Zaire. Tutsi refugees who had fled to Uganda from Rwanda felt ostracised especially in government after Museveni won power in 1986 and decided to invade their homeland as they had been blocked from returning peacefully. However the predominately Hutu regime in Rwanda retaliated by killing citizens of Tutsis origin in a bid to forestall the advance of the predominantly Tutsi Rwandese Patriotic Front rebel movement. Zaire on the other hand resorted to repatriating the Banyamulenge whose citizenship was contested thereby triggering a conflict within Zaire and with its neighbours, a conflict that has come to be termed as the first African World War by Gerard Prunier.

Some of the different ways conflicts have been resolved

In response to the types of conflicts as examined by Kaldor (2006) and Oberg and Hall (2009) , the UN has sought to make changes in its approach to conflicts

especially as conflict resolution has come to encompass getting involved in the internal affairs of some countries due to the internal nature of the conflicts. Here I examine three characteristics of new UN responses and their viability in achieving long term peace. It should be noted that these are not the only characteristics, however they have proved prominent.

(i). Balkanisation of states in conflict

The term was first coined at the breakup of the Ottoman Empire and it refers generally to the disintegration of a region or state into small ones especially if there is hostility between them and they cannot exist within the same entity like a state. For example Former Yugoslavia broke up into different Republics in a piecemeal process a development which came to be accepted for instance initially by Germany (Paul Lewis, NY Times 16/12/1991) when Slovenia and Croatia broke off. Later it was accepted as the norm and NATO which was actually brought in by the UN ended up bombarding Serbia in a bid to loosen its stranglehold on the remaining states like Kosovo. Similarly after decades of conflict with Sudan, South Sudan was allowed to form its own state.

The major problem with this policy is that there are dangers of encouraging more conflict with the aim to secede. As discussed earlier Steve Hege a UN expert has accused Rwanda of supporting M23 rebels with a view of breaking up the DR Congo.

But overall this seems like a viable tool of resolving conflict. Though whether the international community can be committed to applying it on a constant basis is a different matter. Questions are raised about respect for territorial integrity and sovereignty of independent states which is a cornerstone of international relations. Plus the knock on effects it will have on other states is sure to lead to more wars as people try to renegotiate the social contract.

(ii). Involvement of international organisations and regional organisations

It has been an obvious solution that interstate and intra state conflicts have come to involve either the UN or a regional organisation. ECOWAS intervened before the UN did in Liberia and retrospectively got the latter's authorisation.

UN has intervened for instance in Former Yugoslavia, Sudan, DR Congo. Yet the mere deployment of the UN or regional organisations has not necessarily brought about a solution. However the sheer presence

3

of these organisations has created an atmosphere for dialogue and actual resolution of the conflict. Therefore although the UN deployed in DR Congo over 14 years ago, the whole country has not been pacified but again gains have been made in the resumption of fighting in large sections of the country and dialogue has been ongoing since the Lusaka peace accord of 1999.

The gains the UN has made are a testament to the fact that its methods are not failing as a whole. The only problem has been the length of time the gains have taken to be achieved and their durability. For instance if the UN were to leave DR Congo today would the progress made be a catalyst for peace?

(iii). Out of area operations

One of the most interesting development since the end of the Cold war has been the deployment of regional organisations outside their geographical space. A case in point was the EU deployment in DR Congo and Central African Republic. The EU deployment in DR Congo in 2003 and 2006 proved to be a success in the short term in that in 2003 the fighting between the Hema and Lendu was stopped and in 2006 elections were successfully held. However they were not successful in the long term in that in 2003 weapons became invisible in Bunia. But that did not mean it was free of weapons. The aftermath of the 2006 election saw Kabila chase his main opponent Bemba into exile. Plus organisational policy interfered with EU's continued involvement in 2008 as the UN's request for help from the EU was not met.

Questions also arose about the nature of EU deployment. For instance with the EU determined to maintain its own chain of command problems arose operationally and hindered cooperation with the UN.

Nevertheless although the above remedies are credible in their own right, there has not been due diligence given to state formation. The international community seems to be stuck in maintaining state sovereignty at all times except in extreme circumstances where the concept of Balkanisation has been applied.

But acknowledging role of state formation does not necessarily have to result into state break up. However it can help international organisations like the UN deal effectively with conflict.

Also this can enhance the role of regional actors first as participants in finding a solution to conflict but also as key players in ensuring their territories are not used as launch pads by dissidents or targeted by rebels in neighbouring countries.

There is therefore a need for an introspective look within the African continent to address issues leading to conflict especially as most of these issues relate to the social contract. Resolving issues relating to the social contract can go a long way in reducing the nature of conflicts that have blighted the African continent.

Policy recommendation

New approach

The international community needs to address citizenship questions on a wider scale. Issues surrounding citizenship of certain individuals in some countries have been catalysts for some conflicts in Africa especially in the Great Lakes region. As examined earlier with the arbitrariness of the borders drawn up in the colonial era, some people belonging to the same ethnic groups have been found on both sides of the border and have ended up being persecuted in countries where they are the minority. A case in point relates to the people of Tutsi origin in DR Congo. Some were part of the old kingdoms before the Belgians colonial era, others were brought in by the Belgians while some were granted citizenship by Mobutu. However in 1996 many of them found themselves as part of the group being sent to Rwanda a country a large section had never been to. Similarly when the Rwandese refugees in Uganda began demanding to come back home Habyalima's government drenched in Hutu power ideology was not welcoming to the idea.

Therefore with the citizenship question, there is a need to establish guidelines for fundamental citizenship requirements. Although different countries are sovereign and have different requirements for citizenship acquisition, there is a need for a basic requirement to be in force. For instance normal requirements for citizenship in a country range from birth, descent to naturalisation. Sometimes countries give blanket citizenship to people in a territory at a given time. African law makers need to institutionalise residence and citizenship criteria so that it cannot become a tool for ethnic cleansing as seen in DR Congo in the last years of the Mobutu regime. For instance tribes or people that were incorporated into a colonial state cannot be told they do not belong to the independent state yet the same state adheres to the declaration that the colonial borders were sacrosanct.

Therefore, African states need to come up with a guideline about residence at independence. The African states need to take ownership of this process

4

through the African Union and the different sub-regional organisations. Clear residence has to be ascertained especially after independence. It is only logical that if a group of people were resident in a country at independence then they are citizens of that country. For instance in the 1960's the newly independent states agreed that the colonial borders could not be altered. So there is a need to address the residence of people within those borders.

Coupled with this is a need to address refugee citizenship and repatriation. Questions have to be answered concerning awarding citizenship to refugees. At what point should refugees be given citizenship of the host country? Should refugees born in the host country be forcefully sent back? African Union and African states can work with the United Nations High Commission for refugees to develop clear and universal guidelines

The formation of clear guidelines on citizenship will help end years of animosity between and within states which have people of similar origins on both sides of the border. For instance DR Congo in trying to expel Congolese of Tutsi origin has ended up throwing the region in conflict for over 10 years.

CONSOCIATIONALISM

With deeply divided societies there is a need to adopt power sharing as the case was in Kenya after the post election violence of 2008. Consociationalism is a form of power sharing in deeply divided societies in order to reduce or end conflicts. Governments of national unity can help heal the rifts between societies and with time unity and trust can be achieved.

Although it has not been so successful in countries like Lebanon, it has been useful in Kenya as it put a lid on the simmering conflict between the different tribes that were fighting each other after the 2008 election.

The danger of Consociationalism is rooted in its applicability. Should it be applied as a permanent or temporary solution? If it is a permanent solution it can become a hindrance to true practice of democracy. If it is employed on a temporary basis then the reverting to true democracy may be chaotic as the losing party in the election for instance may not accept the results and may want a return to Consociationalism.

Therefore there is a need to apply it sensibly and allow time for democratic institutions to develop. At the same time people's confidence should be enhanced

in the systems in place to ensure competition. In that way winning or losing fairly can help foster development of good governance.

These policy recommendations can be used in tandem with the existing policies mentioned before in order to fully address the conflicts in Africa. This will reduce the length of UN mission deployment and lead to increased success of the different conflict resolution processes.

Overall the solving of the social contract problems within the different states will reduce internal conflicts which normally have a propensity to spill over into neighbouring countries. Some of the main issues in the social contract relate to who should belong in the country, how the country is being governed, how the resources are being distributed to mention but a few. The African states therefore need to develop and strengthen institutions internally. Once people have confidence in the institutions and the state there is little need to fight against the state. Therefore there will be a massive reduction in the type of wars as described by Kaldor (2006) and Hall (2009).

In countries going through a conflict resolution process, there is a need to apply the policy recommendations in tandem with other methods mentioned earlier. This will help resolve the social contract issues, citizenship queries and actively engage with the regional actors to help birth a solution for all to ensure sustainable peace.