

UNIVERSITY OF SOUTHAMPTON

**THE OAU AND CONFLICT MANAGEMENT IN
AFRICA: THE POST-COLD WAR ERA**

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**Thesis submitted for the degree of
Doctor of Philosophy**

DEPARTMENT OF POLITICS

December 2001

UNIVERSITY OF SOUTHAMPTON

ABSTRACT

FACULTY OF SOCIAL SCIENCES

DEPARTMENT OF POLITICS

DOCTOR OF PHILOSOPHY

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by Mohammed Faal

This thesis examines the conduct of the OAU in conflict management in the post-Cold War era. It begins by looking at the historical development of the OAU and its impact on African interstate relations. The impact of the Pan-African ideology in African international relations is significant in that it not only contributed to the creation of the OAU, but also acted as its driving force. The end of the Cold War has witnessed the growing responsibilities of the OAU in African diplomacy and conflict management. The creation of a new conflict management mechanism by the OAU took place in response to the post-Cold War protracted conflicts in Africa. By creating a new conflict management division within the OAU, African leaders raised the profile of the continental organisation and enhanced its capacity to handle conflicts in Africa. Indeed it has been striking just how much controversy has revolved around competing claims of the OAU as the competent provider of conflict prevention and management roles. It is therefore an opportune time to assess this assertion as well as the new challenges the OAU faces in managing Africa's endemic and protracted conflicts.

The OAU has taken an active part and played a positive role in some of these conflicts since the end of the Cold War. The study therefore examines the OAU's role in some of these conflicts through case studies and concludes that the relative success of the continental organisations lies not with 'mechanisms' as such but the extent to which it shifts focus from the normative state system to 'people' as a way of conflict management. At the same time, the OAU must 'domesticate' Pan-Africanism as the defining ideology in African inter-state relations. An important factor distinguishing success from failure in managing Africa's conflicts has usually been not so much with the OAU per se but rather the policies both domestic and foreign of its members. In that case therefore, the study suggests that conflict management especially by an African continental organisation must go beyond legalistic and technical approaches to conflict management to address the root causes of conflicts. Some of these approaches could include the revival of Pan-Africanism and the co-ordination of grassroots initiatives through civil society and projects in peace education.

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Acknowledgements.

My interest in writing this thesis grew out of concern about the upsurge of conflicts in Africa and their devastating effects on innocent civilians. Television images give the impression of a 'hopeless' continent. Yet amidst all this bad news, I remain fervently optimistic about the future of the African continent and the ideals of Pan-Africanism.

There were so many constraints to the writing up of this thesis. Fortunately, I had the support and guidance of my supervisor, Professor Peter Calvert. He is an extremely nice and approachable person with immense human qualities. His remarks during our discussions left me more educated and respectful of the man and his knowledge. Professor Calvert's astute observations, detailed comments and judicious suggestions have smoothed and brightened the final draft of the thesis.

Professor Calvert retires next year and perhaps this is one of the last theses he would be supervising in the Department. This thesis is dedicated to him for his contribution to the study of Comparative and International Politics.

I am indebted to Professor Jack Spence for his invaluable comments on some of the draft chapters. I would like to thank Michael Wolfers for discussions we had on the OAU. I would also like to thank Mr Sam Ibok, head of the OAU conflict management division and Mr Ghassim Wane for their kindness and hospitality while I was in Ethiopia. Thanks also to the staff of the Politics Department and my friends and colleagues at the Centre for Democracy and Development in London. Special thanks to my family for their support.

Finally, I accept full responsibility for any remaining deficiencies in the thesis.

Abbreviations.

ACRI- African Crisis Response Initiative
ADR- Alternative Dispute Resolution
AEC- African Economic Community
APER- African Priority Programme
AWAC- Airborne Warning and Control Systems
BET- Borkou-Ennedi-Tibesti
CMC- Conflict Management Centre
DRC- Democratic Republic of Congo
ECCAS- The Economic Community of Central African States
ECOMOG- Economic Community of West African States Monitoring Group
ECOWAS- Economic Community of West African States
EPDRF- Ethiopian Peoples' Revolutionary Democratic Front
EPLF- Eritrean People's Liberation Front
EU- European Union
FAN- Forces Armées du Nord
FANT- Forces Armées Nationales du Tchad
FAR- Forces Armées Rwandaises
FDC- Forces Démocratiques pour le Changement
FROLINAT- Front for the National Liberation of Chad
GTZ- German Aid Agency
GUNT- Gouvernement d'Union Nationale Transitoire
IGAD- Inter-Governmental Authority on Development
IMF- International Monetary Fund
LGDJ- Librairie Générale de Droit et Jurispudence
MCPMR- Mechanism for Conflict Prevention, Management and Resolution
MDR- Mouvement Démocratique Républicain
MRND- Mouvement Révolutionnaire National pour le Développement
NAACP- National Association for the Advancement of Coloured People
NAFTA- North American Free Trade Agreement
NGO- Non-Governmental organisation
NMOG- Neutral Military Observer Group
NRA- National Resistance Army

OAS- Organisation of American States
OAU- Organisation of African Unity
OSCE- Organisation for Security and Co-operation in Europe
PAFMECA- Pan-African Movement of East and Central Africa
PAFMECSA- Pan-African Movement of Eastern, Central and Southern Africa
PDD25- Presidential Decision Directive 25
PL- Parti Libéral
PSD- Parti Socialiste Démocrate
PTM- Project Management Team
REC- Regional Economic Community
RECAMP- Renforcement des Capacités africaines de Maintien de la Paix
RGDIP- Revue Générale de Droit International Public
RPF- Rwandan Patriotic Front
RUF- Revolutionary United Front
SADC- Southern Africa Development Community
SADR- Sahraoui Arab Democratic Republic
SIPRI- Stockholm International Peace Research Institute
TPLF- Tigray People's Liberation Front
UAS- Union of African States
UMA- Union Maghreb Arabe
UMEE- United Nations Mission in Eritrea and Ethiopia
UN -United Nations
UNAMIR- United Nations Assistance Mission to Rwanda
UNICEF- United Nations Children's Fund
UNITA- União Nacional para a Independencia Total de Angola
USSR- Union of Soviet Socialist Republics

INTRODUCTION

The OAU was created in 1963 to promote unity and solidarity among Africans. As the continent's largest organisation, it epitomises the ideals of African unity and creates norms for the conduct of African interstate relations. It is the only regional organisation created out of ideological consideration rather than voluntary association of states for economic reasons. Although the OAU has undergone periods of "confidence crisis" and became the target of criticisms (M'buyinga, 1982), for its incapacity to deal with conflicts especially in the Cold War era, the post-Cold War era seems to have given it an opportunity to restore confidence and make it an attractive and convenient forum for consultations and discussion of African issues.

The advent of the post-Cold War era has inspired many Africans with new hopes of closer co-operation for African unity (Legum, 1990). Superpower rivalry which has balkanised Africa into spheres of influence has receded. It is hoped that, hereinafter there is real chance for the ideals of African unity to have real and practical purposes. Indeed this new optimism and the belief that a new era has dawned on Africa has found its expression in what has become known as the "African Renaissance". The most prominent exponent of this rekindled optimism about Africa's future is the South African president Thabo Mbeki. His diagnosis of conflicts besetting the continent and their attendant solution appeared in a speech he made in 1998:

"Africa cannot renew herself where its upper echelon are a mere parasite on the rest of the society, enjoying a self-endowed mandate to use their political power and define the uses of such power that its exercise ensures that our continent reproduces itself as the periphery of the world economy, poor, underdeveloped and incapable of development. African Renaissance demands that we purge ourselves of the parasites and maintain a permanent vigilance against the danger of the entrenchment in African society of this rapacious stratum with its social morality according to which everything in society must be organised materially to benefit the few.

The call for Africa's renewal, for an African Renaissance is a call to rebellion. We must rebel against the tyrants and the dictators, those who corrupt our societies and steal the wealth that belongs to the people”¹.

Mbeki's views are widely shared by many Africans. A new band of leadership has already emerged in Africa that has challenged the "old political system" and in some cases succeeded in supplanting it. Dictators have been toppled (Mobutu of former Zaire, now the DRC), political and economic reforms undertaken in countries like Uganda and Rwanda and free and fair elections leading to change in government in Nigeria, Guinea-Bissau, Senegal and Ghana. These developments augur well for the OAU. In the past, dictators and incompetent leadership have frustrated the organisation's actions while the new leadership has shown more willingness to work together to strengthen the OAU. The OAU has since then adapted itself to this new environment and the result is that it is able to make headway in many areas especially in conflict management.

a) Research questions and thesis argument.

This study looks at the activities of the OAU in conflict management. The issues of peace and stability have been major concerns of the organisation since its inception. It has taken a more active role in conflict management since the end of the Cold War in view of its historical mission to bring about African unity as a possible solution to problems of conflict and underdevelopment. The OAU's swift intervention in the Rwandan and Burundi crises and its successful mediation in the Eritrea-Ethiopia conflict were regarded as providing evidence of an OAU comeback and thus raising hopes for many Africans in the organisation's ability to handle other conflicts on the continent.

¹ Statement on African Renaissance by Thabo Mbeki at Gallacher Estate, South Africa, August 1998.

However, after coping with years of limitations on its performance in conflict management is this optimism justified? Although the OAU has been reinvigorated with the creation of a new conflict management mechanism as a response to post-Cold War conflicts, the continent remains plagued by conflicts. In view of the ongoing protracted conflict in Africa, should the OAU continue to rely entirely on its institutional mechanism which is more of a legalistic approach as a way of resolving these conflicts? In the past, the OAU's record in conflict management has shown that it has registered relative successes without having to resort to its old mechanism - the Commission of Mediation, Conciliation and Arbitration which in any case has never been operational.

In this study we argue that the OAU has the potential for conflict management and that it can play a far more ambitious role as architect of peace in Africa without relying exclusively on its conflict management mechanism. However the accomplishment of such an undertaking would depend on the OAU's ability to engage not only the 'state' but also 'people'. It must also revive the 'myth of African unity'. In the past, the 'myth of African unity' has proved to be an important ideological basis for conflict management because of its historical relevance to the struggle of the African people and the sentimental persuasiveness it embodies. By resuscitating the ideals of African unity, this could have a positive bearing on the outcome of conflicts in Africa.

b) Objectives.

This study seeks to demonstrate the OAU's rekindled role in conflict management. It discusses the potential of the organisation in this area and proposes the revival of the 'myth of African unity' as an instrument of conflict management and innovative ways to restructure the organisation to enhance its effectiveness. It conducts a study of the OAU's role in Chad and post-Cold War conflicts in Rwanda and the conflict between Eritrea and Ethiopia with a view to analysing its efficiency and where there are inadequacies, it proposes methods to enhance its capacity. This work goes beyond the 'Charter' and 'Mechanisms' paradigms of conflict management and delves into the organisation's structure in ways not previously done.

The end result of this attempt we hope could have a positive bearing on the general understanding of conflict management and the way in which it should be conceived and conducted to create political stability in Africa.

c) Scope of study.

As the title of this thesis suggests, we are looking at the way in which the OAU performs in handling some of the post-Cold War conflicts in Africa. The period under study is the post-Cold War era to the 25th May 2001 which is the date that the OAU ceased to exist technically. It has been replaced by the 'African Union'.

In this study the OAU is taken to be a regional organisation while the Economic Community of West African States (ECOWAS), Southern African Development Community (SADC), Inter-Governmental Authority on Development (IGAD) and The Arab Maghreb Union (AMU) are considered as Sub-regional organisations. Bruce Russett (1967) provides a classic definition of a 'region' while issues in regionalism have been discussed by many scholars notably (Falk & Mendlovitz, 1973), (Groom & Taylor, 1990), (Fawcett & Hurrell, 1995). We will adopt the following definition of a region:

A segment of the world bound together by a common set of objectives based on geographical, social cultural, economic or political ties possessing a formal structure provided for in formal intergovernmental agreements (Bennett-le Roy, 1991:p215).

This study focuses on conflict management as practised by institutions and more precisely by the OAU. Our interest centres on intrastate conflicts arising from problems of democracy and good governance and conflict between two or more African countries. Excluded from this study, therefore, are conflicts resulting from popular uprisings against dictators or unconstitutional regimes and individual initiatives in conflict management outside an OAU framework.

For example, we should not have expected the OAU to mediate in the rebellion that led to the ousting of Mobutu of former Zaire if that was to enhance his grip on power and because of his oppressive rule. Conflict arising from the oppressive nature of regimes are in essence the violent expression of social and political demands. Such 'conflict' should be perceived as processes of social and political change and must therefore reach its logical conclusion because it is question of removing a dictatorial regime to restore democracy. They are in essence "just conflicts" characterised by popular demands for political change and economic reforms. Nor should we expect the OAU to intervene in ethnic conflicts over land or resource control unless there is threat to regional security resulting from a spill-over effect.

Finally, we justify our use of three case studies to illustrate how Cold War politics impacted on the OAU. In the case of Chad OAU's intervention in the conflict nearly paralysed the organisation and its capacity to embark upon peacekeeping was questioned. But in the cases of Rwanda and Eritrea-Ethiopia the OAU's active participation provides reasons for suggesting that its members have demonstrated the political will to commit the organisation to conflict management.

d) Methodology.

This thesis draws on both primary and secondary sources. The approach is basically Pan-Africanist. The advantage is two fold. First, Pan-Africanism provides a wider picture and a general understanding of the genesis of the OAU and what the institution means to Africans . Second, Pan-Africanism is a call for Africans to unite, which in conflict management could be interpreted as an answer to the problems of a conflict-ridden continent. From a Pan-Africanist perspective, conflict management is an interface between traditional and modern methods of conflict management. Pan-Africanism also favours the use of institutions as agents of cooperation and integration. Pan-Africanism encapsulates the ideals and aspirations of the African people and in practical conflict management, it could be a form of "traditional cure for modern African conflicts" (Zartman, 2000).

CHAPTER ONE.

Politics of Unity and Solidarity in Africa: A Historical Perspective.

Introduction.

The post-colonial era in Africa was characterised by the need for greater co-operation and the desire to strengthen the link between the Africans of the Diaspora and those of the continent in their quest for unity. Much of the debate during this period centred around the idea of bringing Africans together to work out meaningful strategies to uplift the continent from abject poverty and underdevelopment. According to the advocates of African unity this could be achieved from 'African strength' and that "strength could come from both unity of action and from a recognition of the total worthiness of African culture, the total possibility of African achievement" (Wallerstein, 1967:p16).

Although many African leaders spoke about African unity, and a few leaders like Kwame Nkrumah saw it as the underlying principle of African leadership, the concept of African unity generated a lot of controversy from within and outside the continent. The controversy stems from its acceptability as well as its practicality. For example Nnamdi Azikwe of Nigeria accepted the idea of a political union but "the question arises whether it should be in the form of a federation or a confederation" (Azikwe,1962). Speaking on the collapse of the Mali federation, Mamadou Dia of Senegal said that the "issue here is not the theory of solidarity nor the need for African unity. Nor is the policy of large groupings contradicted by events. At most, one can claim that the rupture of Mali refutes our theories on the formation of the African state and our theses on the process of setting up large economic complexes" (Dia,1961).

The creation of a political philosophy out of 'emotions' "has created numerous misunderstanding about the nature of the African unity to be sought" (Welch,1966). It is 'therefore the interpretation of African unity and not the concept itself that is at stake' (Mayall,1973:p127).

However, as Legum notes, “ the great majority pragmatically accept that the idea of unity can be best promoted by interweaving relationships and institutions, both continental and regional, by harmonising inter-African relations...” (Legum,1987). During the colonial period it was easy to call for African unity because African states saw the fight against colonial rule as a rallying point. This momentum created by the presence of a ‘common enemy’ was sustained until 1960 when many African countries became independent. The independence era was in itself a significant episode of African history. Firstly, it was a test for African leadership, which as an apprentice during the colonial administration took command of African affairs after independence. The problem was that “every independent African state found itself obliged not only to devise a policy toward its neighbours but also to decide on its attitude toward outside power” (Hallett,1974:p73). Another pre-occupation for the newly independent African states was "how to establish both administrative services and political legitimacy in order to develop a relationship of trust and responsibility" (Hargreaves,1988). It was delicate act of balancing when it came to 'governing' between the structures inherited from colonial rule and the essentially traditional instruments of government in African societies.

The success or failure with which African leaders ruled their subjects explains to some extent the current crises on the continent. Whilst many African leaders clamoured for independence, they were betrayed by their colonial affiliations. Most of them were educated in the west and were trained to understand the 'mechanics' of western society. These elites therefore “are especially likely to become impatient with an inefficient or corrupt government, believing that they can do better themselves. Who manages whom and for what ends becomes problematic...” (McNeill, 1982:p379). Furthermore, the long years spent abroad uproot most of them from the traditional African society. The "depaysé" or the ‘uprooted African’ became the favourite theme of African writers like Kane (1962), Achebe (1969) and Sembène (1981). The lack of understanding of the needs of African societies and the failure to develop the traditional structures rather than modernising them was to have a great impact on the viability of the African state system. Indeed when African leaders acceded to power their conception of the role of the state was influenced by their own traditional systems based on clan and ethnic affiliations.

Secondly, the independence era created new demands and new realities. In response to these new demands and new realities African leaders developed new principles as guidelines to the idea of African unity. Some were more interested in consolidating their power base rather than transferring sovereignty to any supranational organisation while other leaders like Nkrumah saw independence as a way of resuscitating the ideals that characterised African societies before colonial rule. Thus when African leaders met in Addis Ababa in 1963 to discuss the issue of strengthening relations between them, a common ground for discussions was to be found between those who favoured unity by 'association' and those who saw unity as a long-term objective. The dissension about what form the OAU should take was due to the inability of African leaders to synthesise the dual role of the OAU from the outset. Zartman notes that the OAU serves "a double purpose: in its inward focus it serves as a framework for relations between its members replacing their former patterns of relations with a forum for problem-solving and an arena for competition. In its outward focus it becomes an alliance avowedly directed against the colonialist government of non-liberated territories with the purpose of defending and extending the system" (Zartman,1967).

The OAU was therefore born out of compromise and as with all compromises the genuineness and commitment of African leaders was to be tested by events. Only a few months after its creation, the OAU was confronted with its first crisis, which was the border conflict between Algeria and Morocco. The conflict took many African leaders by surprise but their response to it was immediate. The urgency with which this conflict was handled is significant. First, it attests the worries of many African leaders that such incidents could no longer be ruled out even where many African countries shared common historical ties. Second, it shaped the nature and hence functions of the OAU. It marked a shift in OAU policy from being an organisation whose historical mission was to achieve 'unity' to an organisation that was involved in conflict management on the continent.

The aim of this chapter is to analyse the historical background to the OAU and see how it was possible that the euphoria surrounding the creation of the OAU gradually gave way to the realities of the post independence era. It also examines the shift from politics of unity, which was a priority on the OAU agenda at independence, to an organisation preoccupied with conflict management.

1.1) Pan-Africanism and the strife for African Unity.

Although many writers have made a special study of Pan-Africanism, its real meaning has been subject to various interpretations. For example Legum sees Pan-Africanism as basically a movement involving ideas and emotions (Legum, 1962) while Langley (1973) describes it as a movement of protest, a demand born out of century of contact with Europe. Imanuel Geiss proposes a definition of Pan-Africanism and what we should understand by it. According to him 1) "it is an intellectual and political movement among Africans and Afro-Americans who have regarded Africans and peoples of African descent as homogeneous. This outlook led to a feeling of racial solidarity and new self-consciousness and causes Afro-Americans to look upon Africa as their real 'homeland', without necessarily thinking of a physical return to Africa; 2) All ideas have stressed or sought the cultural unity and political independence of Africa, including the desire to modernise Africa on a basis of equality of right. The key concepts have been respectively the 'redemption of Africa' and 'Africa for Africans'; 3) Ideas or political movements which have advocated, or advocate the political unity of Africa or at least the political collaboration in one form or another" (Geiss,1974:pp3-4).

There is great force in Geiss's definition and description, though by stating that "the entire movement is too vague, too ill-defined and too unclear in its purpose" (ibid), he contradicts himself. Furthermore the definition is insufficient in describing Pan-African as an ideology and it lacks perspective. The Pan-Africanist perspective "embraces the federation of regional self-governing countries and their ultimate amalgamation into the United States of Africa" (Padmore,1956).

A more acceptable definition is one that describes Pan-African as an ideology “based on the view that African unity is the only practical foundation for the liberation and development of the continent” (Hadjor, 1992).

Historically the origins of the term Pan-Africanism can be traced to the colonial period when it designated ‘a cultural and political movement to group together Black people in the Diaspora and those on the continent in their struggle against colonial rule’ (Mazrui, 1965). It nurtured the idea of ‘African brotherhood and solidarity and it became a rallying theme for African unity’ (Nkrumah, 1963).

The first Pan-African Congress was held in London in 1900 in the historical context of the Boer War in South Africa and the Jim Crow laws which had been enacted in the southern United States with a view to withdrawing the economic and social gains made by the Black people after the 1861-1865 civil war. The significance of these historical events was to create a sense of solidarity amongst black people to defend their rights. The need for solidarity took an organisational form with the creation of the Niagara Movement in 1905 and the National Association for the Advancement of Coloured People (NAACP) in the USA in 1909 and the National Congress of British West Africa in 1920.

The Pan-African Congress in London was therefore an opportunity for those interested in the affairs of the continent to address a protest to Queen Victoria against racial discrimination in South Africa and Rhodesia (now Zambia and Zimbabwe). Although this first Pan-African congress was not well attended (thirty-two delegates in all, with only four from Africa), it did raise hopes for greater solidarity while the idea of African unity was seen as a short-term possibility.

The main achievements of the London Pan-African Congress were summarised by Thompson as follows:

The continuance of the idea of fellowship which has existed since slavery first took them away from the shores of Africa;

- 1) Self-interest: a hope for the enhancement of the stature of the Afro-American in the United States. The success of Africa, it is believed, would hasten integration for the Afro-American in American society;
- 2) A genuine interest in the study of African history and culture with a view to taking a hand in rehabilitating what they genuinely believe, through scientific research, to be the true picture of life in Africa in pre-imperialist days. (Thompson, 1969:p25).

A second Congress was held in 1919 coinciding with the Paris Peace Conference of the same year. With a much better attendance, the second Pan-African Congress brought together fourteen people from Africa and sixteen from the United States. There were all in all fifty-seven delegates from sixteen countries. It was hoped that by making the Pan-African Congress coincide with the Paris Peace Conference it could help sensitise the victorious powers to the condition of the African people still under colonial rule.

There were a series of congresses held in London and Brussels (1921), London and Lisbon (1923) and New York in 1927 at which Pan-Africanism also began to take a different form both in terms of content and vision. Although Africans of the Diaspora remained supportive of the Pan-African cause, it was felt that the task of achieving the objectives of African unity remained the responsibility of Africans themselves. While colonial rule brought them together, the problems with which they were confronted were essentially different. The whole question of the relationship between Africans and the Africans of the Diaspora and the nature of task-sharing in terms of responsibilities for the realisation of the 'African unity' project surfaced during the Sixth Pan-African Congress held in Manchester, England in 1945 in the context of the Labour Party's victory in the general elections. The Pan-African delegates hoped that Clement Attlee's Labour government would be favourably disposed to their cause. High on the agenda of the congress was the issue of colonial rule.

The resolutions passed at the end of the congress expressed the need to establish regular contacts and working groups. To achieve this, "the continent of Africa was divided into regions like the West Indies, and the sovereign states of Haiti, Ethiopia and Liberia...and local resolutions that emerged reflected the peculiar problems of various regions (Thompson, 1969:p58). The danger was that by compartmentalising the issues of the Pan-African project and then asking different regions to come up with answers a shift of emphasis was taking place from a continental approach to African unity to a more regional approach.

In terms of its approach, the Manchester Congress digressed from the principle of African unity, in that "it did not draw up a concrete programme of action to bring about continental unity (Ojo & al, 1985:p73). Instead the Manchester Congress introduced the concept of functionalism to African international relations by suggesting closer economic and social co-operation (Thompson, 1969: p89-90). In its Resolution on West Africa, leaders attending the Manchester Congress denounced 'the artificial divisions and the balkanisation of Africa by the imperialist powers as a deliberate attempt to disrupt the entire unity of the people' (Aldi & Sherwood, 1995). Although Pan-Africanism had been the driving force behind African Unity, it subsided after the Manchester Congress when it became apparent that some African leaders 'favoured some form of inter-African integration but even there, their views varied on this' (Ojo & al, 1985:p74).

Nkrumah was one of the few African leaders who continued to campaign for African unity amidst growing scepticism amongst his peers. In 1957 when Ghana became independent he demonstrated his eagerness for African unity by declaring that "Ghana's independence was meaningless unless it goes with the total liberation of Africa" (Nkrumah, 1963). The ideals of African unity began to be translated in different parts of Africa. When Guinea became independent in 1958 together with Ghana the two governments declared the creation of a Ghana-Guinea union and later on Soudan (now Mali) joined the union. This union was only in theory since these three countries do not share a common frontier and therefore these moves fell short of Nkrumah's vision of African unity.

In East Africa there were similar attempts to create political unions². In December 1958, the Pan-African Movement of East and Central Africa (PAFMECA) was formed with the aim of co-ordinating the activities of the British East African colonies in their struggle for independence. In 1960 PAFMECA was expanded to form the Pan-African Movement of Eastern, Central and Southern Africa (PAMECASA) and its aims were broadened to include regional unity. Since no progress was made on the question of unity when more colonies gained independence, PAMECASA was dissolved at the time of the creation of the OAU. This move was significant in that it signalled the temporary shelving of sub-regional projects in favour of a continental organisation.

1.2 “African Unity” as a Myth.

The need for African unity was a recurrent theme in the political discourse of African leaders during colonial rule and after independence. African unity was therefore conceived in some respects as “an ideal and an objective” (Wallerstein, 1967).

Although the idea of African unity formed part of the political value system of what is called the 'African solidarity', "its exact meaning had never been worked out" (Mayall, 1973:p111). However, the idea that there was such a thing as 'African unity' during the age of great empires and kingdoms in Africa was commonplace. It was characterised by a form of social relationship which was the "apex of social cohesion" (Davidson,1994:p21). Since unity was an essential pillar of this social cohesion, the method of government in these empires and kingdoms was as Nyerere put it "government by discussion and it was discussion by equals" (Nyerere, 1967).

The claim that the concept of 'African unity' has over the years developed into a myth must be seen in the context of the norms that characterised relations between African states emerging out of colonial rule.

² See Nye, J. (1965) *Pan-Africanism and East African Integration*, Cambridge, Mass: Harvard University Press.

The enthusiasm for African unity as Paul Saenz put it, “is not derived from personal glory and power but based on idealistic notions of serving the world as a ‘third force’ in the international system” (Saenz, 1968). Before going into detail about the discussion of 'African unity as a myth' it is important to look at the concept of myth which has acquired different meanings in the various disciplines of social sciences.

In this study our main focus would be on political myth. A national myth is something which people acquire from someone else: from books, from historians, from films and now from people who make television (Hobsbawm, 2000: p24). ‘Political myth’ as Tudor defines it “ explains how a group came into existence and what its objectives are; it may explain what constitutes membership of a group and why the group finds itself in its predicament; and often as not it identifies the enemy of the group and promises eventual victory” (Tudor, 1972:p139). It may or may not be based on historical fact. What is important is what is believed to be true. In this sense, Tudor's analysis of what constitutes a political myth is relevant to the understanding of the genesis and development of the idea of African unity. For in the quest for unity the African constantly makes references to ancient civilisations of which he/she is proud. This becomes a source of inspiration in the struggle against the legacies of colonial rule. Moreover when colonial rule ended, these ancient civilisations like Ghana and Mali continued to serve as references of social and cultural harmony.

Africans perceive unity as a way of identifying themselves with one another as belonging to the same civilisation. The ‘political myth’, therefore, to use Tudor's definition, helps “strengthen the solidarity of a group in the face of a major challenge by supplying compelling arguments for the abolition of undesirable institutions” (Tudor,1972).The most renowned writer on the use of ‘political myth’ as an instrument of change is George Sorel. His study of the myth of the general strike illustrates how myths are used ‘to invoke people, party and class in an effort to construct a new reality’ (Sorel, 1904). In African affairs therefore, political myth consists of “symbols invoked, not only to explain, but to justify power practices” (Mayall, 1973).

The idea of unity has been a distinctive feature of African political discourse. In 1961 the Monrovia conference defined as aims and objectives of unity as follows: “The ‘unity’ that is aimed to be achieved at the moment is not the political integration of sovereign African states but ‘unity’ of aspirations and of actions considered from the point of view of African social solidarity”³. Another resolution adopted by the All-African Peoples Conference in Tunis places the ‘myth of African unity’ in the context of African political struggle and how it can be used to foster solidarity among African people. The Resolution states that ‘after analysing the idea of unity which uplifts the African peoples, it has decided to mobilise the African masses around this idea and to make its realisation the fundamental objective of their action and their thought’.⁴ The driving force behind African unity as a way of uplifting African people is, in essence, what constitutes ‘the myth’.

1.3) The emergence of consensus politics in African interstate relations: towards the creation of the OAU.

Since the Pan-African ideology has entered the body politic, “it became necessary to ‘domesticate’ the concept of African unity by giving it an official statist interpretation. It was this need that led to the setting up of the OAU” (Mayall, 1983). When African leaders finally decided to create the OAU, “it marked the end of conflicting ideas about African unity in its institutional form” (Mayall, 1973).

This did not mean that the rival ideologies about the nature of African unity were definitively resolved. As James Mayall has remarked the consensus that led to the creation of the Organisation of African Unity was simply a manifestation of the need for reconciliation. But the support to the anti-colonial struggle and leading to the creation of the OAU was politically erratic as attested by the frequency of conferences.

³ The Monrovia Conference, 8th-12th May, 1961. Resolution on the means of promoting better understanding and co-operation towards achieving Unity in Africa and Malagasy.

⁴ Resolutions adopted by the All-African Peoples Conference, Tunis, 25th-30th January, 1960.

The All-African conference organised by Nkrumah was only one of many attempts to harmonise different positions regarding African unity. The main objective of this conference was to strengthen African unity. The conference took place in Ghana in 1958 and it was attended by eight independent states, namely Ethiopia, Ghana, Liberia, Libya, Morocco, Sudan and Tunisia.

It was “the first time in the modern world leaders of independent African states met to discuss common problems with a view to working out common policies covering political, economic cultural matters” (Thompson, 1969:p129). It called for the continuation of the struggle for the total liberation of Africa and the eventual creation of a union of free, independent African states. Subsequent meetings were held in Tunisia in 1960 and in Egypt in 1961.

After 1957, independent African countries tried to co-ordinate their foreign policies and, as members of the UN, work together and speak with one voice during the General Assembly debates. The General Assembly provided the independent African states with a forum to lobby for support on the question of decolonisation, to discuss issues relating to the continent and iron out their differences when it came to adopting a common foreign policy. It was therefore in the area of foreign policy that they had a common understanding. This is because it was an area in which their interests converged and did not risk alienating themselves from issues of domestic politics. Furthermore when it came to the discussion of African unity and the need for speeding the independence of other African countries there was a general consensus.

But when it came to defining ways in which unity could be achieved, there appeared significant differences. Leaders like Leopold Sedar Senghor of Senegal favoured regional co-operation and expressed doubts about the sort of political union advocated by Nkrumah. The consequences of the ambiguous interpretation of ‘unity’ were that “as the political struggle for unity developed, the concept of regional unity became increasingly distinct from that of continental unity and therefore came to be a major debate” (Wallerstein, 1967:p112).

These differences in the approach to Pan-Africanism by independent African states “began to manifest themselves strongly from 1960 the year in which the Congo (Leopoldville) crisis burst on the world scene and many more African countries achieved independence. A year later, these differences were clearly demonstrated in the emergence of factions within the Pan-African movement” (Thompson, 1967).

Ideological differences polarised African governments and between 1960 and 1962 this ideological schism was translated in the creation of blocs. The two main political blocs that emerged were characterised by underlying ideological differences and were called the ‘Casablanca’ and the ‘Brazzaville’ groups. These ideological differences were highlighted during the Congo crisis. The crisis raised questions about the presence of foreign powers in the Congo and the role of the United Nations in the conflict. The African states that opposed the Lumumba government in the Congo crisis were conservative former French colonies.

In December 1960 a conference was held in Brazzaville attended by twelve countries. The objectives of the conference was to achieve new progress on the road to inter-African co-operation, founded on neighbourhood, culture and community of interests and to work effectively towards the maintenance of peace in Africa and the world. The 'Brazzaville group' took its name from this conference and it opposed any attempt towards the creation of a union of African states.

Five days later, President Kwame Nkrumah of Ghana, Sekou Touré of Guinea and Modibo Keita of Mali issued a declaration announcing the formation of a union between their countries and in 1961, following a summit meeting in Ghana, they decided to create the Charter for ‘The Union of African states.’⁵

⁵ Charter for the "Union of African states", Accra, July 1, 1961. Article (2) of the Charter states that 'the Union of African states shall be regarded as the nucleus of the United States of Africa. Article (3) contains the objectives of Union: to strengthen and develop ties of friendship and fraternal co-operation between member states politically, diplomatically, economically and culturally and to achieve the complete liquidation of imperialism, colonialism and neo-colonialism in Africa and building up of African unity.

A larger group of African leaders met in Monrovia in 1961. It opposed Nkrumah's proposed idea of a continental union and instead agreed to co-operate in certain key areas which 'they felt reflected the realities of African interstate relations' (Legum, 1965).

A second group that emerged in reaction to the Brazzaville group and its recognition of Mauritania's independence was the Casablanca Group named after the venue of the summit meeting convened by the King of Morocco, Sidi Mohammed. Opponents of the Brazzaville group were invited and other Arab leaders including Gamel Abdel Nasser of Egypt and Ferhat Abbas, Prime Minister of the Algerian Provisional Government. The 'African Charter of Casablanca' adopted after the conference was far more radical and more inclined towards African Unity. It aimed at "consolidating liberty, building up its unity and security..." However both groups were divided ideologically on the Congo crisis, and they also differed in their support for the Algerian Liberation Front, which was fighting a war of independence.

Furthermore the Casablanca group backed Morocco over its claims on Mauritania because it favoured larger political entities as the basis of an African Union rather than having a mosaic of weak African states. However, the advocates of an African union failed to draw up any constitution for the proposed union, because it was an idea that caused quite a lot of unrest amongst its ranks given its radical nature. Instead they came up with a Charter called 'The African Charter of Casablanca' (Legum, 1965). The creation of the African Charter by the Casablanca group was the first important practical step towards African unity in that it provided the group with a political framework within which it could operate.

It also to some extent vindicated Nkrumah's approach to African unity 'seek ye first the political kingdom,' which favoured political unity first rather than economic integration. The Congo crisis was an opportunity for Nkrumah to show his concern about the reluctance of some African leaders to subscribe to the idea of an African union because they were suspicious of his contentious claim to lead Africa.

Nkrumah's view on the crisis was that “while it is true that none of the independent African states can survive for long without protection afforded by the central direction of the combined political, military and economic resources under a continental union government, the Congo, for historical reasons and owing to certain geographical factors is more vulnerable than many African states. The future of Congo lies in a united Africa within the framework of a continental union government. Until this is achieved, the dangers facing the Congo will not only multiply but will be complicated by many factors which will involve the whole of Africa” (Nkrumah, 1967). Although Nkrumah convincingly argued his case for African unity the political conditions were not conducive to create a union of African states. The main preoccupation of newly independent states was the issue of national sovereignty.

Indeed the logic of bloc formation reflected the sharp ideological divide between African states about the nature and purpose of an African union but it was generally accepted among African leaders that pursuing different policies could hinder if not jeopardise any prospects for development. There were two things that they all agreed on: isolate the racist apartheid regime in South Africa and support national liberation struggles on the continent. In the case of Algeria, it was a question of ideological debate between the two groups. Cervenka (1969) and Wolfers (1976) have argued that the need for a forum to discuss African problems and a body for common policy-making far outweighed the ideological differences. This is particularly supported by the voting patterns in the United Nations on resolutions such as ‘the dislocation of their economies by Portuguese, Rhodesian and South African armed attacks’ that were not along ideological lines.

Although the OAU was born out of contending political ideologies, “which is usually how large international organisations are set up” (Wallerstein, 1967:p66), there was an urgent need felt amongst African leaders to create an organisation that could promote peace and development. The “impetus for promoting continental co-operation is based on the realisation that only through a co-ordinated effort by all African states can the desirable goals of modernisation, industrialisation and economic development be realised” (Saenz, 1968).

For this reason, “the ‘domestication’ of Pan-African ideology was considered necessary because unrestrained political warfare between regimes which claimed monopoly rights over the correct interpretation of the ideology had created an atmosphere of endemic insecurity and widespread fear of subversion” (Mayall, 1983: p81). The creation of a 'single continental organisation it was assumed would put an end to opposing blocs' (Zartman, 1966:pp34-35) and was fundamental in “eliminating rival sources of authority” (Mayall, 1973:p119).

1.4) The OAU: from politics of unity to the practice of dispute settlement.

One of the historic missions of the OAU was to foster closer relationship and co-operation between African countries long divided by the legacies of colonial rule. In its early days it did fulfil this role by rallying Africans to the struggle for the total independence of Africa. Initially, OAU was more concerned with dispute settlement than with conflict management per se. As Burton (1993) remarks, the differences between ‘dispute’ and ‘conflict’ is that ‘the first involves negotiable interests, while the second is concerned with issues that are not negotiable, issues that relate to human needs that cannot be compromised without possible confrontation’. The ideological differences between African leaders was a major source of dispute. The formation of the ‘Casablanca’ and ‘Monrovia’ groups are cases in point. Disputes involving members of these two groups were often resolved by compromise. However when the dispute was about border demarcation or issues over national sovereignty, this led to conflict.

The first of these conflicts was the Algerian-Moroccan border conflict and the Congo crisis which had profound effects on the organisation. The first case was a conflict between two active and outspoken members of the organisation and the second involved external interference in the internal affairs of an OAU member state. These two events divided African leaders along ideological lines.

The border conflict between Algeria and Morocco prompted the OAU to pass a resolution in Cairo in 1964⁶ to reiterate the intangibility of territorial borders. OAU's fears that the ill-defined African borders were a potential source of conflict were confirmed following the Somalia-Kenya conflict in 1963 over the eastern province of Kenya formerly called the Northern Frontier District. Thus, successive conflicts and the mediation efforts undertaken by the continental organisation confirmed it in its role as an agent of conflict management.

The regimes that were created in Africa in the 1960s, the so called 'independence regimes', were to a large extent trans-ethnic in that they adopted policies geared towards state-building on the basis that these states would be multinational. For example the Ogaden region of Ethiopia and the eastern province of Kenya are mainly inhabited by Somali speaking people. It was believed that the principle of a multinational state was in keeping with the process of modernisation and development. This strategy achieved positive results in many African countries notably in Ghana and also in Nigeria before the Biafra war.

However, because of the fact that the economies of these countries remained largely rural with little or no manufacturing industries this meant that they were the weakest link of a global economic system and therefore they could not benefit from it. The impact of declining economic growth, coupled with increasing popular demands for social and economic changes, taxed the resources of the newly created African states, whose leadership in many instances was more concerned with consolidating its grip on power.

The conflicts which engaged the OAU at its inception could be traced to economic neglect and poor leadership. These problems that African countries faced impacted negatively on domestic politics and more importantly on foreign policy. The Foreign policy of African countries in the post-independence era was generally conceived in the context of possible threats from the 'neighbourhood'.

⁶ AGH/Res.16 (1). The Resolution reaffirms the strict respect by all member states of the Organisation for the principles laid down in Article III (3) of the Charter of the Organisation of African Unity. It declares that all member states pledge themselves to respect the frontiers existing on the achievement of national independence.

In other words, the behaviour of neighbouring countries determined the foreign policy conduct of a particular African state. This point is illustrated by problems of neighbourhood which led to conflict: Ethiopia-Somalia-Kenya, Tanzania-Uganda, Algeria-Morocco.

Another reason can be advanced to explain the conflicts which were a major source of concern for the OAU. It was the independence era that brought African states together as sovereign entities operating within a system that was dominated by 'strong' western democratic states and polarised by the Cold War. Rather than adapting to this system, African leaders sought to influence it. As Peter Calvert puts it, 'finding that this system reflected the diplomatic practices of great powers, they aspired themselves to achieve that status to influence the international system' (Calvert,1986). In the process of pursuing those objectives many African states nurtured diplomatic and territorial ambitions as a way of self-aggrandisement. This was bound to be a source of friction with other states.

African states emerging out of decolonisation were new states that had to face the challenges of nation building and state building simultaneously but at the same time they had to respond to the imperatives of the conduct of interstate relations within the international system. This implied that African leaders had to assert their authority in a national context as well as taking part in OAU summit meetings and UN debates about issues that affect them in global politics. This delicate balancing act was sometimes achieved at the expense of economic development because leaders spent too much of their time trying to strengthen their grip on power. The long-term consequences were that the economic sector and the social well-being of the African population were neglected, which proved to be a potential source of discontent.

Developments in the late 1960s also introduced another trend. It was the way in which many African leaders arrogated to themselves executive powers without checks and balances that consequently paved the way for dictatorship, strife and corruption. This is especially true of Uganda under Idi Amin and Mobutu's Zaire.

Democratic politics, which was conducted through general elections, were often rigged and from 1962 military takeovers became a way of removing 'corrupt' leaders, as the coup in Togo in 1963 illustrated. In the 1970s military take-overs became more frequent and more brutal. As Decalo points out, "by 1975, twenty of the continent's forty-one states were led by military or civil-military cliques" (Decalo,1990:p2).

Another factor in conflicts in Africa was that tensions of the colonial period especially over the authority of traditional rulers were not resolved and they resurfaced during the independence era. Modern political structures such as the 'state system' and its institutions came into conflict with traditional mode of government because African leaders abolished rival sources of power held by traditional rulers.

It is important to note that although this clash was foreseeable, African leaders fought against colonial rule and all it stood for. They favoured the modernisation of these traditional structures upon which African rules depended. There soon developed suspicion between African leaders and the indigenous population as the promises made at independence were not kept and the leaders neglected the demands of their citizens. Freedom of speech and political participation that the colonial administration suppressed were now liberated which made it possible for the local population to press its demands.

The failure to meet these demands created a more permissive environment for the escalation of domestic conflicts which often went along ethnic lines. In that way some leaders played the ethnic card with the policy of 'divide and rule' as they came under political pressure. In Ghana for example, "Busia's regime duly reopened the door to 'tribal' politics between contending groups" (Davidson,1978). Several regimes proved stable and this usually occurred wherever independence was by a more or less far reaching reorganisation of colonial or para-colonial structures. Such was "the case in Egypt where the Nasserist regime replaced the old bourgeois parties notably the 'Wafd' by a petty bourgeois, in control of a state with populist policies" (Davidson, 1994).

The euphoria that had followed independence was now tempered by the harsh realities of political and economic developments in Africa. African leaders who experimented with 'socialism' in reaction to what they called the 'developed capitalist bourgeois' regime found themselves in even greater trouble in Benin, Angola, Ethiopia and Guinea. Their economic policies alienated and impoverished the rural population. Added to this was the fact that the legacy of the European 'state model' against which nationalist leaders fought with all their energies (because they saw state institutions as coercive) was in the end adopted and legitimised. The problem was that in adopting and legitimising the state institutions they heavily distorted them to suit their ambitions. This was the case of dictatorial regimes. The 'political map of post-independent Africa therefore reflects two imported strains: the sovereign state and the international association of sovereign states, the former being a product of European experience and jurisprudence' (Calvocoressi, 1985).

The root causes of many conflicts in Africa be they latent or open seem to be the problem of grafting the 'western state model' on African traditional institutions and the politics of neighbourhood in Africa. Chabal and Daloz argued that "the state in Africa was never properly institutionalised because it was never significantly emancipated from society" (Chabal & Daloz, 1999:p4). The reason for this could be found in E.H.Carr's explanation that "When the theories of liberal democracy were transplanted, by a purely intellectual process, to a period and to countries whose stage of development and whose practical needs were utterly different from those of Western Europe in the nineteenth century, sterility and disillusionment were the inevitable sequel" (Carr,1981:p29). The state machinery in Africa is used to serve the interest of the ruling class and leaders perceive the state as their personal property (Bayart, 1993). Some of these states decayed internally because of mismanagement. The resultant crises affected the way the OAU functioned because it was confronted with the problem of 'atrophied states'.

In this chapter we tried to show the evolution of the OAU's objectives beginning with the task of achieving African unity to that of conflict management. This evolution was not automatic but rather gradual corresponding to the political, economic and social crises that the African states were undergoing.

The problem was aggravated by the inability of the African leadership to invest the 'independence capital' into economic and social development programmes for the benefit of its citizens. Furthermore African leaders' obsession with the principle of sovereignty was a drawback for the OAU and the Pan-Africanists ideals because it hindered any attempt to create African unity.

CHAPTER TWO

Theoretical issues in conflict management and a Pan-Africanist perspective.

Introduction.

Conflict management is a term used to define a whole range of techniques of handling conflict which could result in "the limitation, mitigation and containment of violent conflicts" (Miall & al.,1999). It is often used interchangeably with conflict resolution but they refer to different approaches to a conflict. We shall use 'conflict management' as the organising concept of this study. The main difference is that conflict resolution refers to the final phase of a conflict in which attention is focused on bringing about a comprehensive settlement. On the other hand, conflict management is a continuum between the beginning of a conflict and its ending during which period different methods are used to control it. In other words, "to say that conflicts can be managed presupposes that conflicts are dynamic social processes that move from an incipient, latent stage to maturity and termination" (Bercovitch & Jackson, 1997).

One of the main objectives of conflict management is to create a conducive atmosphere through mediation that would have a positive bearing on the protagonists in a conflict. This it is hoped could stop the escalation of violence and create better prospects for peace. Managing a conflict is therefore action taken to influence the protagonists positively so that they could reach a settlement. It also involves regularising the pattern of state-society and intra-society relations" (Rothchild,1997:p18) to enable this to happen.

Modern conflict management in some cases has proven inadequate in dealing with conflicts in Africa because of its emphasis on state 'structures' and its academic orientation. Pan-Africanism provides an alternative by shifting the emphasis from state-centred mediation structures to 'people' and civil society as well as drawing from the experiences and realities of African society. It perceives conflict management as inclusive and a collective responsibility.

After looking at the way the OAU evolved in terms of its objectives, it is important to look at the different types of conflicts to see if they fall within the organisation's competence and different issues involved. We argue that it is more helpful to talk about the nature of different conflicts in general for the purpose of ways of bringing them under control rather than try to identify 'sources' because there is no single identifiable source of conflict⁷. Azar points out to a tradition in conflict analysis among sociologists, psychologists and anthropologists 'who tend to focus on civil wars and internal revolts on the one hand, while international relations pundits are more interested in interstate wars and related issues' (Azar, 1990). His remarks about the danger of operating a distinction between 'internal conflicts' and 'interstate conflicts' and 'interstate conflicts' are pertinent in that domestic issues do have international ramifications just as international events impact on domestic politics. Both interstate and intrastate conflicts have elements of each.

After discussing some theoretical issues in conflict management and mapping out the nature of these conflicts in Africa, we examine the limits and relevance of 'theories' and 'models' of conflict management and propose a Pan-Africanist approach as an alternative.

2.1) An overview of theoretical issues in conflict management.

The nature of conflict has been the subject of interest to many political scientists. In the nineteenth century Marx made a special study of class conflict and argued that the irreconcilable interests of classes in a society could eventually lead to revolution. During the twentieth century issues of conflict were narrowed down to the question of 'ethnic conflicts' with the rise of nationalism. It was the Second World War and its devastating effects that brought home the issue of conflict between states and interest in peace research. Commenting on the way in which conflict may end, Georg Simmel noted that conflict may end either by victory of one party over another or through compromise or by reconciliation (Simmel, 1955).

⁷ 'The causes of conflict and the promotion of durable peace and sustainable development in Africa', Report of the United Nations Secretary-General to the Security Council, 1998.

The importance of Simmel's contribution to conflict management lies in his argument that not all conflicts are 'negative', neither do all conflicts lend themselves to same patterns of resolution. Conflicts, according to Simmel, need to be understood in their context. Coser further developed this argument in his study that focuses on industrial relations (Coser, 1968).

In the same vein, Morton Deutsch argues that conflicts are either constructive or destructive depending on their outcomes. Accordingly, he notes that the aim of conflict management is not ending conflicts but to render conflicts 'productive'. This means that one has to have a positive attitude towards conflicts' (Deutsch,1973). He goes on to state that 'negative attitudes and poor communication distorts views and contributes to prolonging conflicts.'

Another significant contribution to the understanding of the issues of conflict management is Johan Galtung's work in the area of peace research. Founding editor of the *Journal of Peace Research*, Galtung centred his work on the idea of positive peace, which can be achieved by surmounting the problem of 'structural violence'. This would allow 'the pacific coexistence of people from different backgrounds and different interests, thus creating an atmosphere of solidarity' (Galtung, 1975-1978). Galtung was one of the first peace researchers to appreciate the benefits of non-western methods of conflict management. As David Augsburger points out these are 'traditional methods which are inherent in traditional cultures that deal with conflict in a selected pattern of mediation through third party so that resolution is achieved in an indirect and systemic way while urbanised westernised cultures prefer direct, one-to-one encounter between the disputants that utilises a third party only in extremity or in legal process' (Augsburger,1992:p8).

While practitioners of conflict management are confronted with the day-to-day realities of conflicts, theories of conflict management are basically assumptions about human action and human behaviour. One such theory that has attracted a lot of attention is 'game theory'.

It seeks to explain what is 'rationally correct in conflict situations in which participants are trying to win, rather than the way in which individuals are expected to behave in conflict situations' (Dougherty & Pfaltzraff, 1990). Central to game theory is finding a mutually acceptable exit to a conflict.

One common example of 'game theory' is the Prisoner's Dilemma which describes a situation in which the outcome of the conflict depends on what decision each party makes rationally in conflict situations. However it could be argued that not all conflict situations involve 'rational choices'. Indeed violent conflicts often result from 'irrational choices' leading to irrational behaviour.

Some conflict management theorists believe that given the complex nature of conflicts, they can only be 'transformed' and not resolved. Drawing from earlier work by Simmel and Coser, conflict transformation theory dwells on the interaction between the protagonists. It looks at the 'dynamics of conflict from confrontation to agreement and not solution' (Vayrynen, 1991).

The inadequacies of conventional theories of conflict management has led to the development in the 1970s of another theory known as 'Alternative Dispute Resolution' (Adler, 1987). It focuses more on 'identity' groups in conflict and places emphasis on the interaction between parties rather than their negotiating positions. One of the criticisms of ADR is that it only focuses on conflicts that do not involve widespread violence and 'may be adequate for a limited number of superficial disputes' (Scimecca, 1993).

Theories of conflict management and conflict resolution are premised on the behaviour of people or states in conflict and the objectives they pursue. Theories based on the behaviour of people or states are often flawed by their lack of rational and objective analysis. It is extremely difficult to predict individual behaviour in a conflict situation. One theorist who has tried to incorporate human action and human behaviour into a theoretical framework is John Burton.

He argued that if factors that influence human behaviour in conflicts are to be understood, then there should be a holistic approach that involves a comprehensive study of what he calls 'human needs'. The underlying principle of his 'needs theory' which he applied in his problem-solving workshops is that unsatisfied needs are the root causes of conflicts and they can be resolved if these needs are satisfied.

John Burton's 'need theory' locates the causes of conflicts exclusively at individual level. He expounded techniques of negotiation based on the theory of human needs which later became known as 'problem-solving workshops'. Many Workshops were held based on Burton's model and they include groups, which were formed at the Centre for Conflict Analysis at George Mason University, Virginia, the Harvard group led by Herbert Kelman, the Maryland group led by Ed Azar and in Britain, the Centre for Conflict Analysis at the University of Kent⁸. One such workshop specifically focused on conflicts in Africa was the Fermeda Workshop⁹. So far, these 'workshops have not achieved much' (Ryan, 1990). One reason is that these conflict management strategies are essentially conceived in a western context¹⁰ and they address issues of conflict not in an African or Third World context but those of western societies which are anchored in strong legal and political institutions. Theoretical issues that arise from such analysis of conflict management reflect social and political relations within those societies and would probably have little relevance to non-western societies.

⁸ For a detailed analysis of 'problem-solving workshops', see Burton, J. (1969) *Conflict and Communication*, London: Macmillan; Kelman, H. C. (1972) 'The problem-solving workshop in conflict resolution' in Merritt, R.L. (ed) *Communication in International Politics*, University of Illinois Press; Fisher, R.J. (1980), 'Third Party Consultation: A method for the study and resolution of conflict', *Journal of Conflict Resolution*, (16) pp67-94; Mitchell, C.R. (1973) 'Conflict Resolution and Controlled communication, some further comments', *Journal of Peace Research*, (10):123-132.

⁹ In 1969, a group of Africans and Americans came together in 'Fermeda', a comfortable ski hotel above the town of Bressanone in Tyrol, northern Italy. The aim of the workshop was to determine whether they could contribute to the solution of two border conflicts in the Horn of Africa. The conflicts were between Ethiopia and Somalia and between Kenya and Somalia.

¹⁰ The conclusion drawn by the organisers of the 'Fermeda Workshop' was that the first stumbling to a solution of the disputes in question was the emotional commitment to abstract concepts of self-determination and national sovereignty.

2.2) Conceptual typology of post-Cold War conflicts in Africa.

One important characteristic of post-Cold War conflicts “is that they are largely within states” (Bercovitch & Jackson,1997:p5). They are described as ‘intractable’ (Kriesberg & al, 1989), ‘deep-rooted conflicts’ (Burton, 1987) and ‘protracted social conflicts’ (Azar, 1990). Conflict patterns in Africa are complex and require different levels of analysis and managing them is difficult because ‘they have numerous sources rather than a single clear-cut cause’ (Ross,1993:p92). Far from being mere feuds between rival clans or ethnic groups, they are in essence a “struggle over structures and practices of government and its beneficiaries” (Zartman, 1996).

Several classifications have been proposed¹¹ to conflicts in Africa. McKay (1966) proposes a classification of African conflicts into four types :“a) conflicts inside each state; b)conflicts among or between African states ;c) conflicts among or between great powers over Africa; and d) conflicts among or between African states and the great powers” (McKay,1966:p4).The last two categories were not brought to the OAU's attention.

However more useful is McKay's classification of internal conflicts and although it was done in the context of the Cold War era, the classification is still valid for post-Cold War conflicts. The first type of conflict involves the ruling class and those aspiring for power. According to McKay, “it is largely a struggle of elites for personal power, irrespective of ethnic or specific interest conflicts”. The second category is “the conflict between the ruling group and specific interest groups such as labour, youths, farmers and the military” (McKay,1966). It is this last category which is often the source of many internal conflicts in Africa. Bercovitch and Jackson propose another classification: conflict between states (interstate conflict); international civil conflicts which occurs when another state intervenes either by supporting one of the factions or directly intervenes in the internal affairs of another state; militarised disputes such as military coups; and political incidents such as demonstrations and mass protests.

¹¹ See for example Godinec, P. (1996) *Relations Internationales Africaines*, Paris: L.G.D.J. pp147-166.

The problem that arises from such categorisations is that 'causes of conflicts do sometimes overlap and the nature that some of these conflicts takes depends on the angle from which the protagonists perceive them' (Gonidec,1996).

a) Self-determination conflicts.

The first generation of conflict in Africa that called for OAU attention was the continuous struggle against colonial rule. Although many African countries gained independence by peaceful means, many had to struggle for it. These included Lusophone and some Francophone countries. The legal argument for independence was the principle of self-determination, which refers to "the right of a people living in a territory for example, by setting up a state of their own or by choosing to become part of another state" (Malanczuk, 1997).

Thus, "the doctrine of self-determination assumes that mankind is not merely divided according to gender but according to nationality; that this division is equally natural; that rule by foreigners therefore not only leads to 'natural' resentment but constitutes a denial of fundamental human rights; and that consequently each nation and no other entity has a right to constitute a separate state" (Mayall,1990:pp40-41). In essence, as Tandon points out, "the principle of national self-determination implied that whoever was "nationally distinct" and wanted a separate existence was entitled to it. But British colonial reasoning asserted that "independence was not automatically a right of those who were nationally distinct; it was more of a right of those who were capable of maintaining liberal democratic institutions and of safeguarding individual freedom" (Tandon,1972:p129).

The most important document that relates to the principle of self-determination is the UN Charter Article I (2): "To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take appropriate measures to strengthen universal peace"; and Article 55: "With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples...".

In OAU practice, “the best way to understand the OAU position is to look at the preamble of its Charter” (Quaye,1991:p224). In this document, the preamble states that the Heads of State are “determined to safeguard and consolidate the hard-won independence as well as the sovereignty and territorial integrity of their states, and to fight against neo-colonialism in all its forms” and Article III (3) calls for “respect for the sovereignty and territorial integrity of each state and for its inalienable right to independent existence” and (6) “Absolute dedication to the total emancipation of the African territories which are still dependent”.

The argument that former colonial powers used, and in particular France and Portugal, was that colonial territories were not viable political entities. It was these opposing views that became a source of conflict between the colonial power and its 'subjects' because many African states became independent in 1960 and therefore the question of viability was not a cause for which Algeria fought for independence against the French. Portuguese colonial rule ended in 1975 with the independence of Angola, Mozambique and Guinea-Bissau and Cape Verde.

The OAU supported liberation movements by setting up Liberation Committees. In the case of liberation struggles, there was little room for conflict management because not only are the interests and issues diametrically opposed but they were also irreconcilable. For example colonial rule against independence. The OAU was quite successful in mobilising support for liberation movements and it was during this period that the it had a high profile as an institution of conflict management.

Since the 1950s, “sixty-eight territorially-concentrated ethnic groups have waged armed conflicts for autonomy or independence at some time and more than one third of them continue to fight for greater self-determination at the beginning of 2001 including some Somali and Omoro in Ethiopia” (Gurr & al, 2001). Between 1988 to 1994, “another thirteen self-determination wars began in Africa and Asia and by 2000 five of the six wars were over” (ibid). The results of the study conducted by Gurr and his team show that “the most common outcome of self-determination conflicts is a settlement between governments and group representatives that acknowledges collective rights and gives them institutional means for pursuing collective interests within states”.

There is still an ongoing struggle for self-determination on the continent and it involves the Western Sahara. The main feature of this struggle is that it does not oppose a former colonial power to a liberation movement. Instead it opposes a people (the Sahraoui people) to an African country, Morocco, the latter being the “coloniser” in this case¹². Morocco has historical claims to Western Sahara and when the latter was admitted as an OAU member state on the basis of the principle of “uti possidetis”, Morocco withdrew from the organisation. Thus, the position of the OAU on the principle of self-determination is that it does not apply to movements within independent African states¹³. For example, the OAU supported the Nigerian government against the Biafran secessionist movement and called upon member states to refrain from any action that could be detrimental to peace, unity and territorial integrity of Nigeria.¹⁴

b) Border conflicts.

The most significant threat to OAU's existence in the years after its creation came from border conflicts. The borders of African states have been contested since their creation when Africa was partitioned during the Berlin Conference in 1884-1885. During the pre-colonial era, frontiers between socio-political entities were defined along occupational lines.

Thus the definition of frontiers denoted different occupational conceptions: you had the “Merchants’ frontier”, the “Agriculturists’ frontier” and the “Miners’ frontier”. Basically, the general meaning of a frontier could be termed as the ‘contact zones between civilisations or cultures’ (Evans & Newnhman,1998). Thus the interaction between different frontiers was a potential source of conflict¹⁵. Conflicts often arose from claims that included rights over grazing land and competition for water resources.

¹² UN/GA/Res.2625 (XX) 1965, excludes formal claims in the case of colonies.

¹³ For a useful discussion on secessionist conflicts, see Tiewul, S.A. (1975) ‘Relations between the UN and the OAU in settling secessionist conflicts’, *Harvard International Law Journal*, 16, pp259-302.

¹⁴ AGH/Res.54 (V) (1968) and AGH/Res.51 (VI) condemn secession in any member state.

¹⁵ For an exhaustive analysis of issues involved in border conflicts, see Foucher, M. (1992) *Fronts et Frontiers*, Paris: Fayard.

Governments could resort to territorial expansion “based upon current power and historical arguments; irredentist policies based upon ethnic affinities; and the use of boundary problems as a pretext or vehicle for forms of pressure designed to further policies having no connection with territorial claims as such” (Brownlie,1979).

In the absence of “policing frontier” or any regulatory system, there is constant flow of population in Africa from poor to rich areas. Limits on the movements of population are a new phenomenon imposed with the creation of boundaries which are the limits of modern states. The creation of modern boundaries separate nations and therefore “their stability depends on the willingness with which a citizen accepts the order to turn his back on a particular neighbour, or the willingness with which a national leader accepts the fact that people in certain areas are turning their backs on him and his leadership” (Zartman,1966:p106).

Apart from the conceptual differences between borders and frontiers, in concrete terms, borders can be " an alignment, a line described in words, in a treaty, and /or shown on a map or chart and/or marked on the ground by physical indicators such as concrete pillars or cairn of stones" (Brownlie, 1979). Most African borders were not created by treaties. The reasons could be traced to colonial rule. For example, in order to justify boundary demarcation for administrative convenience, the French aligned former units of French Equatorial Africa with French West Africa. This act was based on French colonial legislation, official maps and administrative practice. Consequently, borders drawn up in this way “cut across existing states some of them across homogeneous ethnic groups or even families, separating them into two or more territories” (Amate, 1986).

The most cited example of such a case is Somalia, which was divided among three colonial powers namely UK, France and Italy. These territorial divisions often generated conflicts due to uncertainties about the ‘real’ border line separating political entities under different colonial jurisdictions.

The OAU therefore inherited the thorny question of ill-defined borders which it recognised as a potential source of conflict. It was in this regard that the OAU adopted the Cairo Resolution in 1964 which reaffirms the permanence of borders inherited from colonial rule. The Assembly of Heads of State and Government at its First Ordinary Session stated that: “considering that the border problems constitute a grave and permanent factor of dissension; considering further that the borders of African states, on the day of their independence, constitute a tangible reality; recalling further that all member states have pledged, under Article VI, to scrupulously respect all principles laid down in Article III of the Charter of the Organisation of African Unity; 1). Solemnly reaffirms the strict respect by all members states of the Organisation of African Unity; Solemnly declares that all member states pledge themselves to respect the frontiers existing on the achievement of national independence”. Two OAU member states, namely Somalia and Morocco, rejected the Cairo Resolution of 1964 on the grounds that it did not apply to their case, but to possible future border disputes. Thus “the principle that the resolution embodied coincided with the hitherto generally accepted view that frontiers do not ‘lapse’ when decolonisation or secession takes place” (Brownlie, 1979).

One of the reasons why border disputes are a potential source of conflict among the newly created African states is that borders have high symbolic value as a testimony of their hard-won sovereignty. The sanctity of borders or ‘border fetishism’ (Lewis, 1983) is characteristic of post-colonial Africa and where nationalist sentiment is high, “even small violations or demands arouse very intense passions” (Luard, 1988).

Some major¹⁶ conflicts arising from border disputes are:

- a) Morocco-Algeria (disputed territory: Tindouf) 1962; b) Somalia-Kenya (disputed territory: Somali inhabited territories of Kenya) 1963-1967; c) Libya-Chad (disputed territory: Aouzou strip) 1973; d) Somalia-Ethiopia (disputed territory: Ogaden) 1977-1978; e) Uganda-Tanzania (disputed territory: Kagera salient) 1978-1979; f) Burkina Faso- Mali (disputed territory: Agaché) 1985-986;

¹⁶ For a general survey of conflicts in Africa from the period of decolonisation to the post-independence era, see Pascali V. (1999) 'L'évolution des conflits en Afrique, *La Revue Internationale et Stratégique*, Printemps pp133-141.

g) Senegal-Mauritania (grazing land on the border) 1989; h) Eritrea-Ethiopia (disputed territory: Badme region) 1998-2000;

All these conflicts with the exception of Burkina Faso-Mali border conflict were brought before the OAU. The International Court of Justice arbitrated the conflict between Burkina Faso and Mali but the OAU did urge both parties to reach a peaceful solution.

Since the end of the Cold War, the only recorded border conflict is that between Eritrea and Ethiopia. It seems that conflicts related to borders have now been overtaken by internal conflicts. This can be explained in part by the end of the Cold War which created conditions that allowed for the opening up of the democratic space in many African countries which were hitherto autocratic regimes.

C) Conflicts of Democratic transitions: from autocratic rule to democracy.

A third group of conflicts are related to the growing demands for change and popular pressure for democratic reforms. The new internal demands from pressure groups on governments call for the protection of human rights, freedom of speech and the conduct of free and fair elections. For a long time, Africa's political landscape was dominated by single parties. Opposition to the incumbent regime was considered to be unpatriotic and subversive. In 1960 when a group of Guinean politicians decided to form a political party, they were rounded up and sent to prison. That was the fate that awaited opposition leaders in many African countries. One of the positive impacts of the end of the Cold War on Africa was to embolden the opposition *vis à vis* African regimes, knowing fully well that there would be no foreign intervention to back the incumbent regime.

With no external help to prop up these dictatorial regimes, leaders whose legitimacy was contested resorted to the use of force to arrest the democratic process and where it was arrested, it led to popular uprising and then civil war. The Mobutu regime in former Zaire is a case in point.

Human rights groups played an important role in the political transition of dictatorial African regimes during the post-Cold War era. For example Amnesty International had chapters throughout the continent. These chapters did not simply bring intellectuals together to fight human rights abuses, but served as “institutional expression of the concerns of groups and individuals with a basis and a supportive set of their own substantive demands” (Zartman, 1997).

Two important crises were to serve as catalyst for greater freedom and democracy in Africa. First came the economic recessions of the 1980s and the 1990s. They brought to the forefront the issue of poverty and unemployment. As African economies entered recession, the rural population was hard hit by the low turnover from their agricultural products while on another front students' frustration continued to mount as there were no jobs available to them after university. Unemployed students filled the streets, frustrated by their governments' lack of effort to alleviate their condition. They were joined in their protest by ‘trade unionists whose grievances against governments included corrupt practices and incompetence’ (Zartman, 1997).

Second was the sudden disrepute of socialist regimes beginning with Poland. The demise of the Soviet regime robbed many African regimes of vital support and reference and the fall of the Berlin wall sent a shock wave across the continent as it was the beginning of a long process of democratisation. In 1992, in what became known as the ‘Baule discourse’, former French president François Mitterrand linked French aid to Africa with the restoration of democracy. Some autocratic leaders like Mathieu Kérékou of Benin, Omar Bongo of Gabon and president Eyadema of Togo sought to introduce elements of democracy by organising national conferences. However, this did not do much to quell the pressing demands of the population because the changes proposed by many African leaders did not have any significant bearing on the economic and social life of their citizens.

On the contrary the state apparatus continued to "reinforce the power of social elite and favour a version of democracy in which change of government is merely a change within different sections of the elite" (Hippler,1995). As a result of the inability of some African leaders to manage these social uprisings, they matured into open conflicts.

Conflict management requires an understanding of both the culture and domestic politics of the country or countries affected. It is also important to take 'local actors' on board. The significance of such an approach is that it would help understand the issues at stake rather than making analysis that take 'symptoms' of conflicts for their 'causes'. An example is to see conflicts in Africa as essentially by products of a certain 'modernisation crisis' as Walton's analysis of revolts in contemporary agrarian societies illustrates (Walton, 1984). However, we do agree to some extent with Walton's analysis in that the 'implantation of the state' in Africa was a successful political operation in keeping with the process of modernisation but its institutional mechanisms were never assimilated.

Conflicts arising from demands for democratic reforms are managed by organising regular elections after 'national conferences' are held. These are conferences in which different parties seek consensus as a way forward. Furthermore "Democratic government manages societal conflicts by channelling them into conventional politics. When divisive ethnic and political issues do surface in democracies, they are usually expressed in protest rather than rebellion and often culminate in reformist policies" (Gurr & al, 2001).Where an autocratic government resists change, a conflict thereof is managed "by coercion, with accommodation and reform playing secondary roles" (ibid.).

Some writers have advocated for co-operation among 'leaders of social groups' that transcends political and ethnic cleavages. This idea is popularised by Lijphart's theory of 'consociation', 'which explains how political stability is achieved through the leadership of the elite' (Lijphart, 1969).The relevance of this theory to the problems of political stability in Africa will be discussed next.

d) Conflicts arising from insurgency.

In this study an insurgency will be defined as “any kind of armed uprising against an incumbent government” (Calvert, 1996:p143). In the 1950s and 1960s insurgency was generally an organised resistance against colonial rule. There were insurgent movements such as the ‘Mau Mau’ in Kenya and other movements in Algeria fighting against French colonial rule and in Guinea-Bissau against Portuguese colonialism. During the Cold War, insurgent warfare was fought along ideological lines mainly because some of these insurgent movements were influenced by the ‘Maoist’ tradition of guerrilla warfare.

The end of the Cold War once again popularised insurgent movements as they challenged autocratic regimes in Africa which were supported and abetted by superpowers. The retreat of superpowers from African political scene exposed some of the African regimes that were ‘so bad as to lead to a resistance born of desperation and to the consequences of prolonged immiseration, exploitation and state decay’ (Clapham,1998).

The first conflict arising from insurgency to succeed in seizing power was Hussein Habré's Forces Armées du Nord (FAN) in Chad in 1979. It set a precedent that became a regular feature of post-Cold War conflicts in Africa. It was the first insurgent movement to seize power in Africa. The Rwandese Patriotic Front (RPF) in Rwanda, the Ethiopian Peoples’ Revolutionary Front (EPDRF) in Ethiopia, the Eritrean People’s Liberation Front (EPLF) in Eritrea and the Forces Armées Nationales du Tchad (FANT) in Chad were insurgent movements that toppled the incumbent government.

In the past and especially during the Cold War insurgent movements were handled by incumbent government through ‘counterinsurgent strategies’ as a way of solution to the problem of insurgency. Counterinsurgency therefore came to mean ‘a form of strategy which is mainly military and, within the military context, one designed to fight irregular, especially guerrilla war’ (Calvert,1996).

Insurgent movements are non-state actors not recognised under international law. One possible way of legitimising their actions and acceding to power is through a democratic process. But in Africa, regimes hardly lend themselves to democratic change. Since the 1960s when many African countries gained independence, only few countries experienced democratic change in which the incumbent was voted out of office. These are Cape Verde, Benin, Senegal and more recently Ghana. There is another problem that is the 'idea of national sovereignty and territorial integrity' which are some of the established principles of international law gives enormous advantages to centralised governments' (Clapham, 1998).

A post-Cold War pattern of 'insurgent conflict management' that emerged tend to deal with insurgent movements in a legal way by granting them 'international personality' status. It is a pattern that has been incorporated into the legal mechanisms of conflict management institutions like the OAU. This process allows incumbent governments to recognise insurgent movements as bargaining partners in eventual peace talks. In Rwanda for example, the government held peace talks with the RPF insurgent movement under the auspices of the OAU. However peace settlements involving insurgent movements often collapse in part because of the conflict management strategies used by mediators. In many instances, mediators make the mistake of asking insurgent movements to demobilise at a time when state institutions have collapsed and there are no other means to enforce law. Furthermore, there is a tendency by mediators to favour maintenance of a non-existent peace rather than getting down to peace-building itself which is a long-term process.

2.3) The Limits of relevance.

While conflict management theories have lent insight into the dynamics of societies in conflicts, they remain predominantly diagnostic and short on prescription. For example Burton's 'needs theory' attempts to explain the underlining causes of conflicts as essentially 'the quest to satisfy the basic human needs' (Burton, 1990). But as Zartman (1998) points out, 'human needs can only be satisfied temporarily' and it is difficult to say when they are satisfied.

In the literature on conflict management, causes of conflict are widely examined but the 'celebrated mechanisms' by which these conflicts can be managed or resolved are generally abstract constructions based on one or two conflict models in the past. As Hannah Arendt notes, "the logical flaw in these hypothetical constructions of future events is always the same: What first appears as a hypothesis with or without its implied alternatives, according to the level of sophistication turns immediately, usually after a few paragraphs, into a "fact" which then gives birth to a whole string of similar non-facts, with the result that the purely speculative character of the whole enterprise is forgotten" (Arendt, 1970:p7). The relevance of 'models' of conflict management based on hypothetical constructions to conflicts in Africa needs to be demonstrated if we consider the fact that 'prevailing explanations and prescriptions were developed primarily in a western context' (Gurr, 1991) and applied to societies with different cultural values. As Brown puts it, "each society develops its practices and set of myths, symbols and rational justifications, which usually are held superior to those of other societies" (Brown,1994:p35).

A more general approach to conflict management tends to give a prime status to 'states' in conflict mediation. Negotiators and NGOs working in conflict resolution are accustomed to dealing with fix and constant authority structures. In the absence of state authority the conduct of conflict management becomes impossible. NGOs were confronted with this reality in the Somali conflict when NGOs negotiating in the conflict 'spent all their time asking people to take them to their leaders with whom they are accustomed to doing business.' (Prendergast, 1997).

The thesis that the 'state' is at the centre of conflicts is an offspring of Realist analysis of world politics which sees relations between states as the dominant feature of world politics (Waltz, 1979; Keohane,1986). One can deduce from this analysis that the loci for conflict management is the state system. This analysis is useful in understanding superpower relationship and their role in conflict management but its validity to third world countries needs to be demonstrated. This is because third world states and in particular African states cannot be taken as units of analysis of world politics because of their inherent weaknesses and their marginalised role. Furthermore, a state-centred approach to conflict management is done at the expense of the study of 'communities', from where conflicts nurture and mature.

Thus, “because of the intensity of ethnic claims, not all conflicts lend themselves to state negotiations or mediation” (Rothchild, 1997). Coral Bell argues that ‘a piece of crisis management can only be observed in history, not established by theory. This remark highlights the whole issue of ‘theorising’ human behaviour. Bell notes that ‘many writers concerned with crisis or conflict management tend to simplify the issues by resorting to theories and making generalisations, holding that model-building techniques of various sort are, or will be important founts for theory about the real world of International Politics. Techniques like game theory have already being in use for long enough to have demonstrated their limitations as well as their occasional and marginal usefulness’ (Bell, 1971).

Indeed with the exception of Karl Deutsch (Deutsch,1954) very few scholars have made a special study of communities in relation to states and the relevance of this relationship in understanding the nature of ‘conflict’ between them. It is the conflicting interests between ‘state’ and the ‘community’ and the failure of the former to honour its ‘contract’ towards the later that lies at the heart of conflicts in Africa.

The failure of conflict management theories to take into account the realities of African societies became apparent with the end of the Cold War ideological confrontation. The sudden interest shown by practitioners as well as analysts and the significant number of conflict resolution NGOs in the ongoing conflicts in Africa gives the impression of the discovery of ‘new conflicts’ and ‘new wars’ (Kaldor,1998) of the post-Cold War era. Yet there is nothing new about these conflicts. There were ethnic conflicts in Nigeria (1966), Eritrea, Sudan and the Casamance in Senegal during the Cold War. The problem therefore is whether the strategies of conflict management used during the Cold War are still relevant to the new post-Cold War conflicts.

By accepting conventional labels of conflict management procedures that could be applied everywhere regardless of context, we buy into simplistic interpretations and solutions to conflicts. Most conflict management theories designed to contribute to the understanding of conflicts in Africa do not reflect the realities of the African continent.

One such example we mentioned earlier on is Lijphart's theory of 'consociation'. Based on his 'model countries' Austria, Belgium, Netherlands and Switzerland, Lijphart argues that despite the heterogeneous nature of these societies, they have achieved democracy and stability. This, he attributed to a government by the elite. While Lijphart's theory could be valid for certain western countries, its relevance to the nature of conflict in Africa is questionable. This is because the 'leadership' in Africa is part of the problem of rather than its solution. Even the so called 'new breed' of African leadership is struggling under the burden of 'ethnic politics'.¹⁷ To cite two examples, Meles Zenawi of Ethiopia and Paul Kagamé of Rwanda. Meles Zenawi was born in 1955 in Adowa, a city known for the battle in which Menelik II defeated the Italians. Meles Zenawi's father is Ethiopian and his mother Eritrean. Some people suggested that Zenawi's family origins was one of the reasons why he was reluctant to march on to the capital of Eritrea which could have been a humiliating defeat for Eritrea. Paul Kagamé was born in 1957. He was only two years old when the 1959 November revolution took place that brought the Hutu to power. His parent fled to Uganda where he was brought up.

Indeed the disjunction "between the study of conflict and of conflict management means that theories of conflict tell us too little about how to manage conflicts, while conflict management theories fail to consider any underlying sources of conflict that conflict theories have identified, thereby often yielding partial and inadequate solutions to complex, deeply-rooted disputes" (Ross,1993). In other words theories of conflict and conflict management developed independently rather than one being an offshoot from another. The implication for conflict management in Africa is that "conflict management procedures conceived in a western context are at odds with the dominant metaphors and values in non-western cultures are not likely to become easily institutionalised" (Ross,1993: p108). This is because the western society especially in the realist tradition, is a 'society of states' while the African society is a 'society of nations'. In practice, the distinction is more evident when it comes to the management of conflict. When there is breakdown in law and order at local level in the western society the state institutions are called upon to settle it. In African society, it is 'people' who settle conflicts.

For the biographies of 'Warlords' in Africa, see Gaud and Porgès. (1996) 'Biographies de quatorze Chefs de guerre', in *Afrique Contemporaine*, Numéro special, pp.173-205.

2.4) A Pan-Africanist perspective on conflict management.

Pan-Africanists have always maintained that conflicts in Africa arise largely out of disunity among people which in turn destabilises the organic solidarity of societies. The origins of disunity are to be found in the present boundaries which divide nations¹⁸ and societies consequently undermining the organic solidarity and consensus that exist between people. The balkanisation of Africa into states that are fundamentally not viable entities is a problem in itself. Africa is the region of the world that is home to the weakest political units of the world system. The problem is compounded by the fact that the homogeneity of African societies has been tampered with by the incongruous creation of 'states' out of 'nations'.

From a Pan-African perspective therefore, the whole enterprise of conflict resolution which has flourished in the post-Cold War era is based on a misconstrued analysis of the origins and solutions to conflicts because it views conflict from a state-centred perspective and therefore assumes that states must be the dominant players in its management.

Other scholars argue that “the ideological paradigm that was used to consider international conflict in the Cold War era is increasingly less salient in explaining the nature of contemporary conflict” (Lederach,1997:p11). Causes of conflicts in Africa are taken to be ‘tribal’ or ‘ethnic’ tensions among various groups in society. Such perceptions stem from images which too often depict scenes of ethnic atrocities. The spurious status that these terms have acquired in many imaginations has largely contributed to the use of ‘ethnic conflict’ as a blanket expression to cover all conflicts in Africa. What is considered ‘tribal’ or ‘ethnic’ is sometimes more than mere sociological denomination as the conflict in Rwanda has shown. The Hutu and Tutsi are the same people and that the division between them was brought about by the advent of colonial rule.

¹⁸ Interview with Dr. Tajudeen, Secretary-General of the Global Pan-African Movement, Kampala, Uganda.

Thus, the Hutu and Tutsi are close communities with deep sense of solidarity. Benedict Anderson's term 'imagined communities' encapsulates this inter-communal solidarity.¹⁹

It is therefore important that "in a world filled with ready-made dispute resolution procedures, to look beyond the labels of 'Alternative dispute resolution', 'mediation' and 'Arbitration' when considering useful roles for third parties" (Fisher & al:p123) in these 'ethnic conflicts'. Pan-Africanism offers one possible solution as an approach in conflict management in Africa. Since Pan-Africanism is about 'uniting the African people' it transcends the ethnic denomination of conflict and adopts a more proactive approach by placing mediation in the context of social and not state institutions . As Oliver Richmond argued, "placing international mediation in the context of diplomatic conduct between states tends to lead to mediation becoming viewed as "status quo diplomacy" in which the basic objective is to prevent a reversion to open conflict by stabilising the status quo" (Richmond, 1999).

By accepting conventional labels such as 'ethnic conflicts' or 'tribal conflicts', conflict mediators buy into simplistic interpretations and ultimately embrace disastrous reactions with negative impacts because behind the media coverage sometimes lies the struggle against the oppression of national identity.

The approach adopted by Pan-Africanists (Nkrumah,1963, Padmore, 1956) to resolve conflicts in Africa was to call for African unity. The partition of Africa into non viable political entities 'has accentuated the conflict of interests which arise largely out of disunity' (Nyerere, 1967).

According to Nkrumah, 'the strength of political unity in Africa and the considerations of mutual security and prosperity of the African people demand that all African states work together' (Nkrumah, 1961).

¹⁹ See Anderson, B. (1991) *Imagined Communities: Reflections on the origin and spread of nationalism*, London: Verso. Anderson talks of 'imagined communities' not as an abstract social construct, but because " regardless of actual inequality and exploitation that may prevail in each, the notion is always conceived as a deep horizontal comradeship".

A Pan-Africanist credo in conflict management is the elimination of sources of conflict linked to arbitrary borders and the restriction of movement of people in Africa and leaders taking a keen interest in promoting African unity. In the past, the movement of people was unrestricted as Africans traded with each other across borders. There were no conflicts or ethnic tension as a result of this²⁰. It also identifies the African elite, product of a certain type of 'training' with competing interests as a potential source of disunity because its social and political references are based on western values. The 'clash of value systems' is inevitable.

In the political discourse of Pan-Africanists, one can discern an overall view of conflict management which is perceived as a collective responsibility. The doctrine of 'collective responsibility' implicit in the Pan-African vision of conflict management of which the OAU is the institutional expression stresses the need for a united front in which all members of society can play an active role. Consequently the management of conflict should neither be seen as a 'government affair' nor should the government be the sole orchestrator of conflict management. The underlying principle is collective decision-making which is all inclusive. Furthermore, rather than determining who is right or who is wrong to dispense justice, it seeks to eliminate the source of tension through collective action.

In the view of advocates of Pan-Africanism divisions among African countries pose the greatest threat to the independent states of Africa. A potential source of threat comes from African leaders who are perceived as agents of neo-colonial rule. In that case Pan-Africanists would encourage political change. This does not contradict the 'Pan-Africanist belief in the Gandhian doctrine of non-violence as a means of obtaining social and political demands' (Padmore, 1956). It is a case of removing obstacles to the way of African Unity.

In this chapter, we discussed issues in conflict management from a theoretical perspective and the limitations imposed on 'models' and 'strategies'. Conflict management models such as workshops that are conceived in western context could have little relevance to conflicts in Africa.

²⁰ Interview with Dr. Tajudeen, London, 1999.

Pan-Africanism offers a holistic approach to conflict management in Africa because “effective conflict management strategies must be consistent with existing cultural norms and practices and cannot import methods that are successful in other settings without paying attention to their application in local contexts” (Ross,1993:p96).This is not say that conflicts in Africa are ‘unique’ or peculiar to African society and therefore call for ‘special solutions’. Such an argument could imply ideas like ‘African solutions for African problems’ and by extension ‘European solutions for European problems’.²¹ There are problems in Africa that need Africans to take the initiatives to resolve them. However, it could be misleading to talk about ‘African’ problems just as it would be to talk about ‘Asian’ or ‘European’ problems. There is need to formulate policy prescriptions for conflict management after diagnosis of conflict situation and the realities of its environment and not the other way round.

²¹ For an analysis of the concept of ‘African solutions for African problems’, see Comfort, E. (1999), ‘The evolution of norms in International Relations: Intervention and the principle of non-intervention in intra-African affairs’, Unpublished PhD Thesis. London: London School of Economics and Political Science.

CHAPTER THREE

The OAU as a regional organisation for conflict management: A Framework for analysis.

This chapter examines the institutional dimension of conflict management in the OAU. Although the OAU was not intended to be a legislative body capable of enforcing mandatory rules, it has contributed to the development of International Law through resolutions it adopts and the treaties its member states sign. The aim of this chapter is to show the evolution of OAU's orientation from its major preoccupation of ending colonial rule on the continent to a 'conflict management institution'. As conflicts multiplied on the continent the OAU became the first port of call for dispute settlement because the organisation embodied moral authority and a symbol of African unity.

3.1) Theoretical underpinnings of organisational enterprise in conflict prevention.

One of the historical missions of political organisations is to forestall war. As Inis Claude puts it, the creation of international organisations is 'fundamentally though not exclusively a reaction to the problem of war' (Claude, 1967). The concept of war and its probable disastrous consequences inform the need for collective security and world peace. It is difficult to achieve universal peace because of the conflicting interest of states but it is possible for states to co-operate to create peace. For example the idea that led to the creation of the United Nations was perhaps one of the most hopeful approaches to universal peace.

It has been accepted that conflict is an integral part of human nature and as such it cannot be avoided. Since conflict could not be avoided, it became natural especially in certain traditional societies in Africa to perceive it not as a social pathology but as an exorcising practice. This did not imply that conflict is condoned but it meant that 'condemning conflict did not provide an alternative for dispute settlement nor was it an appropriate means for peaceful change' (Bozeman, 1971).

On an international level, the fact that independent states that come together to form an organisation implies a certain way of regulating interstate behaviour to prevent future conflicts. This was one of the reasons why African leaders felt the need to create the OAU. As an inclusive African organisation, the OAU "can certainly be deemed if not a foundation stone, at least a starting point toward African solidarity and an African concept of International Organisation" (Boutros-Ghali,1964:p5). Leaders of collective organisations are pragmatic politicians and pursue different policies towards peace and co-operation rather than "theorists engaged in the systemic construction of institutions upon philosophical foundations" (Claude,1967:p221). The idea that war would be prevented is often realistically attained through co-operation within an organisational framework because it is easier to ensure peace through collective security (Groom & Taylor,1990).

The theoretical perception of war, its implications and war as a complex phenomenon all make it difficult to schematise its solution. In many traditional societies an all-out war is perceived as the ultimate instrument of dispute settlement in which there is a victor and a vanquished. In modern societies war could only have devastating consequences and as a perceived threat, it can act as a deterrence mechanism. The relative absence of war between major powers during the Cold War, a period referred to as the 'Long Peace' (Mearsheimer,1990) is an acknowledgement and fear of the possibility of mass destruction caused by war especially 'when the accumulation of nuclear weapons reach staggering levels, affecting neutrals along with belligerents' (Hartman,1973). Part of the answer to the problems of war between states was therefore to "persuade states to use other methods for the solution of their differences and make available a variety of peaceful substitutes for the technique of violence, and to encourage if not insist upon their utilisation by the parties to the conflict" (Claude, 1967).

Whether for reasons pertaining to economic co-operation or for the prevention of war, institutions provide their members with a forum to discuss the issues where their interests come into sharp conflict. The pacific settlement of disputes requires collective action through co-operation. The functionalist approach focuses on the positive role of international organisation in creating a peaceful world order.

The 'doctrine of ramification' propounded by David Mitrany is based on the assumption that co-operation in one area could eventually lead to co-operation in other areas thus creating a greater possibility of achieving world peace (Mitrany,1943). Indeed, as Burton argues, "the positive advantages of 'regionalism' arise out of racial, religious and communal relationships and insights into behaviour that outsiders cannot have and even though these dominate, there are usually common regional interests that are best pursued without the intervention of other states...." (Burton,1969).

The underlying motives of organisational groupings is to pre-empt conflict among states by 'creating norms and code of conduct, which are important in conflict management to the extent they lend stability and predictability to security relations' (Hampson & Mandell, 1990). The creation of a conflict management mechanism within the framework of organisations is a way of institutionalising this security relations. This means the 'creation of "third parties", the advance mobilisation of 'strangers' to whatever disputes may arise for the fulfilment of the community's pacificatory responsibilities and the evolution of techniques for carrying out those responsibilities" (Claude, 1967).

There are also peace doctrines associated with regional groupings²². The first and perhaps more relevant to Africa is that African states are weak and economically unviable. Therefore, in order to constitute a major force in world politics, African countries need to unite. The most vocal exponent of this doctrine was Kwame Nkrumah of Ghana. However, there is no evidence to show that regional groupings can avert conflicts. But the underlying motive for the creation of regional organisations is to foster closer cooperation between states and a forum to discuss differences.

²² For a more general discussion, see Nye, J. (1971) *Peace in Parts: Integration and Conflict in Regional Organisation*, Boston: Little Brown.

Second, regional organisations can be effective in dealing with conflicts because they combine the idea of 'neighbourhood' and the principle of 'distant impartiality'. For example in dealing with conflicts, the OAU tends to evoke the principle of solidarity among African people and as a regional organisation, it 'transcends' internal problems of member states as well as differences between them. It can therefore be an impartial arbiter. Indeed, it could be argued that the advantage of organisations like the OAU have over the world bodies like the UN is the 'local knowledge' of conflict situations and therefore more adapted to conflict management if given support and resources by the international community. The Rwandan conflict is a case in point.

Third 'parties to a conflict which happen to be members of same regional organisation may be more inclined to heal the breach between them if they recognise the dangers to the organisation that this can cause especially if they wish to maintain the solidarity of the organisation' (Northede and Donelan, 1971).

3.2) The institutional dimensions of OAU conflict management.

The Commission of Mediation, Conciliation and Arbitration was the official organ of the OAU for conflict management. It was established by Article 19 of the OAU Charter although its functions are defined in an additional protocol. Article 3 of the protocol states that 'a dispute may be referred to the Commission jointly by the parties concerned, by a party to the dispute, by the Council of Ministers or by the Assembly of Heads of State and Government.

Articles 20 and 21 of the Protocol outline the role of the mediator in conflict while Articles 22-26 state the procedure of conciliation. Finally Articles 27-31 are concerned with arbitration. The Commission was restricted in its jurisdiction by the Assembly of Heads of State in that it was possible to override its decision and was mandated to deal with disputes between member states. However, the Commission was never operational. . The reason for this is that 'there was no provision for its ratification' (Naldi, 1989).

Indeed African leaders were not keen on the mechanism because of 'their mistrust of both formal and legal methods of dispute settlement' (ibid.). The "OAU formal ad hoc approach to conflict resolution was appropriate for the new states, jealous for their sovereignty and suspicious of international law" (Polhemus,1971). Furthermore, 'its jurisdiction was limited to involvement in interstate disputes and it is concerned exclusively with conflict resolution distinct from conflict prevention'²³. The main concern for African leaders during the first five years of OAU's existence was anti-colonial struggle. The resolutions adopted during twenty-one sessions of the Council of Ministers 'reflected the importance attached to the struggle against colonial rule by African leaders' (Mirlande,1971).

During the Cold War the OAU had three options in handling conflicts in Africa. First, the Assembly of Heads of State could handle a conflict at the highest level. The Assembly of Heads of State is the executive structure of the OAU and "the ambiguity of the institution about its real powers has left it with enough leeway to shape the Organisation according to its wishes without introducing any formal changes" (Naldi,1989). Article 8 of the OAU Charter states that:

The Assembly of Heads of State and Government shall be the supreme organ of the Organisation. It shall, subject to the provisions of this Charter, discuss matters of common concern to Africa with a view to co-ordinating and harmonising the general policy of the Organisation...

Theoretically the Assembly of Heads of State could discuss any matter but when it came to the implementation of the decision taken, this was not met with political will. They could discuss the issues involved in the conflict and offer mediation. However, 'in the field of conflict management, the Assembly offers a number of assets. Apart from its unlimited jurisdiction, its level of composition, which is that of Heads of State, is clearly an advantage'²⁴.

²³ OAU Document: Resolving conflicts in Africa: Implementation Option.

²⁴ ibid.

The Assembly provides a forum for private discussions and 'informal diplomacy' which gradually developed into practices of conflict management. Some of the disputes that were brought before the Assembly of Heads of State were those that involved Ethiopia and Sudan over the activities of Eritrean rebel movements operating from Sudan, and the conflict between Ethiopia and Somalia over the Ogaden, Libya and Chad.

The Chairperson of the OAU is automatically entrusted with the responsibility of conducting negotiations acts within the existing structures of the organisation rather than using his position in the organisation. The problem was that "the heads of state summits were not long enough to deal with a particular conflict at length" (Meyers,1974). In fact African leaders avoided discussing issues relating to internal conflicts for fear of offending their peers and because their involvement could be interpreted as interfering in the internal affairs of another state. Despite these shortcomings, Meyers notes that "the OAU provides a unique meeting place for national leaders and is well suited for conflict management by summit diplomacy" (Meyers,1974:p368).

The second possibility is for a conflict to be forwarded to the Council of Ministers. The advantage the Council has over the Assembly of Heads of State is that it more flexible and can convene a meeting at a short notice. It was restricted in its jurisdiction by the Assembly of Heads of State in that it was possible to override its decision and was mandated to deal with disputes between member states.

Finally, when the need arose, Ad Hoc Commissions or Committees were set up. They are responsible to the Assembly of Heads of State or to the Council of Ministers. By and large, "the disputes that were submitted to the Ad hoc Commissions or Committees were over border and territorial claims and allegations of subversion by an OAU member state against other member state" (Amate,1986). In 1963, the Ad Hoc Commission on the Algeria- Moroccan border dispute was instructed by the Council of Ministers to look into the dispute and recommend a basis for its settlement. Its success in handling the border conflict 'proved that it was a versatile instrument useful in all manner of conflict'.

Thus, 'a range of different types of ad hoc committees with a variety of appellations and different mandates and employing different procedures have been established over the years'²⁵.

The Ad hoc Commissions were established during the early period of the existence of the OAU when there was a lot of enthusiasm for the Organisation and they were more flexible. As Amate points out 'the ad hoc committees created by the OAU were all intended to bring collective will of its member-governments to bear on the belligerents, and thereby persuade them to settle their differences like members of the same family' (Amate, 1986).

There was also ad hoc individual mediation by African Heads of State whose prestige influenced the positions of their peers in conflict. In 1967, a dispute broke out between Gabon and Equatorial Guinea over the Nbanie and Coconut Islands. The Presidents of Zaire and Congo mediated in the conflict that led to a peace agreement signed in 1972.

However, as time went on, member states lost interest in this makeshift formula for conflict management because it was essentially deliberative and it tended to avoid discussing substantive conflict issues. Notwithstanding, 'the greatest contribution of ad hoc committees to resolving African conflicts was to contain them and prevent them from spreading'²⁶.

Some of OAU's early endeavours in conflict management were in the form of peacekeeping. The genesis of the concept of peacekeeping dates back to the Addis Ababa conference in 1963 when Nkrumah proposed the idea of an 'African High Command'. However many African leaders did not support Nkrumah's idea because of 'its supranational character and also because of fears about the high cost of maintaining such a standing military structure'²⁷.

²⁵ *ibid.*

²⁶ *ibid.*

²⁷ *ibid.*

In the OAU Charter, no provisions are made for the peacekeeping as part of the Organisation's conflict management strategies. In fact, as James Jonah puts it, "thirty years ago the concept of "peacekeeping" was an anathema to a large number of African states" (Jonah, 1994). However, in Article 20 of the OAU Charter which establishes Specialised Commissions made provision for the creation of a Defence Commission.

The non-intervention clause contained in the OAU Charter proscribes member states interfering in other member states' internal affairs. However, the OAU did venture into Chad in December 1981 as a neutral arbiter in the civil war. This move was hailed as a remarkable change in the OAU's doctrine of non-intervention and was seen a move which might result in the creation of an African intervention force.

This optimism soon faded away as controversy surrounded both the setting up and the mandate of the peacekeeping force in Chad. The failed mission had disastrous consequences for the OAU, from which it took a long time to recover. First, and perhaps the most important point was that it undermined OAU's reputation as a neutral force in conflict management. The Organisation's lack of resources for undertaking such a mission was demonstrated in the Chad conflict. The African states that contributed troops for the operation in Chad had to rely on France, the United States and Britain for logistical support. Closely related to this point was the grave financial problem that beset the force and "again the money and the upkeep of the Senegalese and Zairian forces was provided by France and the United States" (Sesay & al,1984).

When the time came for stocktaking in relation to OAU's action in Chad, member states did not blame the organisation for its ineffectiveness or its lack of resources in trying to bring about an end to the conflict. The fact that the OAU did make an attempt to resolve the conflict was in itself laudable. The Organisation's lack of resources reflected the economic crisis of its member states. The Assembly therefore accepted OAU's failure philosophically. In the Rwandan and Eritrea-Ethiopia case studies we will examine the nature of subsequent peacekeeping missions undertaken by the OAU and see if it has learnt any lessons from its experience in Chad.

The end of the Cold War prompted radical thinking of issues of security and OAU conflict management. First, because 'there was growing awareness that Africa could become more marginalized once the victorious west no longer had to compete for allies in Africa' (Berman & Sams, 2000). During the 28th ordinary session of the Assembly of Heads of State and Government, member states were invited to comment on a proposed mechanism and submit their proposals for consideration at the Twenty-Ninth Session of the Assembly of Heads of State and Government.

In the Secretary-General's Report, which contained suggestions and recommendations about the new conflict management mechanism, the following issues were agreed upon:

a) "The character and role of the Central Organ in the Mechanism; b) The role of the Secretary-General; c) The issue of Peacekeeping; d) The question of funding for the Mechanism; e) The role of the Commission of Mediation, Conciliation and Arbitration; f) The role of Ad Hoc Commissions; g) The Interim Arbitral Tribunal; h) The role of the Defence Commission; and i) Co-operation with African Regional Organisations of the UN"²⁸.

During the Twenty-Ninth Ordinary Session of the Heads of State and Government in Cairo, Egypt in 1993, the OAU member states took the decision to establish a new mechanism for conflict management²⁹. The decision to establish the Mechanism 'was informed by among other things, the mounting expectations of many African people and also of the international community to see a greater involvement by Africa in the search for durable solutions to the many problems that beset the continent'³⁰. The creation of a new Mechanism for Conflict Prevention, Management, and Resolution demonstrates the commitment of the Assembly of Heads of State to work together towards the peaceful settlement of conflicts in Africa.

²⁸ ibid

²⁹ By adopting Resolution AHG/DEC 109 (XIV), The Heads of State and Government requested the OAU Secretary-General to consider as a matter of urgency, the procedures contained in the Protocol of the Commission of Mediation, Conciliation and Arbitration and submit recommendations for their modification to enable the Commission to react more promptly to crises.

³⁰ Salim Ahmed Salim's introduction to '*OAU Early Warning System on conflict situation in Africa*' edited by S. Bassey Ibok and William G. Nhara, Published by OAU Conflict Management Division, 1996.

They also felt the need to have a mechanism that would cater for the dynamics created by ethnic conflicts for which the old mechanism proved inadequate. What differentiates the old mechanism from the new one is their approach to conflict management. The old mechanism was in theory an ad hoc approach to conflict management whilst the new mechanism emphasises on a systemic approach. The new Mechanism is more flexible in its implementation and it has evolved from the informal conflict resolution patterns within the OAU, which was much favoured by the Heads of State.

In his research work, Polhemus noted that "in the seven interstate conflicts which came before the OAU during its first five years, the pattern which emerged was one of ad hoc mediation efforts in response to individual disputes on the part of the Assembly of Heads of State and Government, the Council of Ministers, and, to a lesser extent, the Administrative Secretary-General rather than resort to institutional procedures of the Commission of Mediation, Conciliation and Arbitration" (Polhemus, 1971).

The OAU Mechanism for Conflict Prevention, Management and Resolution is built around a 'Central Organ with the Secretary-General as its operational arm'³¹. The Central Organ is composed of member states of the Assembly of Heads of State and Government and functions at the level of Heads of State as well as that of Ministers and Ambassadors accredited to the OAU or authorised representatives.

The objectives of the new Mechanism regarding conflict prevention is to provide a framework within which the Secretary-General will take initiatives to anticipate and contain situations of potential conflict under the overall supervision of a political organ composed of representatives of member states. The aim is to place emphasis on the prevention of conflict rather than peacekeeping or peace enforcement.

The Mechanism was first put to test during the Rwandan crisis. Most of the work leading to the cease-fire and the Arusha Accords of August 1993 were organised by the OAU in conjunction with the UN.

³¹ Declaration of the Assembly of Heads of State and Government on the establishment, within the OAU of a Mechanism for Conflict Prevention, Management and Resolution.

The OAU also provided fifty cease-fire monitors who were deployed with the help of external financing. Subsequently, the OAU and then the UN dispatched a military observation force composed of 500 troops to monitor the cease-fire. In Burundi, as part of its preventive diplomacy which is the cornerstone of the conflict management mechanism, the OAU sent in military and civilian missions aimed at building confidence and working for the promotion of dialogue between the government and the rebel movement.

After years of experience in conflict mediation, the OAU finally created a mechanism that it hoped would handle post-Cold War conflicts. The new mechanism has given the Secretary-General a key role in conflict mediation in that he can take independent decisions.

3.3). Techniques of conflict management available to the OAU.

Since its creation in 1963, the OAU has become 'an instrument for conflict management among its members..' (Andemicael, 1976). Indeed, it could be said that regional organisations like the OAU "were born to mediate for that is a *raison d'être* enshrined in their Charters" (Kressel & Pruitt, 1989). There are no formal mechanisms in the OAU Charter but the OAU 'developed informal procedures for mediation-namely an extraordinary session of Council of Ministers or ad hoc mediation by Heads of State' (Wolfers,1985:p177).

There are no strict identifying distinction between 'instruments' and 'techniques' of conflict management. Generally, 'the former is used to indicate what is used and the latter indicates how it is used' (Bell,1971:p73). The OAU has made use of a variety of techniques in managing conflicts in Africa. One of these techniques is summit diplomacy during which African leaders discuss some of Africa's on-going conflicts. It provides a more flexible and informal method of conflict management rather than the institutional mechanisms. During the summit meetings, African leaders can talk directly to one another about conflict situations on the continent and use their influence where possible.

The technique much favoured by African leaders is "good offices". An OAU member state or even an eminent person would take the initiative to mediate in a conflict as a third party. A third party is said to offer good offices "when it tries to persuade disputing states to enter into negotiations; it passes messages and suggestions back and forth and when negotiations start its functions are at an end" (Malanczuk, 1997:p276). The practice of "good offices" in Africa complies with certain criteria namely "the perceived influence of a state and the standing of an African leader among his colleagues" (Sesay & al,1984). For example, because of Nigerian prominence in African politics, it chaired the committee of good offices in the Ethiopia-Somalia dispute whilst Emperor Haile Selasie of Ethiopia and the former president of Liberia, William Tubman, were both often selected to serve on such committees on the "basis of their prestige" (Sesay & al,1984).

The conduct of good offices differs from other techniques of conflict management in that good offices concentrates more on diplomatic manoeuvres to get the sides around a negotiating table rather than aiming at a complete settlement of the dispute. But as Ziring, Plano and Olton put it, "When bilateral diplomacy has become deadlocked or proves impossible in international dispute, good offices is peaceful settlement procedure that involves a minimum degree of friendly intervention by a third party" (Ziring & al, 1997). The Hague conventions of 1899 and 1907 do not make an explicit distinction between mediation and good offices.

Another technique available to the OAU in conflict management is 'conference diplomacy'. Although conference diplomacy was a method of working out ways of achieving peace especially after a major war, and this tradition could be traced to the Congress of Westphalia, it became a standard practice in International Relations and a feature of later century diplomacy after the Congress of Vienna in 1815. The "protagonists of conference diplomacy (assumed) that international conflict was essentially the product of misunderstanding and of failure in communications, that could be avoided if those ultimately responsible for the making of foreign policy could meet together to discuss matters without the complication of intermediaries" (Hamilton & Langhorne 1995: p165). The OAU Annual Summits of Heads of State and Government provide the framework within which conference diplomacy is conducted.

As the supreme organ of the organisation these annual meetings form an ideal forum for African leaders to discuss openly issues at stake, to define problems and to work together at finding solutions.

However conference diplomacy has its weaknesses in the context of African politics. Some African leaders use conference diplomacy as a medium of propaganda and instigation of hostilities against other states. It is also a convenient way for African leaders to shy away from problems of conflict without hurting their peers by pronouncing general statements without arriving at a conclusion. Furthermore the fact that the time for these annual summits is limited, it is not possible for the Heads of State to discuss some of these problems in detail. During the 1998 summit in Burkina Faso, African Heads of State did not have enough time to discuss the Eritrea-Ethiopia conflict and the issue was carried over to the following summit in Algeria.

Finally, the OAU could create ad hoc committees to deal with a specific conflict. The selection of members of the ad hoc committees involves three criteria apart from those mentioned earlier on, namely: "perceived neutrality of a state, the country that chairs the OAU conference and thirdly the nearness of a state to the area of conflict" (Sesay &,1984). In the past "the disputes that were submitted to the ad hoc commissions and committees were over border and territorial claims and allegations of subversion by some of the OAU member states against other member states" (Amate,1986:p403). The Algeria-Morocco border conflict was one of those instances where the ad hoc committee set up by the OAU played an important role in bringing the conflict under control. However as Bowett points out, 'the disadvantages of this system of ad hoc meetings is that first, for each new problem which arises, a new conference has to be convened, generally upon the initiative of one of the states concerned and second, the necessity of convening each conference often causes a lot of delay in dealing with the problem' (Bowett, 1970).

By using these techniques of conflict management interchangeably, where appropriate, the OAU created diplomatic norms for conflict management. For example mediation becomes a technique of conflict management for the OAU 'when it intervenes in a conflict to urge, the disputants to negotiate a peaceful settlement between themselves' (Polhemus, 1971). One technique of conflict management less used by the OAU is adjudication. Very few cases were brought before the International Court of Justice and those brought before the Court involved border disputes. A notable case in this regard is the border dispute between Mali and Burkina Faso. Zdenek Cervenka explains some of the reasons why the OAU was not keen on international adjudication. Apart from the fear of external intervention in African affairs, he points out that "the newly independent African states have developed an extra-sensitiveness when it comes to their sovereign rights. Being proud of their independence, they jealously guard it from outside interference and few African states, if any, are willing to submit disputes on matters which they consider vital to them for judicial settlement, unless they are absolutely sure of their legal position". Furthermore, "the rules of customary International Law are often so uncertain that many states may be inclined in their disputes to rely upon their bargaining position than upon what they believe is but cannot be quite sure is their right" (Cervenka,1969:p91). Thus, African leaders view international adjudication with suspicion knowing fully well that they have no control over it. They prefer the wordings contained in OAU Resolutions which are not binding. One of the weaknesses of regional organisations is the inherent absence of a law enforcing mechanism.

3.4) Limits of regional organisations in conflict management.

The end of the Cold War marked the gradual withdrawal of support given to Third World countries by the superpowers and their western allies. This support was vital in the management of the on-going conflicts in many of these countries. When the superpowers withdrew from many of the world's 'hot spots' the responsibility fell on the regional organisations to step in to fill the security vacuum and the management of conflicts.

It is often stated that one of the advantages that regional organisations have over global institutions is that they combine the principle of impartiality and 'distant neighbourhood'. While in principle this statement could be valid, in international politics, "regional loyalties often seen as strength of such organisations must not be taken for granted because regions are large areas made up of variety of states" (Merrills,1998:p275). In some instances neighbours can have stakes in a conflict and as such "impartiality may be found among the external actors in global organisations" (Nye,1971). As Alagappa notes, 'regional organisations have the advantage of being close to conflict area and therefore are in a position to provide information and use their experience in dealing with conflict. Conversely, they also suffer several limitations including lack of mandate, difficulty in forging common positions and limited resources' (Alagappa, 1998).

But geographical proximity can be a potential cause of conflict because it could lead to "conflict over land, access to precious metals and other resources, trade routes and status" (Mayall,1995). Take the example of the conflict in the Democratic Republic of Congo, which had difficult relations with its neighbours Rwanda, Uganda and Angola. Each has a stake in the conflict making it difficult for any peace plan to be accepted. This impartiality "reflects in their politics the very disputes and clashes of interests" (Lund, 1996).

Another problem that hinders the effectiveness of a regional organisation in the area of conflict management is that (especially in the case of Africa) it has to deal with different conflicts in different parts of the continent making it difficult to 'prioritise conflicts': Sierra Leone in West Africa, the Democratic Republic of Congo in Central Africa, Angola in Southern Africa and Somalia in the Horn. The fact that the OAU has to deal with all these conflict and sometimes without success "underlines the point that both the authority of regional institutions and their capabilities are restricted geographically (Merrills, 1999:p273). These problems are compounded by the lack of resources. In the case of the OAU, "the financial and material resources it has at its disposal and the extremely limited authority granted to its institutions suggested that it would have to depend on the voluntary compliance and co-operation of its members" (Meyers,1974.)

Limits of regional organisation in conflict management could also arise from 'a situation in which states face one another in a conflict zone and where there has been confrontation for years, a regional agency may find it difficult to understand the nature of the conflict' (Northede and Donelan, 1971).

Finally the success for the adoption of regional policy or passing of a resolution depends on the good attendance of the regional actors and above all consensus with no major issues at stake. It is only when "the subject of consensus are higher values than political advantage that the regional system can function effectively" (Zartman, 1967).

These limitations do not downplay the role of regional organisations in conflict management. On the contrary they highlight some of the areas in which good will and committed political leadership is most urgently needed. What constitutes good will and committed political leadership are moral values and therefore difficult to evaluate. However the success of a summit meeting in terms of decisions taken and resolutions made and the positive impact they could have on a given conflict are tangible results that could help strengthen the role and the functioning of an organisation like the OAU.

Conclusion.

Even though OAU's Commission for Mediation, Conciliation and Arbitration was established as the original institutional framework for managing conflicts, conflict management in itself was not at the time explicitly adopted as an objective of the Organisation. Conflict management is inherent in the OAU Charter, but not "assigned to any organ, it emerged as a distinct function in response and complementary to the OAU's efforts to resolve particular manifest conflicts" (Polhemus, 1971). The decision to establish the new mechanism was informed, among other things, by the growing expectation of the majority of the people in Africa and also of the international community, to see a greater involvement by Africa in the search for durable solutions to the numerous crises that beset the continent. By creating this new mechanism, the OAU hopes to bridge the gap between conflict resolution and conflict prevention.

CHAPTER FOUR

The OAU and conflicts in Africa during the Cold War.

This chapter looks at the OAU conflict management strategies during the Cold War. Although the OAU has an institutional mechanism to deal with conflicts, it was not the preferred mode of conflict management. The OAU relied on more informal techniques which proved to be inadequate in the context of Cold War politics. The relationship between the superpowers and African states undermined the consensus, which characterises the way the OAU functions. As more and more proxy wars were fought on the African soil, allied African countries took sides in the superpower confrontation. The chapter concludes that if the OAU's activities in the area of conflict management were hampered, it was in part due to the Cold War dispensation which weakened the solidarity between African States.

4.1) Africa and Cold War politics.

The Cold War is a term used to describe the hostile relationship that developed between the west and the former Soviet Union (Craig & George, 1995). However the term has acquired a more significant and more elastic interpretation than was originally intended. It underlines the fact that “however acute the rivalry and conflict between the superpowers was, they were pursuing it by means short of another war and was hoped would continue to do so” (Craig & George, 1995). As a system, the Cold War did create a framework within which US-Soviet relations were conducted. The impact on Africa was illustrated in the way conflicts in Africa were influenced by superpower rivalry in the sense that "remedies for internal conflicts had to be sought through them, giving these external actors considerable leverage to regulate relations within and between states (Deng, 1993:p34).

The creation of spheres of influence by the superpowers “meant that a number of limited conflicts in what has since become known as the Third World through superpower support for each of the two sides developed into ‘wars by proxy’ as in Vietnam, in the Horn of Africa and Angola” (Calvert, 1996: p38). John Darwin notes that "in the context of international politics, the 1970s and 1980s marked the Sub-saharan passage from a predominantly western political and economic influence, however limited, into a battleground where East and West contended for primacy" (Darwin, 1996). During the Cold War American military and strategic policies towards African states became increasingly important: ‘Four of the five original bases abroad of the Rapid Deployment Joint Task Force, organised in March 1980, were established in Africa, although it was conceived as a pre-emptive force against Soviet threats to the oil rich region of the Gulf, which the US identified as a vital interest. Egypt, Somalia, Kenya and Mauritius thus became clients involved in America's global Cold War politics. Tunisia has placed its ports at the availability of the US sixth fleet' (Shanti,1990: p106-107).

However, with the exception of the Congo crisis in 1960, direct superpower intervention for strategic interests in Africa was limited. Indeed Africa did not figure much in superpower politics until the later part of 1974 when Portuguese colonialism ended giving rise to the independence of Angola and Mozambique. It was the conflict between Ethiopia and Somalia over the Ogaden “that produced a new and more critical round of superpower confrontation in Africa” (Crockratt, 1995). This confrontation was to some extent motivated by national interest considerations in which an Africa state judged the “policies of the superpower by the degree to which they advance or harm its own perceived interests” (Legum, 1978). It must be said however that although African states played one superpower against another, it was the superpowers that dictated and gained greater advantages from their relationship with African states because the latter provided the strategic bases for the superpowers.

African leaders were torn between consolidating their power on the domestic scene and maximising their gains from superpower rivalry. The pursuit of such gains often resulted in a kind of "dependency as African states look to the superpowers to reward them for their allegiance" (Gaddis, 1997). But where the state was itself an object of rivalry in terms of sphere of influence, as in the Congo crisis, superpower involvement is "perceived purely as an economic and ideological enterprise" (ibid.). The Soviet Union and The west often claimed victory not in terms of confrontation on the battleground, but the humiliation that could be inflicted on the enemy. Under such circumstances, "symbolic triumphs often exceeded the values of the territories in which they occurred" (ibid.).

During the Congo crisis, mutual suspicion between the superpowers led to a direct intervention and escalation of the war when the United States suspected the Soviet Union of backing communist elements like Lumumba and "this was enough for the US to undertake covert assassination attempts as well as military operations" (Kalb, 1982). When you have "two superpowers separated by power vacuum there is an inevitable clash of interest in areas between them and war over any of these interests became an ever-present possibility" (Brown, 1974). The Angolan civil war is a classic example of a Cold War conflict fought on African soil with US support for Savimbi and his UNITA movement against the Soviet-Cuba backed regime of Eduardo de Santos.

One area in which the United States presence was manifest and which was in effect "a reflection of US policy makers' perception of Africa is its partnership with some African countries in a global telecommunications surveillance network directed against the Soviet Union" (Fukuyama, 1987). Such was also the importance of securing areas of influence through communication. It was "the same strategic thinking in terms of communications that the US turned to Siad Barre primarily because access to bases in Somalia could enhance the US military capacity to counter any Soviet threat to American interests in the Middle East" (Lefevre, 1991). In the same vein, the United States saw Mobutu of Zaire and the apartheid regime in South Africa as key countries in its foreign policy in Africa because both countries possessed strategic minerals and in them the United States found important allies in its fight against communist rule.

The perception of these two countries in the United States helped in projecting a more acceptable and positive image of these countries at a period when the leadership in Zaire was perceived as authoritarian while South Africa was seen as an outcast.

At the peak of the Cold War, many African states were trying to consolidate their newly won independence. This involved asserting their sovereignty as well as defining their relationships with neighbours in areas that they would co-operate and those that are “preserved” such as issues of domestic politics. When the Cold War ended with the fall of the Berlin wall, there were growing demands for African countries to undertake democratic reforms. In his famous Baule Discourse in 1992, the former French president François Mitterrand linked French aid to democratic reforms in some African countries. On the other hand, the United States lent its support to countries like Uganda and Ghana that introduced economic reforms.

The call for democratic reforms came into sharp conflict with the autocratic style of government of many African leaders and since these leaders were not prepared to give up power, they were forced to do so by popular revolt. In some cases the democratic transition was peaceful, as was the case in Benin, where the first national conference in Africa took place. In other countries where democratic change was resisted by authoritarian regimes, as in Rwanda, former Zaire and Liberia, the outcome was violence leading to protracted civil wars.

4.2) Norms that characterised OAU’s intervention in conflicts in Africa.

An analysis of OAU intervention in African conflicts shows the existence of norms of intervention alongside norms of non-intervention³². Although the OAU Charter leans towards the non-intervention norm, there were instances when this principle was violated by OAU member states especially when there are threats from subversive activities or military coups.

³² For a discussion about OAU’s principle of intervention and non-intervention, See Ero, C. *ibid.*

In July 1981 the Senegalese army intervened in The Gambia to abort an attempted military coup that would have brought a Marxist regime to power. Thus, unilateral intervention by 'powerful' African states in the internal affairs of weak neighbouring states is often justified on the basis of maintaining peace and security in the region where the so-called 'hegemons' are influential. This is especially illustrated by Nigeria's influence in West Africa and its role in Liberia and Sierra Leone conflicts.

The norms that developed within the OAU were the result of the political interaction between African states and Africa *vis-à-vis* the outside world. In Africa, the norms that grew out of the interaction between the states which then developed as a standard state practice were legacies of colonial experience as well as cultural influences. As Zartman and Thompson put it, "in Africa unlike Asia, there is no such great diversity of cultures and historical background nor such great distances that a semblance of coherence is impossible; in Africa unlike Latin America, no single power overshadows the continent to make meetings a monologue by the powerful to the weak and thus injure the chance for internally engendered unity" (Thompson & Zartman: p3).

The first of these norms that characterised the OAU's intervention in conflicts is the principle of "African solutions to African problems". By this it is meant OAU member states should try and settle their disputes in an African context. African solutions to African problems is a well-established norm that is often invoked to insulate Africa from external intervention (Foltz,1991). A more closely related principle but more legal in its conception and wording to 'African solutions to African problems' is the idea of "try the OAU first" (Andemicael, 1976).

This is a reference to Article 52(2) of the United Nations Charter which calls for states to refer conflicts to regional organisations and exhorts these organisations to take note of conflicts within their areas before referring them to the Security Council for consideration. With the end of the Cold War, the OAU has tried to discourage member states from having recourse to the UN where the regional organisation could intervene effectively by means of preventive diplomacy.

Another norm concerns the principle of non-intervention in the internal affairs of member states. This principle is outlined in Article 3(2) of the OAU Charter. It is “recognised by African statesmen as an important principle in regulating world order” (Thomas,1985).In the absence of an overarching African security system, a mechanism had to be put in place for conflict avoidance. The nature of most of these conflicts involves domestic issues and therefore precludes outside intervention including that of organisations like the OAU. Indeed as Thomas (1985:p68) points out, the non-intervention norm was upheld by many African states because of the upsurge of military takeovers that began in Togo in 1963. There was also the possibility, where there is no 'deterrence' for states to intervene in the internal affairs of other states under the pretext ethnic solidarity. This was illustrated by the Somali-Ethiopia conflict over the Ogaden and the Somali-kenya dispute in the Northern Frontier District.

In 1964, the first meeting of the Assembly of Heads of State and Government in Cairo, Egypt adopted a series of resolutions which explicate OAU's position on the norm of non-intervention. The resolutions are quoted in detail to illustrate this point. On the issue of border disputes, the Assembly of Heads of State and Government:

1) Solemnly reaffirms the strict respect of the principles laid down in Article III paragraph 3 of the Charter of the OAU; 2) Solemnly declares that all Member States pledge themselves to respect the frontiers existing on their achievement of national independence.

On the renunciation of the use of War and Armed Forces as instruments of National Policy:

All Member States herewith renounce war and the use of armed force, except in self defence, as an instrument of national policy in dealing with other African States or as means of reaching national goals with respect to other African States; 2) It is the design and purpose of this undertaking to remove, with all the finality within the power of the Member States, war, the threat of war and thefear of war as factors in the lives of Africans or as policies of African Governments;

3) In adopting this non-aggression resolution, the Member States reaffirm generally the commitments to peaceful settlement of disputes set forth in the Charter of the Organisation of African Unity and specifically to submission of any and all disputes between African States to the Commission of Mediation, Conciliation and Arbitration provided for in Article XIX of the Charter; 4) It is hereby agreed that the Organisation of African Unity shall establish measures to be taken by the members of the Organisation against any state found either by the Assembly of Heads of State and Government or the Council of Ministers to have violated the commitments of the Charter and of this resolution pursuant to Article III of the Charter; 5) Nothing in this resolution shall be taken as interfering with the freedom of each Member state to defend itself, to help in the defence of its friends and neighbours, or to participate in the common endeavour of achieving the total emancipation of all African territories.

Finally on good neighbourliness, The Assembly of Heads of State and Government do hereby resolve:

1) That, in the conduct of their foreign policies, the Member States shall avoid all commitments, alliances, undertakings and agreements which would tend to inject into Africa foreign rivalries or bloc politics, or which would tend, directly or indirectly, to create tension, conflicts or dispute in Africa or between African States; 2) That each Member State, in its relations with non-African States and especially the major powers, shall at and every opportunity restate the determination of Africa not to become involved in foreign disputes or conflicts, and not to allow any African region, State or problem to become part of the struggle for world power;

3) That in observing the commitments of the Charter and the spirit of this resolution, no Member State is considered to be prohibited in the conduct of its foreign relations from entering into alliances, treaties or agreements which it deems necessary to its own defence, freedom or development; provided, however, that such undertakings do not threaten the peace, tranquillity and development of Africa as a whole, and that such undertakings do not menace or interfere with the rights, freedom and integrity of other African States.

The above resolutions not only outline the exclusivity of domestic jurisdictions, but they also serve as guidelines in African interstate relations and relations with external powers. They have in essence influenced OAU's reaction to conflicts. The OAU's attitude towards internal conflicts has always been focused on ways of averting or where this is not possible reducing and containing domestic conflicts (conflict management). The OAU's role is therefore "managerial" rather than geared towards resolution because the latter involves tackling the root causes of conflicts, which are linked to poverty and underdevelopment. It is an OAU policy to urge the disputants to refrain from aggression and agree to a cease-fire. However because the OAU is a "regime of the weak and thus of the equal" (Foltz, 1991), the politics of persuasion rather than the use of force for which in any case the OAU does not have the mandate or the capacity, is characteristic of OAU conflict management strategy. The OAU non-intervention clause, even if regional security is threatened, contradicts and further undermines the United Nation's practice of involvement in internal conflict when it threatens 'international' security. In some cases the OAU did bypass the non-intervention clause during the Chad conflict in 1982 and indirectly did so in the Nigerian civil war in the 1960s.

Finally even though trade and the movement of people between states is a feature of African interstate relations, the sanctity of borders inherited from colonial rule remains “no matter how arbitrary they may be about geographic feature or human population” (Foltz,1991). This norm has been a subject of comment by many OAU critics because of the reluctance of African leaders to discuss the artificial nature of existing borders, an attitude that was regarded as implicitly condoning the balkanisation of Africa, the very act that the former colonial powers were accused of doing.

The respect for existing borders was, as noted in chapter one, a principle adopted in the Cairo Meeting in 1964 by the OAU member states. It was a move destined to stabilise the otherwise volatile border demarcation between African states which was a major source of conflict in the post-independence era. The first conflict that the OAU had to deal with was the border conflict between Algeria and Morocco.

The reaction to this conflict and the possibility for further outbreaks on the issue of border demarcations elsewhere on the continent explain why the OAU has always been intransigent on this particular norm. Therefore “it can be said that the OAU has, over time, succeeded to some extent in institutionalising a pattern of behaviour for African states in conflicts, especially where borders, secession, minority regimes and foreign intervention are concerned” (Bukarmbe,1983:p54). Since 1973, the ‘territorial integrity norm’ to use Mark Zacher's term “has been tested by eight territorial aggressions, and most OAU member states have consistently upheld it” (Zacher, 2001). However, a more serious challenge to the territorial integrity norm occurred when Somalia tried to integrate the Ogaden region of Ethiopia without success. On the other hand Morocco breached the territorial integrity norm when it absorbed the former Spanish territory of Western Sahara.

It cannot be said that the norms that the OAU created were strictly adhered to in African interstate relations. In practice, it was hard to adhere to the principle of non-intervention. Long articulated by regional hegemony to discourage any foreign intervention, the non-intervention norm was in certain cases twisted to stabilise internal conflict. This was one of the motives for Nigerian intervention in Chad. Because of its limited institutional capacity, the OAU could not prevent interstate conflicts or an eventual intervention by an external power. However, where domestic conflicts provided " the opportunity for military intervention by non-African powers, it largely succeeded in securing the compliance of those powers with a basic norm of international law concerning such intervention: it must be solicited by a state for its own security and for development within its own frontiers" (Jackson & James,1993:p148).This principle of consent 'extended even to denying the OAU in case of civil war, the approval of the incumbent regime' (Pelcovits,1983).

4.3) OAU's role in conflict management.

The focus of the OAU's conflict management efforts have been on interstate conflicts. The main reason for this has been “the domestic jurisdiction proviso of the Charter” (Kieh, 1998). George Kieh notes that ‘in those cases where the OAU has become involved, it displayed two patterns: First, in cases such as Somalia and Ethiopia, the organisation has simply admonished the warring factions to resolve their conflict peacefully. Second, in those cases in which the organisation has been more involved, the perennial practice has been to support and defend the internal status quo of the country concerned. For example the Nigerian civil war.

Barely four months after its formation, the OAU was confronted with a major crisis involving two of its members, Algeria and Morocco. President Modibo Keita of Mali and Emperor Haile Selassie of Ethiopia were mandated to work out a negotiated a cease-fire. During the OAU Summit in Algiers in 1968, King Hassan of Morocco personally led the Moroccan delegation and in private meetings with the Algerian president Houari Boumedienne, the dispute was settled following an agreement on joint exploitation of the mineral resources in the disputed area while maintaining the existing colonial borders.

Another conflict which called for OAU mediation was the conflict between Ethiopia and Somalia. The object of the dispute was the Ogaden region, a territory inhabited by people of Somali origin but part of Ethiopia. The argument put forward by the Somali government when it attended the OAU Inaugural Conference in 1963 was the principle of self-determination. The Somali people, according to this argument, have the right to self-rule. The Ethiopian government pointed out that it had sovereignty over an area in its jurisdiction.

In an Extraordinary Meeting of the Council of Ministers in Lagos, the OAU reaffirmed its commitment to respect existing colonial borders while at the same time the Sudanese president Aboud was authorised by the OAU to mediate in the conflict that eventually led to an agreement on a cease-fire in March 1964.

The Ethiopia-Somalia conflict was one of those deep-rooted conflicts and although the OAU relentlessly sought to broker a definitive peace treaty by proposing a peace plan in 1978, the conflict came to an end with an Ethiopian victory.

The Tanzania-Uganda conflict was a difficult test for the OAU because aside from the question of sovereignty, it was a conflict of two strong African personalities, presidents Idi Amin of Uganda and Julius Nyerere of Tanzania. When the conflict broke out in 1978, there was a general appeal from the Heads of State of the OAU for restraint from both sides. The OAU was directly involved in the negotiations and the organisation's president, Gafaar Nuimery of Sudan, took diplomatic initiatives to find a negotiated settlement.

However despite the intensive diplomatic manoeuvres by the Sudanese president, it was only in 1973 during an OAU summit that Nyerere met Amin for the first time. The problem that the OAU faced in the course of its mediation in the conflict was that of dealing with President Amin who as a self-proclaimed Field Marshal relied on 'military force' as a conflict resolution strategy. He therefore had little respect for diplomatic protocols.

The Nigerian civil war created an internal division within the OAU member states. It was a testing ground for some of the principles enshrined in the Charter because two of its most cherished principles were at stake. First was Article 3(2) of the Charter concerning the non-interference in the internal affairs of a member state, a principle which favoured the Federal Government of Nigeria and second was the right to self-determination, which the Biafran leadership was claiming.

Cervenka summarises the reasons for the OAU concern as follows:

- 1). The supply of arms, including aircraft and heavy artillery by the government of the United Kingdom, the Soviet Union, Czechoslovakia and the United Arab Republic to the Federal government and from undisclosed sources to Biafra;

- 2). The recognition of Biafra as an independent state, thus according it the status of a full member of the international community, by the governments of Tanzania (13th April, 1968), Gabon (8th May, 1968), The Ivory Coast (14th May, 1968) and Zambia (20th May, 1968);

- 3) The condition of Biafra's population, which was cut off from the sea and encircled by the Federal troops, and this became of great concern to the whole world. The International Red Cross and other international donor agencies launched a world wide campaign;

- 4) The presence of a group of foreign military observers investigating Biafra's allegations of genocide.

The intensity of the war and the possible intervention by external powers forced the OAU to discuss the conflict at its 1967 Summit meeting. A special Commission of six heads of state was created although it did not influence the course of the civil war.

The OAU's mediation was hampered when some of its members went ahead and recognised the Biafran secessionist movement. This move created a division within the OAU and it made it difficult for it to bring both the Federal Government and the Biafrans to the negotiating table.

The OAU was very effective during the first decade of its creation. From “1963 to 1973 the OAU played an active role in thirteen intra-regional conflicts. Ten of these were international, three primarily internal to member states. The organisation proved some effectiveness in all territorial conflicts brought before it” (Meyers,1974:p368). However, the OAU was less effective during the second decade of its existence, in that “since 1973 onwards the organisation has not been in a position to prevent interstate disputes breaking out into war, as evidenced in the 1977 Ethiopia-Sudan crisis, the protracted Ethiopia- Somalia conflict or the Uganda-Tanzania war of 1978-1979, or the Mali-Burkina Faso conflict of 1985” (Asante,1987).

This is a synopsis of some of the conflicts in which the OAU was involved during the Cold War. The fact that some of these conflicts were not resolved through mediation, but went to their logical conclusion, underlines the complicated nature of the conflict issues at stake. They also illustrate the fact that in some of these "Cold War conflicts" in Africa, the solution, if one was to be found, lay outside the continent itself. Cold War politics of conflict management demonstrates that wherever there was a conflict, which did not involve the superpowers' strategic interest, allies must "fend for themselves". With the exception of the Congo civil war of 1964-65, these conflicts did not involve direct intervention of an external power. However it is important to note that it was the African allies of the external powers who were active in these conflicts knowing fully well that their patrons tacitly approved of their actions. In this way the superpowers enhanced the capacity of some of these 'client states' in Africa so as to be in a position to influence the course of conflicts and therefore weakened the OAU's effectiveness.

Thus, as Burkarmbe notes in relation to the organisation's role in conflict management, "the OAU became for African states an achievement as well as an instrument. This conferred on the organisation a symbolic force which turned it into a rudimentary power centre within which African states sought to create a wider political community. These expectations determined its role; with regard to conflict they include: serving as a body under whose aegis African problems could have solutions; legitimising certain positions in a conflict on the basis of the OAU Charter or Resolutions; and mediating in conflicts" (Burkarmbe,1983:p53).It is important to note that the OAU has proved effective in some conflicts mainly because "the third party role has not been one that necessitates substantial material resources. The OAU has functioned as a neutral meeting site, an agent for interstate communications, a forum for expressing widely held opinions, and as an agent able to dispense legitimisation for policy decisions and for various efforts by individual heads of state" (Meyers,1974:p369).

4.4) Years of diplomatic paresis.

One of the most remarkable features of OAU diplomacy is that even where it suffered humiliation, it did survive only to rebound. Some of the setbacks in the Nigerian civil war (1967-70) and the Tanzanian-Ugandan conflict (1978-79) revealed the OAU's weaknesses and the need to strengthen its conflict management capacity. This view was widely held by African leaders who believe that the future of successful conflict management in Africa lies in a strong OAU.

The real challenge to the OAU's survival, which nearly brought an end to its existence was, its intervention in Chad and the admission of the Western Sahara as a member of the organisation. The question of Western Sahara's independence brought open conflict between OAU member states and the withdrawal of Morocco from the organisation. As an act of solidarity, Zaire also suspended its membership and subsequently it became virtually impossible to convene an OAU summit. The Western Sahara conflict was sparked by the decision made by Spain in 1976 to hand over the territory to Morocco and Mauritania without taking into account the demands and aspirations of the Saharaoui people.

As the Western Sahara became the object of diplomatic manoeuvres within the OAU, a clear division emerged between the 'progressives' who backed the admission of Western Sahara to the OAU and the 'conservatives' who were against the idea.

This ideological struggle was reminiscent of the rivalry between the two blocs during the early formation of the OAU. It was impossible to convene any summit meeting between 1976 to 1978. The crisis reached its climax when the Secretary-General of the OAU, Edem Kojo, took the decision to admit the SADR as the fifty-first Member State of the OAU during a Council of Ministers' meeting. The Nineteenth OAU summit that was scheduled to take place in August 1982 in Tripoli, Libya was boycotted by a majority of states and when the summit was postponed to November the same year, it suffered the same fate. When the OAU finally succeeded in convening a summit meeting in Freetown in 1980, however, twenty-six African states recognised the SADR.

These crises that threatened OAU's existence were dealt with within an African context. It was the principle of "Try the OAU first" that was tested and therefore neither foreign interest nor the UN were invited to resolve these crises. As Andemichael put it, "in spite of OAU's lack of success in many cases no serious attempt has been made to seek a solution through the UN" (Andemichael, 1976). Both the Western Sahara issue and the Chad conflict exposed the OAU lack of resources to back its diplomatic initiatives. It took the OAU more than two years to assemble a peacekeeping force in Chad and when it did, it had to rely on external support to finance the peacekeeping efforts. On the other hand the Western Sahara crisis was inherited by the OAU from the UN. It was a question of decolonisation, which also involved one of its own members as the would-be "coloniser".

The diplomatic paresis which the OAU experienced during this period occurred in the context of Cold War politics. During this time African states sought to align their foreign policies with those of external powers rather than seeking real inter-African co-operation. At first, most of these conflicts were dealt with on ad hoc basis which was an easy way of shying away from the real problems. Even though African leaders were aware of the imminent outbreak of conflicts, they were in no position to devise a conflict management strategy based on preventive diplomacy.

They dealt with conflicts as they came and because the supreme organ of the organisation, the Assembly of Heads of State and Government, which is the competent organ to handle these conflicts, meets on an annual basis, conflicts that occurred in between had to drag on until the next summit if any significant breakthrough was to be achieved. For quite a long time the OAU Secretary-General, unlike the UN Secretary-General, was only an 'administrative Secretary-General' which limited his role in conflict management' (Meyers, 1974).

OAU's record of conflict management in the first decade of its existence was passable. But as Pelcovits notes, 'given the ideological split between African leaders exposed particularly in the Congo crisis and the reluctance of the belligerents to have recourse to the OAU, the organisation entered a decade of inactivity.

It adopted a neutral and uninvolved position when Ugandan forces invaded Tanzania in 1978 rebuffed in its efforts to resolve the civil wars in the Congo and Nigeria in the 1960s and was conspicuously absent in the bloody internal strife which erupted during the 1970s in Sudan, Equatorial Guinea, Burundi and Uganda' (Pelcovits,1983).

The Congo crisis in the 1960s and the subsequent UN intervention indicated that Africa could not insulate itself from the Cold War despite the principle of 'try the OAU first'. Although "African government were, in a geopolitical sense removed from flashpoints of the Cold War, it was through their relations with their former metropolises that they were involved in western efforts to a post-colonial international order" (Mayall,1991:p24).

Conclusion.

The end of the Cold War raised fundamental questions as to whether the OAU's ad hoc strategy as a way of conflict management would still be useful in dealing with the post-Cold War protracted internal conflicts. The ad hoc way of dealing with conflicts during the Cold War had no significant bearing on the outcome of conflicts because it was discontinuous and uncoordinated and often had to rely on the political will and prestige of the African leaders. In many instances the political will was non-existent and the dissension within the OAU over the Western Sahara nearly wrecked the continental organisation.

During the Cold War, the principle of sovereignty and the non-intervention norm neutralised the concept of 'Pan-Africanism' which was the source of inspiration for African leaders and the driving force behind African Unity. Pan-Africanism naturally awakened the suspicion among western countries that it veiled a sinister communist design because of its support for liberation movement and supposedly subversive activities. The Cold War therefore did not provide a congenial setting for Pan-Africanism as an 'instrument' for conflict management. African countries sought external support to resolve conflicts, and this was demonstrated by the influence of metropolises (notably France and the United Kingdom) in their former colonies.

There was also a marked tendency during the Cold War era to bypass formal procedures of conflict management. The Cold War system secreted its own theoretical mechanism of conflict management. For example 'the hegemonic stability theory' represented by George Modelski. Closely related to the 'hegemonic stability' theory were concepts developed by the economist Charles Kindleberger and Robert Gilpin which emphasised the role of great powers in maintaining and sustaining a liberal global economy . Furthermore conflict management itself did not attract scholars of International Relations which has its own mode of conflict analysis. But in the late 1980s, with improvements in superpower relations on the one hand, and a cross fertilisation of ideas between International Relations and Comparative Politics, there was growing interest in conflict management especially by academic institutions and NGOs created to this effect: United States Institute of Peace, Washington (1984), The Carter Centre (1984), International Alert (1985), Harvard Law School: Program on Negotiation (1986) and The Institute for Conflict Resolution and Analysis, George Mason University (1988).

Conversely, regional organisations were either incapacitated or dormant on conflicts and conflict management. For example the OAS which has been active in conflict management was nearly paralysed in the 1980s by the aggressive stance of the Reagan administration in dealing with domestic conflicts. The United States invaded Grenada in 1983 and Panama in 1989 and waged war by proxy on Nicaragua without the support of the OAS.

As for the OAU, it simply ignored ongoing conflicts by not discussing them during summit meetings and when it intervened as in the case of Chad, it did so from a position of weakness rather than strength. African countries were both 'cash-strapped' and prisoners of superpower rivalries. Thus, end of the Cold War had a significant impact on the OAU and its concept of conflict management which we will discuss later. The next chapter is a case study that illustrates OAU conflict management during the Cold War.

CHAPTER FIVE.

Case study: CHAD

Introduction.

The first OAU peacekeeping mission was launched during the Chad conflict. It was not a well-planned mission nor was there any mechanism in place for the conduct such a mission. The OAU Charter does not provide for peacekeeping although the Defence Commission created under Article 20 was mandated³³ to reflect on the 'establishment of an inter-African military force' (Amate,1986:p179). OAU involvement in the Chad and its failure to influence the outcome of the conflict raised a number of questions notably the effectiveness of the organisation as a conflict management institution in the context of the Cold War.

The conflict in Chad was fought against the backdrop of the Cold War. The key external players in the conflict were France and the United States. They pledged financial and logistic support and it was only then that OAU accepted the idea of mounting a peacekeeping operation. So why did the OAU accept the idea of peacekeeping as conflict management when it had limited resources? Did the OAU peacekeeping force have the 'ingredients' of a peacekeeping force that are characteristic of UN peacekeeping forces? Finally what were consequences of OAU peacekeeping mission in Chad? These are some of the questions which we will attempt to answer. Furthermore we intend to illustrate how Cold War politics impacted on the management of the conflict in Chad although the country was not of any direct strategic interest to the superpowers and their allies.

³³ CM/RES.635 (XXXI).

5.1) Background to the conflict.

Chad has a long history of civil wars since its independence in 1960 because of the unresolved ethnic and religious divisions. In effect, the country was divided into two distinctive regions, namely the southern region dominated by the Sara who were Christians and Animists and the northern region known as the B.E.T -Bornu-Ennedi-Tibesti dominated by Muslims. However, as William Foltz points out, it would be erroneous to see the Chad civil war along ethnic or religious lines (Foltz, 1995) because during the conflict, alliances were formed according to the perceived gains of the protagonists. Nonetheless, it was obvious that the Northerners resented 'foreign rule' and when Chad became independent in 1960 the French troops stationed in the region were forced to withdraw and the region came under direct rule from the south without any effective and competent system of administration.

In 1963, there were major riots in the former capital Fort Lamy (now N'djamena), when the top Moslem leadership in the country was accused by President Tombalbaye's government of stirring racial hatred and were arrested. This incident provoked riots in the capital and other areas including the town of Am Timan in the prefecture of Salamat. But according to Michael Kelly, the "most serious incidents that involved the post- independent government forces and section of the Chadian population were 'the Mangalmé riots'³⁴ against tax collectors. These riots were the onset of civil rebellions in Chad" (Kelly,1986).

The riots were popular uprisings against the corrupt practices of agents of the Chadian State and their inability to meet the post-independence demands of its citizens. The discontented politicians together with the frustrated rural population provided a fertile ground for insurgency. It was in this context that FROLINAT (Front for the National Liberation of Chad) was "formed to redress the grievances of the east-central province of the country" (Sesay,1991:p7).

³⁴ In October 1965 nearly five years after independence from France, The Moubi peasants from the region of Mangalmé, outraged by the fact that they had to pay heavy tax to corrupt civil servants on several occasion during the same year invaded the capital of the Prefecture and killed many dignitaries and gendarmes. Although the riots were quelled the impact was felt throughout the country. Armed Peasants were joined by young revolutionaries already active in Sudan.

The FROLINAT movement was created against the backdrop of the 'Mangalmé riots' when some of the activists 'fled to the maquis and joined the nascent guerrilla movements' (Pittman,1984).The FROLINAT whose recruits were mainly from the north challenged the regime in N'djamena which it accused of being neo-colonial supported by France. The evidence of this was French intervention at the request of the Tombalbaye regime to restore order in the region. Ironically President François Tombalbaye was overthrown in 1975 in a military coup masterminded by Southerners and was replaced by General Félix Malloum who was also a Southerner. The end of Tombalbaye's regime "marked the failure of French policy in Chad" (Pittman,1984).

The FROLINAT movement was weakened in its struggle against the central government by a split in the leadership. Hissene Habré and Goukouni Oueddei joined forces to create the FAN (Forces Armées du Nord) but later split to create their own movements aimed at weakening the central authority in N'djamena. However, a government of national union was set up in 1978 between Habré's movement (FAN) and Felix Malloum's government. The agreement reached by both parties was finally announced in February 1978 and promulgated as the 'Fundamental Charter'³⁵.

The FROLINAT movement's accession to power had wider political and military implications. As Robert Buijtenhuijs points out, 'it was the first time in post-colonial Africa that a revolutionary movement succeeds in seizing power through guerrilla warfare' (Buijtenhuijs,1987). Similar movements that succeeded did so by 'overthrowing' colonial regimes: Guinea-Bissau, Mozambique, Zimbabwe and Namibia.

In 1979 the central government of the Malloum-Habré government collapsed and as a result "it brought a new perspective into Chad's relations with concerned states and International Organisations such as the OAU" (Kelly,1986).

³⁵ The Fundamental Charter signed on 25 August 1978 by Hissene Habré and Félix Malloum was intended to serve as an institutional framework until when general elections could be held. It was promulgated on 29 August 1978 and on that date Félix Malloum took office of president and Hissene Habré was appointed Prime Minister.

With the collapse of the regime in N'djamena, "the Chadian state fractured into numerous power bases, with each seeking to control the resources of the state. These factional power bases sought to strengthen their individual positions as to influence their bargaining base at regional conferences held throughout 1979" (Kelly,1986:p16). Henceforth, "Chad's future had begun to depend on African states outside the French-African system, so much so that its traditional associates, the Central Africa Republic, Congo and Cameroon, as well as Zaire were excluded from these initiatives" (Nolutshungu,1996:p115).

5.2) Foreign intervention.

The Chadian crisis represented a scenario of an internal conflict in which 'competing external interventions appeared to be the guarantee of a sphere of internal autonomy for the state and society that was emerging' (Nolutshungu,1996).The empirical weakness of the Chadian state was largely the result of 'factional rivalries' and the fact that it "has no natural borders that would clearly delimit its people or their livelihood from those of its six immediate neighbours" (Foltz,1995) account for its extremely hazardous survival conditions. Moreover, and perhaps in a significant way, domestic political stability of Chad was hinged on the influence of outside forces, notably France and Libya "which were solicited by all Chad's factions and government" (Foltz,1995). With the rebel and government forces receiving outside military support, Chad became the theatre for confrontation between regional and extra-continental forces.

Libya's interest which led to its involvement in the Chadian conflict, was motivated by the historical ties between the two countries and its desire to stem 'foreign influence' in the region. Historically, the trans-Saharan trade in the third and fourth centuries and the development of caravan routes linked North Africa to the Sudanese states in the south. The "Toubou, who have linguistic and cultural ties transcending the Chad-Libya-Niger territorial borders, testify to further linkages between the two countries" (Kelly,1986).

It therefore in view of these strong historical ties that a treaty of friendship was signed between the two countries.³⁶ The preamble of the treaty highlights the 'the profound spiritual, economic, human and civilisation links' between the two countries. Article I calls for mutual defence in case of direct or indirect external aggression and Article VII states that 'The Republic of Chad undertakes not to allow any foreign military base on its territory and reserves the right to call on Libya for help should there be a threat to its territorial integrity and internal security'.

From 1973 to 1976 Libyan foreign policy in Chad 'was dominated by the issue of the Aouzou strip' (Buijtenhuij,1987) which Libya claimed was part of its territory. According to Michael Kelly (1986) the Aouzou strip³⁷ is a significant acquisition for Libya only to the extent to which 'it serves as means to realise its short and long term goals. He provides a good and succinct summary of these goals as : "Keeping Chad a weak state; supporting any faction that will continue to apply pressure to the fabric of the state; destabilising any government that does not facilitate Libyan interest; and finding a federal solution for Chad in the short term, thus creating a foothold for Libya to apply continuous pressure on the whole of Chad and the neighbouring states. In as far as Libya's long-term goals in Chad are concerned, they include 'undermining western hegemony in the region; spreading the ideology³⁸ of the Jamahiriya³⁹ and developing Chad's economic potential which include possible uranium and petroleum deposits.

The Aouzou strip served as a springboard for Libya's occupation of Chad in 1980. The occupation was justified on the grounds that it was according to Qadafi, a "vital space" (Yost, 1983). In the following year, President Qadafi of Libya and Goukouni Oueddei who was the president of GUNT in Chad, announced that the two countries were 'merging'.

³⁶ The Treaty of Friendship and Alliance that was signed in 1980 paved the way for Libyan assistance to the joint Goukouni-Kamougue forces in their struggle against Habré.

³⁷ As a result of an Accord signed between Mussolini of Italy and Pierre Laval of France on 7 January 1935, Chad's border was moved towards the south and thus Italy made a territorial gain of 114000 Km. Because the instruments of ratification were never exchanged between the two countries, the Accord never came into force. In 1938 Italy renounced the Accord. However, the Aouzou strip remained under French control.

³⁸ Qadafi's 'Third Universal Theory' was an attempt to develop a practical alternative to communism and capitalism. "Northern Chad, occupied by the Libyan forces for a number of years, remained the only area outside of Libya where the institutional aspects of the theory were applied to any large extent" (Ronald Bruce St John, 1987).

³⁹ The Arabic word for 'Republic'.

The proposed merger contained in a document called "Le Texte de la Fusion Tchado-Libyenne"⁴⁰ was made public in January 1981. The text exhorts, but does not establish, complete unity between the two countries.

Following mounting protests from France, the United States and their allies in Africa, the Libyan troops withdrew from Chad in November 1981. However, Libya's swift withdrawal, apart from being the result of protests, was also motivated by two other reasons namely "Qaddafi's aspiration to become the chairperson of the OAU and the hope that by withdrawing his troops from Chad, any attempt to establish peace would collapse, thereby demonstrating the necessity for the Libyan presence for order within the state" (Kelly, 1986:p39).

France, which was the former colonial power in Chad, has always been suspicious of Libyan designs in the region. France's policy towards Chad reflected its general policy towards its former colonies. This policy was dictated by strategic interests expressed in the concept of "Pré-Carré" or a "Preserved area". It is a French version of the 'Monroe Doctrine' by which it claimed a right to intervene in any conflict involving its former colonies.

France intervened in the Chadian conflict "in its role as the guardian of Chadian sovereignty and territorial integrity and to safeguard its own interests in Chad and throughout the region" (Kelly, 1986). In the past, France intervened to bring stability to the country which was bedevilled by civil war. It did so in 1968 to bring stability to the Tibesti region. As some scholars noted, "Chad, situated in the heart of Africa, has served as a springboard for France's military interests in Africa by enabling her to have easy communication with her other former colonies from West to East Africa" (Azevedo, 1998).

⁴⁰ Text for the proposed merger between Chad and Libya.

Its intervention took a more aggressive dimension in 1970 as Libyan expansionism increased in Chad. As part of its strategic policy in Chad, France undertook three important military operations in the country: 'Opération Tacoud' in 1978, 'Opération Manta' from June 1983 to November 1984 and 'Opération Epervier' in 1986 all aimed at containing Libyan expansionist policy in Chad.

The lack of progress in curbing Libyan influence in Chad led France to change its strategy. In 1981, 'the former French President François Mitterrand pressed for an African peacekeeping force as a means of getting Libya out of Chad' (Nolutshungu, 1996). In order to involve many African countries in the operation, Mitterrand suggested that the OAU should be given the responsibility of assembling the force. As Amadu Sesay points out, "French diplomats were accordingly despatched to canvass support for the idea of a Pan-African peace force to replace the Libyans in Chad" (Sesay, 1991:p12). That France should suggest launching peacekeeping initiatives in Chad was a sign that it has opted for 'conflict avoidance' rather than risk a head-on confrontation with Libya. Moreover, France had not recovered from the 'Claustre affair'⁴¹ which was a political setback, (Kelly, 1986) and therefore any direct intervention could have negative impact on French public opinion and resented by Chadians.

Other western countries backed French initiatives in the conflict in Chad. The United States for example sent arms to Hussein Habré whom the French supported in the conflict to overthrow the pro-Libyan government. The United States initiated 'a major covert action in Chad which included arms, money, technical assistance and political support' (Ransom, 1989). United States' active support for anti-Libyan rebel movements could be seen in the light of the strategic role that a stable Chad could play in undermining the pro-Libyan regime in Chad.

However, the US soon became more concerned about the proposed merger between Libya and Chad. The Libyan-Chad merger was announced only weeks after Ronald Reagan took office.

⁴¹ Françoise Claustre a French ethnologist and her husband together with a number of Europeans were held hostage by the Northern Forces of the FROLINAT in 1974 which strained relations between Paris and Fort Lamy.

The United States henceforth followed events in Chad with great concern. Michael Kelly remarks that "the most important reason for US concern with Chad is the desire to thwart perceived Libyan expansion and its international misbehaviour" (Kelly,1986:p124). That 'international misbehaviour' denoted Libya's alleged sponsorship of international terrorism.

As part of its military assistance to Chad, The United States sent three trainers to Chad 'to instruct a small group of Chadian forces in the use of "Red-eye" surface-to-air missiles and Airborne Warning and Control Systems (AWACS). In 1983, the United States signed two agreements with Chad which involved military assistance to the Habré regime and in 1982 it reopened its embassy in N'djamena in an effort to get a strong foothold in the country's economic and political affairs.

Thus, foreign intervention in Chad was a function of Cold War politics and the principal external actors were Libya, a satellite state of the former Soviet Union, France, the United States and their allies. It was in the context of 'perceived threats' and 'conflict of interests' of the interventionists that OAU intervened by hosting a series of peace negotiations and eventually mounting a peacekeeping operation in Chad.

5.3). The OAU and the conflict.

The intervention took place amidst confusion during the civil war as the rebel movements grew in numbers and rebel action intensified both in the north and south for the control of central government. As it was customary in OAU diplomacy, its reaction to the civil war was both cautionary and hesitant. The conflict was first brought before the OAU in 1977 during the OAU Libreville Summit "in the form of a complaint by the Chadian Head of State, Malloum, against what he described as Libyan support for FROLINAT, which was trying to overthrow his regime" (Sesay,1991:p10). An Ad Hoc Committee was set up to look into the matter. OAU's initial method of handling conflict was to set up Ad Hoc Committees which usually had the task of convincing the belligerents to proximity talks leading to a cease-fire and eventual mediation.

In February 1978 the Heads of State of Nigeria and Sudan managed to convene a meeting between Libya and Chad. The meeting took place in Sebha in Libya. In an agreement signed by Libya and Chad, both countries 'undertook to seek a negotiated settlement to the dispute between them' (Amate,1986:p454).The Sebha Agreement of 24 February 1978 "made apparent Libya's role as a linchpin for any solution for Chad" (Kelly,1986). A month later another agreement was signed at the end of a conference on Chadian reconciliation held at Sebha and Benghazi.⁴²

The Chad conflict was once again put on the OAU agenda during the Khartoum Summit in 1978 as a result of Libyan occupation of the Aouzou strip. A Resolution that was adopted on the Chad -Libya dispute reaffirmed the 'Principles of the Charter and stressed on the inviolability of the sovereignty and territorial integrity of member states, the non-interference in the domestic affairs of states and the settlement of disputes by peaceful means'⁴³. But as Pittman notes, "until well after the fall of the Malloum government in 1979, these few meetings were the extent of the OAU's actions in regards to Chad" (Pittman,1984:p303).

The OAU's mediation role in Chad required a more subtle interventionist approach that would not be seen as a breach of Article 2 (3) of the Charter which rules out involvement in the internal affairs of sovereign states. Since the Chadian conflict was, generally speaking, an internal conflict, the OAU delegated responsibility of peace negotiations to Chad's neighbours notably Nigeria. In 1979, a conference on Chad was held in Kano "aimed at including all factions within and without Chad in order to reach a settlement mutually acceptable to all parties" (Pittman, 1984:p304).The conference ended with the signing of the 'Kano Agreement'. A second conference was held in Kano in April 1979 following the success of the first conference and it was meant to "work out details of the agreement and the practical measures to be taken towards its implementation" (Amate,1986).

⁴² Joint Communiqué issued by Chad, Sudan, Libya, Niger and The FROLINAT which included an agreement to a cease-fire . Signed on 27 March 1978 at the end of a conference on Chadian reconciliation, it states that:

Article I: The Supreme Military Council and the Provisional Government of Chad recognise the Chad National Liberation Front (FROLINAT).

Article II. Cease-fire and its consolidation.

⁴³ OAU Document: AHG/RES. 94 (XV).

The conference was attended by Chad's neighbouring countries, Cameroon, Central Africa Republic, Libya, Niger and Sudan and representatives from the four warring factions and the OAU.

The OAU Summit which took place in Liberia in July 1979 endorsed these peace initiatives undertaken by Nigeria and agreed to sponsor another conference on Chad which was held in Lagos, Nigeria. According to Pittman, it was the first time 'that the OAU gave power to the Secretary-General of the Organisation Edem Kojo to negotiate a cease fire' (Pittman, 1984). The Lagos Agreement provided for the creation of a government of national unity headed by Goukouni Ouedei. The Agreement was signed "by all the participating countries and the Chadian factions and the transitional government of national unity was duly inaugurated on 11th November 1979".

In accordance with the peace agreement signed in Kano and Lagos, Nigeria despatched a peacekeeping force to Chad. Its mandate 'was not to use force to maintain peace' (Amate, 1986) and when hostilities broke out among the factions within the GUNT involving Hisène Habré, the Minister of Defence in the Transitional Government, the Nigerian force was withdrawn. The Nigerian withdrawal illustrated the fact that 'it did not possess either the prestige or political, economic and military leverage needed to impose peace on the factions in Chad' (Sesay, 1991).

The Chad conflict featured prominently on the OAU agenda during the OAU Summit in Freetown Sierra Leone in July 1980. During the Summit, the Heads of State of the OAU set up a standing Committee on Chad and urged the Chadian leaders to implement the Lagos Agreement. In October and November 1980 the OAU Ad Hoc Committee on Chad under the joint chairmanship of President Siaka Stevens of Sierra Leone and General Gnassingbé Eyadema of Togo held two meetings in Lomé to discuss the issue of setting up a peacekeeping force.

Some of conclusions reached by the OAU Ad Hoc Committee on Chad were: A cease-fire to be monitored by a Commission composed of representatives of Benin, Congo, Guinea, Sierra Leone and Togo, chaired by the OAU Secretary-General; the city of N'djamena to be demilitarised and all troops to be withdrawn from the capital over the distance of hundred kilometres. In case of the violation of the cease-fire, the OAU standing Committee on Chad to meet to take immediate action.⁴⁴

Although a final communiqué by the OAU Ad Hoc Committee called for the implementation of the Lagos Agreement, the call went unheeded as hostilities continued. In December 1980, an emergency meeting of the Ad hoc Committee was convened by Nigeria and at the end of this meeting it issued a Communiqué in which it affirmed the validity of the Lagos Agreement as the basis for the establishment of peace, security and tranquillity in Chad; urged the Transitional Union Government to cooperate with it in its programme of national reconstruction and mandated the OAU Secretary-General to organise a pledging conference for assistance to Chad.⁴⁵ A month later, in a joint communiqué issued by Goukouni Ouedei of Chad and Qadafi of Libya, they announced the fusion of their states into a single Jamahiriya.

The Chad-Libyan union was disapproved of by many African countries and in particular Chad's neighbours. It prompted the OAU Chairman, Daniel Arap Moi, to call an emergency meeting of the Standing Committee on Chad. The Bureau of the OAU Standing Committee on Chad met in Lomé, Togo in January 1981 and decided to send a peace-keeping force to Chad which did not materialise. The final communiqué declared that the reported merger between the Libyan Arab Jamahiriya and the Transitional National Union Government of Chad violated both the spirit and the letter of the Lagos Agreement and, therefore, standing Committee condemned such actions. The Communiqué also called on all member countries of the OAU especially those with common borders with the Republic of Chad to refuse their territories to be used by extra-African powers and dissident Chadian groups as sanctuaries or bases for mounting armed attacks against the republic of Chad.

⁴⁴ OAU Document: AHG/RES.104 (1980) Annex III.

⁴⁵ OAU Document: AHG/RES. 104 (1980) Annex V.

The OAU Summit in Kenya in June 1981 'took the Chad problem in earnest and it confirmed its recognition of the Goukouni government' (Tokareva,1989:p66).The Summit also "revived, with some urgency the idea of sending a peacekeeping force to Chad to be made up of troops from Benin, the Congo and Sekou Touré's Guinea" (Sesay,1991). But as Sesay points out, "the Summit did not work out in detail the modalities of how such a force was to be financed" (ibid.), although the Assembly of Heads of State requested the OAU chairman to raise such a fund from OAU member states and friendly states including western countries. The 'agreement to deploy an OAU peacekeeping force in Chad was concluded in France and this was an indication of the support of such an initiative by western countries' (Berman and Sams,2000).The OAU peacekeeping force was finally sent to Chad after an agreement was reached between Goukouni Ouedei and the OAU Secretary-General, Edem Kojo in Paris. The budget for "the first year of the operation subsequently estimated at \$162,897,500.00, was later revised to \$192,000.00 following the advice of a UN technical team".⁴⁶

The shortcomings of the OAU peacekeeping force will be examined later in the chapter in relation to the organisation's strategy of conflict management and ask if peacekeeping was the best instrument of conflict management available to the OAU at the time. However, as Alan James points out, "running a multinational force is a costly business which also requires efficient backing. Although western countries pledged support for an OAU peacekeeping and practically had to foot the bill of the operation, the peacekeeping operation in Chad is a 'reminder that peacekeeping operations do not create conditions of their own success but they are dependent on the parties supplying an appropriate context for their work' (James,1990:p103).

⁴⁶ OAU Document: Resolving conflicts in Africa: Implementation Options.

5.4) The Kano and Lagos Peace Agreements.

The involvement of Nigeria in the Chadian conflict and the choice of two of its main cities, Kano and Lagos, as the venue for peace talks was a sign of manifestation of 'an increased nationalism in Nigeria's foreign policy, a certain Pan-Africanism, and the desire for an assertive role in international affairs, especially on their own continent' (Nolutshungu, 1996:p119). Furthermore, Nolutshungu argues that 'Nigeria had means to pursue its policies of influence in African Affairs because of its oil wealth' (ibid.).

The Kano and Lagos Peace Agreements were the result of diplomatic efforts of the OAU with the backing of western states, especially France. The first of a series of conferences was held in Kano from 10 March to the 14 March 1979. The leading figures of the FROLINAT movement attended the conference which was in itself an achievement given the infighting amongst its leadership and the fact that each rebel leader was under some form of external influence.

The Kano Agreement signed in 1979 comprised a cease-fire, a general amnesty, the formation of a Government of National Unity and the creation of a national army. The question of French troops in Chad was also addressed. It was agreed that an immediate cease-fire would come into effect as well as the demilitarisation of N'djamena. It was agreed that a neutral force from Nigeria should be deployed in the capital and an independent Commission would monitor and supervise the cease-fire to ensure that the agreements in the peace accord were implemented. The Accord also calls for a general amnesty for all political prisoners and the liberation of all hostages. Finally the Kano Agreement proposed the creation of a Government of National Unity comprising all the rebel factions that had agreed to sign it. Concerning the presence of French troops in Chad, the Agreement stated that the matter should be left to the Government of National Unity.

The first Kano Agreement was a significant step towards peace in that it created a framework to build institutional structures which were virtually non-existent as a result of the civil war. A second conference was convened in Kano to build on the progress made during the first Kano conference. When talks at the second Kano conference collapsed, Goukouni and Habré took a unilateral decision to create a Government of National Unity headed by Lol Shawa with Goukouni as interior minister and Habré as defence minister.

The third major conference aimed at national reconciliation in Chad was held in Lagos. After intense negotiations, the Lagos Agreement was signed on 18 August 1979 by eleven Chadian factions in the presence of representatives from Cameroon, Libya, Niger, Nigeria, Senegal, Sudan, Central African Empire and the representative of the Secretary-General of the Organisation of African Unity. The Lagos Agreement reiterates the settlement reached under the Kano Agreement with an additional statement that “the Chadian Parties unanimously recognised that the continued presence of French troops in Chad is an impediment to finding a peaceful reconciliation and solution to the Chadian problems”.⁴⁷

The Lagos Agreement constitutes an elaborate peace settlement to the Chadian conflict. The presence of nine foreign ministers at the Lagos conference illustrated the need for ‘a Pan-African’ solution to the conflict. It also demonstrated the growing concern of neighbouring countries about the situation in Chad. In terms of conflict management, it could be said that the Lagos Agreement ‘was the most comprehensive attempt to rebuild a government system for Chad that encompasses all eleven factions and the Transitional National Union Government to serve as the sole authority of the state’ (Kelly,1986:p71).

⁴⁷ UN Document: S/14378 of 9/2/81, The Lagos Agreement on National Reconciliation in Chad, 18/8/79.

However, the intervention force that was created after the Peace Agreement was signed was 'so ill-conceived and unclear in its objectives that it created more confusion than help in attaining peace and security in the country; in the end, the constant but limited military and financial assistance to N'djamena and the various factions did nothing but further militarise the conflict' (Azevedo,1998). So why were the Kano and Lagos Peace Agreements overshadowed by military developments?

Although the answer to this thorny question is manifold, one can point to the shortcomings of the Agreements. First was the size and composition of the rebel factions at these conferences. To bring together eleven different rebel groups with divergent interests around the negotiating table is a daunting task in conflict mediation. As Mitchell points out, "if the incumbent faction in Chad is easy to delineate, the same is hardly true of the inchoate insurgent movements which expressed diverse strands of resentment towards the Government of Fort-Lamy" (Mitchell, 1972). Nigerian mediation initiatives under the auspices of the OAU "degenerated into competition between factions, each unable to count on much support beyond his own ethnic base and even those, like Habré and Goukouni, who could still field an army represented only a small fraction of Chadian population" (Nolutshungu 1996). Second, was the clash of French and Libyan interests. As Azevedo points out, 'factional, governmental and foreign interventionist troops introduced a new level of violence that added to the already protracted conflict' (Azevedo,1998).

5.5) Peacekeeping as conflict management: What lessons for the OAU?

The Libyan presence in Chad presented the OAU with a difficult problem. First as a member state of the OAU, Libyan intervention in Chad contravened the OAU Charter and since this intervention was motivated by expansionist designs which involved the annexation of the Aouzou strip, any peace proposal that did not take into account Libyan interests was bound to fail. Furthermore President Muammar Qadafi of Libya was more interested in uniting the nomadic Arab population in the Sahara region under some sort of Pan-Arab Union of 'progressive forces' than having a strong neighbouring state.

In fact the OAU was too reactionary in the eyes of the Libyan authorities. It was therefore in reaction to Libyan 'imperial designs' that countries like Nigeria took the lead in calling for OAU intervention as a way of legitimising their presence in Chad.

The OAU relied on Nigerian leadership to bring about stability in Chad by supporting the Lagos peace plan and looked to Nigeria for contribution to a peacekeeping force. It was believed that a Nigerian-led peacekeeping force in Chad under the auspices of the OAU would deter extra-continental interference in the conflict. However this did not insulate the conflict from the Cold War superpower rivalries and the involvement of Libya, a country seen in the United States as a pariah state and ally of the Soviet Union, gave this conflict its wider Cold War dimension.

With the involvement of three OAU member states in the conflict in Chad (Nigeria, Libya and Sudan) a scenario similar to the Congo crisis began to unfold and the OAU had to act quickly to avoid such a repetition. To back its mediation efforts the OAU chose peacekeeping. This choice raised many important questions and created new sets of problems for the organisation.

First, there was no provision in the OAU Charter for peacekeeping and therefore when it came to the point of conceiving an African peacekeeping force and its deployment, the OAU had to borrow lessons from the United Nations experience. A peacekeeping force, under the UN definition, is a force that "acts as a buffer or an obstructive force to separate two rival factions" (Sesay,1991). While some writers have stressed the lack of institutional provisions for peacekeeping to explain OAU's unsuccessful adventure in Chad (Sesay,1991), (Wiseman,1984), this cannot be taken as the sole explanation. The institutional provisions could have helped the OAU in conceptualising, planning and implementing peacekeeping operations but this could not guarantee its success. Left to the OAU alone it would not have chosen peacekeeping missions in managing the Chadian conflict. It was an idea imposed from outside. It was 'the former French president François Mitterrand, with the support of the United States which for its own reasons wanted Libya out of Chad, who suggested that France would contribute troops if the OAU made a request for it' (West Africa Magazine, 2 November 1981:p2555).

The Chad conflict was a testing ground for the OAU's experiment in peacekeeping. From the start this enterprise was beset by many problems the most important of which were lack of funds to support its peacekeeping operations in a huge country like Chad as well the lack of a clear mandate to undertake such an operation. The conflicting interests of the principal actors compounded the difficulties during the mediation efforts.

The peacekeeping mission should have been conducted on an ad hoc basis, which as evidenced in the past was OAU's strength. Rather than directly co-ordinating the overall deployment of the peacekeeping force in Chad, the OAU relied on intermediaries such as Nigeria, which had no strategic interest in Chad. When the troops that various countries pledged to commit to the peacekeeping force were not forthcoming, the whole enterprise collapsed. As Chipman notes, "one of the overarching paradoxes of modern peacekeeping, is that the states best qualified to contribute forces to peacekeeping operations, are those without direct national interest at stake or are not suspected by the combatants in the receiving country of having any" (Chipman, 1995).

Two important developments followed after the peacekeeping force failed to achieve its objectives. The force was withdrawn from Chad with the hope that the operation would serve as a lesson for future peacekeeping operations rather than abandoning the whole idea. When the OAU defence committee met in Accra, Ghana in 1984, it adopted a resolution calling for peacekeeping seminars to be organised by the OAU to help enhance its capacity in peacekeeping. A seminar in peacekeeping was held in 1986 in Harare, Zimbabwe, after which the proposals that came out of the seminar were adopted by the Defence Commission.

Although the OAU hoped to build on its Chad experience, the failure of the mission impacted negatively on the OAU and henceforth the organisation was reluctant to undertake any peacekeeping mission. OAU's experience in Chad demonstrated that it did not have the resources for such a costly enterprise as maintaining a peacekeeping force. The second lesson that can be drawn from OAU intervention in Chad was that the organisation's efforts were hampered by external powers, notably France and the USA which had their own interests to pursue in the region.

The third lesson confirmed the widely held belief that the OAU was effective only where purely intra-African issues are concerned.

The foreign powers were the main backers of the protagonists in the Chad conflict apart from Libya which had its own interest to pursue. France and the United States were acting out of Cold War strategic considerations. Finally, the Chad conflict was a “reminder that, no matter how strong the political temptation to establish a peacekeeping force-as a sign that an organisation is doing something in response to a problem for which it is seen to have some responsibility, there is little operational future for such a force if local situation is unsuitable for it. Peacekeeping is a secondary activity and it cannot therefore, create the conditions for its own success, but dependent on the parties supplying an appropriate context for its work. In Chad such a context was, in the early 1980s almost non-existent” (James, 1990).

Conclusion.

The OAU’s response to the Chadian conflict “showed prescience in recognising a need for an effective response to intrastate conflict on the continent” (Massey & May, 1998). When the OAU launched its peacekeeping operation in Chad in 1981, the concept of peacekeeping in Africa itself was still at its embryonic stage. Conflicts of the Cold War era demonstrated a greater degree of military intervention by African states in the affairs of their neighbours and they sought to legitimise their actions through institutions like the OAU. Intervention by neighbouring states was not in any case a peacekeeping mission but as May and Cleaver put it, in the Chad conflict ‘intervention was either regime supportive, regime opposing or state supportive’ (May and Cleaver, 1997).

Some scholars have raised doubts about the capability of an OAU peacekeeping force in a civil war situation and whether it was a judicious course of action to embark on a peacekeeping mission in Chad when there was ‘no peace to be kept’. Amate (1986) argues that “a civil war situation was the worst situation in which to test the viability of an inexperienced international force”.

He points out that the chances of possible peacekeeping force depended on taking sides with the government of the day against the dissident forces that were seeking to overthrow it'. This was especially true in the case of the Nigerian-led intervention force in Sierra Leone. However, Imobighe (1996) does not share this view. According to him "the logic of managing conflict at a high point of escalation which the Chadian situation was, makes some form of peacekeeping inevitable" (Imobighe,1996).

Since the end of the Cold War, 'peacekeeping' has evolved from its traditional mission of separating warring factions to cover activities of peacemaking, peace-enforcement and humanitarian action. But it was only recently when it became necessary to integrate conflict management mechanisms in policy and operational practices of peacekeeping.⁴⁸ The protracted nature of post-Cold War conflict calls for a broader concept of peacekeeping that would transcend the idea of 'consent' of parties to the conflict to include for example mediation and peace enforcement.⁴⁹

The historical and divergent interests of outside forces notably France and Libya in the Chad conflict left little room for manoeuvre for the OAU conflict management initiatives. Nevertheless it did assemble a peacekeeping force and although it was not a complete success, it was hoped that the Pan-African organisation would learn from its experience. In our next case studies of the Rwanda and Eritrea-Ethiopia conflict, we will seek to demonstrate whether the OAU has come up with a new concept of peacekeeping built on its past experience and if so, whether it could still be a viable instrument of conflict management especially in a civil war situation of post-Cold War era.

⁴⁸ Noted in this area is the work of David Last.

⁴⁹ 'Wider Peacekeeping' gives a broader definition of the term 'peacekeeping'. It describes aspects of peacekeeping that, for the British Army have become more prominent in the post-Cold War era. This new doctrine of peacekeeping from a British perspective is contained in the Document : '*Wider Peacekeeping*' (1995), London: HMSO.



CHAPTER SIX

The post-Cold War era: A new international environment.

In the previous chapter we examined the role of the OAU in Chad and its performance in conflict management. OAU conflict management was conducted in the context of Cold War politics. The conclusion drawn from the Chad case study is that OAU's ineffectiveness could be largely attributed to the Cold War dispensation. Superpower rivalry and its strategic implications overrode any conflict management initiative.

The OAU survived the Chad experience. Indeed the remarkable thing about the OAU is its resilience in adversity. The end of the Cold War however brought African countries face-to-face with their problems. Hitherto African leaders had looked to the superpowers for help and when this help was not forthcoming, they found other means of exploiting the superpower rivalry.

With the end of the Cold War, the African states were 'orphaned' and therefore they found in the OAU a moral comfort. This chapter looks at the impact of the Cold War in Africa and how the OAU had to adapt and respond to the security concerns of its members in the post-Cold War era.

6.1) The end of the Cold War: Rival conceptions of the Old Order.

The end of the Cold War has impacted on global politics in an unprecedented way (Gaddis, 1997). As a major event in international politics, it needs to be "glossed in broad terms rather than reduced to a meaningless series of events" (Brown, 1999). The Cold War ended with the collapse of the Soviet Union and the instability that followed led some analysts to conclude that it had been after all a 'stable system'. Although the risk of war was very high during the Cold War, it did create stability, once the superpowers became aware of the destructive nature of nuclear war.

But considering the Cold War as a stable system reopened questions about the concept of stability and whether it could be best achieved through a bipolar or a multi-polar system (Deutsch & Singer, 1964, Waltz, 1964).

Events leading to the end of the Cold War were so chaotic that the new world order that emerged from it was interpreted in different ways. Some historians did foresee the collapse of the Soviet empire (Helène Carrère d'Encausse) but even for them the new order remained an uncertainty.

The success of conflict management during the Cold War was minimal because there were overriding issues such as national security, superpower rivalry and control on information. One of the consequences of this 'controlled information' and the secretive way in which conflict management strategies were elaborated for disciplines like International Relations was the paucity of Cold War theories. The dominant theory during the Cold War was 'the balance of power' which explains how an ideological confrontation leading to an all out war was tempered by the awareness of the possibility of mutual destruction by the superpowers in the event of war.

The end of the Cold War led to an unprecedented release of information and access to archives and the reappraisal of the period by Cold War historians, prompting Gaddis (1997) to proclaim 'Now that We Know'. The overall impression is that the Cold War did produce stability in the sense that no major war took place that would have disrupted the international system. This stability, it was presumed would be enhanced once the Cold War ended. Indeed in the post-war decades, "a major assumption of Western Social Science was that ethnic conflict would disappear and nations modernised and minority groups assimilated" (Ryan,1990).

Mearsheimer in his analysis of the security situation in Europe after the Cold War, was very pessimistic. He believed that it was premature to celebrate the end of the Cold War arguing that the absence of a major war since 1945 did not warrant any optimism (Mearsheimer, 1990). He made this statement before the Gulf War and the Balkan crises.

Mearsheimer's arguments generated a debate about some conceptual issues following the end of the Cold War. Stanley Hoffman saw Mearsheimer's arguments as an attack on neo-realism. According to Hoffman, any structure could "possibly lead to peace or war; it depends on the domestic characteristics of the main actors, on their preferences and goals as well as on the relations and links among them" (Hoffman, 1990). Keohane for his part disagreed with Mearsheimer's idea that the post-Cold War era would be characterised by the proliferation of unrestrained conflicts. According to Keohane, Mearsheimer was underestimating the role of international institutions, particularly in Europe where they are well developed. Keohane developed his argument in his theory of interdependence, in which he demonstrates the intertwining interest of states and the benefits derived from their co-operation as factors of stability. International institutions do not possess law-enforcement powers in the event of disputes arising from this co-operation, Keohane (1990) argues, but by co-operating, 'states tacitly accept laws that regulate their relationships and this contributes to stability'.

The debate about Cold War stability cum post-Cold War instability is an important contribution towards the understanding of the complexities of both 'systems'. However excluded from the debate is the impact of the Cold War on Third World countries especially in Africa and how they will feature in the new international environment. It has been argued that Africa was not strategically important during the Cold War disposition and indeed it has been claimed that African countries stayed out of the Cold War. However the conflicts that occurred during the Cold War were mostly fought in the Third World with the superpowers' involvement. The end of the Cold War and the withdrawal of support given to some African leaders for strategic reasons, had far-reaching consequences for stability on the continent.

6.2) The impact of the end of the Cold War on Africa.

The end of the Cold War witnessed the dismantling of the 'security apparatus' created by the superpowers that gave protection to client states. The security vacuum created more problems in trying to define a new international order. According to James Mayall, the Cold War left two legacies which makes it difficult to read into the post-Cold War era: "the introduction of the distinction between, on one hand, the humanitarian and on the other, the political and security dimensions of international society. The idea that there was something like an international humanitarian order divorced from strategic considerations was an illusion, as became abundantly clear with the collapse of the state in Yugoslavia and Somalia" (Mayall,1996).

While the end of the Cold War highlighted the growing number of protracted ethnic conflicts, "regions have become secure in the late 1990s and the turbulence that accompanied the end of the Cold War was largely contained though some armed violence persist in part of Africa and Asia" (Gurr & al, 2001). In their report, Gurr and his team outline the positive trends in post-Cold War conflicts. They noted that "the number and magnitude of armed conflicts within and amongst states have lessened since the early 1990s by nearly half; conflicts over self determination are being settled with ever greater frequency and democratic governments now outnumber autocratic government by two to one".

The report further documents the decline of armed conflicts and concludes that the magnitude of ethnic conflict in Africa fell by half between 1994 (the year of the Rwandan genocide) and the year 2000.

The end of the Cold War could be described as a second 'wind of change' that blew over the African continent. The Soviet system which many African leaders borrowed and tried to adapt to the African context, had suppressed nationalist sentiments. The collapse of the Soviet system brought a new wave of freedom to the people but at the same time it was a setback for the Pan-African vision of a 'unified Africa' because different nationalities proclaimed the creation of nation-states.

Although the creation of many nation-states was in some respects positive, in that it granted nationalities the possibility of self-government, it also weakened central authority. The new and old nation-states had to coexist and redefine their relationships.

The end of the Cold War saw a significant withdrawal of support for regimes in Africa that were considered strategic allies because the superpowers have come to the conclusion that these countries have outlived their usefulness. Some of these regimes were dictatorial which became incompatible with the new international order. They were forced to democratise by popular demands for political reforms, which sometimes took the form of violent upheaval in the face of resistance. Emboldened by the changes in Eastern Europe and the example set by Romania in the way it dealt with its former president Ceausescu, pro-democracy movements in Africa took to the streets calling for political change. As a way of insulating themselves from these changes the dictators reacted in a heavy-handed manner to the social and political demands. Amidst this unprecedented atmosphere of social and political upheaval, ethnic minorities whose rights were suppressed seized on this opportunity to ask for more autonomy and the recognition of their rights. When the demands were not met, it led to open confrontation with the central authorities.

The conflicts that resulted from these confrontations were mainly internal and have certain characteristics. First, these conflicts were the result of the need for democratic reforms and greater political participation. The electoral processes in many African countries are undemocratic often giving results that are highly contentious. For example the 1989 election results in Tunisia declared president Ben Ali the winner with 99.9% of the votes.

Second, the underlying cause of these conflicts is the unfair distribution of economic resources. In the Nigerian region of the Niger Delta for example, the local population want to benefit from the wealth generated by the oil revenues. They accuse the government of neglect and Royal Dutch-Shell of resource appropriation.

Third, the economic and social reforms introduced by the IMF and the World Bank to help the economies of the developing countries brought hardship to the local population which bore the brunt of these reforms. The structural adjustment policy, which is one of the measures contained in the reform package, entails the downsizing of the civil service, devaluation of the local currency and cutting down imports. Hardest hit were countries with centralised economies such as Benin, Ethiopia and Mozambique, and the other Marxist states whose economies were modelled on that of the Soviet Union.

The failure of the some African leaders to redress the economies of their countries and the political inaptitude and incompetence that characterised the way they governed, caused discontent and despair in civil society. When the civil society organisations became critical of governments, they were often brutally suppressed. Human Rights groups were instrumental in putting pressure on government for more accountability. Amnesty International for example set up chapters throughout the continent and its French counterpart the “Ligue des droits de l'homme” concentrated its activities in West Africa by setting up chapters in Cameroon in 1984, Mauritania in 1986, Burkina Faso, Côte d'Ivoire and Nigeria in 1990 and the Gambia in 1991. The significance of the work done by the Human Rights groups was to empower the civil society with legal expertise as most election results which were often rigged were brought before the courts. It also helped bring domestic issues such as the violation of minority rights on to the international scene by accessing the competent international jurisdiction.

Elsewhere, leaders of single party systems resorted to manipulating the electoral system to stay in power. They also sought the support of the electorate by playing the “ethnicity card” and channelling political competition through ethnic lines. In Rwanda it was the rivalry between the Hutu and Tutsi that was exploited and in Nigeria, the Youruba-Hausa-Ibo relationship. Such methods were not only unpopular and ill-fated but insidious. They heightened ethnic tensions that eventuated in ethnic conflicts.

The army, which is the custodian of security often, uses the instability arising from these ethnic conflicts to step in with the intention to restore law and order. Army politics therefore tends to fill the void created by the absence of legitimate politics.

While the end of the Cold War liberated 'peoples rights' that were suppressed by authoritarian regimes and opened up the democratic space by allowing more regular political competition, it also revived nationalistic feelings and demands which include among other things territory and control over resources. The achievement of any of these involves confrontation with the central authority. Most internal conflicts in Africa are about resource appropriation and their intractable nature makes it difficult to resolve them. Given the protracted nature of these conflicts the OAU reconsidered its approach to conflict management and decided to reinvent a new mechanism to respond to the security needs of the new international environment created by the end of the Cold War. As Berman and Sams point out, 'there was growing awareness that was already taking hold in Africa that the continent would become further marginalized once the west no longer had to compete for friends and influence'.

6.3) New era of intervention.

The Gulf War seems to have ushered in a new era of intervention in international relations. The international coalition that was set up and empowered by the UN Security Council to flush the Iraqi forces out of Kuwait was unprecedented. The operation 'Desert Shield' was formally established in November 1990 aimed at securing the withdrawal of Iraqi forces from Kuwait. A follow-up operation codenamed 'Operation Desert Storm' was launched in 1991 directed against targets in Iraq and parts of Kuwait under Iraqi occupation. Following Iraq's defeat, the Allied Forces established 'no-fly' zones north of the 36th parallel (Kurdistan) and south of the 32nd parallel, both in Iraqi airspace.

As Mario Bettati (1991) notes, 'by adopting the UN Security Council Resolution 688 (1991), it set a precedent in International Law in that the UN has approved the right to intervene in cases of human rights violations and humanitarian crises'⁵⁰. The idea that we were witnessing a new era of intervention designed to end human rights abuses conducted by dictatorial regimes and a more forceful approach to end ethnic conflicts was reinforced by the American-led intervention in Somalia.

The humanitarian crises that followed the Bosnian and Somalia conflicts served as catalyst in raising the awareness of the international community to the horrors of ethnic conflicts. The development of law of humanitarian intervention, provided Governments and NGOs with the legal arguments to get involved in the domestic conflicts where the state in question fails to cater for the needs of those dying of hunger and famine. However as James Mayall notes, 'the real problems raised by the increase in the number of recent interventions is the attempt to ground international society on principles of internal legitimacy as well as external sovereignty' (Mayall, 1998). Indeed the Balkan crisis is illustrative of this new form of intervention. Not only did western countries intervene in the Balkans to put an end to 'a humanitarian crisis', but they also recognised the independence of Croatia, Slovenia and Bosnia without the consent of the central government of Yugoslavia.⁵¹

The growing need to respond to humanitarian crises with unprecedented human tragedy in Africa led the OAU to include in its agenda during the summit meeting in Dakar in 1992 the possibility of creating a new mechanism that would deal with these crises. In the past, the OAU relied on external intervention and donor agencies arguing that Article 3(2) of its Charter prohibited interference in the domestic affairs of a member states.

⁵⁰ For a more informative discussion about the right to intervene in the internal affairs of a state, see Mario Bettati (1991) '*Un droit d'ingérence*'? R.G.D.I.P

⁵¹ For a useful discussion about intervention in these conflicts, see Damrosch L. (ed.) (1993) *Collective Intervention in Internal Conflicts*, Council on Foreign Relations Press.

The famine in Ethiopia and Somalia and the civil war in Mozambique were dealt with by the collective action of the international community. While the solution to some crises, notably the famine in Ethiopia, was food and medicine, in other conflict situations it was bad governance and therefore a distinction had to be made for rapid humanitarian attention.

The change in aid policy of western donors meant that conflicts related to the problems of bad governance were more complicated to resolve and therefore needed intervention at regional level. After the Somalia debacle, western powers became reluctant to intervene militarily and prefer to devolve the responsibility of managing African affairs to Africans. However support from the west would still be available to enhance the capacity of the OAU in conflict management. This involves training military officers, who would be at the disposal of the continental organisation. The confidence in OAU's capability in conflict management has prompted the US and other donor countries to invest financially and materially in the organisation.

The end of the Cold War also marked a change in the security needs of the African continent. In reviewing OAU intervention in conflicts, African leaders decided that "the time has come for the organisation to be proactive" (Gomez,1996). African leaders came to the conclusion that "in recent years, Africa has noted a certain reluctance on the part of the wider international community to provide the necessary support to address the conflict situations in Africa. This has led to growing consensus among member states that OAU leaders themselves, must first and foremost assume primary responsibility for addressing the challenge of ensuring Africa's security."⁵²

In the OAU peace support operations entry and exit strategies, 'the organisation could intervene in a conflict in a member state pursuant to the decision of the Central Organ in respect of grave circumstances namely war crimes, genocide and crimes against humanity'.

⁵² OAU Document: Enhancing Peace and Security in Africa: The OAU's programme for strengthening the Conflict Management Centre, Oct 1999.

The evolution of the OAU's intervention norms in certain conflicts are in the first place motivated by humanitarian concerns and the change in leadership in many African states as a result of the democratisation process set in motion after the end of the Cold War. The 'new breed' of African leaders became more interested in institutional conflict management. Internal conflicts in Somalia, Rwanda, Sierra Leone and the Democratic Republic of Congo took regional dimensions involving neighbouring countries and therefore prompt action was needed from the OAU. Finally, it was the UN policy contained in the 'Agenda for Peace' to devolve responsibility of managing crises to regional organisations and to enhance the capacity of these organisations through co-operation that made the OAU an entry point in managing Africa's conflicts.

6.4) OAU's principle of non-intervention reconsidered.

The post-Cold War witnessed an unprecedented rise in the number of conflicts in Africa. Confronted with the growth in number of these conflicts, many of which were essentially internal, the OAU drew lessons from its experience in conflict management to tackle the 'new conflicts'. This plan was to develop a mechanism capable of handling with these conflicts. The debacle in Somalia, which was an embarrassment for both the UN and the OAU underlined the urgent need for a quick response to managing conflicts. African leaders were aware of the fact that lack of action could only invite regional instability. But in some cases African initiative was virtually absent, as in the Somali crisis.

However there was growing concern by African leaders over the upsurge of conflicts on the continent. As the Secretary-General of the OAU noted, 'the prevalence of these conflicts cannot be attributed to lack of efforts. It is partly due to lack of an acceptable framework within which countries could be brought into convergence of view and allow for resolution of the conflicts. All too often, even when countries accept to enter into negotiations, they are, in many instances constrained by the lack of a viable and credible institutional framework, within the OAU, to which they could have recourse.'⁵³

⁵³ OAU Document: Resolving Conflicts in Africa: Proposal for action, 1992.

In the 1990 Declaration of the Assembly of Heads of State and Government on the political and socio-economic situation in Africa, African leaders committed themselves "to work towards the peaceful and speedy resolution of all conflicts in Africa, for the creation of an enabling environment for development" (ibid.). The Heads of State and Government expressed their determination to find solutions to the problems confronting the continent in the following words:

We are fully aware that in order to facilitate this process of socio-economic transformation and integration, it is necessary to promote popular participation of our peoples in the processes of government and development. A political environment which guarantees human rights and the observance of the rule of law, would assure high standards of probity and accountability particularly on the part of those who hold public office. In addition, popular-based political processes would ensure the involvement of all including in particular women and youth in the development efforts. We accordingly recommit ourselves to the further democratisation of our societies and to the consolidation of democratic institutions in our countries. We reaffirm the right of our countries to determine, in all sovereignty, their system of democracy on the basis of their socio-cultural values, taking into account the realities and the necessity to ensure development and satisfy the basic needs of our peoples. We therefore assert that democracy and development should go together and should be mutually reinforcing.⁵⁴

Clearly this is an ambitious programme designed to address the root causes of conflicts in Africa. By this Declaration, African Heads of State and Government reckoned that "while serious and sustained efforts had been made by the organisation in the past to resolve inter-state conflicts, the issue of internal conflicts had not, until then, been given the same attention" (ibid).

⁵⁴ Article 10 of the 1990 Declaration of the Assembly of Heads of State and Government of the OAU on The Political and Socio-Economic situation in Africa and the fundamental changes in the world.

Five years later, the African Heads of State and Government adopted the Cairo Agenda. It begins with a diagnosis of the problems the continent is facing and proposes new measures:

For many years, we have adopted at national, regional and continental levels many plans, strategies and programmes for the development of our countries, individually and collectively. Unfortunately, these plans and programmes were not adequately implemented by the majority of our countries and in some cases were completely paralysed and jeopardised by incessant civil strife and natural calamities. To rectify this situation, African countries must take effective measures within specified time frame to ensure satisfactory implementation and follow-up of decisions that we have made for the development of the continent. In this context, people should be the centre and object of development of our continent. To this end, government should ensure the involvement of the people in the conception, implementation and monitoring of development plans, programmes and projects. We are therefore committed to take the following actions:

- i) launch programmes to promote national unity especially through politics of inclusion and a culture of tolerance among various segments of our people and among countries of Africa, based on the principles of respect of human rights and dignity, free and fair elections, as well as respect for the freedom of the press, speech, association and conscience;
- ii) ensure speedy promotion of good governance, characterised by accountability, probity transparency, equal application of the rule of law, and clear separation of powers, as an objective and a condition for rapid and sustainable development in African societies.

iii) give maximum political and financial support to the OAU Mechanism for Conflict Prevention, Management and Resolution, for its effective peace-making operations, by involving all segments of the population and mobilising adequate official and private resources for the OAU Peace Fund⁵⁵.

So why this commitment to promote 'national unity' and 'good governance' and perhaps more significantly, why have African leaders decided to adopt a new approach to internal conflicts by 'giving maximum political and financial support to the OAU Mechanism for Conflict Prevention, Management and Resolution' which could imply bypassing the non-intervention norm?

There were several indications pointing to the gradual erosion of 'sovereignty' of many African states. Since the end of the Cold War population movement in Africa has intensified mainly because there were many more economic migrants seeking better lives in politically stable and economically better-off countries judging by African standards. For example countries like South Africa and Kenya saw a large influx of migrant workers from other parts of the continent. Since there are no strict immigration laws between African countries, "the OAU consensus on respect for existing boundaries and non-intervention in the internal affairs of other states crumbled under the strain, as smugglers, guerrillas and refugees moved back and forth across frontiers that were quite impossible to police" (Clapham,1998:p264). Perhaps more significant is the fact that OAU's commitment to the principle of self-determination which does not apply to movements within independent countries was challenged by both Eritrea which seceded from Ethiopia in 1993 and Somaliland.

⁵⁵ Relaunching Africa's Economic and Social Development Programmes: The Cairo Agenda for Action, adopted by the Thirty-First Ordinary Session of the Assembly of Heads of State and Government of the OAU, Addis Ababa, Ethiopia, 26-28 June 1995.

In 1991 the OAU summit of African Heads of State and Government acknowledged in its final communiqué that issues of security stability and development are linked and the attendant problems have been an obstacle to the realisation of the ideals of African Unity. In May of the same year, African Heads of State and Government held a conference on peace, security, stability, development and co-operation in Kampala. They adopted what came to be known as the Kampala Document which effectively maps out a framework for governance and development in Africa in the 90s and into the 21st century (Kampala Document,1991).

The document addresses the issue of security which 'it broadens to include economic, political and social dimensions of individual, family, community, local and national life.

The security of a nation, according to the document, 'should be construed in terms of the security of the individual citizen to live in peace with access to basic necessities of life while fully participating in the affairs of one's society in freedom and enjoying all fundamental human rights' (Kampala Document). Thus, the overriding dominance of 'security' over 'sovereignty' of African states, gives the OAU the possibility of monitoring the domestic performance of Governments on this issue.

Conclusion.

The end of the Cold War was widely seen as a new era of international cooperation to end civil strife especially in Third World countries. However, few foresaw the “pandemonium” that was to follow the end of the Cold War⁵⁶. The great expectation that followed the end of the Cold War was tempered by the upsurge of conflicts. Western countries which were expected to play a key role in conflict management had other priorities namely to contain the large influx of refugees and economic migrants from the former Soviet Republics. The UN's favourite model of conflict management, that is peacekeeping, which was conceived to deal with interstate conflicts proved inadequate in dealing with post-Cold War internal conflicts. Regional organisations, because of their geographical proximity, were expected to take the lead in the management of intrastate conflicts.

The evolution of OAU's non-intervention doctrine is to some extent the result of the convergence of three factors. First, from a Pan-African perspective, the African leaders believed that the doctrine of non-intervention undermines African solidarity because it was interpreted as meaning that what happens to people in an African country does not concern other people in other countries. This view is implicitly expressed in the Kampala Document when it states that “internal and external security for Africa must derive from a framework for common and collective continental security;

African governments must individually and collectively be guided by the principle of good neighbourliness and peaceful resolution of conflicts” and “National and continental self-reliance in certain strategic areas covering both military and non-military including popular participation in national defence, is vital for Africa's security”.

⁵⁶ Title of Daniel Moynihan's book , *Pandemonium: Ethnicity in International Politics*, (1993) Oxford: Oxford University Press. He is one of the few academics to get it right on the demise of the former Soviet Union.

Second, with the end of the Cold War and the withdrawal of foreign support for client states, many African countries embroiled in ethnic conflicts are too weak to resist intervention. Third, and more important, is the UN's assertive and interventionist policies in the 1990s which had far reaching consequences on the way in which regional organisations dealt with conflicts. The UN offloaded some of its conflict management tasks and gave a prominent role to regional organisations and in particular the OAU. The Rwandan conflict and the Eritrea-Ethiopia war are cases in point.

The end of the Cold War challenged those African countries under dictatorial rule and created an atmosphere of superpower cooperation in managing what is termed as 'peripheral conflicts' and humanitarian crises. Some progress was made in this area and Mozambique stands out as a good example of post-Cold War cooperation in conflict management. But some critics have misgivings about superpower cooperation in conflict management. Mayall (1991) argues that superpower intervention in conflicts was not entirely motivated by humanitarian reasons. He gave the US-led 'Operation Desert Storm' as an example. According to Mayall, 'there is an anomaly about the mobilisation of an impressive force to protect the independence of a small patrimonial state whose hereditary rulers had suspended the democratic rights of their own subjects' (Mayall,1991). The US-led intervention in Iraq was therefore bound to raise suspicion in some circles about the real motives behind such a heavy-handed intervention, but at the same time as it raised hopes especially for regional organisations like the OAU with limited capacity for intervention. However, it should be noted that 'forceful foreign intervention' is against the OAU principles. Furthermore it does not fit in OAU practice of conflict management.

Indeed one of the problems of OAU post-Cold War conflict management strategy is that it was conceived to involve greater participation from western countries thinking that conflict management was high on their agenda. The cost of nearly all OAU conflict management projects (The Early Warning System, The New Conflict Management Mechanism and Peacekeeping) was calculated on the basis of external funding. It was hoped that the UN-OAU partnership would strengthen the latter's capacity in conflict management. In this regard, the Somalia conflict raised hopes only to be thwarted by the Rwandan conflict.

The OAU became more active in conflict management after the end of the Cold War and in the process of innovating its mechanism for conflict management it neglected many aspects of its less costly 'traditional practices' which accounted for its success in the past. International mediation, highly embedded in legal formalities was preferred to the idea of 'an African approach to African problems' which is the Pan-Africanist approach to conflict. During the Rwandan conflict, the OAU relied heavily on UN intervention in the conflict but as events have shown, it was a disappointing experience for the OAU. On the other hand, OAU mediation in the Eritrea-Ethiopia conflict was crowned with success. So there are lessons to be learned from both conflicts. In chapter nine we will discuss ways of enhancing OAU's conflict management capacity by analysing the strength and weaknesses of the Peace Agreements signed in the three case studies and then suggest ways in which the OAU can be effective in conflict management. Our next chapter is a case study of OAU post-Cold War conflict management.

CHAPTER SEVEN

Rwanda: A Testing ground for OAU's new conflict management mechanism.

Rwanda was the OAU's first post-Cold War test in peacekeeping after its debacle in Chad. The concept of the new conflict management mechanism which was the product of OAU experience over the years in conflict management, was finally put to the test. In the previous chapter, we stated that what characterises this new conflict management mechanism is the emphasis on conflict prevention rather than conflict resolution. In practice, this means that the OAU would be in a position to pick up the early warnings of an impending conflict. However in the case of Rwanda, the neutral military observer team that the OAU sent was not deployed until during the early stages of the conflict itself. In this chapter, we will look at its origins and how the OAU performed in the conflict and see if it has learnt any lessons from its experience in Chad. More importantly we will examine OAU's 'new concept' of conflict management and see to what extent it confirms or challenges intrastate conflict management theories.

7.1) Background to the conflict.

Since Rwanda's independence in 1962 the country has been bedevilled by civil war between the Hutus and Tutsis which are the two dominant social groups. These two groups are often labelled as two distinctive ethnic groups. It would be incorrect to categorise them as distinctive ethnic groups. They do not 'correspond to the classic anthropological definition of ethnic groups because the Hutu, Tutsi and Twi speak the same language and share a common culture' (Reyntjens,1996:p243). As Otafiire puts it, the "three are in reality social groups within the same nationality, the Banyarwanda" (Otafiire,1999:p29).

In pre-Colonial Rwanda, the Tutsis were mainly involved in cattle herding and the Hutu concentrated on agriculture. The distinction between Tutsi, Hutu and Twi was therefore defined by occupational status. The social division of labour between the two groups occurred during the colonial era.

During the colonial era, Belgium pursued a policy of consolidating its rule in Rwanda by recruiting civil servants from the Tutsi group whom it saw as rulers. By introducing in Rwanda a 'modern state machinery' with administrators and civil servants "the Belgian administration streamlined, reinforced and exacerbated ethnic belonging, and eventually turned the 'ethnic groups' into politically relevant groups" (Reyntjens, 1996: p243).

The social distinction between the Hutus and Tutsis was therefore heightened during the colonial era. First the social distinction centred on stereotypes such as 'cattle owners', a Tutsi occupation and the Hutu, 'agriculturists', who formed the major social group. In the African social hierarchy cattle owners occupied a higher status because cattle are widely perceived as wealth.⁵⁷ The Tutsi were absorbed into the colonial administration by the Belgians and were in effect selected to rule and were confirmed in positions of authority. This situation created a system in which the Hutu majority was kept out of power which meant that other political options open to them were extremely limited.

Various writers have tried to explain the reasons for the outbreak of the conflict in Rwanda by referring to the interplay between domestic and external factors. For example Regine Anderson (2000) argues that multilateral development assistance strategies, despite the best intentions, triggered the conflict. Chossudovsky (1996) and Storey (1999) for their part see the impact of the structural adjustment programmes as the main factor in explaining the Rwandan conflict and for Klinghoffer (1998) it was the military co-operation between Rwanda and the former colonial powers Belgium and France which provided training for the army and the militia. This enhanced the capability of the militias who played an important role in the events leading to the genocide. On the other hand, the Rwandan government saw the conflict as an 'Anglo-Saxon' plot masterminded by Uganda to overthrow the legitimate government.

⁵⁷ An example is the Fulani ethnic group who are cattle rearers and they inhabit the West African region.

The decision whether a conflict ought to be assigned to the category of 'domestic' or internal conflict or that of invasion by a neighbouring state or even a conflict arising from insurgency is not for purely academic convenience. In the case of Rwanda the RPF invasion from Uganda was a catalyst for the demise of a state that was in an advanced stage of social and political decay. We examine this judgement by looking at the internal problems the regime was facing.

a) Domestic issues

After Independence the Tutsis were subjected to Hutu attacks. The Hutu resented their subordination and felt that they were still socially discriminated against. As the tension heightened between the two communities the army saw it as an opportunity to step in. Major General Juvenal Habyarimana seized power in 1973 after a series of attacks on the Tutsis and promised to bring order to Kigali, the capital. He was to some extent successful in appeasing both ethnic groups by providing them economic and educational incentives.

However, President Habyarimana faced more serious problems during the later part of the 1980s even though he was re-elected in December 1988 with a landslide victory (99.98%!). The president's fortunes began to turn around in April 1988 when Colonel Stanislas Mayuga who was widely seen as a potential successor to the president was assassinated. The motives for his assassination were linked to actions which at the time were considered by members of the "Akazu" to be disloyal. President Habyarimana's close relatives, the "Akazu"⁵⁸ as they were called, were engaged in business and held influential positions in the society. The media denounced the endemic corruption and nepotism in his regime. Indeed it was the involvement of some of his relatives in the Gabeka project that landed president Habyarimana in trouble.⁵⁹

⁵⁸ "L'Akazu" in pre-colonial Rwanda means "small house" and it denoted the close relatives of the king (French Commission of Inquiry).

⁵⁹ It was a project to clear the Gishwati forest which is one of the most ancient forests of Rwanda for animal husbandry. Although the project was financed by the World Bank some influential people close to the Habyarimana regime decided to invest in it to enrich themselves.

There were growing demands from various sectors of the Rwandan society for political reform. In May 1990, in a brawl involving students and gendarmes in a concert held at the University centre in Butaré, one person was killed and several others were injured. This incident heightened the tension between the government and the public. It also demonstrated the nervousness of the government about 'gatherings' which served as a forum for opposition propaganda. While there was apparent freedom of speech and the acceptance in principle by the government of a free press, "gendarmes and soldiers continued to harass and arrest reporters who were critical of the regime" (Longman,1998:p81).

In 1990, the Hutu and those Tutsi who were politically excluded from the system joined forces and demanded political reforms. Opposition came from within Habyarimana's own camp which was itself divided into different interest groups. But Habyarimana's decision to undertake democratic reforms was largely informed by the outcome of the Baule conference in 1990 in France. During that conference the former French President François Mitterrand made a revolutionary statement in which he linked further French aid to its African allies on the basis of political reform. It was the stringent conditions to democratise "that forced President Habyarimana to reactivate the Rwandan Commission and the Ugandan-Rwandan Commission on refugees"⁶⁰.

President Habyarimana's promise to carry out political reforms did not diffuse the political tension because the reforms were reluctantly undertaken under outside pressure. It was a calculated move to exclude the opposition from any eventual power-sharing and government policies. The so-called reforms did not address the root causes of social and economic inequality between the two ethnic groups. The President concentrated power in the hands of a small minority, mostly from his home region in the Northwest. The democratisation process was a fiction to please the donor countries.

⁶⁰ According to the findings of the French Commission of Inquiry, M.Michel Leveque, former director of African Affairs at the Ministry of Foreign Affairs (1989-1991) confirmed that there was a link between President Mitterrand's Baule Discourse and the subsequent constitutional reforms in Rwanda as well as finding a solution to the refugee crisis. Following pressure from the Former French President, Habyarimana decided to reactivate the Rwandan Commission and the Uganda-Rwanda Commission on refugees.

As Filip Reyntjens put it 'the democratic reforms undertaken were quite artificial because the politicians have been the urban petty bourgeoisie while the rural population has hardly been affected by the phenomenon because the relations between the latter and the State have always been weak' (Reyntjens,1996:p241). Habyarimana's policies of creating equality between the Hutu and Tutsi were never pursued. For example, when he decided in principle that no mention should be made on ethnic identification cards and translated this policy into practice by issuing new cards to a group of prisoners, " the policy was never carried through to the remainder of the population" (Longman, 1998).

The supposedly political reforms by the Habyarimana government were undertaken in the context of deep economic crises. Rwanda's economy depends heavily on the sale of coffee. In 1987, the price of coffee on the world market plummeted following the collapse of the quota system fixed by the International Coffee Agreement. Michael Chossudovsky remarks that since the collapse of the price of coffee, which is Rwanda's main foreign exchange earner, "actual political power in Rwanda rested largely, in any event, in the hands of donors" (Chossudovsky, 1997). This was one of the reasons why president Habyarimana had no option but to implement the decisions taken at the Baule conference. The structural adjustment programmes imposed on Rwanda by the IMF as well as different development strategies promoted by Multilateral Agencies had "contradictory and mutually negating effects on each other, and they in combination contributed to a weakening of the regime" (Anderson, 2000:p441).The combined political and economic crises and reports of discontent within the army "exposed Habyarimana's vulnerability and gave the militant refugees the morale to launch their attack" (Kamukama,1993:p44).

b) External factors.

In October 1990, while president Museveni and president Juvenal Habyarimana were attending a conference in New York organised by UNICEF on the problem of children in the Third World, a group of rebels coming from Uganda attacked the border post of Kagitumba on the North-eastern border between Rwanda and Uganda killing a border guard and wounding several others. This incident 'marked the beginning of the Rwandan civil war' (Prunier,1999).

The rebels were Rwandan Tutsi who were among thousands of refugees who fled to Uganda, Tanzania, Burundi and Zaire following the 1959-1967 massacre in Rwanda. Many of these refugees were integrated in these countries 'acquiring new skills, new experiences, political outlook and importantly harbouring grievances against the regime which drove them out of their homeland' (Africa Rights,1995).

The most successful integration of these refugees took place in Ugandan society and part of the reason was that Uganda was home to a significant population of the Banyarwanda.⁶¹ In 1990, 'the population was over a million and the sixth largest ethnic group in that country' (Africa Rights,1995).The Ugandan society also offered the refugees with job opportunities and many of them succeeded in getting high posts in the administration.

The Rwandan refugees established themselves in Uganda and their achievements caused resentment among the local population. In 1982, under domestic pressure, the Obote regime forced many of them to return to Rwanda where President Habyarimana declared that he would not accept them on the grounds that "Rwanda was already "overpopulated" and could not absorb any more people" (Africa Rights,1995). Disenchanted by the way they were treated by the Obote regime and denied the right to return, some of the Rwandan refugees joined the ranks of the National Resistance Army led by Yoweri Museveni against the President Obote. They received military training⁶² and some of occupied key positions in the NRA. Notable among them were Fred Rwigyema and Paul Kagame. When the Obote regime was toppled in 1986, Fred Rwigyema was made Assistant Minister of Defence and Paul Kagamé head of NRA military intelligence.

⁶¹ Banyarwanda is the term used to designate the three main Rwandan ethnic groups as belonging to the same family.

⁶² The Secretary-General of RPF, M.Charles Murigande acknowledged that certain Rwandan refugees seized the opportunity to undergo military training during the arms struggle led by Museveni against the Obote regime in 1985 (French Commission of Inquiry).

The fact that some Rwandan refugees joined Museveni's rebel movement, the NRA, raises some legal issues regarding their status and the implication this has for the conflict. Under the OAU Convention the term 'refugee' could no longer be applied to the Rwandans refugees in Uganda once they decided to stay and work in their host country⁶³. The NRA victory in 1986 which brought Museveni to power gave a new dimension to the 'status' of the Rwandan refugees within its ranks. Henceforth any subversive activity conducted by these refugees breached international law.

The 1969 OAU Convention in its Article II (2) states that the countries that have signed the Convention, “undertake to prohibit refugees residing in their respective territories from attacking any State Member of the OAU, by any activity likely to cause tension between Member States, and in particular by use of arms, through the press, or by radio”.

By allowing the Rwanda Patriotic Front which was made up of refugees who were members of the NRA to operate from its territory, Uganda not only contravened the OAU Convention on Refugees, but its support for the rebel movement changed the dynamics of the Rwandan conflict and made it more complex to define. Depending on the angle from which one looks at the Rwandan conflict, it was either an ‘invasion’ from a neighbouring country or a conflict arising from insurgency. Any institution of conflict management that undertook to resolve the conflict faced tremendous challenges. This was evident in the case of the OAU.

The categorisation of the causes of the Rwandan conflict under 'domestic' and 'external' causes must be seen as a tentative judgement based on the interplay of both factors. As Charles King points out, 'no civil war is wholly internal because of concerns over widespread human right abuses, fear of a spill-over effect and threat to regional security' (King,1997:p17).The RPF invasion from neighbouring Uganda into Rwanda “acted as a violent outside catalyst on an internal political situation which had been on the verge of transformation” (Prunier,1995:p121).

⁶³ The 1969 OAU Convention Governing the Specific Aspects of Refugee problems in Africa ceases to apply to any refugee if he/she has acquired a new nationality, and enjoys the protection of the country of his/her new nationality.

7.2) OAU in the conflict.

When the conflict broke out in Rwanda, there were indications that it was to have wider implication for regional security because the rebel attacks were launched from neighbouring Uganda. A major source of preoccupation for the mediators “was the fact that the initial force of the invading army was composed of the hitherto serving members of the National Resistance Army (NRA) of Uganda” (Otafiire,1999).

In October 1990 The RPF led by Major General Fred Rwigyema invaded Rwanda from their base in Uganda. They were armed with heavy machine guns and multiple rocket-launchers. Most of their weapons came from the Ugandan regular army and according to Gerard Prunier, ‘even Museveni's guards supplied them with radio communication vehicles’ (Prunier,1995).

However the RPF suffered its first setback when its highly regarded leader, Major General Rwigyema was killed in a battle with the Rwandan forces, the FAR, and the rebel movement was forced to retreat. It was at this critical moment that Major General Paul Kagamé who was undergoing training in the United States decided to return to take command of the RPF. The change in leadership witnessed a radical change in the military strategy of the RPF. This involved regrouping the RPF in preparation for a final assault on Ruhengeri which was 'the heartland of the regime and contained the largest prison⁶⁴ in Rwanda with over a thousand inmates most of whom were political prisoners' (Prunier,1995).

The Rwandan government for its part relied on French military support as it waged war against the rebels. Before the first RPF offensive in October 1990, and in accordance with the 1975 Accord for military co-operation between France and Rwanda, there were ‘about twenty military and technical assistants in Rwanda’⁶⁵.

⁶⁴ It was in this prison that Theonest Lizinde, a close associate of President Habyarimana was held. It was believed that he knew about the circumstances surrounding the death of former Rwandan President Grégoire Kayibanda and some of his ministers.

⁶⁵ French Commission of Inquiry,1998.

When the RPF launched its first attack on Ruhengeri which marked the beginning of a long and protracted civil war that was to last for four years culminating in the 1994 genocide, France decided to launch the “Opération Noroît”.⁶⁶

The OAU reacted quickly to the civil war in Rwanda but “its leadership saw the RPF invasion of Rwanda not as aggression by a neighbouring state, but as an attempt by the children of exiled refugees to go home” (Malvern, 2000:p52). However, whether this judgement was accurate or not at the time, OAU's initial concern about the conflict in Rwanda was the problem of the refugees.⁶⁷ During the OAU Annual Summit in the Nigerian capital Abuja, a clear shift in OAU policy took place from concern about the flow of refugees to a policy of settlement of the underlying dispute. Following an agreement during the OAU summit in Abuja, a Sub-regional meeting under the auspices of the OAU was held in September 1991 in Gbadolité, Zaire which paved the way for the first direct talks between the rebel movement, the RPF and government officials which eventually led to a cease-fire agreement.

In a letter sent to the UN Secretary-General in August 1992, the OAU Secretary-General outlined his concern about the peace process which according to him, has reached a critical stage. He also informed the UN Secretary-General of the OAU peace initiatives and the decision to deploy a neutral military force in the demilitarised zone that separated the government forces from the RPF rebels. The military observer team composed of fifty personnel was to be drawn from Senegal, Zimbabwe and Nigeria.

⁶⁶ The decision to send French troops to Rwanda in what came to be known as “Opération Noroît” was taken by President François Mitterrand in October. The objectives were: to protect the French Embassy and French citizens and participate in an eventual evacuation of French Nationals.

⁶⁷ The Dar-Es-Salaam Declaration on the Refugee problem (1991), urged the OAU member states, the international community and international organisations concerned, to take appropriate steps to facilitate naturalisation and the economic and social integration of Rwandese who might opt to settle outside their country of origin; the Declaration further requests the OAU and the UNCHR to involve the countries concerned, donor countries and agencies and international institutions in the formulation of this plan of action. In order to implement the provisions of this plan of action, the OAU and the UNCHR were mandated to convene a donors meeting within six months after the adoption of this declaration in order to mobilise the necessary resources.

The Security Council Resolution 812 proposed the creating of an international force under OAU auspices to deal with the humanitarian crisis. It recommended the deployment of military observers under the command of General Romeo Dallaire on the border between Rwanda and Uganda where tension was mounting.

Finally the Resolution was also a tribute to the efforts of the OAU since the beginning of the conflict, in particular the prevention of the resumption of fighting and monitoring of the cease-fire. The United States clearly favoured the idea that the OAU should play a leading role in bringing about peace in Rwanda.⁶⁸

It seems that the OAU involvement in the conflict took a peacekeeping dimension when 'it took the decision as early as 1990 to send a peacekeeping mission to Rwanda' (Berman & Sams, 2000). The 1991 N'sele Agreement called for the creation of a team of military observers, the Neutral Military Observer Group (NMOG). But NMOG's task was made difficult by its size which did not deter the belligerents to violate the cease-fire signed. It was a modest force which reflected OAU's capability in the area of peacekeeping.⁶⁹ Although there were problems 'in fielding and sustaining NMOG, the OAU Council of Ministers agreed in June, 1992 to create an enlarged follow-up operation' (Berman & Sams, 2000). The OAU managed to have 'only two infantry platoons which enabled NMOG to become operational in 1992' (Berman & Sams, 2000).

After the beginning of the peace talks in Arusha in 1992 the OAU maintained a high profile because 'the Secretary-General of the organisation was anxious to achieve a peace agreement in order to help establish the projected African conflict resolution mechanism' (Clapham, 1998). As events unfolded leading to the genocide in 1994 it became clear that the Rwandan conflict needed more resources than the OAU could afford. Thus, it was a major challenge for the OAU and its newly created conflict management mechanism.

⁶⁸ Document 2: Letter dated 6 August 1992 from the Secretary-General of the Organisation of African Unity, Salim Ahmed Salim, to the Secretary-General of the UN concerning the implementation of the 14 July 1992 cease-fire agreement, in "The United Nations and Rwanda: 1993-1996, New York: UN Department of Public Information: pp149-150.

⁶⁹ UN Document: S/26488 Report of the Secretary-General on Rwanda, 24 September, 1993.

But the OAU conflict management mechanism was essentially conceptual and when it became operational for the first time in the Rwandan conflict, it had neither the logistics nor the financial resources to mount a proper peacekeeping operation.

This was illustrated by a statement from the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution in which it merely expressed its concern over the situation in Rwanda.⁷⁰ The effectiveness of OAU's conflict management mechanism depended both on its operational capacity and on support from the UN which was not forthcoming.⁷¹

7.3) The Arusha Peace Agreement.

The OAU was one of the key actors in the pre-negotiations which were held in Kampala, Brussels and Paris that eventually led to the signing of the Arusha Peace Agreement. In May 1992 pre-negotiations took place between the RPF and representatives of three parties namely MDR (Mouvement Démocratique Républicain), PSD (Parti Socialiste Démocrate) and the PL (Parti Libéral) which together, form the FDC (Forces Démocratiques pour le Changement). A cease-fire accord was signed on the 5th of June despite opposition from the MRND (Mouvement Révolutionnaire National pour le Développement.)

The negotiations took place in July 1992 in Arusha, Tanzania under the auspices of the OAU then in Addis Ababa from the 26th July and then finally back to Arusha in August. From the beginning of the negotiations, there were signs that it was not going to be easy to implement of any decision taken in Arusha.

⁷⁰ S/1994/440, 14 April 1994 enclosing a statement dated 14 April 1994 of the Central Organ for conflict prevention, management and resolution meeting at Ambassadorial level.

⁷¹ Document 9: Letter dated 29 March 1993 from the Secretary-General of the OAU to the Secretary-General of the UN requesting for urgent logistical and financial support.

According to Herman Cohen, the former Under Secretary of State for Africa testifying during of the French Commission of Inquiry, 'there was always an empty seat during the peace talks, that of President Habyarimana..., the Foreign Minister of Rwanda was negotiating without the support of his president and it was therefore difficult to foresee the implementation of any peace accord under such circumstances'.⁷²

Similar remarks regarding the non-committal stance of the Rwandan delegation were made by M.Jean-Christophe Belliard, the French representative at the Arusha talks. He noted that 'the Rwandan government delegation which included M. Boniface Ngulinzira, former Foreign Minister, M. Claver Kanyarushoki former Rwandan Ambassador to Uganda and Colonel Théoneste Bagosora were in constant disagreement and they were in a position of weakness in the negotiations....that sometimes the disagreement was such that discussions had to be suspended.'⁷³

The Arusha Peace Process was further complicated by the number of mediators involved who had different interests other than the success of the negotiations. For example, Zaire was more concerned about the spill over effect of the conflict. According to Henri Rethore, former French Ambassador to Zaire from 1989-1992, Mobutu, the former Zairian President's involvement in the mediation process was motivated by two reasons; First he was the doyen of Heads of State in the region and wanted to play a key role on the international scene especially at a time when his regime was discredited by the international community following scandals about corruption and abuse of power. The second reason was the strong ties of friendship between him and President Habyarimana of Rwanda. He sent a force composed of two thousand officers to help his friend.⁷⁴

⁷² French Commission of Inquiry, 1998.

⁷³ Ibid.

⁷⁴ Ibid.

However Mobutu succeeded together with other mediators and under the auspices of the OAU in getting the rebels and the Rwandan government to agree to a cease-fire: the Gbadolite cease-fire in 1990 and the N'sele cease-fire both signed in Zaire but were never respected. This was in part because the rebel movement, the RPF, did not have confidence in a dictator and did not want to offer him the chance to enhance his credibility on the international scene. Mobutu was politically weak as a result of the increasing domestic problems he was facing.

Tanzania's involvement in finding a peaceful solution to the conflict started with the organisation of a conference on refugees. Tanzania was also preoccupied with the security situation in the region. In a statement to the French Commission of Inquiry the former French Ambassador to Tanzania said that the Rwandan conflict and regional stability were always at the centre of discussion he had with both President and Foreign Minister of Tanzania.⁷⁵

France's role as a former colonial power in the Arusha negotiations was more ambiguous. Officially its role was to encourage the process of democratisation in Rwanda. It also despatched an observer team to the Rwandan-Ugandan border after an agreement was reached between Rwandan and Ugandan Foreign Ministers in Paris. But French interest was to maintain its presence in the region and help its allies such as Rwanda. However more controversial was the role of the Belgian Government. The Belgian Ambassador to Rwanda, Johan Swinnen said there was no doubt that the talks in Arusha would succeed because there was no other option left to the belligerents (Willeme,1997). Curiously enough as the Willeme remarks, 'the presence of observers from Belgium was anything but episodic' (Willeme,1997:p22). Apart from the Ambassador, only three delegates attended the peace talks and 'there was no position document, no evaluation of the peace process was made by the Belgian delegation' (ibid.).

⁷⁵ Ibid.

After a long process of negotiations, the Arusha Peace Agreement was finally signed on 4th August 1993. It incorporated six protocols: the N'sele cease-fire agreement, the fundamental rule of law, integration of the armed forces into the national army, power-sharing repatriation of refugees and other provisions. Key to the success of the Agreement was the creation of a Broad-based Transitional Government.

During the transitional period the 'Fundamental law' which was the combination of Rwanda's 1991 constitution and the Arusha Peace Agreement would form the law of the country and would prevail in the event of a conflict of laws. By the same token the Protocol abrogated nearly half of the provisions of the 1991 Constitution thus weakening the executive powers of the President. The political implication was that the cabinet and the Prime Minister held the power of decision-making.

The process of demobilisation and disarmament were to be undertaken by a UN force which had the task of monitoring the cease-fire agreement and the establishment of an extended demilitarised Zone. In 1993 the UN Security Council passed resolution 872 which established UNAMIR for an initial period of six months. The first contingent of UNAMIR under the Canadian General Dallaire arrived in Kigali in October 1993. However with no apparent progress in the political process and the setting up of the institutions under the agreement, the security situation gradually deteriorated.

From the outset the Hutu-led government was not enthusiastic about the peace agreement with the rebels because it stood to lose in any peace settlement. President Habyarimana had "consented to sign the Arusha Peace Agreement not as genuine gesture marking the turning over of a new political leaf and the bringing of democratisation to Rwanda, but as a tactical move calculated to buy time, shore up the contradictions of the various segments of the opposition and look good in the eyes of the donors" (Prunier,1995:pp194-195).The Rwandan government had to share power with the rebels, something the Hutu government was reluctant to do because they considered the rebels armed bandits. Second the government had to give in on certain demands, such as setting up of a special court to try high government officials who had mismanaged the country's wealth.

7.4) Appraisal of OAU's performance in the conflict.

OAU intervention in the conflict was in accordance with the provisions of its conflict management mechanism designed to bring political stability to the country through a constitutional process. Its action was therefore “in recognition of the organisation's principle that African states had a primary responsibility to address regional conflicts” (Suhrke,1997).

For the first time after its debacle in Chad, OAU sent an observer team to Rwanda as a preventive strategy. The role of the military observer team was, in the words of the Secretary-General of the OAU, “to act as a confidence building measure and provide that critical link which had held dialogue between the parties together”.⁷⁶

One fundamental problem that emerged from the Arusha Peace Process was a marked contradiction between the concept of preventive diplomacy which is the centrepiece of OAU conflict management mechanism and the process of negotiated solutions to what is called ethnic conflicts. Under section 15 of its conflict management mechanism, it is stated that, “The Mechanism will have as primary objective, the anticipation and prevention of conflicts”. Why the OAU was unable to anticipate the conflict in Rwanda when the conflict was in the offing is difficult to understand. Previously we have argued that in order to enhance OAU's capacity for conflict management it must shift emphasis from purely 'institutional framework' of conflict management to an informal approach to conflict management by working closely with the people on the ground. This could have helped the OAU pick up the early warning signals that there was a looming human disaster. According to the Carnegie Commission⁷⁷, human rights groups such as Africa Watch warned in 1993 that Hutu extremist leaders had compiled lists of individuals to be targeted for retribution and who became the first victims of the genocide.

⁷⁶ Document 9: Letter dated 29 March 1993 from the Secretary-General of the OAU to the Secretary-General of the UN, The UN and Rwanda,1993-1996, Department of Public Information.

⁷⁷ Report by the Carnegie Commission on preventing deadly conflicts, 1997. p4.

When the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution met in April 1994 in Addis Ababa at ambassadorial level to consider the grave situation in Rwanda, it passed a Resolution which is an exemplar of the ineffectiveness of decisions taken at such level. The Resolution which was passed following the incident in which both the Presidents of Rwanda and Burundi were killed states that:

The Central Organ expressed shock and profound sadness over the tragic incident in suspicious circumstance in Kigali which resulted in the death of the Presidents of Rwanda and Burundi;

The Central Organ while expressing its outrage and indignation at this development, calls for the immediate institution of an independent, thorough and impartial investigation into the circumstances leading to the air crash; The Central Organ is gravely concerned over the resumption of armed hostilities; The Central Organ calls for immediate commencement of negotiations leading to the establishment without delay of transitional institutions.⁽⁷⁸⁾

Two remarks should be made on this resolution. First, the vacuousness of such resolution could easily play in the hands of OAU critics who will not hesitate to point out to yet another manifestation of the organisation's incapacity. Such remarks would obviously dwarf the OAU's contribution to the resolution of the conflict. It would be inappropriate to pass judgement on OAU's performance by referring only to resolutions. The whole point about resolutions is to affirm great principles and set lofty targets. But in terms of approach, this resolution is revealing. It seems to espouse the view that 'state institutions' are central to its conflict management strategy. For example it calls for the "establishment without delay of transitional institutions" when the institutions in Rwanda were non-existent.

⁷⁸ UN Document: S/1994/440, 14 April, 1994, Enclosure: statement dated 14 April 1994 of the Central Organ for Conflict Prevention, Management and Resolution (meeting at ambassadorial level).

According to the Report on 'Lessons learned from Rwanda', when the Arusha Peace Agreement was signed, ' Rwanda seem to be a textbook case for successful peacekeeping operation'. In retrospect, it is apparent that the underlying issues were not resolved at Arusha. Within Rwanda too, some political factions had voiced open opposition to the entire Arusha process. Observers of the Arusha negotiations have stated that the two sides represented at Arusha were not balanced: the RPF came as consolidated bloc with a common position on the issue, while the government side was divided and riven with internal conflict. There was a jockeying for ministerial portfolios among the Rwandese political parties and some had rejected the Agreement outright.

This thesis argues instead for a Pan-Africanist approach, which essentially means, in the case of Rwanda, shifting emphasis from the normative state system type of mediation to inter-Rwandan mediation and dialogue. In other words the OAU's efforts in conflict management should have been geared towards community-based initiatives which were absent during the Rwandan conflict.

7.5). What lessons for conflict management in Africa in the post-Cold War era.

The Rwandan conflict eventuated in the 1994 genocide. Both "provide an extraordinary and tragic example of the failure of the world community to take effective preventive action in a deadly situation".⁷⁹

One of the major changes in post-Cold War conflict management is that states no longer occupy such a privileged position in conflict mediation. Rebel movements which in principle are not recognised in international law, are now elevated in some views to the same level as states. This has immensely enhanced the bargaining power of rebel leaders which explains why conflicts sometimes drag on for quite a long time.

⁷⁹ Report by the Carnegie Commission on preventing deadly conflicts, 1997, p3.

Indeed in the Rwandan conflict it was the fear of eroding state power by concessions made to the rebels that President Habyarimana declared that a transitional government could not be established because no conclusion has been reached with the rebel movement, RPF.⁸⁰

During the peace negotiations there was a general assumption that “participants in the political process shared a common value framework” (Clapham,1998). Such an assumption 'led to a fundamental misunderstanding of the nature of the conflict and also contributed to false political and military assessments'⁸¹. For example a document from the Belgian Secret Service states that 'all the problems in Rwanda and Burundi boil down to the problems between Hutu and Tutsi, two ethnic groups that have found it difficult to co-habit'.⁸² On the contrary the Rwandan conflict exemplifies the features of what Jean-Germain Gros calls a “captured state”, that is ‘a state that has a strong centralised authority but one that is captured by members of an insecure elite to frustrate and in the extreme eradicate its rival elite’ (Gros,1996:pp455-471). In other words, it is a 'conflict for the preservation of political power by an unscrupulous leadership' (Willame,1997).

International mediators dealing with the Rwandan issue believed that any solution to the conflict would entail power-sharing between Hutu and Tutsi that would offset the political inequality between the two ethnic groups. But as Mamdani rightly puts it, “power-sharing will not be durable without a reform of the structure, so that majority and minority are not permanent artefacts institutionalised in the structures of the state and confirmed by the political process set in motion by that state” (Mamdani,1996). Any attempt at power-sharing and reconciliation between the Hutu and Tutsi had to transcend ethnic dualities.

⁸⁰ Document 31: Letter dated 6 January 1994 from the President of Rwanda Juvenal Habyarimana to the UN Secretary-General, in 'The UN and Rwanda,1993-1996, The UN Department of information.

⁸¹ Comprehensive Report on Lessons Learned from United Nations Assistance Mission for Rwanda (UNAMIR), October 1993-April 1996, UN: Department of Peacekeeping Operations, 1996.

⁸² Belgian Commission of Inquiry,1997.

A general pattern that has emerged in post-Cold War conflict management is "the creation of multiparty support for electoral competition or broad-based government" (Clapham,1998). However, the process of democratisation envisaged by the Arusha Peace Agreement was 'based on an abstract model of inter-ethnic solidarity' (Chossudovsky,1997). Indeed the process of democratisation started before the peace process. But, as Regine Anderson notes "whereas multiparty democratisation process de facto leads to a fragmentation of political groupings and competition between them in order to achieve power, a peace process presupposes unification between them in order to achieve its goal" (Anderson, 2000).

The Rwandan conflict highlights the difficult partnership between the OAU and the UN. Under chapter VIII (52) of the UN Charter, regional arrangements are expected to make every effort to achieve pacific settlement of disputes before they are referred to the Security Council and the UN would then support initiatives taken at regional level. Consequently when the conflict broke out that support was not forthcoming. Indeed the OAU "was effectively discouraged by the UN from taking a larger role" (Suhrke,1997:p113). According to Vincent Faber, the International Community and the UN in particular both contributed to the failure to resolve the Rwandan crisis.⁸³

The United Nations Security Council passed resolution after resolution over two years without ever providing means to implement them. Faber points out that the UN sent Two thousand Five hundred Blue Helmets to Rwanda before the escalation of the conflict to guarantee the Arusha Accords and protect the civilian population.⁸⁴ However, it refused to authorise protective measures to be taken by the force and, worse, it reduced the number of Blue Helmets to a tenth of its strength at the height of the violence (Faber,1997).

⁸³ A panel of senior military leaders convened by The Carnegie Commission on Preventing Deadly Conflict, the Institute for the study of Diplomacy at Georgetown University and the US army generally agreed that early military intervention within two weeks of the initial violence by a force of 5,000 could have made a significant difference in the level of violence in Rwanda, Report by the Carnegie Commission on Deadly conflict, 1997.

⁸⁴ UN Resolutions 872,891,893 and 909.

Conclusion.

Prima facie, the Rwandan conflict may seem expose 'old tribal hatred' which some writers argue is characteristic of contemporary conflicts in Africa (Kaplan,1994). Kaufmann (1996) rightly argues that "in ethnic wars both hypernationalist rhetoric and real atrocities harden ethnic identities to the point that cross-ethnic political appeals are unlikely to be made and even less likely to be heard. But he misses the point when he states that "to save lives threatened by genocide, the international community must abandon attempts to restore war-torn multi-ethnic states. Instead it must facilitate and protect population movements to create true national homelands" (Kaufmann, 1996). This argument is against the ideals of Pan-Africanism.

A United Nations Report on Rwanda suggests that 'there was a fundamental misunderstanding of the nature of the conflict and this contributed to false political assumptions and military assessments. The Security Council, which has the primary responsibility for the formulation of peacekeeping mandates, at the beginning of the crisis, tended to view the situation in Rwanda as a small-scale war. The internal political conflicts within the Government of Rwanda, and the mounting evidence of the politically motivated assassinations and human rights violations in the country were ignored or not explored'⁸⁵

Far from being a 'tribal and irrational convulsion of hatred', the "Rwandan tragedy is the kind of situation that is likely to recur when a great human disaster looms in a region of little strategic or economic concern to the major powers who currently constitute the crucial permanent membership of the Security Council".⁸⁶

In conflict management there is a tendency to favour the maintenance of a non-existent peace rather than getting down to peace building that implies long-term action. In 'ethnically' divided society of mutual suspicion "peace agreements" do not

⁸⁵ Comprehensive Report on Lessons Learned from United Nations Assistance Mission for Rwanda (UNAMIR), UN: Department of Peacekeeping Operations, 1996.

⁸⁶ Report by the Carnegie Commission on Preventing Deadly Conflict,1997.

mean anything to the majority of the population. Indeed “peace agreements” are difficult to hold when the issues involved in the conflict centre around resources.

In this case, as Duffield (1997) argues it is doubtful if the same conflict resolution approaches are valid everywhere. Although peace accords are confidence-building measures, parallel work must be undertaken such as addressing the root causes of conflicts.

Conflict management theorists have criticised the way in which organisations intervene in conflicts. Burton for example advocates for 'needs analysis' as the first step towards the handling of conflicts. Galtung argues that peace must not be imposed by international organisations because the end result is a form of 'dictatorship'.

While evidence of such practices has emerged in the way conflicts are handled in Africa, the sole effective post-Cold War conflict manager besides regional organisations remains the United States. However domestic and political constraints especially from Congress have hampered its interventionist policies regarding conflicts in Africa.

The Rwandan conflict confirmed the role of the OAU as the first port of call for conflict management in Africa⁸⁷. Its intervention in the initial stages of the conflict was to some extent successful although its peacekeeping efforts were frustrated by the lack of immediate response from the UN to build on the initial successes. Kieh (1998) attributes the success of the peacekeeping operation in Rwanda to two major factors. First, ‘the OAU had the political will as it has realised that it has to take the initiatives to resolve the continent’s problems. Second, the peacekeepers had a better understanding of the conflict in that they related better to the combatants’ (Kieh, 1998:p28).

OAU's preventive diplomacy did not produce the expected results. The reason for this was that the Rwandan conflict occurred at a critical juncture in international relations. The United Nations Security Council had Iraq and Somalia to deal with.

⁸⁷ The OAU Secretary-General pointed to Rwanda as a success for OAU’s preventive diplomacy; Interview with OAU Secretary-General, London 19997.

Its failure to take any preventive action was 'partly due to its overload' (Adelman and Suhrke, 1996).

Thus, what was lacking in OAU's conflict management strategy was not only an active preventive diplomacy in Rwanda but also the absence of a Pan-Africanist approach to the conflict. The comprehensive report on lessons learned from United Nations Assistance Mission in Rwanda recommends "all mission personnel should be briefed on the history, culture and traditions of the host country, the nature of the conflict, the mandate of the mission, and the role and functions of the different components and agencies that are operating in the area..."⁸⁸ This could have helped to shape OAU diplomacy in a way that 'it could reduce the impact of the causes of the conflict' (Azar, 1990).

⁸⁸ Comprehensive Report on lessons learned from United Nations Assistance Mission for Rwanda, UNAMIR, October 1993-April 1996, Department of Peacekeeping, 1996.

CHAPTER EIGHT.

The strength of the OAU in conflict management: The case of the Eritrea-Ethiopia conflict.

The Eritrea-Ethiopia war is the first post-Cold War interstate conflict in Africa. The significance of this conflict is that it happened at a time when many African scholars thought that interstate conflicts now belonged to the past. As far as the OAU is concerned, the conflict is the first test for its 'new conflict management mechanism', and a challenge to its doctrine of preventive diplomacy where its strength lies.

8.1) Geopolitics of The Horn of Africa.

The Horn of Africa is the region that comprises Djibouti, Eritrea, Ethiopia, Somalia, Sudan and the North-Eastern region of Kenya. It is a region that has a history of clan relationships that run across borders. In an area largely inhabited by nomadic people with scarce natural resources and the freedom of movement restricted by state borders 'political loyalties do exist on the other side of the border' (Tekle,1996). However beneath these political loyalties, there are often tensions that arise from these relationships between populations that are nomads and agriculturists over grazing areas. The imprecise nature of the borders in the Horn, 'makes it one of the most volatile regions in the world' (Halliday,1982). The Horn has been "savaged by the longest liberation (secessionist) war fought on the continent, several minor interstate wars, several civil wars, one major revolution with implications beyond the region and countless coups d'état and insurrections" (Tekle,1996). Since the early 1960s, countries of the region have vied for 'territories not in their jurisdiction but in which one country has its ethnic group' (Nzongola,1991).

The Horn of Africa is strategically located between the Middle East and Sub-Saharan Africa and its position near the Indian Ocean and the Red Sea makes it important for any maritime intervention and trade. This made the region more attractive for superpowers in search of spheres of influence.

The Horn 'attracts the interest and involvement of major outside powers, not because of inherent wealth or resources, or because of its intrinsic importance, but primarily because of its strategic location in relation to the great oil producing areas of the Middle East, and the transport routes from those areas to the West'.⁸⁹ The strategic importance of the Horn to Soviet Union for example was carried in a story by TASS:

The importance of this region is determined by its geographical situation at the junction of two continents-Asia and Africa, by the presence of first class ports in the Gulf of Aden and in the Indian Ocean, and what is important by the fact that important sea lanes, linking the oil producing countries with America and Europe, pass through the region (Tass,8 February, 1978).

The Horn has been an important zone of superpower influence during the Cold War and a theatre of confrontation between them mainly for strategic reasons: important sea and land routes (Gambari,1991).The superpowers took advantage of 'the enduring cleavages between Ethiopia and Somalia, Ethiopia and Sudan and to a lesser extent Somalia and Kenya as an entry point into the region to secure their interests' (Lyons,1996). However the strategic importance of the Horn must not be overrated in trying to explain why the region was the scene of superpower rivalry and the theatre of wars by proxy. The Horn itself ' does not provide a conducive environment or sophisticated military facilities for conducting a large scale war and those that exist in the area were expensively constructed and supplied' (Brind,1984:p76).

In 1974, Portugal was forced to pull out of its former colonies because it had to deal with an internal revolution. This created a political and military vacuum which the superpowers sought to exploit. In the Horn this created in turn a new interventionist situation with the Soviet Union and Cuba getting increasingly involved in African affairs. Cuba's presence in the Horn became perceptible in 1974 when it sent a contingent of military officers to Somalia. This was a sign that in the superpower rivalry, the Soviet Union and Cuba identified Somalia as a key ally in the region.

⁸⁹ The Parliament of the Commonwealth of Australia: Report of the Joint Committee on Foreign Affairs and Defence, 1984, hereinafter called 'The Report of the Joint Committee'.

During the early parts of the 1970s Somalia's status as a key ally paid dividends when it became "the largest recipient of all forms of Soviet assistance in Africa with military aid estimated at \$132 million dollars up to 1975" (Brind,1984). However "the years from 1974 to early 1977 witnessed a gradual but definite shift in Soviet policy. Having formalised its close ties with Somalia through a treaty of friendship and co-operation, Moscow proceeded to expand a range of its policy in the region. In 1976, in what was a significant departure, Moscow began to pursue a policy which sought to combine good relations with both Somalia and its traditional adversary Ethiopia" (Patman,1990:p150).

On the other hand, American presence in the Horn is often seen as strategically motivated by the need to have access to oil in the Arabian Peninsula vital to its economy. The safety of the oil fields as far as America was concerned had to be ensured against the growing Soviet influence in the region. But as Gorman points out 'Soviet interests in the Horn have been primarily geopolitical and not compelling. Its influence in the Horn could be used to prevent oil traffic through the straits of Bab el Mandeb, but such a move would affect the west only minimally, as most oil traffic already goes by the way of the Cape of Good Hope in supertankers that were designed during the closure of the Suez Canal after the 1967 Middle East War (Gorman, 1981). However, the stability of the Arabian Peninsula was in America's strategy contingent upon stability in the Horn.

In 1977 "a number of dramatic events were not only to create the setting and see the commencement of the Ethiopia-Somalia war, but also to see a complete realignment of superpowers in the Horn" (Report of The Joint Committee:p54). Relations between the United States and Ethiopia deteriorated after the US became critical of Ethiopia's repressive policy towards the Eritrea guerrilla movement while the USSR increased its influence in Somalia. The Port of Berbera and other facilities that Somalia offered to the USSR helped the latter 'enhance its global reach in respect to the Middle East, the Horn, East Africa and the Indian Ocean' (Report of the Joint Committee). However one notable feature of superpower diplomacy in the Horn in the 1970s and 1980s was the frequent shifting of alliances.

In 1980 the US and Somalia signed 'the United States-Somali Facilities Access Agreement that provided for US use of Somali facilities at Berbera and Mogadishu in exchange for a total of \$53 million in economic aid and \$40 million in foreign military sales credits'.⁹⁰ In the Ogaden war which threatened the stability in the Horn, Ethiopia received some \$279 millions in military aid from the United States in exchange for the use of the facilities at Kagnew base outside Asmara.

8.2) Background to the conflict.

On the surface, the outbreak of the conflict between Eritrea and Ethiopia is linked to the strife in the Badme/Yirga triangle that flared up into an open confrontation. The disputed area, the Yirga Triangle which lies between the Mareb and Takazze rivers "is rugged, remote and inhabited by Tigrinya speakers from Eritrea and Ethiopia's Tigray" (Africa Confidential, 1998). Hostilities between the two countries began in May 1998 'when the Tigrean police in the Northern part of Ethiopia requested an Eritrean patrol unit to disarm and when the latter refused on grounds that they were within the jurisdiction of the Eritrean state, there was gunfire' (Iyob,2000).

Tension had been mounting in the area and there had been frequent skirmishes in the past. In early 1991 Eritreans were involved in a confrontation with the TPLF (Tigray People's Liberation Front) in a TPLF controlled area. The Eritreans were told that they were infringing on Ethiopian territorial jurisdiction. Asmara and Addis Ababa minimised the incident and attributed it to some elements of the local authority which were trying to take the law into their own hands. There was mutual suspicion between the two countries relating to the hegemonic designs of both countries. As Robert Gorman argued, "the most serious of threats to Ethiopian integrity was Eritrea. When it was federated by with Ethiopia in 1952 by UN decree against the will of at least half of the Eritrean population it became a veritable battleground in the 1960s following its annexation by Ethiopia" (Gorman, 1981).

⁹⁰ The Report of the Joint Committee.

The point that there was more to the conflict than the 'border issue' seemed to have been made in a statement by Eritrean Foreign Minister Ato Haile Weldensale at the Thirty-Fourth Summit of Heads of State and Government in Ouagadougou in 1998 that "as it happens, the colonial boundary between Eritrea and Ethiopia is among the most clearly defined boundaries. Indeed, it was established by a series of international treaties at the beginning of this century and has remained unchanged for over ninety years" (Weldensae,1998). Eritrean suspicions were confirmed when 'an apparently minor, unrelated event occurred when in 1997 the German government aid agency, the GTZ, was asked to help fund the printing of a new map of Tigray for the distribution to primary schools. This map incorporated into Tigray several contested areas that were under negotiations between the two countries' (Plaut and Gilkes,1999).

The conflict between Eritrea and Ethiopia started in May 1998 in the border area of Badme. It came as a complete surprise to the international community in general and the OAU member states in particular. This is because the partnership between the two countries 'had become symbolic of a new style of continental politics in post-Cold War Africa. President Issias Afeworki of Eritrea and the Ethiopian Prime Minister Meles Zenawi were praised for political stability and pragmatic innovations they introduced in their respective countries' post-war construction' (Iyob,2000).

However, the issue in this conflict contrary to the Eritrean Foreign Minister cited above seemed to be the border demarcation between the two countries which was never clearly defined even before Eritrea gained independence from Ethiopia in 1993. It was assumed by the leadership in both countries that the historical relationship between their people made the border issue irrelevant. Indeed as Iyob notes, "to some members of the new Eritrean leadership, seasoned veterans of guerrilla warfare insistence on formally drawing boundary lines, which they had traversed with impunity in the past may have appeared as an unnecessary bureaucratic hindrance to relations among comrades and equals" (Iyob, 2000).

Eritrea was federated with Ethiopia in 1952 under a United Nations agreement and then incorporated into the unitary state of Ethiopia in 1962. It gained its independence from Ethiopia in 1993 after many long years of liberation struggle. Eritrean independence came at a time of great changes especially for the OAU which "has already modified some of its sacrosanct principles, including the principles of non-intervention in the internal affairs of member states and respect for state sovereignty" (Tekle,1996). As Mayall notes, the 'Eritrean struggle has never come up for debate within the OAU and when it threatened to do so in the mid 1970s, President Numeiri who openly backed Eritrea had to abandon the idea when he became the Chairperson of the OAU because he feared that to raise the issue at the summit would damage his standing in Africa' (Mayall,1983).

The OAU and the UN were more sympathetic to the Eritrean cause and favourable to its eventual independence because Ethiopia is "itself a colonial power which established its present frontiers by participating with the Europeans in the partition of Africa; the Islamic World in general and the Arab league in particular have never accepted the concept of national self-determination as the ordering principle of international society" (Mayall,1983:p85). When the Marxist regime of Mengistu Haile Mariam was toppled by the combined forces of the Peoples' Revolutionary Democratic Front of Ethiopia led by Meles Zenawi and the Eritrean People's Liberation Front led by Isias Aforweki whose struggle was to liberate the two countries, it became possible to envisage an amicable separation. This is because both leaders believed that the two states could coexist as two viable political entities.

If the coexistence of the two states as separate entities was envisaged, its practicality was not worked out. The slowness of both governments "to formalise the basis of their post-war alliance could be attributed either to a lack of experience or to distrust of institutionalised politics with its demand for accountability" (Lyob,2000). Part of the deal contained in the separation agreement between the two entities was that access to the port of Assab would be allowed to Ethiopia which by virtue of Eritrea's independence, becomes a landlocked country. Eritrea benefited most from the agreement, because when it gained independence it was a debt-free nation.

However the greatest challenge faced by two of Africa's poorest countries was economic development. Although granting independence did usher in a new era of relative peace and stability 'the two erstwhile Marxist guerrillas had to embark on the process of democratisation and the introduction of a market economy which was not going to be an easy conversion' (Markakis,1996). Indeed the economic crisis the two countries were experiencing were compounded by Eritrea's introduction of its own currency, the Nafka, which limited the value and circulation of the Ethiopian currency. The financial constraints that these measures cost Ethiopia were sufficient to provide a cause for war. The border issue could just serve as a pretext. However it is important to examine the border issue between the two states in order to understand why it became the official explanation for the war.

The Cairo Resolution accepted by the OAU member states in 1964 reaffirms the intangibility of African borders inherited from colonial rule. Somalia and Morocco never accepted this resolution, on the basis that the resolution did not take into account the problem of self-determination. When Eritrea gained its independence from Ethiopia, there was no border demarcation treaty signed between the two countries. There was a tacit understanding between the two countries that they would accept the boundaries inherited from colonial rule but in practice this exercise proved to be contentious. The border between Eritrea and Ethiopia is largely defined by rivers but around Badme the border is an imaginary line linking two rivers. As Luard (1988) puts it, "conflicts result from the uncertainties concerning the border rather than from differences about its proper situation".

Eritrea's main argument is that its borders are those inherited from the colonial era, that is before it was federated to Ethiopia. The border referred to by Eritrea was fixed by a 1902 treaty signed between Ethiopia and Italy. Ethiopia on the other hand claimed that the border between the two countries is the existing border in the Badme region. Recent maps show that Badme, contrary to Eritrean claims, is indeed in Ethiopia.⁹¹

⁹¹ See Michelin map, 1994.

According to Jean-Louis Peninou, the conventional line of demarcation that was established between the Tigrean People's Liberation Front and the Eritrean People's Liberation Front during the liberation struggle, was established to the west of the old colonial boundary.

Other areas of contention between Asmara and Addis Ababa include the Tsorona-Zamlembessi area and the Bure area in the eastern border region. The sudden outbreak of conflict between the two countries confounded many political observers because it occurred at a time when the two countries were discussing the possibilities of eventual federation. Both countries were united in the struggle against a common enemy, the Mengistu regime in Ethiopia. Although the leadership in both countries is seen as 'progressive', that they should go to war over a border issue (progressive African leaders tend to be staunch supporters of African unity) confirms how the "high symbolic and psychological importance of national frontiers for nations and therefore even small violations or demands arouse very intense passions" (Luard, 1988).

Ethnic conflicts in the Horn are due in large part to 'the fact that territorial boundaries are inconsistent with the distribution of ethnic groups'⁹². But as the Report points out, "while it can be argued that the European colonial order, which saw the drawing of territorial boundaries inconsistent with ethnic boundaries, underlie some of the disputes in question, direct outside intervention has not been a factor in the conflicts over such boundaries once they were determined"⁹³

8.3) OAU Mediation.

At the initial stages of the hostilities there were a series of peace initiatives notably the joint US-Rwandan initiative. This peace initiative "calls for the deployment of a small observer mission to the Badme area, from which Eritrea would redeploy, and for the reestablishment of the previous civilian administration.

⁹² The Report of the Joint Committee.

⁹³ (ibid. p86.).

This was to be followed by a demarcation of the border on the basis of colonial treaties and international law" (Plaut & Gilkes,1999). It also recommends that both parties to demilitarise the entire common border⁹⁴. Aspects of these peace initiatives were eventually integrated in the OAU peace plan.

The conflict between Eritrea and Ethiopia featured prominently on the OAU agenda during its annual summit meeting in Burkina Faso in June 1998. In conformity with its role in conflict management, this summit was an opportunity to discuss the Eritrea-Ethiopia conflict at Heads of State level. A resolution supporting the peace proposal was adopted during the Burkina Faso summit. The preamble of the peace proposal reminds the belligerents of the need for Africans to unite and work together for peace and then exhorts them to accept an immediate cease-fire and to accept resolution AHG/RES.16⁹⁵ adopted during the OAU summit in Cairo, Egypt in 1964. It called for an immediate cessation of hostilities, and the armed forces in Badme town and its environs to the positions held before May 6. This redeployment would be supervised by a group of military observers under the auspices of the OAU and the UN.

The OAU's entry point in the conflict is based on paragraph XXII of its Mechanism for Conflict Prevention, Management and Resolution which stipulates that:

The Secretary-General shall, under the authority of the Central Organ and in consultation with the parties involved in the conflict, deploy efforts and take all appropriate initiatives to prevent, manage and resolve conflicts. To this end, the Secretary-General shall rely upon human material resources available at the General-Secretariat...In his efforts, Secretary-General may also resort to eminent personalities in consultation with the Authorities of their countries of origin. Where necessary, he may make use of other relevant expertise, send special envoys or special representatives as well as despatch fact-finding missions to conflict areas.

⁹⁴ US Press Statement on the US-Rwanda Peace Plan,1998.

⁹⁵ The Resolution relates to the 'intangibility of frontiers' in Africa.

OAU mediation was welcomed by both parties but they held different views on the role of the OAU. For Ethiopia the OAU mission was not an alternative to the work done by the facilitators namely the US and Rwanda. To them, the role of the OAU should be to impress upon both sides to respond positively and implement the provisions of the summit decision. For Eritrea, the OAU mission was a fresh initiative. The Eritreans wanted the OAU to play the role of an umbrella for all the effort to resolve the conflict peacefully.

The OAU decision after the conference was to mandate a High-Level Delegation comprised of the then OAU Chairman, President Blaise Compaoré of Burkina Faso, and the Heads of State of Djibouti, Zimbabwe and Rwanda to send a peace mission to both countries. The Burkinabé foreign minister and the UN special envoy Mohammed Shanoun headed a mediation team that was sent to Eritrea and Ethiopia. The eleven- point peace plan that the peace emissaries were carrying stipulated that Eritrea should withdraw its forces from "Badme town and its environs" and should redeploy to the positions it held before 6th May 1998. A group of military observers would be deployed in the area and this was to be followed by demilitarisation of the entire border. The question of border demarcation would be submitted to the UN cartographic unit in collaboration with OAU experts.

The intense diplomatic efforts undertaken by the OAU that led to the acceptance of the peace plan in principle by both Eritrea and Ethiopia did not end the hostilities. Ethiopia was unhappy with the technical arrangements contained in the peace plan and insisted that Eritrea must pull out all its forces from the Badme area as a precondition for any peace settlement. Other issues raised by Ethiopia were the omission of colonial treaties and the applicable international law from the Framework Agreement. The Ethiopian government also pointed out to the fact that although the Framework Agreement calls for the deployment of a military observer team, no mention is made of a peacekeeping force and the modalities of its operation.⁹⁶

⁹⁶ Questions submitted by Ethiopia to the OAU for clarification of the technical arrangements for implementation of the OAU Framework Agreement and its modalities.

On the other hand, points raised by Eritrea pertained to definitions and certain terms used in the Framework Agreement. For example, Eritrea sought clarification on issues such as the meaning of 'environs', the justification for unilateral Eritrean redeployment from Badme and the legal basis for border demarcation, modalities and time frame.⁹⁷

UN Security Council resolution 1226 of 1999 endorsed the OAU peace plan and urged Eritrea and Ethiopia to co-operate fully with the OAU. In addition, the UN and the OAU specialists on conflict management met in New York in April 1999 to work out a preliminary contingency plan in peacekeeping operations that would include military observers.⁹⁸

The OAU framework agreement and the modalities of its implementation were endorsed by the Assembly of African Heads of State and Government during the OAU summit meeting in 1999 in Algeria. The modalities for the implementation of the OAU Framework Agreement on the settlement of the dispute include the following points:

The Eritrea and Ethiopia governments committed themselves to redeploy their forces outside the territories they occupied after 6 May 1998 and the redeployment to commence immediately after the cessation of hostilities; The parties accepted the deployment of military observers by the OAU in cooperation with the UN; Finally, the two parties committed themselves to sign a formal cease-fire Agreement which would provide the detailed modalities for the implementation of the Framework Agreement.⁹⁹

⁹⁷ Points of clarification raised by Eritrea on the Framework Agreement.

⁹⁸ Security Council Resolution 1320 (2000), authorised the deployment within the UMEE, of up to 4,200 Military Observers and Support Staff.

⁹⁹ Modalities for implementation of the OAU Framework Agreement on the settlement of the dispute between Ethiopia and Eritrea, 12 July 1999.

In its Communiqué at the end of its 64th session held at Ambassadorial level in Addis Ababa, the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution expressed its grave concern at the resumption of hostilities between the two countries. It “appealed to both parties to put an immediate end to the hostilities and to commit themselves to a peaceful resolution based on the Framework Agreement and the Modalities, and to resume the proximity talks, under the auspices of the current Chairman, aimed at enabling the two parties to reach an agreement on “Consolidated Technical Arrangements”. The Central Organ reiterated its concerns about the resumption of hostilities in another Communiqué issued at the end of its 65th session.¹⁰⁰

It was then that Eritrea and Ethiopia both agreed to an immediate cessation of hostilities. A Peace Agreement was signed to this effect in Algiers in June 2000 and both countries agreed to the deployment of a UN peacekeeping mission under the auspices of the OAU. The Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution met to assess the progress made after the signing of the Peace Agreement. It 'urged the two parties to scrupulously respect the provisions of the Agreement on cessation of hostilities they have signed and persevere in the search for a lasting solution to the conflict through negotiations'. The Central Organ 'expressed its appreciation to the UN, the European Union for their support'.¹⁰¹

The Secretary-General's Report on the evolution of the peace process between Eritrea and Ethiopia was presented to the Central Organ for Conflict Management meeting at Ambassadorial level in Addis Ababa, Ethiopia in November 2000. The Report notes the rapprochement between the two countries and the need to consolidate the Peace Agreement.

¹⁰⁰ Communiqué of the 65th Ordinary Session of the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution, meeting at Ambassadorial Level on the conflict between Ethiopia and Eritrea, Addis Ababa, May 18, 2000.

¹⁰¹ Communiqué of the 67th Ordinary Session of the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution.

The Secretary-General of the OAU at the 73rd Ordinary Session held in Libya in February 2001 informed the Council of Ministers of the "steps that had been taken both by the United Nations and the OAU to assume their responsibilities in the implementation of these agreements".¹⁰² On the 15 March 2001, the Security Council¹⁰³ extended the mandate of UMEE at the troop and observer levels for six months, until 15 September 2001.

8.4) The Algiers Peace Agreement.

The Peace Agreement between Eritrea and Ethiopia was signed in Algiers (Algeria) in December 2000. It is a comprehensive peace treaty addressing issues ranging from cessation of hostilities to the problem of border demarcation. It comprises six Articles that define the modalities and implementation of the Agreement. Article I reiterates the commitment of Eritrea and Ethiopia to terminate hostilities between them and to refrain from the threat or the use of force against each other. Article III points to the problem of border demarcation as the origin of the conflict and the report of the investigations are to be sent to the Secretary-General of the OAU.

The Peace Agreement outlines the procedure of setting up a Commission of Inquiry and "in order to determine the origins of the conflict, an investigation will be carried out on the incidents of 6th May, 1998 and on any incident prior to that date which could have contributed to a misunderstanding between the parties regarding their common border including the incidents of July and August 1997". It is interesting to note that under the OAU peace plan, investigations into the origins of the conflict are limited to the incidents of May 1998. What is more the choice of the word 'origins' instead of 'causes' could be interpreted as meaning that in the wording of the peace plan, the OAU intended to avoid offending the belligerents which would have made it difficult for them to accept the proposed peace plan.

¹⁰² OAU Document:CM/2213 (LXXIV), Report of the Secretary-General on the Peace Process between Eritrea and Ethiopia.

¹⁰³ Resolution 1344 (2001).

By looking at conflicts in terms of their origins rather than their causes, the OAU hoped to address the conflict in a more comprehensive way. It was also a way of avoiding any obstacles to the peace process by laying blame on any of the belligerents.

Perhaps the most important aspect of the Agreement is contained in Article IV. Apart from reaffirming 'the principle of respect for the borders existing at independence', "the parties agree that a neutral Boundary Commission shall be established with the mandate to delimit and demarcate the border based on pertinent colonial treaties (1900, 1902 and 1908) and applicable international law". Furthermore the Article states that 'the Commission shall be located in The Hague and it shall adopt its own rules of procedure based upon the 1992 Permanent Court of Arbitrating Disputes Between Two States'.

Arbitration is dispute settlement by legal means and 'it is employed when what is wanted is a binding decision, usually on the basis of international law' (Merrills,1998). But as Merrills (1998) points out "an arbitral award is binding, but not final". The Permanent Court of Arbitration could rule in favour of either Eritrea or Ethiopia, but that would not mean the end of hostilities. Why the OAU chose to include this particular mode of conflict management in the Peace Agreement will be treated in the next chapter. Suffice it to say that African government have the tendency to challenge decisions made by 'foreign legal bodies'.¹⁰⁴

The OAU Peace Agreement is a concise document that lacked precision on key issues such as the border demarcation and the composition and role of the observer mission to be deployed in the demilitarised zone.

¹⁰⁴ In an Arbitral Award case in 1991, Guinea-Bissau asked the International Court to declare that the Award in the 1989 maritime delimitation case was a nullity on the ground that the Tribunal failed to answer the second of two questions in the compromise and consequently failed to settle the dispute with Senegal. See Arbitral Award of 31 July 1989, Judgement (1991) ICJ Rep.p53, quoted in Merrills, J.G. (1998) *International Dispute Settlement*, Cambridge: Cambridge University Press.

8.5) The OAU: Architect of conflict management in Africa.

After heavy fighting in 1998 around Badme and Zalembeessi areas and the eventual capture of Badme by the Ethiopian troops in February 1999, the OAU succeeded in brokering a cease-fire leading to a pause in fighting in June 1999 while peace talks continued. But after the indirect peace talks collapsed, the Ethiopian army invaded the west of Badme and advanced virtually unopposed deep into the Eritrean regional centres of Barentu and Agorot. It was during this apparent unstoppable Ethiopian advance that an agreement was reached as a result of OAU mediation in June 2000. The cease-fire held for six months with just minor skirmishes while a peace agreement was worked out by diplomats from the United States and the European Union with chairman of the OAU. A United Nations mission was sent to monitor the cease-fire. Under the cease-fire agreement, the Eritrean troops were to withdraw from Ethiopian territory and a 25 km buffer zone was created.

The conflict between Eritrea and Ethiopia has far reaching consequences on the geopolitics of the Horn. As Plaut and Gilkes observe, " the first and most serious damage has been to the alliance against the government in Sudan which was carefully cultivated by the United States. This brought together Uganda, Eritrea, Ethiopia and a large number of Sudanese opposition movements. Ethiopia has now moved towards a rapprochement with Sudan leaving the alliance in tatters. Eritrea moved close to Libya and talks of joining the Arab league" (Plaut & Gilke,1999).

The OAU handled the Eritrea-Ethiopia conflict skilfully. It worked closely with the UN, brokered a peace deal between the two countries and it was on the basis of these negotiations that a peace agreement was finally signed on the 12th December 2000 in Algeria. On the whole the OAU acted promptly and its strategy of preventive diplomacy put in action in time. However the problem here is that this was an ad hoc peace settlement which is a short term solution to a long-term problem and that is regional stability. Conflicts in the Horn have regional dimensions precisely because 'the space in which political competition and social activities take place do not correspond to the confines of any one particular state' (Lyons, 1992).

Since the conflict between Eritrea and Ethiopia has a regional dimension that is linked to the intertwined relations between the countries in the Horn, neighbouring states should be involved in the peace process. Indeed as Hampson points out, “the proposition that the ultimate success of a peace settlement hinges on a stable regional environment and neighbours who support the peace process has greater merit” (Hampson,1996).

Peace agreements can be achieved easily but the risks lie ‘in the interpretation of the implicit parts of the agreement’ (Ilke,1964). Recent events in the border area between Eritrea and Ethiopia have shown that although the peace agreement is still holding, there are still some sticking points in the agreement which came up during its implementation. In the agreement, it is stated that problems arising from the interpretation or implementation would be submitted to the procedures of the Permanent Court of Arbitration. The problem is that Arbitration often takes a long time and the delay can be exploited by the parties in conflict to arm themselves.

Moreover, “without proper monitoring and enforcement mechanisms, agreements negotiated in good faith can still self-destruct in an escalating spiral of alleged violations and counter recriminations” (Hampson,1996:p3). The peace agreement also fails to take into account the regional dimension of the conflict. Neighbouring countries like Somalia and Sudan offer bases for rebel activities. Regular border incursions by rebel groups and their pursuit in any of these countries could be interpreted as an invasion.

When the OAU's new mechanism was established, it was hailed as a breakthrough in its conflict management enterprise because of the emphasis it placed on preventive diplomacy backed by action. In the conflict between Eritrea and Ethiopia the OAU did make use of preventive diplomacy by appealing to both heads of state not to resort to the use of force. But all the initiatives taken in this direction were at a governmental level. The local communities in both countries that have historical links but also old scores to settle were not involved in the peace process.

Conclusion.

It could be argued that Eritrea had no alternative but to accept the OAU peace plan because it was on a verge of defeat. While this explanation is plausible in view of the rapid advances of Ethiopian forces deep into Eritrean territory it could not be interpreted as a decisive defeat of its forces. Eritrea has a long history of guerrilla warfare and Ethiopia does not have the means to sustain a long war. The diplomatic weight brought to bear on the conflict by the Algerian president is significant. Abdelaziz Bouteflika, one time foreign minister of his country, is renowned for his diplomatic skills. He played an active role in the Iranian hostage crisis and his role in the Eritrea-Ethiopia conflict underlines the role of 'personality' and 'leadership' qualities' as essential ingredients in conflict management in Africa. OAU's success in this area depends to a large extent on its ability to use the diplomatic skills and the moral influence of its competent leaders.

On the evolution of the peace process between Eritrea and Ethiopia, the Secretary-General of the OAU said that “progress has been made in the work of the Boundary Commission, that is to delimitate and demarcate the border, and the Claims Commission in charge of deciding, through binding arbitration, all claims for loss, damage or injury. The difficulties, which surrounded the nomination of some of the Commissioners/Arbitrators have now been resolved. Regarding the Boundary Commission, the Secretary-General pointed out that it held its first informal meeting in The Hague on 25 and 26 March 2001. Reviewing the various steps that have been taken since the signing of the Agreement on Cessation of Hostilities and the Peace Agreement, the Secretary-General noted that the peace process is well on track¹⁰⁵.

¹⁰⁵ OAU Secretary-General's Report, 2001.

The OAU needs to embark on post-war national reconciliation as part of its conflict management strategy. As the OAU Secretary-General has pointed out, “in some parts of the continent where hostilities have ceased between the belligerents, we are faced with the painful realities of the difficulties and challenges of sustaining peace. Indeed, beyond the cessation of hostilities and the signing of peace agreements, there is the greater challenge of consolidating and building peace after the conflict. Above all, when the sound of the gunfire has ceased, there is the arduous task of reconstruction and rehabilitation of what has been destroyed and of ensuring the return to normalcy. But all these efforts will remain in vain if national reconciliation is not promoted to build confidence and trust between the former belligerents”¹⁰⁶.

¹⁰⁶ Statement by Dr. Salim Ahmed Salim, Secretary-General of the OAU on the occasion of the 34th Ordinary Session of the Assembly of Heads of State and Government, Ouagadougou, Burkina Faso, 8 June 1998.

CHAPTER NINE

How can The OAU really strengthen its capacity for effective conflict Management?

Introduction.

The end of the Cold War witnessed a new era of globalisation as well as new security concerns in Africa. The creation of a new conflict management mechanism by the OAU was in response to the growing number of protracted conflicts on the continent and a way of 'enhancing its capacity to deal with them' (Naldi,2000).The limits of the effectiveness of institutional conflict management could be attributed to the reasons outlined in the survey of post-Cold War conflicts in Africa in a Report by Ted Gurr and his team at the Centre for International Development and Conflict Management, University of Maryland. The Report suggests three general reasons for what it calls 'the African exception'. First is that relatively little international effort has been given to promoting the solution of African conflicts by comparison to the political and material resources devoted to conflict management in the post communist states, the Middle East and Central America. Second, the democratic transitions in Africa have failed, mainly because most African countries have limited resources to sustain them. Third, is poverty in Africa.¹⁰⁷ There is a link between war and social development (Gurr & al, 2001).

The 'protracted nature of these conflicts has made them impervious to these attention' (Zartman,2000:p3).This chapter suggests a rethink of OAU's approach to conflict management by arguing that OAU strength in conflict management lies in conflict prevention. It begins with a comparative analysis of Peace Agreements signed in the three case studies in order to show the processes and methods used by the OAU conflict management. Our aim is to explain why the Peace Agreements in two of our case studies did not hold. We argue that the failure could be attributed to the way in which the OAU functions and wrong policy direction in terms of conflict management.

¹⁰⁷ This particular point has been emphasised by Professor Adebayo Adedeji in an interview with him during the 'Africa at 40' conference held in London in 1999.

We propose an overhaul of OAU structures and that the organisation should clearly define its relationship with sub-regional organisations especially in the area of conflict management.

9.1) Comparative Analysis of Peace Agreements in Case Studies: Chad, Rwanda and Eritrea-Ethiopia.

A general pattern that emerges in peace settlements in Africa is that the rate of success in reaching an agreement is higher in interstate rather than intrastate conflicts. Indeed Barbara Walters (1997) argues that 'intrastate conflicts rarely end in negotiated settlement'. The reason is that intrastate conflicts are often deep-rooted and protracted embedded in historical and ethnic rivalries as demonstrated in the Chad and Rwandan case studies.

In the three case studies peace all the peace negotiations took place in neighbouring countries. For Chad, the negotiations were held in Nigeria under the auspices of the OAU. In the case of Rwanda they were held in Tanzania while negotiations in the Eritrea-Ethiopia conflict started first as proxy talks before the final venue, Algiers, was chosen for the signing of the agreement.

Two factors seem to influence the choice venue for peace negotiations in the case studies. First, contrary to the principle of impartiality which determines the choice of 'third state' mediation and which is an aspect of confidence building important to the parties in conflict, it is the influence that the host country has in the region that appeared to be the determining factor.

For example, Nigeria was not impartial in the conflict in Chad because it never wanted a destabilising pro-Libyan government in place but it is a sub-regional hegemon. Similarly, the choice of Tanzania to host the Rwandan peace talks was in recognition of its influence in the region. Tanzania was also keen to stem the tide of the flow of refugees in the country that was a huge burden on its economy. The choice of Algeria as the venue for the peace negotiations between Eritrea and Ethiopia was because the Algerian president was the chairperson of the OAU.

The agreements signed in Chad and Rwanda did not lead to a comprehensive peace settlement. In the Eritrea-Ethiopia conflict, the peace accord held, leading to a peace settlement. There are a number of reasons why the peace agreement in the first two case studies did not hold. In the first place the failure of peace settlement has to do with OAU mediation strategy that is bringing government and rebels around the negotiating table without prior consideration of the 'interests' of both parties.

Some warlords have an interest in keeping a conflict 'alive' because of economic gains. In Sierra Leone, for example it did not matter to the rebel RUF movement whether a peace agreement was signed or not. As long as it could continue to mine the diamonds in the areas it controlled, it had no interest in a peace accord because it would rob it of a vital source of income. In Rwanda, 'the difficulty in getting the peace accord signed stems from the fact that Habyarimana and his entourage did not want it to work and did everything to prevent agreement' (Malvern, 2000). Similarly, governments reluctantly accept peace accords because they entail power sharing. Furthermore, as Zartman notes, 'conflict, if contained at a low intensity could be useful because it can be revived at any time to divert attention or for the purpose of national unity' (Zartman,1995).

There is another aspect of conflict management illustrated in the case studies that is often neglected. While theorists and practitioners of conflict management tend to focus on techniques of mediation, negotiation and third party intervention, little attention is paid to documents which form the basis of peace agreements and to which the parties in conflicts sign. The Arusha Peace Accord signed between the Rwandan government and the RPF is too technical. It is a complex and long document incorporating six protocols. One must wonder if the rebels or the government even bothered to read it. The former Rwandan Foreign Minister, Dr. Casimir Bizimungu, 'simply dismissed the Arusha Peace Agreement as a piece of paper' (African Rights,1995).

Peace Agreements must be written in simple, precise and clear language to avoid any ambiguities. They must also translate, without distortion, what has been discussed and anticipate questions and issues that could be raised in the future. We take the Eritrea-Ethiopia conflict to illustrate this point.

All in all, the Algiers Peace Agreement contains six articles, but it remains an ambiguous document as evidenced by the points of clarification raised by both Eritrea and Ethiopia.¹⁰⁸ There were also disagreements over the interpretation of certain aspects of the agreement. So apart from the complex nature of the peace agreements contained in the case studies, what do tell us about the way in which interstate and intrastate conflicts are managed by the OAU?

In all three cases, the OAU embarked on peacekeeping missions as conflict management but in Eritrea-Ethiopia peacekeeping was provided for in the Agreement after cessation of hostilities. The 'consent factor' in peacekeeping is essential in interstate conflict while in intrastate conflict there is the possibility of peacekeeping on humanitarian grounds.

Pan-Africanism was evoked both as an instrument and a force of moral persuasion in conflict management in the Eritrea-Ethiopia dispute. Phrases like 'We are all Africans' or 'Brothers at War'¹⁰⁹ were commonplace. Curiously during the Chad and Rwandan conflicts, where ethnic groups have been living together for years, no mention was made of Pan-Africanism or anything indicating close relationship. In fact there was more hatred than one could imagine between the Hutu and Tutsi or between the rebel factions in Chad.

The OAU Heads of State were more involved in the Eritrea-Ethiopia case than they were in the other two case studies. The conflict was high on the agenda during the OAU Summit in Burkina Faso in 1998. In conflict management the rank of the mediator is important if there is to be a positive outcome. This is because, "a high-level mediator is better able to commit his or her country and its resources to the mediation effort" (Touval and Zartman,1995). But initial contact at lower level can be useful in providing the information and understanding events leading to the outbreak of hostilities.

¹⁰⁸ Questions submitted by Ethiopia and Eritrea for clarification of the technical arrangements for implementation of the OAU Framework Agreement and its modalities.

¹⁰⁹ *Brothers at War: Making sense of the Eritrea-Ethiopian War*, 2000.(Title of a book about the conflict.).

The above analysis reveals some of the weaknesses in the OAU conduct of conflict management especially in the way it handles intrastate conflicts. The OAU tends to favour dialogue between 'state' and rebel or insurgent movements. Community leaders are excluded from the negotiation process. In the Rwandan conflict, the OAU locked itself in negotiation with the rebels and government and in doing so, it bypassed all local actors and initiatives as well as popular support. Mobutu's regime crumbled under rebel attacks because he had no support from the population from which he drew his strength. Since the OAU lacks the resources to undertake peacekeeping missions, it should consider using 'local resources' in its conflict management efforts.

9.2) Rethinking OAU conflict management strategies.

The African continent comprises some of the 'youngest states in the world and it is also the epicentre of internal conflicts' (Brecher & al, 1988). Some of these conflicts which arise from democratic transition such as the conduct of elections can be handled by institutional mechanisms while those whose origins are deep-rooted social and economic issues often result in protracted conflicts call for more radical actions that go beyond established institutional mechanisms for conflict management. Although the OAU conflict management mechanism was designed to react quickly, manage and eventually resolve them¹¹⁰, the upsurge of violent conflicts in Africa is an indication that institutional mechanisms have proved inadequate.

In its review of the OAU conflict management mechanism, a panel of experts drew the following conclusions:

- a) The Mechanism lacks a logistic infrastructure. Hardly any African country has the capability to provide logistical support for peacekeeping operations. Because of such constraints, the OAU is being overstretched.

¹¹⁰ Interview with the OAU Secretary-General, Salim Ahmed Salim, Africa at 40 (International Conference on Independent Africa, 28-29 October 1997.

b) In the absence of the capacity to undertake its own peacekeeping operations, the OAU will need to continue its emphasis on anticipating and preventing conflicts for some time to come.

A number of concrete measures were proposed for the consideration by the OAU Secretariat, with the aim of making the Mechanism more operational and effective. They included:

- a) increasing assignment of military personnel to the OAU Headquarters to advise the Secretary-General on military aspects of peace operations;
- b) Placing the conflict management unit directly under the Secretary-General, thereby underscoring the importance and urgency of the issue;
- c) Carrying out serious and thoroughgoing administrative reforms in the Secretariat, to get rid of “dead wood” and ensure, through training and more attractive remuneration, that it has the qualified and competent staff required for the new challenges facing the organisation.(111)

However, apart from these remarks the OAU conflict management mechanism has two other weaknesses which were not mentioned in the report and these could be attributed to two main causes. First, conflict management strategies and mechanisms are inspired by and modelled on the western legal traditions that characterise international organisations. This is reflected in the OAU's approach to conflicts with emphasis on ‘peace plans’, ‘resolutions’, and its choice of the state as the main interlocutor. The weakness of this approach and hence the whole idea behind the conflict management mechanism is the OAU's failure to incorporate within its framework, methods of traditional conflict management or the “traditional cures” (Zartman,2000) for conflicts. The significance of traditional conflict management is that it involves the local actors and its initial approach is to diffuse tensions that may lead to conflict or conflict that may lead to war.

¹¹¹ The Report of The Cairo Consultation on the OAU Mechanism for Conflict Prevention, Management and Resolution, 1994.

In traditional terms, “this means leaving conflict in the hands of elders who look to develop peaceful relations and out of the hands of 'younger figures' who want to resolve the conflict in war” (Zartman, 2000:p229). This schematic representation of conflict management underscores the role of 'elders' in African societies and the respect for social hierarchy.

The second weakness of the OAU conflict management mechanism is revealed in the way it operates especially in the areas of preventive diplomacy and peace-making. This is because sometimes 'the information that is needed on conflict trends is not available' (Nhara,1995) and therefore the OAU has to depend on NGOs. The missing link in this case between the OAU and conflicts is the civil society whose contribution is a prerequisite for successful conflict management. Interacting with civil society could provide clues and headway in conflict management .The OAU has undertaken a series of seminars and consultations to address some of these problems. The 1994 Cairo consultation was aimed at finding answers to operational and practical challenges connected with the implementation of the mechanism and at the same time facilitating the intellectual contribution of a cross section of African leadership to the ongoing debate on conflicts and their resolutions in Africa.

Some of the recommendations of the consultation include the need for “a peace operations doctrine”. It was recommended that the OAU should be prepared to undertake peacekeeping and peace enforcement operations with clear guidelines and the willingness of OAU member states to commit troops to the operations. Senior military staff within the OAU have been calling for a standby peacekeeping force. They put forward a proposal that envisages the creation of a brigade-size force with contributions from the five regions of the continent. The OAU Council meeting endorsed this proposal but it was not put on the agenda of the 1998 Summit meeting in Ouagadougou. The OAU's unwillingness to implement these proposals is an indication that the organisation is more prepared to undertake "observer missions"- a less risky exercise than peacekeeping which is also a more costly exercise in terms of human and material resources.

The United States and its allies have pledged their support for OAU peacekeeping with the 'African crisis initiative'. The long-term objectives of this project is to establish a force that can be deployed in conflict zones as a preventive measure. However there is need for political will if some of these proposals are to pass beyond the stage of projects.

One of the main functions of the OAU conflict management mechanism is to anticipate conflicts and engage in peace building activities, but the MCPMR lacks an efficient system to monitor incipient conflicts and to act proactively (Martin,1997). It therefore needs to develop an early warning system as part of its preventive diplomacy. For example an observer mission sent to the Comoros Islands failed to anticipate, let alone prevent a coup.

9.3) Conflict prevention.

The OAU has taken a number of initiatives to strengthen its capacity in conflict management. These include an early warning system, peacekeeping force, preventive diplomacy and Good governance.

The OAU early warning system was envisaged within the context of the new conflict management mechanism. Its role is to gather and analyse information "with a view to facilitating decision making and early pre-emptive political action by the relevant organs of the mechanism. In performing its role, the early warning system will rely upon close co-operation and interaction with focal points located within member states as well as within regional organisations and other institutions".¹¹² It is "essentially aimed at providing practitioners in the field of conflict prevention, the possibility of anticipating and responding to crisis situation before they become too violent, or in the very least, afford them the leverage to take remedial action to mitigate their negative effects once they are under way."¹¹³

¹¹² OAU Early Warning System on conflict situation in Africa, OAU Conflict Management Division, 1996.

¹¹³ Secretary-General of the OAU's introduction to OAU Document on Early Warning, 1996.

Thus, the early warning system will be fed with information from fieldwork, data collected and through an organised network with other sub- regional organisations.

However, it is difficult to put the concept of 'early warning' into practice. In the Rwandan conflict, the French and the Belgians, who presumably have an extensive knowledge of the country as former colonial powers in the region, failed to detect any sign of an impending disaster. Therefore one possible way of enhancing OAU's Early Warning Mechanism is to recruit local people who could be trained in information processing, data collection and monitoring political and social interactions to discern any potential cause of conflict. The OAU could then draw up its contingency plans.

Since the establishment of its new mechanism in 1992, the OAU has registered some success in the area of preventive diplomacy. The most evident successes were the preventive actions taken in Rwanda prior to the genocide and in Burundi. The term 'preventive diplomacy' is used to cover a wide range of peacekeeping activities but has never been clearly defined nor has it found its right meaning in conflict management. Indeed the definition of preventive diplomacy in the dictionary of international relations (Evans & Newnham, 1998) appears under the rubric of peacekeeping.

One definition of preventive diplomacy that is widely used is the definition contained in the 'Agenda for Peace' (1995). In it, preventive diplomacy is defined as "an action to prevent a dispute from arising between parties to prevent existing disputes from escalating into conflicts and to limit the spread of the of the latter when they occur" (Agenda for Peace:p45).

Although this definition shows the different stages of intervention in a conflict it does not explain how this could be done. There is also an assumption that disputes can be 'prevented' from escalating into conflicts but no mention is made of the stage during which action could be taken to prevent this. The ambiguity in the definition of preventive diplomacy makes it a catch phrase in conflict management.

For example in talking about 'preventive diplomacy', an OAU official remarked that the OAU often stepped in to build confidence between government and opposition and has encouraged the release of political prisoners .¹¹⁴

A more acceptable definition that captures the need to respond to early warning signals could be “ action taken in vulnerable places and times to avoid threat or the use of armed force and related forms of coercion by states or groups to settle political disputes that can arise from the destabilising effects of economic, social, political and international change” (Lund,1996:p37). This requires “better conditions for making a prognosis, greater commitment, greater political will and competence” (Reychler,1997:p60). Competence in this case would refer to the leadership and people close to it and the role they play in conflict. One of the remarks made by the Carnegie Commission on preventing deadly conflicts in relation to this problem is that “leaders, government and people closest to potentially violent situations bear the primary responsibility for taking preventive action”.

Indeed OAU's 'preventive diplomacy' is premised on the idea that if capacity to prevent, resolve and manage conflicts were built at community level, a great deal of the upheavals that have bedevilled Africa would be contained before they reach catastrophic proportions.¹¹⁵

There has been a debate about the effectiveness of preventive diplomacy in conflict management. Some argue that it is one of the best instruments of conflict management (Lund, 1995), while there are those caution against “overselling” it (Stedman, 1995). The significance of this debate is that it sheds light on the purpose of a conceptual framework for preventive diplomacy.

¹¹⁴ The Report on the Cairo consultations, 1998, p17

¹¹⁵ Document: Pol/CM/GM/44 7288, 26.10.2001: Summary report on capacity building, Consultation and Planning Workshop, UNCC, Addis Ababa 18-21 September 2000.

Joseph Frankel argued that preventive diplomacy “was primarily aimed at the prevention of open hostilities but cannot succeed in the long run without successful adjustment of the underlying conflicts; it is possible that in fact it has been working in the opposite direction enabling contestants to nurse their mutual grievances while the situation is artificially frozen for the time being” (Frankel, 1969 :p44).

Although the OAU's overall conflict management strategy focuses on preventive diplomacy, it has been looking into the possibility of undertaking joint peacekeeping missions with the UN. In its review of the Brahimi Report¹¹⁶ OAU identified the following recommendations which directly concern it and therefore call for concrete action in the following areas: a) the implementation of peacekeeping doctrine and strategy, particularly in respect of training assistance; b) mandate of peacekeeping mission; c) the selection of mission leadership, logistics and financial management.¹¹⁷

On doctrine, strategy and decision-making, the OAU has taken note of the implementation of peacekeeping doctrine and strategy, particularly in respect of training assistance and on capacities for rapid and effective deployment, the need for the selection of leadership as well as logistics and financial management.

OAU's major weakness in terms of conflict prevention is peacekeeping. In order to overcome this problem, the OAU sought American and European help to enhance its capacity in that area. The US debacle in Somalia led to a rethink of its peacekeeping missions abroad. Presidential Decision Directive 25 (PDD25) of 1994 issued under the Clinton administration placed restrictions on US peacekeeping missions. In the absence of any likelihood of US intervention in conflicts in Africa, an alternative solution was found which was to develop capacity-building programmes in peacekeeping for African Forces.

¹¹⁶ Following UN's inaction in the face of the genocide in Rwanda and the atrocities committed in Bosnia, the Secretary-General of the UN convened a panel of experts chaired by Lakhdar Brahimi, the former Foreign Minister of Algeria to undertake a thorough review of UN peacekeeping operations and put forward recommendations in order to enhance UN's capacity in conflict management. **The Brahimi Report:** UN. DOC. A/55/305,S/2000/809,21 August 2000.

¹¹⁷ Interoffice Memo (Conflict Management Division of the OAU), Document :Pol/653/884 4/4/2001

The African Crisis Response Initiative (ACRI) was created to train national armed forces in peacekeeping exercises. In 1999, six African countries started military exercises with the US.¹¹⁸

Other European countries also developed peacekeeping exercises as capacity-building measures. France, which has a strong military presence in its former colonies developed what came to be known as RECAMP.¹¹⁹ The initiative has three pillars: “instruction, sub-regional peacekeeping training exercises and prepositioning equipment in designated locations in Africa” (Berman and Sams, 2000). France has established a peacekeeping training centre in Zambakro, Côte d'Ivoire. The UK has an African peacekeeping Training Support Programme which is designed to train officers.

Although these peacekeeping initiatives are a significant contribution to collective conflict management in Africa, from which the OAU could resource itself, they present two major difficulties. One relates to the content and the other to the outcome. The Senegalese Forces took part in a RECAMP training exercise in February 1998 in Senegal and was codenamed operation “GUIDIMAKHA”. This exercise was a follow-up to a multinational training held in Togo. Troops from Benin, Burkina Faso, France and the host country Togo took part in a week-long training exercise called “The Nangbeto exercise”¹²⁰. The Senegalese troops that participated in this exercise said that they did not learn anything new. This statement is plausible if one considers the fact that judging by the number of appearances they have made in peacekeeping missions all over the world, Senegalese forces have more experience than even their American counterparts.

The second point is that it is not certain that once the troops receive the training that they will be put at the disposal of either the OAU or even deployed. They will be more useful to their countries in times of crisis or they could be ‘diverted’ to shore up dictatorial regimes.

¹¹⁸ They are Ghana, Ethiopia, Malawi, Mali, Senegal and Uganda.

¹¹⁹ Renforcement des capacités Africaines de maintien de la paix.

¹²⁰ Troops that took part in the ‘Guidimakha’ exercise were drawn from Cape Verde, The Gambia, Ghana, Guinea, Guinea-Bissau, Mali, Mauritania, Senegal and other western countries.

One possible solution to some of these problems is to create a Pan-African Force based at the OAU headquarters, under the command of OAU officers. Thus, the impact of this peacekeeping training remains to be seen.

Perhaps the most significant development in the doctrine of peacekeeping is contained in The Brahimi Report. The Report recognises the evolution of the concept of peacekeeping from being a 'buffer force' to a 'multipurpose force' in conflict prevention and post-conflict reconstruction.¹²¹ But the panel did not address the issue of co-operation between the UN peacekeeping missions and regional organisations where in many instances their activities overlap rather than complement each other. The Rwandan conflict is a case in point.

Apart from peacekeeping training to enhance the conflict management capacity of member states to face the challenges of conflicts, the OAU took the unprecedented step to outlaw unconstitutional changes of government. During the Thirty-sixth Ordinary Session of the OAU Heads of State and Government in Lomé, Togo in July 2000, African leaders reviewed the political developments on the continent and the process of democratic consolidation. They agreed on a framework for OAU response to unconstitutional changes of government which includes the following:

a) a set of common values and principles for democratic governance; b) a definition of what constitutes an unconstitutional change; and c) measures and actions that the OAU would progressively take to respond to an unconstitutional change of government; and d) an implementation Mechanism.¹²²

¹²¹ For a commentary of the Brahimi Report, see White, Nigel (2001), 'Commentary on the Report of the Panel on United Nations Peace Operations, Journal of Conflict and Security Law, Vol.6. No1 pp127-146.

¹²² OAU Document: The Declaration of the Framework for an OAU response to unconstitutional changes of government.

The practical aspects of the response to unconstitutional changes have yet to be worked out. But the OAU took the decision to respond to these changes in the following way:

Following the initial response of condemning the unconstitutional change by the Central Organ, a period of up to six months should be given to the perpetrators of the unconstitutional change to restore constitutional order. During the six month period, the government concerned should be suspended from participating in the Policy Organs of the OAU. Apart from sanctions provided for under Article 115 of the OAU Financial Rules and Regulations, the governments concerned should not participate in the meetings of the Central Organ and Sessions of the Council of Ministers and the Assembly of Heads of State and Government. Its exclusion from participating in the OAU Policy Organs should not affect the country's membership in the OAU and therefore will not preclude it from honouring its basic obligations towards the Organisation including financial contributions to the OAU regular budget.⁽¹²³⁾

What happens when the period of six months to restore constitutional order lapses? At the expiration of the six months suspension period, a range of limited and targeted sanctions against the regime that stubbornly refuses to restore constitutional order should be instituted, in addition to the suspension from participation in the OAU Policy Organs. This could include visa denials for the perpetrators of unconstitutional change, restriction of government-to-government contacts, trade restrictions, etc.

¹²³ OAU Document: AGH/Decl.5 (XXXVI), 2000.

To translate this resolution into action, the OAU acted swiftly to an unconstitutional change in the Comoros Island by imposing sanctions on the country. This was a positive step in the right direction for an organisation which has always been criticised in the past for acquiescing in military takeovers. However, the successful implementation of any such radical measures must also be accompanied by an overhaul of the OAU system which is no longer adapted to the new era of African international relations and conflict situations in particular.

9.4). Restructure the OAU.

During the OAU Council of Ministers' meeting in Addis Ababa in March 1999, it was agreed that there was need to reform the OAU if it is to meet the challenges of the twenty-first century. The proposed reforms to be undertaken include the scrapping of two hundred and ten posts and five new departments to be created to work alongside the Secretary-General. The reform package will cost the organisation nineteen million dollars and will take two years to implement. According to an OAU spokesperson, these reforms are intended to make organisation 'leaner and more effective'.

The long overdue reform that the OAU should have taken is the revision of its Charter in view of the end of the Cold War and the introduction of International Humanitarian law which provides for intervention in countries 'under certain circumstances'. The Charter no longer corresponds to the realities of post-Cold War Africa and in fact hampers any interventionist action in conflict management. The dire humanitarian crises during conflicts make its a moral imperative to bypass the 'sovereignty' of states to aid the civilian population.

Over the years, the OAU has become over centralised and bureaucratic in the way it functions. It is an organisation controlled "from the top and not nourished from the base" (Davidson,1994). It must therefore decentralise by opening chapters in its member states¹²⁴. Very few people know about its work and activities and the Secretary-General of the OAU confirmed it when he said:

During my term in office as Secretary-General of the OAU, I have had to deal with many crises. I also had the opportunity of experiencing moments of satisfaction and moments of frustration.

The one perpetual frustrating experience that I have had to deal with is the fact that there has been a hiatus between what the OAU has been trying to do and the understanding and comprehension of ordinary Africans of the continental organisation. Put succinctly, the bulk of our people do not know much about our activities.¹²⁵

Speaking to a number of people in Senegal, Nigeria and the Gambia about the OAU, it is clear they are aware of the existence of the OAU but they have never seen what it has done. Local chapters could play two important roles in this regard: they could serve as early warning signposts and also serve as centres for peace education which is at the basis of a stable society. The creation of what Elise Boulding calls "cultures of peace" helps transform information into knowledge with the participation of scholars, teachers workers and activists groups (Boulding, 2000:p121).

¹²⁴ In an interview with the Senegalese Army Chief of Staff and special adviser to the former Senegalese President Abdou Diouf, General André Nelson suggested that the OAU needs to develop early warning systems at the level of individual countries in order to enhance its capacity in preventive diplomacy. (Interview conducted in Dakar, Senegal, 1999).

¹²⁵ Statement at the opening of the OAU-Civil Society Conference, (2001), Addis Ababa, Ethiopia.

The OAU continues to face financial constraints. Although it has set up a peace fund “which provides an important source of financing for a cash-strapped organisation” (Berman and Sams,2000), it continues to face financial difficulties. In an OAU extraordinary summit held in March 2001 in Sirte, Libya, President Qadafi helped pay off the arrears of ten OAU member states so that they could take part in the proceedings of the summit. In a report issued just before the OAU summit in Burkina Faso in 1998, the organisation was owed more than forty eight million dollars in arrears. To date only sixteen countries: Algeria, Angola, Botswana, Burkina Faso, Egypt, Ethiopia, Gabon, Lesotho, Mauritius, Mozambique, Namibia, Nigeria, Senegal, Swaziland and Tunisia, have fully paid up their assessment to the 1999/2000 regular budget (126). A total of 15 countries had fully honoured their financial commitments to the organisation as at the end of the financial year 2000/2001.(127)

The OAU needs to take action to recover the debts of member states. No member state has ever been expelled for not paying its arrears and therefore strict action needs be taken in this case. Furthermore the OAU must diversify its sources of income and where small NGOs could raise funds, the OAU should be able do better.

In response to some of these criticisms, the OAU came up with a series of proposals aimed at improving the way in which it functions. An OAU Ad Hoc Committee was set up in 1984 in order 'to review the existing structures with a view to making the General Secretariat more responsive to the challenges and new priorities of the organisation'.¹²⁸ The Ad Hoc Committee's recommendations¹²⁹ was endorsed by the Council of Ministers during its 69th Ordinary Session.¹³⁰

¹²⁶ Secretary-General's Report,2000.

¹²⁷ These are: Algeria, Angola, Botswana, Chad, Equatorial Guinea, Ethiopia, Lesotho, Mauritius , Mozambique, Namibia, Senegal, South Africa, Swaziland, Togo and Zambia. As of 25 June 2001, a total of 16 countries have fallen under sanctions due to default in payment under Article 115 of the financial rules and regulations. This is an unprecedented development not only in terms of magnitude of default, but also finding in this category Member States that have always paid their contributions promptly. (Secretary-General's Report, 2001).

¹²⁸ OAU Document: OAU Programme for Reform and Renewal,1999.

¹²⁹ Contained in Report CM/2093 (LXIX.)

¹³⁰ Decision CM/Dec. 446 (LXIX)

The OAU's reform programme touches on the following areas:

a) structural reorganisation; b) the critical review of the scientific and technical programmes, the enhanced coordination of the AEC (African Economic Community) and RECS (Regional Economic Communities) programmes; c) the coordination between the Headquarters and the Specialised/Representational Offices; d) the establishment of a new Career Development Plan for all professional groups; e) improving methods of work and procedures. (ibid.)

In his 2000 Annual Report, the Secretary-General of the OAU, Salim Ahmed Salim, underlined the need to renew the organisation. The Renewal Programme similar to the one mentioned earlier on was intended to create 'a modern organisation with a leaner and more cost effective body'.

The Council of Ministers adopted the proposals for the new structure¹³¹ and mandated the Secretary-General "to take all necessary measures in order to ensure a smooth implementation of the restructuring exercise in a most efficient, objective and transparent manner"¹³²

In order to strengthen its capacity in conflict management as a result of its shortcomings in the Rwandan conflict, the OAU developed a comprehensive framework 'to enable the mechanism to operate effectively'¹³³.

¹³¹ Decision No. CM/Dec.446 (LXIX.)

¹³² Decision No. CM/Dec.446 (LXIX.)

¹³³ OAU Document: OAU's Programme for strengthening the Conflict Management Centre, 1999.

The comprehensive framework is designed to:

1) Articulate Members' political will to develop an effective and robust Mechanism within the OAU for conflict management; 2) Define measures to enhance the OAU's decision-making capacity in the area of conflict management, in particular the Central Organ and the Office of the Secretary-General; 3) Identify the key tools and capabilities required by the OAU for conflict prevention, management and resolution, and the Organisation's priorities for developing these; 4) Identify the resources required to develop the tools and capabilities required; and 5) Provide a framework for mobilising resources and support for capacity-building programme.¹³⁴

These are ambitious programmes that the OAU has set for itself. Whether the OAU succeeds in implementing them is another question. But what is important is the fact that in recent years, the OAU has become active as a policy-making organisation and has taken the lead in defining some of issues confronting the continent. But sometimes, the OAU fails to identify priorities. For example the Secretary-General identifies “the construction of the OAU conference facility and office block as part of the restructuring exercise”¹³⁵. The OAU needs to spend its money wisely because of the financial burden it has to put up with in managing conflicts in Africa.

In the second quarterly report of the Project Management Team (PMT) on OAU's programme for strengthening the Conflict Management Centre, it is noted that the PMT was engaged in the resource mobilisation strategy that will be required to ensure successful implementation of the Conflict Management Centre's programmes. The objective is to ensure long-term availability of OAU funds rather than the ad hoc approach to fund-raising. The OAU has also signed agreements with the Swedish and Norwegian governments to enhance the analytical capacity of the Conflict Management Centre and among other things, provide in-house training to the staff of the CMC in trend analysis and forecasting.

¹³⁴ Ibid.

¹³⁵ Report of the OAU Secretary-General, 2000.

The Head of Conflict Management Division of the OAU¹³⁶ spoke about the achievements of the OAU in the area of capacity building within the framework of the organisation. He noted that there is increasing confidence of African leaders in the OAU. In the past when there was a conflict in Africa, the first port of call was Europe. But now he notes, there is no single conflict on the continent in which the OAU is not involved either directly or indirectly and that the OAU has become the first port of call for the UN on the one hand and Sub-regional organisations on the other.

9.5) Closer co-operation with The UN, Sub-regional organisations and NGOs.

The end of the Cold War has provided the OAU with the opportunity for closer co-operation with the UN. Although under Article (52) of the UN Charter provides for such co-operation, no major benefits were gained from it because of Cold War dispensations. African countries are regular contributors to UN peacekeeping operations and as suggested by the former UN Secretary-General Boutros Boutros-Ghali (Agenda for Peace, 1995), the United Nations and Regional Organisations should continue to work in this area.

Indeed as George Kieh remarks ‘the OAU has relied on the UN and more recently on sub-regional organisations such as ECOWAS to resolve African conflicts’. According to him, “this orientation has been precipitated by two factors: chronic lack of resources- capital, manpower and logistics; and a willingness to refer to sub-regional organisations that are in close proximity to the conflict” (Kieh, 1998: p14).

¹³⁶ Interview with the Head of the Conflict Management Division of the OAU, Mr. Sam Ibok. (Addis Ababa, 2001).

However, the OAU does not have the resources to undertake peacekeeping missions and therefore co-operation between the two organisations should be shifted to the area of preventive diplomacy where the OAU can play an effective role. Chris Bakwesegha argues that 'the reasons for the UN-OAU co-operation is to help strengthen the OAU given the fact that the OAU struggles to find resources with which to meet the challenges of the growing number of conflicts' (Bagwesegha, 1999). The French-sponsored RECAMP exercise, Tanzanite, held in Dar-Es-Salaam, Tanzania, from 8-10 May 2001 demonstrates the partnership between the OAU and the United Nations on and its partners in the international community to respond to conflicts in Africa.

The idea of task-sharing or devolving responsibilities to regional organisations (Weiss, 1998) should be limited to preventive diplomacy while peacekeeping should be a UN responsibility. As for the nature of the co-operation between the OAU and sub-regional organisations it would more appropriate to talk of "sub-contracting" or task-sharing in which the OAU co-ordinates all conflict management activities and the sub-regional organisations would be responsible for the operations on the ground. In a United Nations General Assembly Press Release, members called for the strengthening mechanisms between the UN and the OAU in areas such as Preventive Diplomacy, Peacemaking and Peacekeeping operations. Furthermore, by the twenty-eight operative paragraph text, the Assembly invited the UN to support such OAU efforts as the development of an Early Warning System and the co-ordination of information exchange between the UN and the OAU's respective Early Warning Systems.

However, the Rwandan conflict has shown that a coherent working partnership between the UN and the OAU needs to be formulated. The OAU looks to the UN for help in terms of financial and material resources while the UN wants to play the role of a coordinator. The exchange of letters between the UN Secretary-General and Salim Ahmed Salim, the OAU Secretary-General, reveals differences in opinion as to the nature of cooperation between the two organisations in conflict management although this is clearly stated in Article 52 of the United Nations Charter.¹³⁷

The OAU has been working closely with sub-regional organisations in this area. It appears that the OAU recognises five main sub-regional organisations and prioritised only one corresponding organisation for each area: a) The Inter-Governmental Authority on Development (IGAD) in East Africa; b) The Economic Community of West Africa (ECOWAS) in West Africa; c) The Arab Maghreb Union (known by its French acronym UMA) in North Africa; d) The Southern Africa Development Community (SADC) in Southern Africa; e) The Economic Community of Central African States (ECCAS) in Central Africa.¹³⁸

The OAU has worked closely with ECOWAS in the Liberian conflict and Guinea-Bissau and currently in the Sierra Leone situation. In the DRC, the OAU has sent emissaries who are working closely with SADC and in the Eritrea-Ethiopia conflict it has worked with IGAD. Clearly what is needed is for the OAU to co-ordinate the activities of sub-regional organisations and the latter should serve as entry points in conflicts. ECOWAS, has a conflict management mechanism which is not yet operational, but it has undertaken peacekeeping operations. As Mark Malan points out, "the future relationship between the OAU and Sub-regional organisations in the realm of conflict management and peacekeeping will depend, in no small measure, upon the development of both entities". He suggests that the sub-regional organisations should pick up on the OAU initiatives and urgently begin with the process that lead to the adoption or the confirmation of modest but meaningful security agendas that can be systematically expanded once member countries have exhibited a proven commitment to co-operation in these areas.

¹³⁷ See Document 9 in 'UN and Rwanda' concerning the differences in opinion between the UN Secretary-General and the OAU Secretary-General about the role of an international force in Rwanda.

¹³⁸ Article I of the Treaty establishing The African Economic Community. These Sub-regions recognised by the OAU are also defined by Res. CM/.464 (XXVI).

The existence of Sub-regional organisations in Africa has been a positive contribution to the ideals of Pan-African in that they are working towards African Unity. In a final communiqué of ECOWAS Summit in Abuja in May 2000, The Heads of State and Government declared their support for the OAU and The African Union:

The Heads of State and Government celebrated the 25th anniversary of ECOWAS on the theme of accelerating the march towards the African Union as their guiding principle. They exchanged views with peers from other regional economic communities in Africa on their ideas about the long and varied experience ECOWAS has garnered and on the prospects for the African Union. Recalling the historic decision adopted by the Syrte Summit (Libyan Jamaihiria), Heads of State and Government again stressed the fact that only by designing and executing their programmes within the framework of the African Union could regional economic communities hope to become fully meaningful.¹³⁹

Co-operation with NGOs should be limited to humanitarian aid and relief operations. The upsurge of intrastate conflicts on the continent has created an unprecedented humanitarian crisis. Humanitarian aid is therefore the 'first instrument of response in these conflicts' (Prendergast,1997:p3) which could be channelled through the NGOs. NGO involvement in humanitarian relief efforts 'has sometimes circumvented state authorities and brought the plight of civilians directly to international attention (ibid.). However they have been criticised for their lack of understanding of conflicts for which they provide humanitarian assistance and in particular for supporting rebel factions or giving a life line to undemocratic and authoritarian regimes' (Prendergast,1997). While some of these criticisms do point to problems NGOs have in managing aid, it emphasises the point that these aid agencies should not be transformed into conflict management agencies. They can complement OAU's activities by providing aid and help create 'a foundation for trust in relation to the displaced people' (Haavisto,1998).

¹³⁹ Final Communiqué of the Twenty-third Summit of the Authority of Heads of State and Government, Abuja, Nigeria May 2000.

Conclusion.

This chapter examines the nature of Peace Agreements signed under the auspices of the OAU. It is important to study these Peace Accords so as to draw lessons from them and see why some of them hold at least for a longer period as in the case of the Eritrea-Ethiopia conflict while others were just intermittent pauses in conflict as in Chad and Rwanda. Peace Agreements should encapsulate the desire and undertakings of parties in conflict. They should be worded in clear and precise language. Misunderstanding often arises from the interpretation of the documents and this could be a potential source of renewed violence.

More important, the OAU needs to be reformed¹⁴⁰. It must identify actors with which it wants to work closely especially in areas where it needs to strengthen its capacity in conflict management. Co-operation with the UN needs to be strengthened and a clear division of labour worked out with the sub-regional organisations. The NGOs should provide not only humanitarian relief but also development projects with long-term objectives for post-war reconstruction. Their activities in the area of conflict management needs to be limited and the OAU should play the role of overall co-ordinator and the principal agent of conflict management in Africa.

¹⁴⁰ The OAU is an ageing organisation in terms of infrastructure and personnel.

The OAU needs to develop a Pan-Africanist approach to conflict management based on local initiatives. This could involve community-based programmes in peace and cultural education. The objective of such programmes is to have 'culturally competent' practitioners in conflict management. This would mean that the OAU can send any of its members to negotiate in any conflict in Africa because mediators are expected to have a good knowledge of the politics and culture of the country or countries in conflict.

Finally, the OAU needs to strengthen its relationship with civil society. As the OAU Secretary-General points out, "Civil society and grassroots organisations, because of their relatively manageable size, essential commitment to the poor and the marginalized segments of the African population, can constitute real bulwark against exclusion and discrimination, two breeding grounds for social unrest and political instability. They constitute, in this respect, effective instruments for peace, security and development. They play a vital role in conflict situations and post-conflict reconstruction in the provision of social safety nets. Civil society organisations can also play a significant role in conflict prevention, management and resolution because of their proximity to conflict areas."¹⁴¹

The prospects for the OAU in conflict management which is the subject of our next chapter depend to some extent on its ability to act as "an intermediary between the UN with its higher moral authority for ensuring international peace and security on the one hand, and sub-regional organisations with their perceived greater political will and executive power on the other hand. This notion has found various expressions-from talk of 'layered responses' to African conflicts, to ideas of pyramidal conflict management structures for the continent" (Malan,1999). Above all, the OAU must resolve its financial crisis if it is to have the means to sponsor its conflict management programmes.

¹⁴¹ Statement by the OAU Secretary-General at the opening of the opening of the OAU-Civil Society Conference, Addis Ababa, Ethiopia, June 2001.

CHAPTER TEN

Conclusion.

The OAU and conflict management: Prospects and Avenues.

This thesis sets out to show how the OAU has emerged as a key player in conflict management after the end of the Cold War. Our main argument is that the OAU provides an ideal forum for conflict management because it embodies the ideals of African unity which has proved to be a force of moral persuasion in ending conflicts. The OAU is a unique organisation in that it was created on the basis of Pan-Africanism.

In Chapter One of our study of the OAU and conflict management, we examined Pan-Africanism as an ideology and how it has contributed to the historical and institutional development of the organisation to promote African unity. The birth of the OAU marked the beginning of new inter-African relationship. The main purpose of the organisation as stated in its Charter is “to promote the unity and solidarity of African states, defend their sovereignty, their territorial integrity and independence and to eradicate all forms of colonialism from Africa”. Although the OAU's historical mission was to unite Africans in their struggle against colonial rule and subsequently the apartheid regime in South Africa, the struggle against the 'common enemy' created a sense of unity and solidarity among African leaders. The idea of 'African unity' gradually developed into a 'myth' that symbolises African solidarity. It meant that Africans became aware of the need to 'come together' or to borrow a Pan-African phraseology, to unite to face the challenges of ideological differences, conflict and its devastating consequences. Recently, African leaders expressed their solidarity with Libya when two Libyans were convicted of terrorism in the Lockerbie incident.

They called upon “the Security Council to immediately and definitely lift sanctions and the embargo imposed on Libya and which has no legal or moral justification following the positive stand, civilised handling and great co-operation displayed by the Jamahiriya in dealing with this issue and reaffirmed the right of the Great Jamahiriya to compensation for material and moral damage it has suffered¹⁴². On the issue of land distribution in Zimbabwe, African Heads of State and Government meeting in Lusaka, Zambia reiterated their demand for Britain to honour its colonial obligation to fund the land resettlement programme in Zimbabwe in accordance with the Lancaster House Agreement and called upon Britain to co-operate fully and enter into dialogue with the government of Zimbabwe with the purpose of finding a final solution to this colonial legacy¹⁴³. These two examples illustrate the revival of the spirit of African solidarity in post-Cold War African international relations.

In Chapter Two, we have seen that there are different ‘types of conflicts’ in Africa and argued that not all of them necessarily lie within OAU's competence. Some of these conflicts are those that arise from situations of popular uprising against dictatorial regimes. However we argue that to catalogue conflicts in Africa into 'old' and 'new' could be misleading because some of these conflicts have been going on for a long time. They only resurfaced now because forces that suppressed them ceased to exist with the end of the Cold War. The changes that have occurred in their configuration were brought about by the end of the Cold War which drew them to the attention of the international society.

Chapter Three looked at the institutional dimension of OAU conflict management. By integrating a conflict management mechanism within its institutions the OAU enhanced its capacity to deal with conflicts. But as we argue in Chapter Four, the OAU's ineffectiveness was to some extent due to Cold War dispensations. Chapter Five is a case study of Chad to illustrate this point. With all its good intentions, OAU's conflict management efforts were frustrated by foreign interference in the internal affairs of Chad.

¹⁴² AGH/Dec.168 (XXXVII).

¹⁴³ AGH/Dec.2 (XXXVII).

In Chapter Six we argue that the end of the Cold War has created a conducive atmosphere for OAU conflict management as a result of the end of superpower support and interventionism to shore up rogue states in Africa. It is now possible for Africans to attend to their problems. But our case study of Rwanda has shown that much of the euphoria that surrounded the end of the Cold War has subsided as the number of internal conflicts increased. It also demonstrated the limits of OAU conflict management especially when Cold War conflict management strategies, that consisted of depending solely on external mediation, were applied to post-Cold War protracted conflicts.

The strength of OAU's conflict management as shown in chapter eight lies in its moral authority and its capacity to use the Pan-African credo to that effect. The Eritrea-Ethiopia conflict was seen as an absurd conflict because it was perceived by Africans as a conflict between "Brothers". The OAU's successful mediation in the Eritrea-Ethiopia conflict has once again brought back an old traditional practice of presidential mediation as a technique of conflict management.

In chapter nine we analysed the peace agreements signed the case studies in order to reveal shortcomings in conflict mediation. We also looked at OAU's structural and functional weaknesses and proposed in a modest way, reforms that could enhance its capacity in conflict management.

The OAU became the first port of call for conflict management in Africa¹⁴⁴, as it was entrusted by the African leaders with the responsibility of conflict management because it is widely seen as an ideal forum in finding a negotiated settlement to conflicts. It is the only organisation in Africa that brings together all the African leaders from different parts of the continent and winning over these leaders in times of peace negotiations is important. It provides a forum for promoting shared values and sets standards for the conduct of African diplomacy. Over the past three decades, the OAU tried to cope with this responsibility despite its meagre resources.

¹⁴⁴ Interview with Mr. Sam Ibok, Head of the Conflict Management Division of the OAU, Addis Ababa, Ethiopia, May 2001.

Since the OAU summit in June 2000 in the Togolese capital Lomé, it was decided by African Heads of State to transform the OAU into an 'African Union'. Our study is limited to the OAU and therefore the 'African Union' is beyond the scope of this study but it would be interesting to speculate the future of the OAU's successor organisation, if this exercise could provide the basis for further research.

10.1) The OAU in perspective.

When many African countries became independent in the 1960s, the problem was how to forge closer relationships in the context of regional co-operation while African leaders embarked on nation building. As African states interacted with each other, it emerged that there were differences relating to a wide range of issues such as ideology, border demarcations, domestic politics and problems of subversion. The OAU was therefore a suitable forum to discuss some of these issues before they got out of control. Conflict management became the OAU's principal activity which in a way is a major digression from its historical mission of fighting the 'enemy' from outside.

Since its inception the OAU has been involved in conflict management in Africa and has facilitated consultations and joint action in conflicts that fall within its area of competence. The creation of the OAU was therefore a judicious act. Basil Davidson argues that there are at least three reasons why the launching of the OAU in 1963 was good for African progress.

"This launching proved that the new states were going to begin their independent life, after the colonial period with a determined effort to work together for common interest; The OAU gave the new states their own means of settling disputes, of shaping policies, of combining in defence of African independence and continuing the struggle for liberation; and finally once launched, the OAU gave the old Pan-Africanist ideas a basis in reality. In doing this, it could point the way to overcoming destructive rivalries of nationalism and the consequent quarrels between nation-states (Davidson,1994).

During the Cold War, the OAU's inability to play an effective role in conflict management was largely attributed to Cold War dispensations. Some of the conflicts that occurred as in the Horn of Africa were conflicts by proxy which often went to their logical conclusion. OAU's role was hampered by the system of alliances in which member states sought extra-continental solutions to African problems. Although the OAU did devise its own conflict management strategies to contain conflicts, they proved ineffective, with few exceptions such as the conflict between Algeria and Morocco. But the continental organisation continued to exercise its influence in conflict situations as some African leaders like Emperor Haile Selassie of Ethiopia and Modibo Keita of Mali took to the centre stage in conflict mediation. In the same vein, African leaders were determined to resolve their differences especially during OAU summit meetings.

In the 1980s the OAU's focus was mainly on economic issues as African leaders realised that the root causes of conflicts in Africa is economic under-development. The OAU 'has always maintained that economic development of Africa remains the responsibility of the governments and peoples of its member states. It has provided necessary support to the African governments for the promotion of economic development through co-operation and integration.'¹⁴⁵

The OAU adopted the African Priority programme (APER) as a response to the severe economic crisis that the continent was facing. The root cause of conflict was believed to be poverty and that was why the poverty alleviation was its top priority. In 1991, the OAU member states signed the Treaty of Abuja establishing the African Economic Community.

It aims to promote interstate co-operation, harmonisation of policies and integration of programmes. It also seeks to promote the harmonious development of economic activities among member states. The Treaty also calls for the peaceful settlement of disputes among member states, active co-operation between neighbouring countries and promotion of a peaceful environment as a pre-requisite for economic development.

¹⁴⁵ OAU Document: Organisation of African Unity: Reflections and Prospects, 1993.

From a historical perspective therefore, the OAU created norms in African international relations. For example, the non-intervention norm created some form of 'stability' in inter-African relations while the territorial integrity norm prevented small states like the Gambia, Lesotho and Swaziland from being absorbed by their larger neighbours. As an organisation of primus inter-pares, the OAU gave many small African states the possibility to exercise their influence, especially in ad hoc commissions. Finally as Claude Welch points out, 'a basic consensus continues to exist on the desirability of maintaining inherited frontiers as guard against excessive influence by external or internal powers and the positive accomplishment by the OAU has resulted in the creation of a forum to discuss African affairs' (Welch,1976).

However, the OAU has been criticised especially since the end of the Cold War for turning a blind eye to dictatorial rule and accepting member states whose leaders are 'undemocratic'. While some of these criticisms are fair, the OAU cannot be blamed for poor governance and economic mismanagement (Middleton,1997). Political instability resulting from them are not OAU's creation. The OAU's modest contribution to conflict management as well as in economic and social matters can be accepted as "sufficient to justify its past efforts to assume its continued utility" (Bennett,1991).

The fact that the OAU continues to survive after thirty-eight years of existence is not because "it has lacked problems or enjoyed material prosperity; if nothing else, it is resilient and adaptable to circumstances" (Foltz, 1991:pp347-348). The prospects for OAU conflict management will depend on the nature and evolution of conflicts.

10.2) Trends in conflict and conflict management in Africa.

In the introductory chapters we raised questions concerning OAU's performance in conflict management and more precisely how the continental organisation was relatively successful in handling some of Africa's conflicts without having to resort to the 'old mechanism' that was in place. The OAU did not bypass the 'old mechanism' deliberately but it rather was due the development of mediation processes that arose out of Summit meetings. It could be said that African leaders are averse to rigid formal structures of mediation and they prefer the 'Palaver Tree'¹⁴⁶ where they can meet and talk freely knowing that decisions taken there are not binding and they are not accountable.

The second question that is in a way related to the first is the reason for optimism in OAU's capabilities in conflict management. The post-Cold War has created a conducive environment for OAU and other regional and security arrangements in conflict management. First, because conflict management hitherto undertaken solely on individual basis has now become institutionally entrenched in regional organisations. In Europe, the OSCE has created what is called the 'Berlin Mechanism' designed to deal with emergency situations and the 'Valletta Mechanism' for the pacific settlement of disputes. The OAS created the 'Santiago Mechanism' intended as a swift response to any interruption to the democratic process in a member state.

Second, with the retreat of the superpowers from conflicts which were inflamed during the Cold War primarily for strategic reasons the responsibility of conflict management fell on regional organisations. In Africa, the OAU took the lead in conflict management because of its past experience in managing conflicts in Africa and the moral authority it commands.

¹⁴⁶ In the traditional African society, Elders prefer to discuss communal affairs under a big usually situated in the middle of the village. The tree under which discussions take place is called the 'Palaver tree'.

In order to appreciate OAU's efforts in conflict management and the challenges it faces, it is necessary to look at the organisation in perspective in order to understand what sort of strategy it ought to develop as conflicts become more impervious to solutions.

Since the end of the Cold War, the African continent has been the scene of some of the world's most violent conflicts. These have left many millions of people dead and many more as refugees in their own countries. A general map of conflicts in Africa indicates that they occur where there is concentration of natural resources such as oil, diamonds, minerals and timber: the diamond mines in the Democratic Republic of Congo and in Sierra Leone, oil fields in Angola, Algeria and the Delta region of Nigeria, and timber and iron ore in Liberia and Guinea.

The protracted nature of these conflicts makes it difficult to schematise a solution for them, because as Michael Klare put it, 'new conflict management strategies need to be devised because many states continue to view controlling certain natural resources as a natural security requirement- something worth fighting for' (Klare, 2001). Conflicts that involve competition over natural resources do not lend themselves to 'quick fixes'. More worrying still is the fact that some of these conflicts have taken a regional dimension. The current conflict in the Democratic Republic of Congo involves directly or indirectly more than eight countries.

The post-Cold War has seen the dramatic upsurge of intrastate conflicts. They involve both 'state' and non-state actors such as insurgent movements. We have argued that there are theoretical limits to model-based conflict management strategies and the need for a holistic approach in dealing with these conflicts. For example, a Pan-Africanist approach to conflict management looks beyond 'conflict management mechanisms' and places emphasis on the role of 'people'. Scholars in conflict management have played an important role in studying and analysing aspects of post-Cold War conflicts. Prominent among them is Zartman's work which stresses on the rationality of parties in conflict. He argues that solutions to conflicts can only be achieved when 'the moment is ripe'.

Other scholars notably Lederach argue that 'conflict transformation' that aims to transform conflict into a positive outcome could be a more fruitful enterprise than seeking a 'solution', which in many instances is practically impossible to achieve. From a realist perspective, the whole idea of trying to resolve conflict is naive. Theorists of conflict resolution they claim, try to reconcile interests that are irreconcilable. Because of the nature of 'Politics among Nations'¹⁴⁷ only powerful nations could influence the outcome of conflicts.

While these theoretical analyses give some insights to the problems of conflict management, it is much harder to make a case for conflict management in Africa where states are weak and many regimes undemocratic. The root causes of conflict seem to be the nature of the 'African state'. As Stedman points out, 'any prescription for Africa's internal conflicts must be grounded in reality' (Stedman, 1996) and the reality is that many African states are weak and marginalized in world politics. That is one of the reasons why Pan-Africanism calls for African Unity because conflict could be prevented if people are united.

We argue that Pan-Africanism of which the OAU is the institutional expression has imparted to the African way of life a strong moralistic streak. It calls for unity and to speak of 'African Unity' in times of conflict exerts moral pressure on the parties in conflict. Whether that moral pressure is enough to bring an end to a conflict is open to question. However, when the ideals of Pan-Africanism are used as an instrument of conflict management it becomes a rallying point and a constant reminder of history, of African belonging to the same civilisation and the need to resolve conflicts through traditional channels. H el ene Grandvoininnet and Hartmut Schneider argued that 'in analysing conflict in order to propose solutions, an acquaintance with history of the society concerned is essential. To understand a given situation one must study it over a period of time in order to identify and understand the legacies of history which can throw light on the past' (Grandvoininnet and Schneider, 1998).

¹⁴⁷ Morgenthau, H. (1967), New York: Alfred Knof.

In the immediate future, there is nothing to suggest that there will be a downturn in conflicts in Africa in which 'resources' are involved. These include conflicts in Angola, The Democratic Republic of Congo and Sierra Leone. In the latter, the situation is stable and there is reason to be optimistic for a peaceful settlement. But there is evidence to suggest that "Africa will continue to experience serious warfare in the future and will pose serious challenges to those responsible for maintaining regional security and preventing humanitarian disasters" (Gurr and al, 2001). The nature of this warfare could be the spread of small scale urban guerrilla warfare that will cause regular armed forces to change form, shrink in size and therefore the burden of defending society against the threat of low intensity conflict will be transferred to the booming security business' (Van Creveld, 1991) at the expense of institutions of conflict management like the OAU.

Poor leadership has contributed to this state of affairs. The legitimacy and competence of some African leaders have been questioned by the opposition in various countries, while the state machinery which is supposed to protect citizens is often used as a coercive force to quell opposition. Leaders, governments, and people closest to violent situations bear the primary responsibility for taking preventive action. Preventive action therefore remains the responsibility of states, and especially their leaders.¹⁴⁸

The presence of NGOs whose role range from activities like relief operations to capacity building is supposed to provide a way out of these problems. According to the SIPRI Yearbook (2000:p107), Africa "outranks all other regions in the number and scope of institutions addressing the prevention management and resolution of conflicts". The involvement of NGOs in conflict management in Africa has become a common feature in conflict zones. Indeed, NGOs have occupied the centre stage of conflict management, but we argue that their role should be limited to relief operations.

¹⁴⁸ Carnegie Commission Report on Preventing Deadly Conflicts, 1997.

Although NGOs especially those engaged in monitoring human rights abuses such as Amnesty International and Human Rights Watch have played important roles in alerting the international opinion about human rights abuses which are often a prelude to a major conflicts, it could be said that “the NGO community is uncoordinated both in policy and operations and has little understanding of or training in realities of war” (Smith,1993:p101).

Aid agencies have become Africa's largest industry by the amount of handouts and the local people they employ. While morally identifying themselves with the sufferings of the people, Aid agencies' involvement in conflicts complicates today's conflict management strategies. Once these ‘NGOs intervene through the United Nations or the government in place, their action all too often becomes part of the problem’ (Macrae and Zwi, 1994). For example, an NGO, instead of disarming a rebel faction or government forces, will provide aid in accordance with its moral code of conduct. This aid can “support combatants by legitimising them unduly or underwriting them directly by feeding armies through diversion, maintaining garrisons and keeping the supply lines open” (ibid.).

A clear line of demarcation must be drawn between the activities of NGOs in relief operations and conflict management. NGOs that specialise in conflict resolution could be useful in providing information and sponsoring peace initiatives, but “they cannot be substitutes for such a process” (Lund, 1997:p117).

On the whole, conflicts in Africa “are declining in terms of numbers” (Gurr & al.) but they are becoming more and more violent. The OAU has to engage in peace-making which is a long process and sometimes frustrating. The immediate trend towards de-escalation of conflicts is linked to the economic performance of African countries and greater focus on issues of poverty and underdevelopment. African leaders have made a fundamental linkage between issues of peace, security and development. Progress has been made in conflicts in the DRC, The Comoros Islands and Sierra Leone but there are still ongoing intractable conflicts in Burundi, Sudan and Angola where peace cannot be imposed and, therefore, the protagonists have to accept peace initiatives.

However, conflict management has evolved from being the traditional domain of state practice to include a wider variety of actors such as civil society organisations. It was in recognition of the role of civil society in conflict management that the OAU organised a conference in June 2001 in Addis Ababa, Ethiopia on “building partnership for promoting peace and development in Africa”.¹⁴⁹ Lessons can be drawn from the conclusions of this conference which could help enhance OAU's conflict management mechanism.

10.3) The concept of ‘African Unity’ as a conflict management paradigm.

In previous chapters we have discussed ‘African unity’ as a myth to explain why African leaders evoke ‘African solidarity’ in conflict situations as a mode of conflict management. That was the ultimate goal set by African leaders nearly four decades ago and it still remains valid. It is also in the name of ‘African unity’ that OAU annual summits have become a sort of a ritual. Many African leaders do make it to these Annual Summits to show their commitment to African unity and solidarity.

That in itself is a great achievement taking into account their commitments, domestic politics and their direct or indirect involvement in ongoing conflicts on the continent, OAU summits are therefore an important event and an ideal forum for diplomatic intercourse.

Yet African diplomacy even in times of conflict is conducted through informal channels. One of the reasons for this is that while ‘diplomacy is the basis of all attempts to resolve conflict, diplomacy of a state-centred kind lacks the necessary sensitivity to ethnic conflict’ (Richmond, 1999). Thus, when African countries mediate in conflicts, they do so on the basis of ‘a special relationship’. Rwanda mediated in the Eritrea-Ethiopia conflict because of the good relationships it has maintained with both countries.

¹⁴⁹ OAU Conflict Management Division.

Similarly a group of African leaders took the initiative to mediate in the civil unrest in Côte d'Ivoire to express their solidarity to the Ivorian people . However, in the end the credit for all these mediation efforts goes to the OAU.

Therefore to contend that all OAU summits in which these conflicts are discussed are conducted solely through the channels of traditional diplomacy is not an accurate assessment of African interstate relations. Mediation in African politics is a personal affair, between heads of state or their acquaintances and much of it has to do with tradition and therefore differs with the practices of modern diplomacy which is embedded in 'protocols'. The centrepiece of modern diplomacy is the 'state'. But many African states exhibit some characteristics of weakness which is why they are referred to as “collapsed states” (Zartman,1995), or “quasi states” (Jackson,1990). Curiously, these weak states ‘persist’. Although Jackson and Rosberg (1982) do not provide a convincing answer as to why ‘Africa’s weak states persist’ their analysis of characteristics of weak states is interesting and informative. Thus, it could be said that giving these states a central role in conflict management could be a liability not an asset, and we cannot rely entirely upon them as competent agents in the conduct of conflict management.

Diplomacy as defined by Hamilton and Langhorne (1995) is “the peaceful conduct of relations amongst political entities, their principals and accredited agents”. This definition implies that African countries do practice diplomacy in the same way as Britain and France. While the adherence to diplomatic protocols by African states does confirm this assertion, it does not reflect the reality. African leaders are essentially traditionalists, influenced by traditional and cultural practices and often they play the ‘modernity’ or the ‘traditional’ card depending on the place and circumstances. In many respects they remain attached to their traditional background and behave like typical traditional leaders.

The ‘dual comportment’ of African leaders is an asset in the context of conflict management in Africa because they can adapt their mediation roles to different social contexts. They can identify themselves with the practices traditional societies or modern diplomatic practices in conflict situations.

Most conflicts in Africa are managed through traditional methods which make references to a system of values and the role and influence of 'elders' in society. As Ali Mazrui notes, "the reverence of Jomo Kenyatta as Mzee (the Elder) in Kenya was substantially the outcome of the pre-colonial tradition elder tradition"¹⁵⁰. The respect for elders is reflected in the way Africans address one another either in public or in private. Thus, the concept of 'fraternity' or "we are all one" embodied in African unity becomes a conflict management paradigm. It is in the name of African unity, which is often paraphrased as "we are all Africans", that belligerents are exhorted to stop fighting. When the Algerian president mediated in the conflict between Ethiopia and Eritrea as the chairman of the OAU what linked him to the two countries (he is an African Arab), is that they are all members of the OAU whose modus vivendi is based on the principle that "we are all Africans". President Bouteflika offered an African way of mediation in a conflict between people of the same culture and tradition by encouraging both Eritrea and Ethiopia to resolve their differences in the interest of African unity.

African unity is symbolic and like all symbols it serves a dual purpose- "explaining and justifying power practices" (Mayall,1973). When African leaders make collective decisions or sign treaties or pass resolutions, they do it in the name of 'African unity' in the way African traditional societies make decisions in the name of the 'community'. An analysis of speeches made by African leaders shows that "references to African unity abound in most public statements marking conflict settlement, attempts at reconciliation, and the like, and thus it would be seen that regional symbols are certainly of some utility" (Meyers,1974).

Indeed "the great majority pragmatically accept that the ideal of African unity can best be promoted by interweaving relationships and institutions, both continental and regional, by harmonising inter-African relations and by seeking to reduce areas of conflict in the continent itself" (Legum,1987). In African traditional societies a 'peacemaker' before whom all local disputes are brought would perform his duty in the name of the community.

¹⁵⁰ Extract from the inaugural Abdulsalami Abubakar Lecture "Pan-Africanism, Democracy and Leadership in Africa: the continuing legacy for the New Millennium" by Ali Mazrui in Chicago , (2001)..

Bourdieu gives a concrete example of how in the Kabyle society in Algeria a poet can play the role of a 'peacemaker' in the way 'he makes things explicit and the labour of symbolic production that he performs especially in conflict situations when the meaning of the world is no longer clear, confers on him major political functions, that is those of war-lord or ambassador' (Bourdieu, 2000). Thus as Augsburg points out, "what counsel there is on how to manage conflicts in many cultures is found in proverbs quoted, stories told and cases recalled" (Augsburger, 1992). To illustrate this point we quote in detail an appraisal of the border dispute between Somalia and Ethiopia and Somalia and Kenya by a Somali during the Fermeda workshop:

The Somali team was the least academically qualified. At the same time the Somali team included Mr. Musa Galal. I would say that Musa has no School Leaving Certificate. He nevertheless considers that he is not less educated than other participants, a point that was undoubtedly conceded at the workshop. He is a walking encyclopaedia of Somali traditional education. For whatever the workshop was discussing, Musa always had an appropriate proverb, poem story from Somali traditional literature. In fact, there was an occasion at every meeting, exclusively devised and executed by Musa for Somali literature to be cited. It was invariably the most entertaining part of the day and the most instructive. The workshop incessantly talked about unification of the peoples of Ethiopia, Kenya and Somalia. Musa unified the whole workshop.¹⁵¹

The understanding of the concept of 'African unity' therefore calls for what could be called 'cultural competence'. This means the ability to interpret the "culture" or "cultures" of societies because it is essential to understand the socio-political realities of the continent to be in a position to formulate and devise effective conflict management strategies. Mediators are often appointed to undertake peace missions not only because of their diplomatic experience but also because of their knowledge of the country.

¹⁵¹ For the opinions expressed by other participants, See Doob, L. (ed.) (1970) *Resolving conflict in Africa: The Fermeda Workshop*, New Haven: Yale University Press.

For example, former Tanzanian president, Julius Nyerere was the mediator in the Burundi civil war. His knowledge of the country and the region as a whole qualified him as a competent mediator in the conflict.

This is not to say that conflicts in Africa are 'peculiar' or 'unique'. It simply explains that there is more to conflict management than the academic and elitist approach that dominate workshops and conflict management projects. 'African unity' which has been the credo of African leaders is still part of the African psyche. The OAU is the institutional manifestation of this unity. As the OAU Secretary- General points out, 'in the last three decades, the OAU has made great efforts in the quest of continental unity. It has deployed its efforts at mediating conflicts, and focused the attention of its member states and engaged the international community to the prevailing problems facing the continent. The OAU is more than ever before resolved to work assiduously to attain the objectives of Pan-African unity and solidarity for the dignity and prosperity of the African peoples'¹⁵²

10.4) The future of the OAU.

During the OAU Summit in Sirte, Libya from 12-14 July 1999, African Heads of State and Government discussed ways and means of 'strengthening the continental organisation to make it more effective so as to keep with the political, economic and social developments taking place within and outside the continent'. It was also agreed to 'establish an African union and strengthen and consolidate the regional economic communities as the pillars for achieving the objectives of the African Economic Community and realising the envisaged union'.

In his Report to the OAU Heads of State and Government during the summit in Lomé, Togo in July 2000, Secretary-General Salim Ahmed Salim spelt out the progress made so far towards achieving an 'African Union'.

¹⁵² Organisation of African Unity: Reflections and Prospects.

According to him, the Council of Ministers ‘has made appropriate recommendations to the Assembly on the draft legal instruments relating to the establishment of the African Union and the Pan-African parliament of which the Council was mandated to prepare by the African leaders when they adopted the Sirte Declaration. The adoption of these instruments marks the most concrete step in the implementation of this declaration, particularly with regard to the objective of transforming the existing institutional structures of the organisation into a higher and more integrated form of co-ordination and co-operation among member states. It will also signifies a new beginning for our people, to be united in a continent that is united in its linguistic, ethnic and cultural diversity’ .¹⁵³

The constitutive act of the African Union is one of the most important institutional developments of the post- Cold War era in Africa. It marks a radical departure from the conservative approach to African unity to a more radical Pan-African enterprise. Some of the objectives of the Union are to:

- a) achieve greater unity and solidarity between the African countries and the peoples of Africa;
- b) defend the sovereignty, territorial integrity and independence of its member states;
- c) accelerate the political and socio-economic integration of the continent;
- d) to promote and defend African common positions on issues of interest to the continent and its people;
- e) encourage international co-operation, taking due account of the Charter of the United Nations and the Universal Declaration of Human Rights;
- f) promote peace, security, and stability on the continent
- g) promote democratic principles and institutions, popular participation and good governance;

¹⁵³ OAU Document: The Secretary-General’s Report, 2000.

h) promote and protect human and peoples' rights in accordance with the African Charter on Human and Peoples' Rights and other relevant human rights instruments.

The 'Constitutive Act of The African Union' is to some extent the realisation of the dreams of Nkrumah in 1961 when he wrote: "There is strength in the political unity of our continent. We believe that considerations of mutual security and prosperity of our people demand that all independent states in Africa should work together to create a union of African states" (Nkrumah,1961). The manifestation of the 'Union' might not be the classic Pan-Africanism which was articulated but the vision is the same. This Pan-African approach as expressed in the 'Union Act' aims to create greater unity and solidarity between the African countries and the peoples of Africa and to accelerate the political and socio-economic integration of the continent. This, the African leaders believed would promote peace, security and stability on the continent as well as promote democratic principles and institutions, popular participation and good governance.

While some of these objectives could be criticised as lofty and noble ideas which in some cases were never translated into reality, they illustrate the increasing awareness among African leaders for the need for closer co-operation. Other regions of the world have already made some achievements in the area of economic co-operation with the creation of NAFTA and the European Union. The latter must have been presented as an acceptable formula for African Heads of State to adopt the 'African Union' because like the 'European Union' this does not mean that African countries have surrendered their sovereignty to 'Addis Ababa'.

Our interest in the 'union project' as far as this study is concern is the Pan-Africanist approach in trying to work out solutions to Africa's numerous problems. The creation of the 'African Union' resuscitates the myth of African unity which proved to be cohesive force before and after the creation of the OAU. It is also the realisation of the dreams of the founders of the OAU.

What is more encouraging is that African leaders are beginning to realise the importance of popularising the 'African Union'. In other words, they recognise the importance of involving the people in the decision-making process when it comes to conflict management. The progress towards achieving the 'African Union' has been rapid. It came into effect on the 26th May 2001.

10.5) Concluding reflections.

In response to post-Cold War security concerns in Africa, the OAU developed instruments and elaborated strategies for conflict management. It is easy for those who care less about the OAU to be cynical in appraising its role in conflict management especially if one considers the inflated expectations contained in some of its projects proposals. The reason for this is that the OAU has broadened its policy agenda since the end of the Cold War to include issues such as democracy, health and a wide range of other projects related to conflict prevention. It would therefore be misleading to judge the OAU only on its policies. The existence of the OAU, the only Pan-African organisation in Africa demonstrates the willingness of African leaders to work together. That in itself is a great achievement.

However, one of the problems confronting the OAU is 'its neglect of the role of Pan-Africanism within the organisation because some African leaders feel that they can get the organisation going without the Pan-Africanist spirit which created the OAU' (Imobighe,1989). This is of course possible, but then it could be a "bloated and inactive organisation" (ibid.). OAU's survival as an effective conflict management institution depends to some extent on its ability to keep the flames of Pan-Africanism alive which serves as a moral reference for Africans.

The next summit of The African Union will be in July 2002 which will become its first meeting. The Summit may well raise more questions about the Union's role in conflict management than provide answers.

The Assembly of Heads of State and Government, meeting in an Ordinary Session in July 2001 in the Zambian capital Lusaka, decided to incorporate the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution as one of the Organs of the Union in accordance with Article 5 (2) of the Constitutive Act of the African Union and they requested the Secretary-General to undertake a review of the structures, procedures and methods of the Central Organ, including the possibility of changing its name¹⁵⁴.

In a way, the 'Union Project' opens up windows of research in this area. Since our study is limited to the OAU we will not speculate further on the nature of the Union's role in conflict management. But the general consensus among African leaders to transform the OAU into the 'African Union' confirms the satisfaction of the African leaders with the OAU's role in conflict management and its status as the ideal forum to discuss conflict issues and co-operation.

An important feature of the post-Cold War international relations is the emergence of 'economic blocs'-the EU and NAFTA. It is important for the OAU to focus on developing the economies of its member states. The case of Europe is particularly a good example for 'African Union' to learn from. Western Europe started its march towards union by first strengthening its economic base. In Western Europe countries offers more or less the same standard of living so that when people from one country move to another, it is not that they are economic migrants but only to have another experience. So the European experience should be replicated in Africa. Levelling development would enable people to move about thus strengthening Pan-Africanism. Whenever Africans acted together, they made a difference.¹⁵⁵ For example in the Lockerbie case, member states of the OAU adopted a common position and defied the air embargo imposed upon Libya. Libya is gradually taking its place in the international community.

¹⁵⁴ AGH/Dec.160 (XXXV11).

¹⁵⁵ Interview with Sam Ibok, Addis Ababa, 2001.

The OAU has been in existence for only thirty-eight years and in the life of organisation, that is a short period. The fact that the OAU is able to survive all these years of political and economic turmoil underlines the importance of the organisation to African leaders, who having worked hard to create it would want to hold on to it as a testimony of their achievement. Its effectiveness depends to a large extent on the willingness of African leaders to work together. However, it would be unrealistic to think that the OAU could resolve all the conflicts in Africa. As the Secretary-General of OAU said in an interview, 'it is not for the Secretariat or the OAU Chairperson to resolve conflict; Where it is possible to play a central role, we play it and where sub-regional organisations can play a role, we are supportive of their initiatives.'¹⁵⁶

It would be apt to say that where purely African affairs are concerned, the OAU remains an extremely valuable forum for consultation and discussions and the post-Cold War international environment has rekindled its role in conflict management. It was believed that the end of the Cold War dictatorial regimes will 'democratise' and since according to some analysts, democracies never go to war, the OAU would have less conflicts to manage.

Paradoxically, it was also the end of the Cold War that unleashed unprecedented violence on the continent. Historically major conflicts led to important historical developments. The end of the Second World War led to the creation of the United Nations to avert war between nations. In Africa, wars of liberation led to independence. But the Cold War ended without a major international confrontation. Henceforth one can argue that war has ceased to be the prime instrument in regulating interstate competition. One reason is that in the past, 'states' sought to extend their control over 'nations' and resources beyond their borders. Now, the reverse is happening with 'nations' seeking to control the 'state' and its resources.

¹⁵⁶ Salim Ahmed Salim, Interview on BBC Focus on Africa, 12 July 1999.

There is an urgent need to strengthen OAU's capacity in conflict management so that it can face the multiple challenges of post-Cold War conflicts and all Africans should be implicated in this task.

Furthermore what is needed from Africa, as the Secretary-General of the United Nations stated “is political will; without it, not even the noblest sentiment sentiments will have a chance of success. Three areas deserve attention. First, Africa must demonstrate the will to rely upon political rather than military responses to problems. Democratic channels for pursuing legitimate interests and expressing dissent must be protected, and political opposition respected and accommodated in constitutional forms. Second, Africa must summon the will to take good governance seriously, ensuring respect for human rights and the rule of law, strengthening democratisation, and promoting transparency in public administration. Third, Africa must enact and adhere to the various reforms needed to promote economic growth”¹⁵⁷. Thus, OAU's success in conflict management will be measured not in terms of failures of its member states but success in terms of their capacity to manage their own affairs. African leaders must prepare themselves to face future challenges of conflict management if they are to preserve continental unity. As the Secretary-General of the OAU succinctly put it:

“There is no doubt that the most valuable asset with which we are entering the new century and the new millennium is our unity and solidarity. Central to OAU's survival is first and foremost the realisation that unity is our only rational choice. We have no other option but to remain together because separately none of us can make it, and individual linkages with the outside world are not viable. Equally important for our success during the past decade was the spirit of solidarity and shared vision that we adopted in dealing with each other. It is thus satisfying that areas which were previously considered to be taboo and untouchable with the excuse of being preserved rights of sovereignty, are now genuinely and rightly treated as issues of continental concern”(158). That sums the ideals of Pan-Africanism and an acknowledgement of the role it can play as a mode of conflict management.

¹⁵⁷ Report of The United Nations Secretary-General to the Security Council on the causes of conflict and the promotion of durable peace and sustainable development in Africa, 1998.

¹⁵⁸ OAU Secretary-General's Report, 2001.

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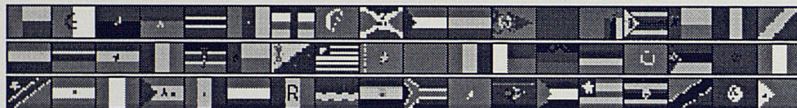
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THE CHARTER

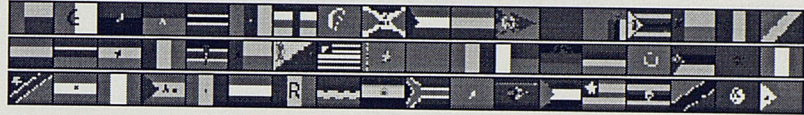
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APPENDIX I

THE OAU CHARTER

THE CHARTER



OAU Charter

We, the Heads of African States and Governments assembled in the City of Addis Ababa, Ethiopia,

Convinced that it is the inalienable right of all people to control their own destiny,

Conscious of the fact that freedom, equality, justice and dignity are essential objectives for the achievement of the legitimate aspirations of the African peoples,

Conscious of our responsibility to harness the natural and human resources of our continent for the total advancement of our peoples in all spheres of human endeavour,

Inspired by a common determination to promote understanding among our peoples and cooperation among our states in response to the aspirations of our peoples for brother-hood and solidarity, in a larger unity transcending ethnic and national differences,

Convinced that, in order to translate this determination into a dynamic force in the cause of human progress, conditions for peace and security must be established and maintained,

Determined to safeguard and consolidate the hard-won independence as well as the sovereignty and territorial integrity of our states, and to fight

against neo-colonialism in all its forms,

Dedicated to the general progress of Africa,

Persuaded that the Charter of the United Nations and the Universal Declaration of Human Rights, to the Principles of which we reaffirm our adherence, provide a solid foundation for peaceful and positive cooperation among States,

Desirous that all African States should henceforth unite so that the welfare and well-being of their peoples can be assured,

Resolved to reinforce the links between our states by establishing and strengthening common institutions,

Have agreed to the present Charter.

ESTABLISHMENT

Article I

1. The High Contracting Parties do by the present Charter establish Organisation to be known as the **ORGANIZATION OF AFRICAN UNITY**.
2. The Organization shall include the Continental African States, Madagascar and other Islands surrounding Africa.

PURPOSES

Article II

1. The Organization shall have the following purposes:

- (a) To promote the unity and solidarity of the African States;
- (b) To coordinate and intensify their cooperation and efforts to achieve a better life for the peoples of Africa;
- (c) To defend their sovereigns, their territorial integrity and independence;
- (d) To eradicate all forms of colonialism from Africa; and
- (e) To promote international cooperation, having due regard to the Charter of the United Nations and the Universal Declaration of Human Rights.

2. To these ends, the Member States shall coordinate and harmonize their general policies, especially in the following fields:

- a) Political and diplomatic cooperation;
- b) Economic cooperation, including transport and communications;
- (c) Educational and cultural cooperation;
- (d) Health, sanitation and nutritional cooperation;

- (e) Scientific and technical cooperation; and
- (f) Cooperation for defence and security.

PRINCIPLES

Article III

The Member States, in pursuit of the purposes stated in Article solemnly affirm and declare their adherence to the following principles:

1. The sovereign equality of all Member States.
2. Non-interference in the internal affairs of States.
3. Respect for the sovereignty and territorial integrity of each State and for its inalienable right to independent existence.
4. Peaceful settlement of disputes by negotiation, mediator conciliation or arbitration.
5. Unreserved condemnation, in all its forms, of politic' assassination as well as of subversive activities on the part a neighbouring States or any other States.
6. Absolute dedication to the total emancipation of the Africa: territories, which are still dependent.
7. Affirmation of a policy of non-alignment with regard to al blocs.

MEMBERSHIP

Article IV

Each independent sovereign African State shall be entitled to become Member of the Organization.

RIGHTS AND DUTIES OF MEMBER STATES

Article V

All Member States shall enjoy equal rights and have equal duties.

Article VI

The Member States pledge themselves to observe scrupulously the principles enumerated in Article III of the present Charter.

INSTITUTIONS

Article VII

The Organization shall accomplish its purposes through the following principal institutions:

1. The Assembly of Heads of State and Government.
2. The Council of Ministers.
3. The General Secretariat.

4. The Commission of Mediation, Conciliation and Arbitration.

THE ASSEMBLY OF HEADS OF STATE AND GOVERNMENT

Article VIII

The Assembly of Heads of State and Government shall be the supreme organ of the Organization. It shall, subject to the provisions of this Charter, discuss matters of common concern to Africa with a view to coordinating and harmonizing the general policy of the Organization. It may in addition review the structure, functions and acts of all the organs and any specialized agencies which may be created in accordance with the present Charter.

Article IX

The Assembly shall be composed of the Heads of State and Government or their duly accredited representatives and it shall meet at least once a year. At the request of any Member State and on approval by a two-thirds majority of the Member States, the Assembly shall meet in extraordinary session.

Article X

1. Each Member State shall have one vote.
2. All resolutions shall be determined by a two-thirds majority of the Members of the Organization.
3. Questions of procedure shall require a simple majority. Whether or not a question is one of procedure shall be determined by a simple majority of all Member States of the Organization.
4. Two-thirds of the total membership of the Organization shall form a quorum at any meeting of the Assembly.

Article XI

The Assembly shall have the power to **determine its own rule** procedure.

THE COUNCIL OF MINISTERS

Article XII

1. The Council of Ministers shall consist of Foreign Ministers or other Ministers as are designated by the Governments of Member States.
2. The Council of Ministers shall meet at least twice a year. When requested by any Member State and approved by two-thirds of all Member States, it shall meet in extraordinary session.

Article XIII

1. The Council of Ministers shall be responsible to the Assembly Heads of State and Government. It shall be entrusted with the responsible of preparing conferences of the Assembly.

2. It shall take cognisance of any matter referred to it by the Assembly. It shall be entrusted with the implementation of the decision of the Assembly of Heads of State and Government. It shall coordinate inter-African cooperation in accordance with the instructions of the Assembly conformity with Article II (2) of the present Charter.

Article XIV

1. Each Member State shall have one vote.

2. All resolutions shall be determined by a simple majority members of the Council of Ministers.

3. Two-thirds of the total membership of the Council of Ministers shall form a quorum for any meeting of the Council.

Article XV

The Council shall have the power to determine its own rules of procedure.

GENERAL SECRETARIAT

Article XVI

There shall be a Secretary-General of the Organization, who shall be appointed by the Assembly of Heads of State and Government. The Secretary-General shall direct the affairs of the Secretariat.

Article XVII

There shall be one or more Assistant Secretaries-General of the Organization who shall be appointed by the Assembly of Heads of state and Government.

Article XVIII

The functions and conditions of service of the Secretary-General, of the Assistant Secretaries-General and other employees of the Secretariat shall be governed by the provisions of this Charter and the regulations approved by the Assembly of Heads of state and Government.

1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

2. Each member of the Organization undertakes to respect the exclusive character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

COMMISSION OF MEDIATION, CONCILIATION

AND ARBITRATION

Article XIX

Member States pledge to settle all disputes among themselves by peaceful means and, to this end decide to establish a Commission of Mediation, Conciliation and Arbitration, the composition of which and condition of service shall be defined by a separate Protocol to be approved by the Assembly of Heads of State and Government. Said Protocol shall be regarded as forming an integral part of the present Charter.

SPECIALIZED COMMISSION

Article XX

The Assembly shall establish such Specialized Commissions as it may deem necessary, including the following:

1. Economic and Social Commission.
2. Educational, Scientific, Cultural and Health Commission.
3. Defence Commission.

Article XXI

Each Specialized Commission referred to in Article XX shall be composed of the Ministers concerned or other Ministers or Plenipotentiaries designated by the Governments of the Member States.

Article XXII

The functions of the Specialized Commissions shall be carried out in accordance with the provisions of the present Charter and of the regulations approved by the Council of Ministers.

THE BUDGET

Article XXIII

The budget of the Organization prepared by the Secretary-General shall be approved by the Council of Ministers. The budget shall be provided by contribution from Member States in accordance with the scale of assessment of the United Nations; provided, however, that no Member

State shall be assessed an amount exceeding twenty percent of the yearly regular budget of the Organization. The Member States agree to pay their respective contributions regularly.

SIGNATURE AND RATIFICATION OF CHARTER

Article XXIV

1. This Charter shall be open for signature to all independent sovereign African States and shall be ratified by the signatory States in accordance with their respective constitutional processes.

2. The original instrument, done, if possible in African languages, in English and French, all texts being equally authentic, shall be deposited with the Government of Ethiopia which shall transmit certified copies thereof to all independent sovereign African States.

3. Instruments of ratification shall be deposited with the Government of Ethiopia, which shall notify all signatories of each such deposit.

ENTRY INTO FORCE

Article XXV

This Charter shall enter into force immediately upon receipt by the Government of Ethiopia of the instruments of ratification from two-thirds of the signatory States.

REGISTRATION OF CHARTER

Article XXVI

This Charter shall, after due ratification, be registered with the Secretariat of the United Nations through the Government of Ethiopia in conformity with Article 102 of the Charter of the United Nations.

INTERPRETATION OF THE CHARTER

Article XXVII

Any question which may arise concerning the interpretation of this Charter shall be decided by a vote of two-thirds of the Assembly of Heads of State and Government of the Organization.

ADHESION AND ACCESSION

Article XXVIII

1. Any independent sovereign African State may at any time notify the Secretary-General of its intention to adhere or accede to this Charter.
2. The Secretary-General shall, on receipt of such notification, communicate a copy of it to all the Member States. Admission shall be decided by a simple majority of the Member States. The decision of each Member State shall be transmitted to the Secretary-General, who shall,

upon receipt of the required number of votes, communicate the decision to the State concerned.

MISCELLANEOUS

Article XXIX

The working languages of the Organization and all its institutions shall be, If possible African languages, English and French, Arabic and Portuguese.

Article XXX

The Secretary-General may accept, on behalf of the Organization, gifts, bequests and other donations made to the Organization, provided that this is approved by the Council of Ministers.

Article XXXI

The Council of Ministers shall decide on the privileges and immunities to be accorded to the personnel of the Secretariat in the respective territories of the Member States.

CESSATION OF MEMBERSHIP

Article XXXI

Any State, which desires to renounce its membership, shall forward a written notification to the Secretary-General. At the end of one year from the date of such notification, if not withdrawn, the Charter shall cease to apply with respect to the renouncing State, which shall thereby cease to belong to the Organization.

AMENDMENT OF THE CHARTER

Article XXXII

This Charter may be amended or revised if any Member State makes a written request to the Secretary-General to that effect; provided, however, that the proposed amendment is not submitted to the Assembly for consideration until all the Member States have been duly notified of it and a period of one year has elapsed. Such an amendment shall not be effective unless approved by at least two-thirds of all the Member States.

IN FAITH WHEREOF, We, the Heads of African State Governments have signed this Charter.

Done in the City of Addis Ababa, Ethiopia,

25th day of May, 1963

APPENDIX II

**DECLARATION OF THE ASSEMBLY
OF HEADS OF STATE AND GOVERNMENT
ON THE ESTABLISHMENT, WITHIN THE
OAU OF A MECHANISM FOR CONFLICT
PREVENTION MANAGEMENT AND
RESOLUTION**

ANNEX

DECLARATION OF THE ASSEMBLY OF HEADS OF STATE AND GOVERNMENT ON THE ESTABLISHMENT, WITHIN THE OAU OF A MECHANISM FOR CONFLICT PREVENTION, MANAGEMENT AND RESOLUTION

We, the Heads of State and Government of the Organization of African Unity, meeting in our Twenty-ninth Ordinary Session in Cairo, Egypt, from 28 to 30 June, 1993, having considered the situations of conflict on our Continent and recalling the Declaration we adopted on 11 July, 1990, on the political and socio-economic situation in Africa and the Fundamental Changes Taking Place in the World, declare as follows:

1. In May 1963, when the Founding Fathers met in Addis Ababa, Ethiopia, to found the Organization of African Unity, they were guided by their collective conviction that freedom, equality, justice and dignity are legitimate aspirations of the African peoples, and by their desire to harness the natural and human resources for the advancement of the Continent in all spheres of human endeavour. The Founding Fathers were inspired by an equally common determination to promote understanding between the African peoples and cooperation among the African States, and to rekindle the aspirations of the African people for brotherhood and solidarity in a larger unity transcending linguistic, ideological, ethnic and national differences.
2. The Founding Fathers were fully convinced that to achieve these lofty objectives, conditions for peace and security must be established and maintained.

3. It was with this overriding conviction, and also guided by the Charter of the United Nations and the Universal Declaration of Human Rights, that our countries began on the arduous task of meeting the triple challenge of decolonization, economic development and maintenance of peace and security.

4. Today, thirty years later, we can look back with pride at the achievements which the Organization of African Unity has been able to make against heavy odds and the many obstacles it has had to surmount.

5. The ranks of independent countries have been strengthened and the membership of the OAU has increased from thirty-two at its founding to fifty-two today. The frontiers of freedom in Africa have been pushed to the doors of Apartheid South Africa. And even there, significant progress has been made; and we have reasonable cause for optimism that we shall soon see the total eradication of the remaining vestiges of colonialism, racism, racial discrimination and apartheid.

6. We, however, continue to be faced by the daunting dual challenge of economic development and democratic transformation. Our countries have made tremendous efforts both individually and collectively to arrest and reverse the decline in our economies. Notwithstanding the many serious difficulties they have encountered, and the magnitude of what remains to be done, appreciable progress has been made in the social and economic fields.

7. The socio-economic situation on our Continent remains nonetheless in a precarious state. Factors including poverty, deterioration of the terms of trade, plummeting prices of the commodities we produce, the excruciating external indebtedness and the resultant reverse flow of resources have combined to

undermine the ability of our countries to provide for the basic needs of our people. In some cases, this situation has been further compounded by external political factors.

8. We do recognize, however, that there have also been certain internal human factors and policies which have negatively contributed to the present state of affairs on the Continent.

9. No single internal factor has contributed more to the present socio-economic problems on the Continent than the scourge of conflicts within and between our countries. They have brought about death and human suffering, engendered hate and divided nations and families. Conflicts have forced millions of our people into a drifting life as refugees and internally displaced persons, deprived of their means of livelihood, human dignity and hope. Conflicts have gobbled-up scarce resources, and undermined the ability of our countries to address the many compelling needs of our people.

10. While reaffirming our commitment to the Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World which we adopted during the Twenty-sixth Session of our Assembly, in Addis Ababa, in July 1990, we renew our determination to work in concert in the search for speedy and peaceful resolution to all the conflicts in Africa.

11. In June last year at the Twenty-eight meeting of our Assembly in Dakar - Senegal, we decided in principle to establish within the OAU, and in keeping with the principles and objectives of the Charter of the Organization, a Mechanism for Conflict Prevention, Management and Resolution. We took that decision against the background of the history of many prolonged and destructive conflicts on our continent and of our limited success at finding lasting solutions to them, notwithstanding the many efforts we and our predecessors had

expended. In so doing, we were also guided by our determination to ensure that Africa through the Organization of African Unity plays a central role in bringing about peace and stability on the Continent.

12. We saw in the establishment of such a Mechanism the opportunity to bring to the processes of dealing with conflicts on our continent a new institutional dynamism, enabling speedy action to prevent or manage and ultimately resolve conflicts when and where they occur.

13. Now, having considered the report on the Mechanism prepared by the Secretary-General pursuant to our decision on the principle of its creation, we hereby establish, within the OAU, a Mechanism for preventing, managing and resolving conflicts in Africa.

14. The Mechanism will be guided by the objectives and principles of the OAU Charter; in particular, the sovereign equality of Member States, non-interference in the internal affairs of States, the respect of the sovereignty and territorial integrity of Member States, their inalienable right to independent existence, the peaceful settlement of disputes as well as the inviolability of borders inherited from colonialism. It will also function on the basis of the consent and the cooperation of the parties to a conflict.

15. The Mechanism will have as a primary objective, the anticipation and prevention of conflicts. In circumstances where conflicts have occurred, it will be its responsibility to undertake peace-making and peace-building functions in order to facilitate the resolution of these conflicts. In this respect, civilian and military missions of observation and monitoring of limited scope and duration may be mounted and deployed. In setting these objectives, we are fully convinced that prompt and decisive action in these spheres will, in the first instance, prevent the

emergence of conflicts, and where they do inevitably occur, stop them from degenerating into intense or generalized conflicts. Emphasis on anticipatory and preventive measures, and concerted action in peace-making and peace-building will obviate the need to resort to the complex and resource-demanding peace-keeping operations, which our countries will find difficult to finance.

16. However, in the event that conflicts degenerate to the extent of requiring collective international intervention and policing, the assistance or where appropriate the services of the United Nations will be sought under the general terms of its Charter. In this instance, our respective countries will examine ways and modalities through which they can make practical contribution to such a United Nations undertaking and participate effectively in the peace-keeping operations in Africa.

17. The Mechanism will be built around a Central Organ with the Secretary-General and the Secretariat as its operational arm.

18. The Central Organ of the Mechanism shall be composed of the State members of the Bureau of the Assembly of Heads of State and Government elected annually, bearing in mind the principles of equitable regional representation and rotation. In order to ensure continuity, the States of the outgoing Chairman and (where known) the incoming Chairman shall also be members of the Central Organ. In between Ordinary Sessions of the Assembly, it will assume overall direction and coordinate the activities of the Mechanism.

19. The Central Organ shall function at the level of Heads of State as well as that of Ministers and Ambassadors accredited to the OAU or duly authorized representatives. It may, where necessary, seek the participation of other OAU Member States in its deliberations particularly, the neighbouring countries. It may also seek, from within the Continent, such military, legal and

other forms of expertise as it may require in the performance of its functions.

20. The proceedings of the Central Organ shall be governed by the pertinent Rules of Procedure of the Assembly of Heads of State and Government. The Central Organ shall be convened by the Chairman or at the request of the Secretary-General or any Member State. It will meet at least once a year at the level of Heads of State and Government; twice a year at the Ministerial level; and once a month at Ambassadorial and duly authorized representatives level. The quorum of the Central Organ shall be two thirds of its members. In deciding on its recommendations and without prejudice to the decision-making methods provided for in the Rules of Procedure of the Assembly of Heads of State and Government, it shall generally be guided by the principle of consensus. The Central Organ shall report on its activities to the Assembly of Heads of State and Government.

21. The venue of its meetings shall ordinarily be at the Headquarters of the Organization. Meetings may also be held elsewhere if so decided through consultations among its members. The provisional agenda of the Central Organ shall be prepared by the Secretary-General in consultation with the Chairman.

22. The Secretary-General shall, under the authority of the Central Organ and in consultation with the parties involved in the conflict, deploy efforts and take all appropriate initiatives to prevent, manage and resolve conflicts. To this end, the Secretary-General shall rely upon the human and material resources available at the General Secretariat. Accordingly, we direct the Council of Ministers, in consultation with the Secretary-General, to examine ways and means in which the capacity within the General Secretariat can be built and brought to a level commensurate with the magnitude of the tasks at hand and the responsibilities expected of the Organization. In his

efforts, the Secretary-General may also resort to eminent African personalities in consultation with the Authorities of their countries of origin. Where necessary, he may make use of other relevant expertise, send special envoys or special representatives as well as despatch fact-finding missions to conflict areas.

23. A special fund governed by the relevant OAU Financial Rules and Regulations shall be established for the purpose of providing financial resources to support exclusively the OAU operational activities relating to conflict management and resolution. It will be made up of financial appropriations from the regular budget of the OAU, voluntary contributions from Member States as well as from other sources within Africa. The Secretary-General may, with the consent of the Central Organ, and in conformity with the principles and objectives of the OAU Charter, also accept voluntary contributions from sources outside Africa. Disbursement from the Special Fund shall be subject to the approval of the Central Organ.

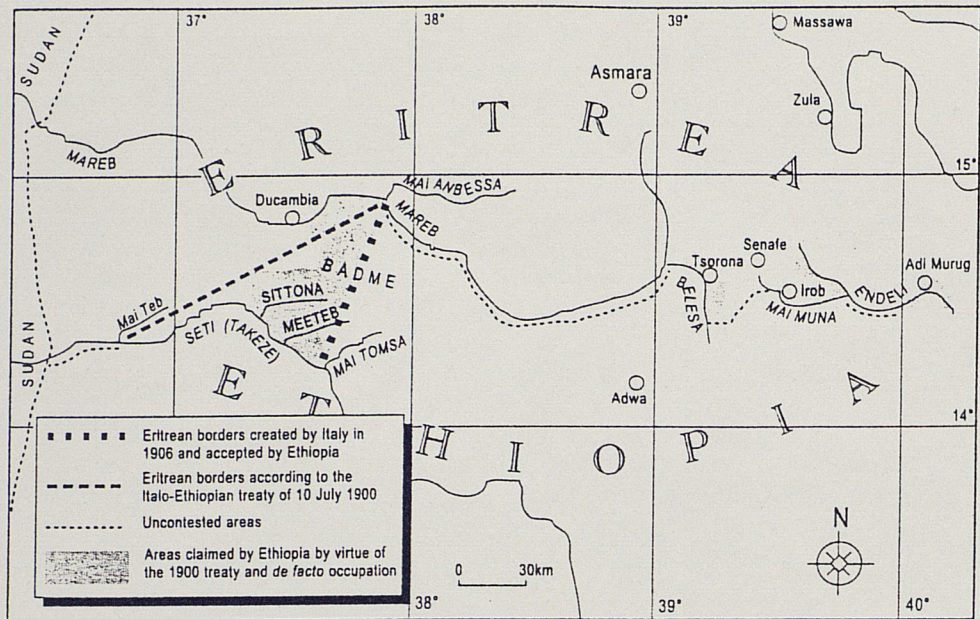
24. Within the context of the Mechanism for Conflict Prevention, Management and Resolution, the OAU shall closely coordinate its activities with the African regional and sub-regional organizations and shall cooperate as appropriate with the neighbouring countries with respect to conflicts which may arise in the different sub-regions of the Continent.

25. The OAU shall also cooperate and work closely with the United Nations not only with regard to issues relating to peace-making but, and especially, also those relating to peace-keeping. Where necessary, recourse will be had to the United Nations to provide the necessary financial, logistical and military support for the OAU's activities in Conflict Prevention, Management and Resolution in Africa in keeping with the provisions of Chapter VIII of the UN Charter on the role of regional organizations in the maintenance of international peace

and security. In like manner, the Secretary-General of the OAU shall maintain close cooperation with other international organizations.

APPENDIX III

CONTESTED AREAS ALONG THE BORDER BETWEEN ERITREA AND ETHIOPIA



Source: Gabriele Clampi: 'Componenti cartografiche della controversia di confine Eritreo-Etiopica', *Bollettino della società Geografica Italiana*, Serie III, 12(3) (1998), p. 530.

*Contested Areas Along the Delimited but not Demarcated Border
Between Eritrea & Ethiopia*