Security, Law and Order

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The 1998 Governance Institute on «Security and Violence, Law and Order» was the first ever on this theme, and it (logically) followed the previous year's theme on Conflict. Themes of security and law and order have not enjoyed much prominence in social science research or discourse in Africa in spite of their obviously crucial importance to the region. Indeed, while the Institute was in session, a series of events (the bombings in Nairobi and Dar-es-Salaam, the war in Congo, as well as the continuing insurgencies in Guinea-Bissau and the Casamance) underscored the critical nature of the themes under discussion.

The annual Governance Institutes target primarily young African academics. It has become a major platform for intellectual debate and critical reflection on key regional and global issues and concepts, for enhancing the capacity to conduct basic research, and sustaining a vibrant academic culture in the region amid the devastation of academic and intellectual infrastructure in most African countries). Specifically, it is an avenue whereby CODESRIA is attempting to transmit an intellectual culture to the younger generation by facilitating interaction with senior scholars. However, the opportunity for interaction between younger scholars from different African academic and national backgrounds proved to be equally salutary, both in providing mutual intellectual clarification and broadening intellectual concerns. A growing constraint on developing intellectual horizons among young scholars (in addition to shortage of books and research

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funding) is the limited opportunity for travel and hence for contact and exchanges with their peers. The Institute is an incomparable vehicle for facilitating, as well, such travel and interaction (even though I remark below that the Institute is in some danger of becoming an enclave, and that more effort should be made to integrate it with the Dakar environment). As a result of this literature and the discussions, the laureates, many of whom initially had difficulty moving beyond particular national frames of reference (the effect, in many cases, of limited exposure to literature and travel) were encouraged to think more comparatively, and to recognise in the process the diversity as well as the underlying commonalities in African political processes.

However, the key benefit of the Institute was undoubtedly the access it afforded laureates to a wide range of new literature and theories. Particularly welcome was the 1000-page photocopy allowance to each laureate, which was fully utilised in the opening weeks of the Institute. When this was exhausted, the laureates continued to photocopy out of their own resources on a significant scale, utilising the low-cost photocopy shops located just outside CODESRIA. I was both impressed and humbled by the thirst for reading material demonstrated by these young scholars. ·

If the 1998 session was any indication, the Institute concept appeared to be succeeding in its objectives. Discussions were vibrant and animated, and there was a sustained current of intellectual excitement and debate. To me (an African professor working in the much better endowed, but also often indifferent intellectual environment of the United States), there could not have been a better or more gratifying reminder that intellectual vitality can persist even in the direst crisis conditions.

Thematic Issues

The Historical Antecedents of Violence in Africa

It was argued in these presentations that violence has been a permanent aspect of African history. Violence and professional armies had featured prominently in the construction of great African empires such as Songhai (the 'archetype of the military State'), Ghana and Mali, and in the mobilisation of labour resources for great monuments such as the pyramids and the structures of Great Zimbabwe. Violence was used to extract tribute and to control trade routes and secure slave supplies; the emergence of new types of States was connected with extensive population movements and almost permanent warfare. Military arts assumed their most advanced form under the Kingdom of Chaka, with society itself being constructed along military lines. Indeed, the proliferation of weapons today has historical antecedents in the 17th and 18th centuries, when many regions of Africa became awash with arms, particularly in response to the slave trade; warlordism and globalisation processes were thus closely linked. This use of violence for both developmental and destructive purposes was further elaborated by the colonial system. It contributed to the entrenchment of a culture of violence that presaged, for instance, the romanticisation of violence in the anti-apartheid struggle.

From another perspective, violence was also perceived as being connected with the birth of the new structures, the dismantling of old ones as well as the creation of new channels of opportunity and accumulation, destruction and recomposition of national and regional entities, the forging of new identities and expansion of the public spectrum. This posed dramatically the question of how such violence was to be regulated, an issue which is at the very heart of the problematics of democracy. One reason for the persistence of violence in the modern era is the privatisation of public authority,

and consequently, the lack of citizenship consciousness on the part of the State and the population under its rule.

From the historical viewpoint, it is possible to periodize two phases of violence in Africa: first, a historical period of State formation and increasing monopolisation of the instruments of violence, followed by a second and more recent period of democratisation of violence, with the State losing legitimacy to religious and sub-national entities, because incapable of securing the minimal conditions of reproduction.

New Forms of Violence

The post-Cold War retraction of the imperial security umbrella, and the erosion of the economic basis to patronage networks from abrupt and traumatic processes of economic liberalisation, have together contributed to intensify the 'security dilemma' of some African States. A major source of the new insecurity is the weapons proliferation from the breakdown of both supply- and demand-side controls in the region and globally in recent years. However, prior to this, a series of internal challenges (beginning with informalisation, privatisation of State revenues, etc.) had whittled away at the State's attempted monopolisation of a whole series of resources; the concurrent challenge to the State's monopoly of public space (via the resurgence of civil society) and the instruments of violence, should be located within this broader process. Similarly, the 'democratisation' of the means of violence is also preceded by the decomposition of the State security machinery, and even contestations within the system of power itself, which offered an opening wedge for those wanting to challenge it from outside. It is as much in the light of these recent challenges, as of its historical frailties and strategies of power consolidation, that the proclivity of the African to the use of force should be understood.

The presentation noted the characteristics of the so-called 'new form of internal war' occurring in places such as Liberia, Rwanda, Somalia and Sierra Leone (the apparent lack of a political agenda, the deliberate and systematic use of terror and 'ethnic cleansing' and the equally deliberate targeting of civilians, the use of children and youth (often abducted and drugged) as shock-troops and cannon-fodder, and the key role played by control over resource enclaves in these wars), as well as the emergence of new entrepreneurs of violence (State builders, warlords, security companies, mercenary corporations, criminal gangs, etc.) and configurations of force.

There were discussions on the various theoretical traditions and definitions used for analysing violence in literature, ranging from violence as disempowerment (Litke) to violence as an emancipatory tool (Fanon). There was some criticism of the tendency in the current literature and media to demonise violence, and a call to return to a recognition (as in the ideas of Fanon) of the radical possibilities of violence. It was pointed out that both democracy and the modern State itself were born in violence; 'accountability' to citizens was the result of some fairly violent political revolutions, a fact which the peculiarly depoliticised discourse on governance, for instance, refuses to recognise.

Civil Society and the State

The rise of 'civil society' in Africa has been perceived as one of the key barometers of political change, as well as a major explanatory variable in understanding the recent spread of violence, used reciprocally by both State and civil society. The presentation and subsequent discussions highlighted the semantic evolution of the concept of civil society, beginning with its historical and philosophical development in Europe, the subsequent transformations in its conceptualisation, and the many debates raised by the application of the concept to Africa: What should be included or excluded from the

definition? Are Islamic Brotherhoods and ethnic associations for instance part of civil society? Is there only one civil society in African countries, or more? Is the term 'civil society' descriptive or prescriptive? Is the existence of civil society a necessary guarantee of democracy? Is it possible to rigorously demarcate the civil society from the State in the way that literature has often sought to do? The presentation pointed to the different configurations of civil society in Africa and its relationship with the State, using the examples of Senegal and Tanzania.

Some scepticism was expressed about the political significance of the explosion of NGOs (what one commentator called 'welfare civil society'), and the so-called 'internationalisation of civil society'. According to another commentator, what is occurring with these NGOs constitutes less 'civil society' than 'groupism'; indeed, civil society itself is in crisis because of the growing fragmentation and parochialism represented by such narrow-based organisations.

Several laureate presentations addressed the issue of State violence against civil society (such as in Kenya, Nigeria, and Cameroon), and civil society violence against the State (as in Senegal).

A related theme (and a recurrent one in the Institute) was, not surprisingly, the attempt to problematise the post-colonial State, its nature, characteristics and socio-political practices. The many different labels applied to this State ('quasi-State', 'fictive State', 'lame leviathan', etc.), capture both its historical particulars and the current condition of crisis. These, it was argued, were clearly not 'Nation-States' in the European idiom, but entities held up principally by international law and the myth of sovereignty, in the sense that States required only territoriality and a government capable of being recognised (juridical statehood). The issue of the alleged 'intangibility' or 'inviolability' of African borders, and its conflict with the principle of self-determination, was also raised, specifically under discussions on the Western Sahara and Eritrea. The OAU ideology of more or less

absolute defence of colonial boundaries was criticised as a form of 'legal fundamentalism' preventing the reconstitution of African States along more rational lines.

Also debated was the extent to which the State continues to be stamped by its colonial origins, and the extent to which it is a post-colonial creation. It was held that African States have been characterised by divergent trajectories since independence, with some developing institutional capacities, and others regressing or even imploding. Hence the richest (and most continuous theme of) discussion had to do precisely with the great diversity (as well as some underlying continuities) in the nature of concrete political practices within and between African States and regimes (Nigeria, Kenya, Senegal, and Cameroon came in for the most exhaustive analysis). This suggested the wisdom of historical specificity as well as a lesser level of abstraction in discussing African States and regimes (although the extent to which the contributions reflected this lesson remains open to question).

Civil Society, Ethnicity and Islam

Both civil society and the State are confronted by two principal sources of cleavage and contending identities: ethnicity and religious fundamentalism. A major issue that emerged in the discussions was whether these forms of identity were necessarily inconsistent with civil society and democratic practice. Two presentations analysed these issues.

The first presentation indicated the existence of three theoretical schools of thought in the analysis of ethnicity, namely, the primordialist, the instrumentalist (also known as 'contextualist' or 'situationalist') and the integrationist (the presenter's choice). The presenter defined ethnicity (somewhat controversially, given his proclaimed theoretical preference) as 'parochial consciousness and protection of one's ancestral and socio-cultural identity, most especially in a plural society', and

ethnocide (following Lemarchand) as 'a wholesale massacre of innocent people, most especially civilians, on both sides of a socially constructed faultline'. Sexual violence was seen to be intrinsically linked with ethnocide.

While the discussion was predictably critical of the role of ethnic mobilisation in politics and the violence it often entailed, it was considered that, under certain conditions, this could play a useful and positive role. It was suggested, for instance, that ethnicity had functioned to preserve democratic space and as a building bloc of civil society and pluralism in Nigeria, and that ethno-communal violence constituted a 'necessary call for democratisation of governance' as well as a form of struggle for a more just and inclusive order. It was felt, on the other hand, that the claims of ethnicity could be accommodated by some form of power-sharing.

A second issue was whether Islam, and Islamic fundamentalism in particular, should be seen as part of or antagonistic to civil society. The presentation maintained that Islam is a religion of some diversity, with ideological, racial, cultural, ethnic, linguisitc differences among Muslims so it should not be seen as a monolithic bloc. Much of the recent controversy regarding the relationship between Islam and political violence concerned the so-called 'Islamists', who claim that Islamic law should govern all aspects of social, political, economic and cultural life, who argue that the decline in Islamic societies is due to their Westernisation, secularism and materialism, and who advocate return to the 7th Century and a lifestyle based on that of the Prophet. In reality, though, most Islamists are modernised (urban and often university-educated), rejecting Westernisation but not modernisation or technology. They advocate resistance to injustice and other types of wrongdoing in earthly governments, including 'Islamic' ones.

The more conservative Islamic schools are more nuanced on these questions. Islamists may turn out to be more radical in areas of serious dispute with the West, but in countries where there is a tradition of coexistence and Islam has not been repressed, it is possible that a sense of accommodation and respect for pluralism may develop.

In the discussions that followed, there was a sharp and critical questioning of the fundamentalist agenda. However, it was also advanced that Islamic mobilisation helps shape democracy by articulating the demands of the oppressed. In the context of Northern Nigeria, for instance, the fundamentalists have contributed to the expansion of democratic space by raising questions of justice, and by being prepared to confront governments to force them to recognise their demands, many of which (such as imprisonment without trial) are legitimate. Unlike many Muslims in that area, they are not resigned or fatalistic, being often brilliant, hard-working students. They reject Western democracy but not necessarily democracy as such. Thus, in interrogating the relationship between Islam and democracy, we need to ask: 'What type of Islam? What type of democracy?' Indeed, from a certain perspective, Islam should be seen as part of a broad and ideologically diverse struggle against bourgeois and Eurocentric concepts, conditioned by their experience of Western domination. From this standpoint, Islamic fundamentalism is part of the fabric of Third World nationalism and anti-imperialism.

Youth, Violence and Crime

The explosion of violent crime and criminal gangs in certain African cities was discussed, with reference to Nigeria and South Africa, and in the case of the laureate presentation, with regard to Dakar and Nairobi. It was noted that in both South Africa and Nigeria, crime had deep structural roots, and that political violence and criminal violence were increasingly undistinguishable, due in part to the

criminalisation of the criminal justice system itself. Crime often reflected a crisis of governance; for instance, crime in Nairobi took a new turn in the 1990s as economic and political liberalisation led not to economic recovery and a vibrant civil society, but to urban and societal anarchy and breakdown.

In the context of both Nairobi and Dakar, crime is linked to the crisis of urban space and citizenship. To be a citizen means not only a right to be in the city but also a part of the decision-making process. Over the past decade in Dakar (according to one research presentation) we witnessed the disappearance of such citizenship. The economic and political situation is betraying and disempowering large masses of poor urban residents, producing increased violence, fear of urban spaces, and growing partition of the city into 'safety zones' (Jerusalem) and 'dangerous spaces' (Babylon). In both cities, there is corresponding growth of auto-security, in which poor citizens act as their own police (vigilantism), and the rich hire protection from the burgeoning security sector (it is held that there is frequent complicity between these private and the official security organs, with the Kenya Police deliberately vacating neighbourhoods so that private security companies — many are run by retired police and military officers — can move in). Social regulation is thus occurring through violence, promoting the emergence of a new citizenship built around civil disobedience and individuation of responsibility for survival. There is clearly a need to reduce exclusion and increase participation of the poor in the structures of urban life.

Youth have been disproportionately involved in these trends towards criminality and violence. Warlord formations and street gangs alike have recruited preponderantly from the ranks of the youth. Further, this violence has an explicit gender dimension (it is specifically the militarisation of young males, and women are often the victims of their violence). The underlying factors in this development included: the preponderantly youthful character and

high dependency ratio of African societies, the structural and generational crisis of youth, signified by the collapse of traditional mobility mechanisms (access to education, employment in the civil service, etc.) as well as networks of social and community support, resistance to the gerontocratic oppression widespread within African societies, and the vulnerability of the youth to certain forms of violent lumpen culture associated with Hollywood films. The depoliticisation of youth even in higher educational institutions is seen in the rise of campus cults in Nigeria, in the decline of 'universalistic' student associations and in the rise of parochial ones (partly as a result of the effort of university administrations to use them to counter radical student movements).

Gender

The discussion on gender violence stimulated the most spirited debate, and yet, in spite of the many controversial opinions, was in many respects the most gratifying of all the sessions, not least due to the excellent performance of the resource person, and the astuteness with which she dealt with critical questions.

A distinction was drawn between two forms of gender studies, 'Women's Studies' and 'Feminist Studies', the former being the intellectual study of women and gender issues in the academy, and the other, a progressive political as well as intellectual project. The work of feminist anthropologists in particular has brought historical perspective to women's subordination, focusing not just on reproduction but on the exploitation of women's labour power, and portraying women not as objects but as subjects of history. Such studies have shown that colonialism intensified the gender gap, and that even though women have emerged from the private into the public sphere, their problems are still not resolved, while new ones are being posed.

Violence against women, it was argued, is the most pervasive form of violence, occurring in all cultures, and deeply embedded in multiple cultural and ideological justifications, secular as well as religious, indigenous and foreign. This includes wife-beating, female genital mutilation and marital rape; there has also been an upsurge of domestic violence in response to the crisis of masculinity, which is essentially economic in origin. Women and children are the first victims in civil war, with refugees mostly drawn from their ranks, and there have been instances of organised rape of women by both sides. This has given women particular interest in peace, democracy and secularism, even though, across Africa, gender is not effectively integrated into the democratisation project.

War and violence are of course both gendered experiences. The monopoly over instruments of violence and the right to bear arms and conduct warfare are the ultimate expression and guarantee of patriarchy and male gender supremacy. Men are said to be equipped by their physical nature and psychology to be the 'martial gender', while women are allegedly equipped for reproduction and nurturing roles, and thus requiring protection — in spite of historical evidence that women (such as Queen Nzinga, Amina, and Yaa Asantewaa)[1] demonstrated important military leadership in times of crisis. Even within the liberation armies women played gendered roles. Women's alleged unsuitability for military service has in turn been used

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[1]- *Queen Nzinga* was a great African queen of Angola from 1623 to 1653. She waged war against the slave-hunting Europeans, particularly the Portuguese.

- *Amina Sarauniya:* Born around 1533, Amina was queen of Zazzau, a province of Nigeria now known as Zaria. She was well known for her military exploits, and for building the walls of Zaria, which still stand today.

- *Yaa Asantewaa* was queen mother of Ejisu, Ashanti, Ghana. She defied the might of the Brithish colonial hegemony. In 1900, Yaa Asantewaa inspired the indomitable Ashanti to take up arms in defence of their sovereignty after the king of Ashanti had been abducted and sent into exile by the British colonial authorities.

historically to support the claim that women lacked the tools for exercising full citizenship. It was therefore considered 'extremely important' that armies be fully opened up to women. During the discussions, contributions drawing on the experiences of Ethiopia and Uganda debunked the myth of women's physical and psychological incapacity for war, in suggesting that female soldiers displayed no less valour and cruelty than men, as they were particularly feared in the Ethiopian theatre of war. Important transformations have also occurred in gender relations on the battlefield.

This presentation drew critical reactions from several of the male laureates. Some saw women as being partly responsible for male violence against them and blamed women for helping to provoke wars (the infamous Helen of Troy syndrome); indeed, men rather than women were seen as the 'gender victims'; there was a complaint that the issue of 'sexual harassment' has become so vague and diffuse as to be virtually meaningless; some laureates perceived 'marital rape' as a contradiction in terms; the critique of sexual mutilation was viewed as being 'Western-inspired' and several speakers criticised the diffuse and even 'evil' influence of women in politics as the power behind the throne (the 'First Lady' syndrome). The resource-person courteously but persuasively dismissed such rejoinders. This must have had the desired effect. In spite of the 'politically incorrect' opinions, such was the excitement generated by the discussion that most of the laureates (including those most critical of feminist scholarship) expressed interest in being part of the Gender Institute the following year!

Globalisation, Liberalisation and Democratisation

The presentations under these themes sought to examine to what degree the multiple transitions involved in globalisation, liberalisation and democratisation have been implicated in the increase in violence and criminal behaviour in Africa. The consensus from the critical discussions suggested that, on the whole, these processes were not

leading to the positive outcomes anticipated by the external sponsors of reform. Several authors have suggested that the multiple transitions (or openings) that peripheral countries are undergoing are unique and without historical precedent; new theoretical initiatives may thus be required to unravel them. The discussion commenced with critical reflection on Reno's controversial thesis (*Warlord Politics and African States*): that economic liberalisation is tipping already weak States in Africa in the direction of warlord politics — rather than open competitive economies and strong bureaucratised States — giving rise to new configurations of politics, commerce and security. African leaders are using liberalisation to commercialise their politics, pare down and discipline existing patronage networks, and jettison marginal or troublesome constituencies that make political demands but contribute little by way of resources. While the resulting 'warlord' formations diverge radically from the theological expectations of the sponsors of reform, they are nevertheless functional on the margins of the new global economy.

In his presentation on neo-liberal reform, Professor Dieng argued that certain forms of structural violence (impoverishment and exclusion) are inherent in structural adjustment. In his view, macroeconomic reforms are intended to influence primarily the external balance, the main objective being to generate surpluses for debt service, while the export fetishism of such programmes promotes integration with the world market at the expense of domestic or regional integration. The cut-backs in subsidies affect political and social legitimation, creating conflicting interests between donors and populations, while the system of conditionality subverts African autonomy and sovereignty in the area of economic policy-making. Here, too, adjustment is reconfiguring both territoriality and citizenship, drawing an insidious distinction between 'Africa utile' and 'Africa inutile', hence driving both large social groups and geographical regions into marginalisation, and eroding not only social networks but also psychological investment in the State itself.

Similarly, the discussion on democratisation noted the paradoxical relationship between democratisation and violence. The basis of the theoretical discussion was Helen Fein's thesis on the correlation between democratic transitions and increased repression and violence — 'More Murder in the Middle'. 'Rather than a panacea or pabulum, democracy, especially in its early stages, is a Pandora's box. Opening up to limited democracy is not only an oxymoron, but also a dangerous condition'. 'More Murder in the Middle: Life, Integrity Violations and Democracy in the World, 1987' *Human Rights Quarterly*, vol. 17, No 1 (Feb 1995). Drawing upon the case of Kenya and other African countries, laureates concluded that democratic transitions can contain the seeds of their own destruction unless they are properly managed.

Redesigning Civilian-Military Relations and Security Architectures

The emergence of new concepts and mechanisms of security to deal with warlordism and violence was approached through a discussion of ECOMOG. As a concept, regional security seeks to collectivise the costs of reproducing the security of each individual State; it remains in this sense State-centric, and thus hardly constitutes a complete paradigm shift. The ECOMOG experience has been a controversial one, as observed in the discussion, with most West African laureates being positive, while the Nigerian laureates were highly critical, pointing to negative (but little known) implications for Nigerian democracy (not to mention economy). ECOMOG, it was agreed, does teach the important lesson that one should not conflate regional security and human security (as suggested by the fact that the government of General Abacha, which took the lead in regional peace-enforcement, would at the same time be ostracised by the international community for its abuse of human rights at home). The settlements that brought 'peace' to Liberia and Sierra Leone did not

seek as forcefully to address the domestic issues at the root of regional conflagration, such as bad governance, economic injustice and exclusion. In fact, a more thorough reconceptualisation of 'security' is required, one that would take the concept away from its traditionally militaristic, State-centric and gendered meanings to a view of the human person, rather than the State, as the focus of security. (The definition of 'security' in the South African 'White Paper on Defence' was taken as a good example of such rethinking).

Rethinking the State

Institutional redesign is only an aspect, however, of a transformation in the field or power relations that we call the State, and it indeed presumes such a transformation. There is much current talk of the need to 'rethink', 'redesign', or 'reconfigure' States that are 'soft', 'quasi-collapsed', or 'broken-backed'. Indeed, the very proliferation of post-colonial architectonic schemes points to a long-felt need for such redesign, although hardly ever in the direction of greater democratisation.

Dimensions of such a refashioning might include the relationship between:

(a) States and their populations (renewal of the basis of citizenship);
(b) States and territories (the tension between borders and self-determination);
(c) States, resources and property regimes;
(d) State's, State functions and institutional capacities.

In other words, as one laureate put it, what kind of State do we wish to see for the 21st Century and in the light of globalisation? Any question of transformation raises the issue of agency: who shall undertake this function? Strongmen, warlords, civil society, external donors or some revolutionary movement?

Demilitarising African Politics and Social Life

These new forms of conflict and violence clearly suggest that the actions taken so far by African States to address the problem of violence and demilitarise their politics are not adequate. The discussion focused on two issues: how to gain political control over armed forces, and the role of the community and NGOs in such areas as conflict settlement and demobilisation and resettlement of ex-soldiers (the latter being the theme of a laureate presentation on Ethiopia). Nevertheless, it was recognised that demilitarisation and an end to violence would require action at multiple levels — social, political, cultural and institutional — by many actors, especially through a social movement propelled by an agenda of broad transformation. Key measures would include efforts to control the spread of weapons in the Africa region, address fundamental issues of governance and economic justice and attack the cultural anchor of militarism in masculinity and ethno-nationalism.

Sécurité et ordre public

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L'Institut sur la gouvernance 1998 sur «Sécurité, violence et ordre public» a été le premier sur ce thème et suit (logiquement) le thème de l'année précédente sur les conflits. Les thèmes de la sécurité et de l'ordre public ne sont pas très proéminents dans la recherche ou le discours sur les sciences sociales en Afrique, bien qu'étant à l'évidence d'une importance capitale pour la région. En effet, pendant que se déroulait l'institut, une série d'événements (attentats à la bombe à Nairobi et à Dar es-Salam, guerre du Congo et insurrections continuelles en Guinée Bissau et en Casamance) ont mis en évidence la nature critique des thèmes discutés.

Les instituts annuels sur la gouvernance ciblent principalement les jeunes universitaires africains. Ils sont devenus une plate-forme majeure de débat intellectuel et de réflexion critique sur des questions et concepts clés régionaux et globaux, dans le but de développer les capacités à mener de la recherche fondamentale, et d'entretenir une culture académique vivante dans la région, au milieu de la destruction de l'infrastructure académique et intellectuelle dans la plupart des pays africains. Il s'agit précisément d'un moyen par lequel le CODESRIA cherche à transmettre une culture intellectuelle à la jeune génération, en facilitant les interactions avec des universitaires de haut niveau. Toutefois, les possibilités d'interaction entre jeunes scientifiques d'horizons académiques et de nationalités divers se sont avérées tout

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aussi enrichissantes, en apportant des clarifications intellectuelles mutuelles et en élargissant les préoccupations d'ordre intellectuel. Une contrainte de plus en plus lourde dans le développement d'horizons intellectuels chez les jeunes chercheurs, (en plus de la pénurie de livres et de financement de la recherche) est l'opportunité limitée de voyager, et donc d'avoir des contacts et des échanges avec les pairs. L'Institut est un moyen privilégié de faciliter également ces voyages et interactions (même si plus loin, je fais remarquer que l'Institut est en danger de devenir une enclave, et qu'il faut faire davantage d'efforts pour l'intégrer dans l'environnement dakarois). Le résultat de cette littérature et de ces discussions, c'est que les lauréats, dont plusieurs avaient au départ des difficultés à se mouvoir au-delà de cadres de référence nationaux particuliers (conséquence dans bien des cas du contact limité avec la littérature et les voyages) étaient encouragés à réfléchir d'une manière plus comparative, et ce faisant, à reconnaître la diversité ainsi que les points communs sous-jacents des processus politiques africains.

Cependant, l'avantage principal de l'Institut a été incontestablement l'accès qu'ont pu avoir les lauréats à un large éventail de nouvelles littératures et théories. Les lauréats ont particulièrement apprécié les 1000 pages de photocopie auxquelles ils avaient droit chacun, et les ont totalement épuisées dans les semaines d'ouverture de l'Institut. Une fois ce crédit épuisé, ils ont continué à payer de leur poche un grand nombre de photocopies dans de petits magasins situés non loin du CODESRIA. J'étais impressionné par cette soif de lecture affichée par ces jeunes chercheurs et cela m'a aussi servi de leçon d'humilité.

A en juger par le résultat de la session de l'Institut de 1998, le concept d'Institut semble atteindre ses objectifs. Les discussions étaient très animées et il y avait une fièvre et un débat intellectuels soutenus. Pour moi (Professeur africain travaillant dans le milieu intellectuel américain beaucoup mieux doté, mais aussi souvent indifférent), il ne pouvait y avoir de meilleur rappel ou plus agréable que la vitalité intellectuelle peut persister, même dans les situations de crise les plus terribles.

Questions thématiques

Les antécédents historiques de la violence en Afrique

Il a été soutenu dans ces présentations que la violence a été un aspect permanent de l'histoire de l'Afrique. La violence et les armées professionnelles ont joué un rôle de premier plan dans la construction de grands empires africains tels que le Songhaï («archétype de l'État militaire»), le Ghana et le Mali, et dans la mobilisation de main-d'œuvre pour de grands monuments tels que les pyramides et les structures du Grand Zimbabwe. La violence servait à prélever un tribut ainsi qu'à contrôler les routes du commerce et assurer l'approvisionnement en esclaves; l'émergence de nouveaux types d'États était liée aux vastes mouvements de populations et à la guerre quasi permanente. Les arts militaires ont pris leur forme la plus évoluée sous le règne de Chaka, la société elle-même étant construite sur le modèle militaire. De fait, la prolifération actuelle des armes a des antécédents historiques aux 17e et 18e siècles, quand de nombreuses régions d'Afrique furent inondées d'armes, en réponse notamment au commerce des esclaves; ainsi, le phénomène des seigneurs de la guerre et les processus de mondialisation étaient étroitement liés. Ce recours à la violence à la fois à des fins de développement et de destruction a été élaboré davantage par le système colonial. Cela allait contribuer au renforcement d'une culture de la violence, augurant par exemple de la présentation romantique de la violence dans la lutte contre l'apartheid.

D'un autre point de vue, la violence était également considérée comme étant en rapport avec la naissance des nouvelles structures, le démantèlement des anciennes ainsi que la création de nouvelles filières d'opportunité et d'accumulation, la destruction et la recomposition d'entités nationales et régionales et la création de nouvelles identités, et l'expansion de l'espace public. Cela posait de manière dramatique la question de savoir comment réglementer cette violence, un problème

qui figure au cœur même de la problématique de la démocratie. L'une des raisons de la persistance de la violence dans les temps modernes est la privatisation de l'autorité publique et par conséquent, la non-émergence d'un rapport de citoyenneté entre l'État et les populations sur lesquelles il règne.

D'un point de vue historique, on peut situer deux périodes de phases de violence en Afrique: premièrement, une période historique de formation de l'État et de monopolisation croissante des instruments de la violence; suivie d'une seconde période plus récente de démocratisation de la violence, dans laquelle l'État, incapable d'assurer des conditions minimales de reproduction, perd sa légitimité face aux entités religieuses et sub-nationales.

Nouvelles formes de violence

La rétraction après la guerre froide du parapluie impérial de sécurité conjuguée à l'érosion de la base économique des réseaux de patronage à cause des processus abrupts et traumatisants de libéralisation économique, ont contribué à intensifier le «dilemme de la sécurité» de certains États africains. Une source majeure de la nouvelle insécurité est la prolifération des armes à la suite de la rupture, ces dernières années, du contrôle de l'offre aussi bien que de la demande à l'échelle régionale et mondiale. Cependant, avant cela, une succession de défis internes (commençant par l'informélisation, la privatisation des recettes publiques, etc.) avaient compromis la tentative de monopolisation par l'État de tout un éventail de ressources; la mise en question, simultanément, du monopole par l'État de l'espace publique (par le biais de la résurgence de la société civile) et des instruments de violence devrait se situer dans ce processus plus large. De même, la «démocratisation» des instruments de violence est également précédée de la décomposition des dispositifs de sécurité de l'État, et même de contestations au sein du système de pouvoir lui-même, ce qui ouvrait une brèche à ceux qui souhaitaient la récuser de l'extérieur. C'est

compte tenu autant de ces défis récents que de ces faiblesses et stratégies historiques en matière de consolidation de pouvoir, que doit être comprise la tendance des Africains à recourir à la force.

Ont été notées lors de la présentation les caractéristiques de ce que l'on appelle la «nouvelle forme de guerre intestine» qui se déroule dans des pays tels que le Liberia, le Rwanda, la Somalie et la Sierra Leone (l'apparente absence de programme politique, l'utilisation délibérée et systématique de la terreur et de la «purification ethnique» et la prise pour cible tout aussi délibérée des civils, l'utilisation d'enfants et de jeunes (souvent enlevés et drogués) comme troupes de choc et chair à canon et le rôle clé du contrôle sur les enclaves de ressources dans ces guerres) ainsi que l'émergence de nouveaux entrepreneurs de la violence (bâtisseurs d'États, seigneurs de la guerre, sociétés de surveillance, sociétés de mercenaires, bandes criminelles, etc.) et de nouvelles configurations de force.

Il y a eu des discussions sur les diverses traditions et définitions théoriques utilisées dans l'analyse littéraire de la violence, qui vont de la violence en tant que réduction des pouvoirs (Litke) à la violence en tant qu'outil d'émancipation (Fanon). La tendance de la littérature et des médias actuels à diaboliser la violence a été quelque peu critiquée, et un appel a été lancé en faveur de la reconnaissance (selon la façon de penser de Fanon) des possibilités radicales de la violence. Il a été souligné que la démocratie comme l'État moderne lui-même sont nés dans la violence; «l'imputabilité» devant les citoyens était le résultat de révolutions politiques assez violentes, un fait que le discours particulièrement dépolitisé sur la gouvernance, par exemple, refuse d'admettre.

La société civile et l'État

La montée de la «société civile» en Afrique a été perçue comme l'un des principaux baromètres du changement politique, ainsi qu'une variable explicative majeure de la compréhension de la propagation récente de la violence, utilisée réciproquement par l'État et la société

civile. La présentation et le débat qui a suivi ont noté l'évolution sémantique du concept de société civile, commençant par son développement historique et philosophique en Europe, les transformations subséquentes de sa conceptualisation et les nombreux débats soulevés par l'application de ce concept à l'Afrique: que faut-il inclure dans la définition, ou en exclure? Les fraternités islamiques et les associations ethniques, par exemple, font-elles partie de la société civile? Y a-t-il une seule société civile dans les pays africains, ou plus? Le terme «société civile» est-il descriptif ou normatif? L'existence de la société civile est-elle une garantie nécessaire de la démocratie? Une stricte démarcation entre la société civile et l'État est-elle possible, de la façon dont la littérature a toujours envisagé de le faire? La présentation a noté les différentes configurations de la société civile en Afrique et ses rapports avec l'État, prenant pour exemples le Sénégal et la Tanzanie.

D'aucuns ont fait part de leur scepticisme quant à la signification politique de l'explosion des ONG (ce qu'un commentateur a appelé «la société civile du bien-être») et «l'internationalisation de la société civile». Selon un autre commentateur, ce qui se passe avec ces ONG constitue moins une «société civile» que du «groupisme»; en effet, la société civile elle-même est en crise, à cause de la fragmentation et de l'esprit de clocher de plus en plus grands, représentés par de telles organisations à base étroite.

Plusieurs présentations de lauréats traitaient la question de la violence de l'État contre la société civile (comme par exemple au Kenya, au Nigeria et au Cameroun), et de la violence de la société civile contre l'État (par exemple au Sénégal).

Un thème connexe (et qui revenait constamment au cours de l'Institut) était, comme on pouvait s'y attendre, la tentative de problématiser l'État post-colonial, sa nature, ses caractéristiques et ses pratiques politiques et sociales. Les divers qualificatifs appliqués à cet État («quasi-État», «État fictif», «léviathan boiteux», etc.) captent aussi bien ses caractéristiques historiques que la situation actuelle de

crise. Ceux-ci, soutenait-on, n'étaient assurément pas des «États-nations» dans le sens européen du terme, mais des entités principalement soutenues par le droit international et le mythe de la souveraineté, en ce sens que les États n'avaient besoin que de territorialité et d'un gouvernement à même d'être reconnu (État juridique). La question de la prétendue «intangibilité» ou «inviolabilité» des frontières africaines et de son conflit avec le principe d'autodétermination a été également soulevée, en particulier dans le contexte des discussions sur le Sahara occidental et sur l'Erythrée; l'idéologie de défense plus ou moins absolue des frontières coloniales prônée par l'OUA était critiquée comme une forme de «fondamentalisme légal» empêchant la reconstitution des États africains selon des principes plus rationnels.

Il y a eu quelques discussions sur la question de savoir dans quelle mesure l'État continue-t-il d'être marqué par ses origines coloniales, et dans quelle mesure il est une création post-coloniale. Il a été soutenu que les États africains ont été caractérisés par des trajectoires divergentes depuis les indépendances, certains développant des capacités institutionnelles et d'autres régressant ou même implosant. C'est ainsi que le thème le plus riche (et le plus constant) des discussions avait précisément un rapport avec la grande diversité (ainsi que certaines continuités sous-jacentes) de la nature des pratiques politiques concrètes au sein des États et régimes africains et entre eux (le Nigeria, le Kenya, le Sénégal et le Cameroun ont été l'objet de l'analyse la plus exhaustive). Cela suggérait la sagesse de la spécificité historique, ainsi qu'un moindre niveau d'abstraction dans la discussion sur les États et régimes africains (bien qu'il reste à savoir dans quelle mesure les contributions reflétaient cet enseignement).

Société civile, ethnicité et islam

L'État comme la société civile sont confrontés à deux sources principales de clivage et d'identités opposées: l'ethnicité et le fondamentalisme religieux. Une question majeure qui est ressortie des discussions était

de savoir si ces formes identitaires étaient forcément incompatibles avec la société civile et la pratique démocratique. Deux présentations ont été consacrées à l'exploration de ces questions.

La première a relevé l'existence de trois écoles théoriques dans l'analyse de l'ethnicité, à savoir, l'école primordialiste, l'école instrumentaliste (également connue comme «contextualiste» ou «situationniste») et l'école intégrationniste (le choix du présentateur). L'ethnicité était définie par ce dernier (d'une façon quelque peu controversée, étant donné sa préférence théorique proclamée) comme «la conscience et la protection de clocher de l'identité ancestrale et socioculturelle d'un individu, plus particulièrement dans une société plurielle», et l'ethnocide (selon Lemarchand) comme «un massacre systématique de populations innocentes, plus particulièrement des civils, des deux côtés d'une ligne de faille socialement construite». La violence sexuelle était considérée comme intrinsèquement liée au génocide.

Si, comme il fallait s'y attendre, les discussions consistaient à critiquer le rôle de la mobilisation ethnique en matière de politique et la violence qu'elle comportait, souvent des intervenants soutenaient que, dans certaines conditions, elle pouvait jouer un rôle utile et positif. Par exemple, il a été suggéré que l'ethnicité avait joué le rôle de préservatrice de l'espace démocratique et de composante de la société civile et du pluralisme au Nigeria, et que la violence ethno-communale constituait un «appel nécessaire à la démocratisation de la gouvernance», ainsi qu'une forme de lutte pour un ordre plus juste et inclusif. En outre, d'autres discutants avaient le sentiment que les revendications d'ethnicité pouvaient être adaptées par une certaine forme de partage du pouvoir.

Une deuxième question était celle de savoir si l'islam, et en particulier le fondamentalisme islamique, devait être considéré comme faisant partie de la société civile, ou opposée à celle-ci. La présentation soutenait que l'islam est une religion qui comporte des diversités, les musulmans présentant des différences idéologiques,

raciales, ethniques et linguistiques, et par conséquent ne doit pas être considéré comme un bloc monolithique. La récente controverse autour des rapports entre l'islam et la violence politique a concerné pour l'essentiel les soi-disant «islamistes» qui prétendent que la loi islamique doit régir tous les aspects de la vie sociale, politique, économique et culturelle, soutiennent que la décadence des sociétés islamiques est due à leur occidentalisation, leur laïcité et leur matérialisme, et préconisent le retour au 7ᵉ siècle et à un mode de vie basé sur celui du Prophète. En réalité, cependant, la plupart des islamistes sont modernisés (ils sont citadins et ont souvent fait des études universitaires), rejetant l'occidentalisation mais pas la modernisation ou la technologie. Ils prônent la résistance à l'injustice et à d'autres types de méfaits dans les gouvernements d'ici-bas, y compris ceux «islamiques».

Les écoles islamiques les plus conservatrices sont plus nuancées sur ces questions. Les islamistes peuvent s'avérer être plus radicaux dans des domaines de grave conflit avec l'Occident, mais dans les pays où il existe une tradition de cohabitation et où l'islam n'a pas été réprimé, il est possible que se développe un sens de l'adaptation et du respect pour le pluralisme.

Dans les débats qui ont suivi, l'agenda fondamentaliste a soulevé des interrogations acerbes et critiques. Toutefois, il a été également avancé la conviction que la mobilisation islamique contribue à façonner la démocratie, en articulant les revendications des opprimés. Dans le contexte du Nord du Nigeria, par exemple, les fondamentalistes ont contribué à l'expansion de l'espace démocratique en soulevant des questions de justice, et en étant préparés à affronter les gouvernements pour les forcer à reconnaître leurs revendications, dont un grand nombre (par exemple l'emprisonnement sans procès) sont légitimes. Contrairement à de nombreux musulmans dans ce domaine, ils ne sont pas résignés ou fatalistes, étant souvent des étudiants brillants et travailleurs. Ils rejettent la démocratie occidentale, mais pas forcément la démocratie en tant que telle. Ainsi, en questionnant les rapports entre

islam et démocratie, nous devons poser les questions suivantes: «Quel type d'islam? Quel type de démocratie?» En effet, d'un certain point de vue, l'islam doit être considéré comme faisant partie d'une lutte générale et diversifiée au plan idéologique contre des concepts bourgeois et eurocentriques, conditionnée par leur expérience de la domination occidentale. De ce point de vue, le fondamentalisme islamique fait partie du tissu du nationalisme et de l'anti-impérialisme du tiers monde.

Les jeunes, la violence et la criminalité

L'explosion de crimes violents et la prolifération des gangs dans certaines villes africaines a été discutée, avec référence au Nigeria et à l'Afrique du Sud, et dans le cas de la présentation du lauréat, aux villes de Dakar et de Nairobi. Il a été noté qu'en Afrique du Sud comme au Nigeria, la criminalité a des racines structurelles profondes, et que les violences politiques et criminelles devenaient de plus en plus indissociables, en partie à cause de la criminalisation du système de justice pénale lui-même. La criminalité reflétait souvent une crise de la gouvernance; par exemple, à Nairobi, la criminalité a pris un nouveau tournant en 1990, la libéralisation économique et politique ayant abouti non pas à la relance économique et à une société civile vivante, mais à l'anarchie et à la rupture urbaines et sociales.

Dans les contextes de Nairobi et de Dakar, la criminalité est liée à la crise de l'espace urbain et de la citoyenneté. Être citoyen signifie non seulement avoir le droit d'être dans la cité, mais aussi de prendre part à la prise de décision. Au cours de la dernière décennie à Dakar (selon la présentation d'un chercheur), nous avons assisté à la disparition d'une telle citoyenneté. La situation économique et politique est en train de décevoir de grandes masses de citadins pauvres et de réduire leurs pouvoirs, engendrant ainsi une violence accrue, la peur des espaces urbains et la partition de plus en plus grande de la cité en «zones de sécurité» (Jérusalem) et «espaces

dangereux» (Babylone). Dans ces deux villes, il y a une augmentation correspondante de l'auto-surveillance, dans laquelle les citoyens pauvres font leur propre police (groupes d'autodéfense), et les riches louent les services de protection du secteur de la sécurité en pleine expansion (on rapporte qu'il y a souvent une complicité entre ces organes privés et les organes officiels de sécurité, avec la police kenyane qui quitte délibérément des quartiers pour permettre aux sociétés de surveillance privées — dont la plupart sont dirigées par des officiers de police et de l'armée à la retraite — de s'y installer). Ainsi, la régulation sociale se fait au moyen de la violence, favorisant l'émergence d'une nouvelle citoyenneté bâtie autour de la désobéissance civile et de l'individualisation de la responsabilité de la survie. Il y a à l'évidence un besoin de réduire l'exclusion des pauvres et d'accroître leur participation aux structures de la vie urbaine.

Les jeunes ont été impliqués d'une manière disproportionnée dans ces tendances à la criminalité et à la violence. Les formations des seigneurs de la guerre tout comme les gangs des rues ont surtout recruté dans les rangs des jeunes. En outre, cette violence a une dimension de genre explicite (c'est précisément la militarisation de jeunes mâles, les femmes étant souvent les victimes de leur violence). Les facteurs sous-jacents de ce développement incluent: le caractère essentiellement jeune des sociétés africaines et leur fort taux de dépendance, la crise structurelle et générationnelle de la jeunesse, qui se sont traduits par l'effondrement des mécanismes traditionnels de mobilité (accès à l'éducation, emploi dans la fonction publique, etc.) ainsi que des réseaux d'appui social et communautaire, la résistance à l'oppression gérontocratique largement répandue dans les sociétés africaines, et la vulnérabilité des jeunes à certaines formes de culture violente de lumpen associées aux films hollywoodiens. La dépolitisation des jeunes même dans les établissements d'enseignement supérieur est perçue dans la montée des cultes de campus au Nigeria, le déclin des associations «universalistes» d'étudiants et la montée de celles qui ont un esprit de clocher (résultant en partie de la tentative des

administrations universitaires de les utiliser pour contrer les mouvements estudiantins radicaux).

Relations de genre

La discussion sur la violence contre les femmes a stimulé le débat le plus animé, et malgré les nombreuses opinions controversées, elle a été à bien des égards la plus agréable de toutes les sessions, ne serait-ce qu'en raison de l'excellente performance de la personne ressource et de la finesse avec laquelle elle a traité les questions les plus critiques.

Il a été établi une distinction entre deux formes d'études sur le genre, les «études sur les femmes» et les «études féministes», les premières étant l'étude intellectuelle des questions féminines et de genre au sein de l'académie, et les secondes un projet politique et intellectuel progressiste. Les travaux des anthropologues féministes en particulier ont donné une perspective historique à la subordination des femmes, en se concentrant non pas juste sur la reproduction, mais sur l'exploitation de la force de travail des femmes, et en présentant les femmes non pas comme des objets, mais des sujets de l'histoire. De telles études ont montré que le colonialisme a creusé l'écart hommes-femmes et que, alors que les femmes sont sorties de la sphère privée pour apparaître dans la sphère publique, leurs problèmes n'ont pas été résolus, mais de nouveaux se posent plutôt.

La violence faite aux femmes, a-t-on soutenu, est la forme de violence la plus répandue que l'on trouve dans toutes les cultures, et profondément enracinée dans de multiples justifications culturelles et idéologiques, laïques comme religieuses, indigènes et étrangères. Elle comprend les femmes battues, les mutilations génitales féminines et le viol conjugal; il y a eu également une montée de la violence domestique en réponse à la crise de la masculinité, essentiellement d'origine économique. Les femmes et les enfants sont les premières victimes de la guerre civile, les réfugiés provenant le plus souvent de leurs rangs, et il y a eu des viols organisés de femmes par les deux

camps. Cela a suscité chez les femmes un intérêt particulier pour la paix, la démocratie et la laïcité, même si, à travers l'Afrique, il n'y a pas eu intégration des questions de genre dans le projet de démocratisation.

Il va sans dire que la guerre et la violence sont toutes deux des expériences axées sur le genre. Le monopole sur les instruments de violence et le droit de porter des armes et de mener la guerre sont l'expression et la garantie ultimes du patriarcat et de la suprématie du sexe masculin. On dit que les hommes, de par leur nature physique et leur psychologie, ont tout ce qu'il faut pour être le «genre marital», tandis que les femmes, à ce que l'on prétend, ont tout ce qu'il faut pour les rôles de reproduction et d'entretien, et ont donc besoin de protection — malgré l'évidence historique que les femmes (telles que la Reine Nzinga, Amina et Yaa Asantewaa)[1] ont été d'importants chefs militaires en temps de crises. Même avec les armées de libération, les femmes ont joué des rôles axés sur le genre. Leur soi-disant inaptitude pour le service militaire a été, à son tour, utilisée historiquement pour appuyer l'affirmation selon laquelle les femmes n'étaient pas dotées des moyens nécessaires pour exercer pleinement leur citoyenneté. Il a été donc considéré comme «extrêmement important» que les armées soient totalement ouvertes aux femmes. Au cours des discussions, les contributions s'inspirant des expériences

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[1] - *La reine Nzinga* était la grande reine africaine d'Angola, de 1623 à 1653. Elle a combattu les européens qui pratiquaient la chasse aux esclaves, particulièrement les Portugais.

- *Amina Sarauniya*: née en 1533, elle était reine du Zazzaua, une province du Nigeria, l'actuel Zaria. Elle est devenue célèbre pour ses exploits militaires, et pour avoir construit les murs de Zaria, qui existent encore aujourd'hui.

- *Yaa Asantewaa* était la reine mère d'Ejisu, à Ashanti, au Ghana. Elle a défié la puissance coloniale britanique. En 1900, Yaa Asantewa a poussé les indomptables Ashanti à prendre les armes pour defender leur souveraineté, après que le roi d'Ashanti ait été enlevé puis envoyé en exil par les autorités colonials britaniques.

de l'Éthiopie et de l'Ouganda ont battu en brèche le mythe de l'inaptitude physique et psychologique des femmes pour la guerre, en laissant entendre que les femmes-soldats n'ont pas fait preuve de moins de valeur et de cruauté que les hommes, étant particulièrement craintes sur le théâtre de la guerre en Éthiopie. D'importantes transformations sont également survenues dans les rapports de genre sur le champ de bataille.

Cette présentation a provoqué des réactions critiques chez plusieurs lauréats masculins. Certains considéraient les femmes comme étant en partie responsables de la violence des hommes à leur encontre, et leur ont reproché de contribuer à provoquer les guerres (le syndrome de l'infâme Hélène de Troie); de fait, les hommes plutôt que les femmes étaient considérés comme les «victimes du genre»; certains ont dénoncé le fait que la question du «harcèlement sexuel» est devenue vague et diffuse au point d'être pratiquement dénuée de sens; pour certains, le «viol conjugal» est un terme contradictoire; la critique des mutilations sexuelles est considérée comme «une inspiration occidentale», et plusieurs intervenants ont critiqué l'influence diffuse et même «néfaste» des femmes dans la politique, en tant que pouvoir derrière le trône (le syndrome de la «Première dame»). Ces répliques ont été rejetées d'une manière courtoise mais convaincante par la personne-ressource. Cela a dû produire l'effet voulu; malgré les opinions «politiquement incorrectes», les discussions ont suscité un tel enthousiasme que la plupart des lauréats (y compris ceux qui se sont montrés les plus critiques vis-à-vis de la recherche féministe) ont fait part de leur intérêt à participer à l'Institut sur le Genre de l'année prochaine!

Globalisation, libéralisation, démocratisation

Les présentations dans le cadre de ces thèmes envisageaient d'examiner dans quelle mesure les multiples transitions qu'entraînent la globalisation, la libéralisation et la démocratisation ont été impliquées dans la montée de la violence et des comportements criminels en

Afrique. Le consensus émergeant des discussions critiques suggérait que ces processus, dans l'ensemble, ne débouchaient pas sur les résultats positifs anticipés par les sponsors externes de la réforme. Plusieurs auteurs ont laissé entendre que les multiples transitions (ou ouvertures) que connaissent les pays périphériques sont uniques et sans précédent historique; par conséquent, de nouvelles initiatives théoriques peuvent être requises pour les démêler. La discussion a démarré par une réflexion critique sur la thèse controversée de Reno *(Warlord Politics and African States)*, selon laquelle la libéralisation économique fait basculer les États africains déjà faibles dans une politique de seigneurs de la guerre — plutôt que d'en faire des économies compétitives ouvertes et des États fortement bureaucratisés—engendrant de nouvelles configurations de la politique, du commerce et de la sécurité. Les dirigeants africains se servent de la libéralisation pour commercialiser leur politique, réduire et discipliner les réseaux de patronage existants, et se défaire des bases marginales ou sources de trouble qui sont à la base des revendications politiques mais apportent une faible contribution sous forme de ressources. Si les formations de «seigneurs de la guerre» qui en résultent s'écartent radicalement des attentes théologiques des partisans de la réforme, elles sont néanmoins fonctionnelles en marge de la nouvelle économie globale.

Dans sa présentation sur la réforme néolibérale, le Professeur Amady A. Dieng soutenait que certaines formes de violence structurelle (la paupérisation et l'exclusion) sont inhérentes à l'ajustement structurel. Selon lui, les réformes macroéconomiques visent à influencer principalement la balance extérieure, l'objectif principal étant de générer des excédents pour le service de la dette, alors que le fétichisme des exportations de ces programmes favorise l'intégration dans le marché mondial au détriment de l'intégration nationale ou régionale. La réduction des subventions affecte la légitimation politique et sociale, créant des conflits d'intérêts entre les donateurs et les populations, tandis que le système de conditionnalité bouleverse l'autonomie et la souveraineté africaines en matière de prise de décision économique. Ici aussi,

l'ajustement est en train de reconfigurer aussi bien la territorialité que la citoyenneté, en établissant une distinction insidieuse entre «Afrique utile» et «Afrique inutile», entraînant ainsi de vastes groupes sociaux et des régions géographiques dans la marginalisation, et compromettant non seulement les réseaux sociaux, mais aussi l'investissement psychologique dans l'État lui-même.

De même, la discussion sur la démocratisation a noté le lien paradoxal entre démocratisation et violence. La discussion théorique était fondée sur la thèse de Helen Fein concernant la corrélation entre transitions démocratiques et répression et violence accrues (*More Murder in the Middle*): «La démocratie, notamment à ses débuts, plutôt que d'être une panacée, est une boite de Pandore. L'ouverture à la démocratie limitée n'est pas seulement un oxymore, mais une situation dangereuse». («More Murder in the Middle: Life Integrity Violations and Democracy in the World, 1987» *Human Rights Quarterly*, vol. 17, No. 1, février 1995). En se basant sur le cas du Kenya et d'autres pays africains, les lauréats ont conclu que les transitions démocratiques, faute d'être bien gérées, peuvent renfermer les graines de leur propre destruction.

Concevoir de nouveau les rapports entre civils et militaires et les architectures de la sécurité

L'émergence de concepts et mécanismes de sécurité nouveaux pour traiter la politique de «seigneurs de la guerre» et la violence a été abordée à travers une discussion initiée par l'ECOMOG. En tant que concept, la sécurité régionale cherche à collectiviser les coûts de reproduction de la sécurité de chaque État pris individuellement; dans ce sens, elle reste centrée sur l'État et donc constitue difficilement un changement complet de paradigme. L'expérience de l'ECOMOG a été controversée, et cela est apparu dans la discussion, la plupart des lauréats de l'Afrique de l'Ouest se montrant positifs, alors que ceux du Nigeria se montraient fortement critiques, indiquant des implications négatives (mais très peu connues) pour la démocratie

nigériane (sans parler de l'économie). L'ECOMOG, convenait-on, enseigne l'importante leçon selon laquelle il ne faut pas mettre ensemble sécurité régionale et sécurité des hommes (comme le suggère le fait que le gouvernement du Général Abacha qui a pris la tête de l'application régionale de la paix, soit en même temps mis au banc des accusés par la communauté internationale pour ses violations internes des droits de l'homme). Les accords qui ont apporté la «paix» au Liberia et en Sierra Leone n'ont pas cherché avec autant de force à traiter les questions internes à l'origine de la conflagration régionale, telles que la mauvaise gouvernance l'injustice et l'exclusion économiques. Pour cela, il faut une re-conceptualisation plus profonde de la «sécurité», qui enlèverait au concept ses significations traditionnellement militaristes, centrées sur l'État et sur la question du genre, en ayant en vue d'axer la sécurité sur la personne humaine, plutôt que sur l'État. (La définition de la «sécurité» dans le *Livre Blanc sur la Défense* publié par l'Afrique du Sud a été pris comme un bon exemple de cette re-conception).

Repenser l'État

La re-conception institutionnelle n'est cependant qu'un aspect d'une transformation dans le domaine des rapports de pouvoir que nous appelons l'État, et présuppose une telle transformation. On parle beaucoup actuellement de la nécessité de «repenser», «re-concevoir» ou «reconfigurer» les États qualifiés de «social», «quasi», «effondré», ou «à l'échine brisée». De fait, la prolifération même des systèmes architectoniques post-coloniaux indique un besoin de longue date d'une telle reconception, bien que ce ne soit presque jamais dans le sens d'une plus grande démocratisation.

Les dimensions d'une telle re-conception pourraient inclure les rapports entre

  (a) États et populations (renouvellement du fondement de la citoyenneté);
  (b) États et territoires (le conflit entre frontières et autodétermination);
  (c) États, ressources et régimes de propriété;
  (d) État, fonctions étatiques et capacités institutionnelles

En d'autres termes, comme le dit un lauréat, quel type d'État souhaitons-nous pour le 21e siècle tout en tenant compte de la globalisation? Toute question de transformation soulève celle de l'agence qui va assumer cette fonction: les hommes puissants, les seigneurs de la guerre, la société civile, les donateurs externes, ou un mouvement révolutionnaire?

Démilitarisation de la politique et de la vie sociale en Afrique

Ces nouvelles formes de conflit et de violence indiquent clairement que les mesures prises jusqu'ici par les États africains pour traiter le problème de la violence et démilitariser leur politique ne sont pas adéquates. La discussion a été essentiellement axée sur deux questions: comment contrôler politiquement les forces armées, et quel est le rôle de la communauté et des ONG dans des domaines tels que le règlement des conflits ainsi que la démobilisation et la réinsertion des ex-combattants (ces derniers constituant le thème de la présentation d'un lauréat sur l'Éthiopie). Néanmoins, il a été admis que la démilitarisation ainsi que la fin de la violence nécessiteraient des mesures à de multiples niveaux, social, politique, culturel et institutionnel, par plusieurs acteurs, et en particulier un mouvement social propulsé par un programme de large transformation. Les principales mesures comprendraient des efforts en vue de contrôler la prolifération des armes dans la région africaine, traiter les questions fondamentales de gouvernance et de justice économique, et s'attaquer au fondement culturel du militarisme dans la masculinité et l'ethno-nationalisme.

Violence and the Dynamics of Transition: State, Ethnicity and Governance in Kenya

Joshia O. Osamba[*]

Introduction and Background

Although democracy made a historic leap forward in Africa in the last few years, many daunting challenges and obstacles are still threatening its consolidation. These impediments include, *inter alia*, violence and ethnic conflicts. Hence, ethnic conflicts and the encompassing civil wars are among Africa's most serious societal crises.

Since the 1990s, violence and conflict have become endemic in Africa. This fact is evident in the recent massacres in Rwanda, Burundi, the Democratic Republic of Congo, Sierra Leone, Liberia, Somalia and Algeria, among others. In Kenya, the government's unwillingness to expand the democratic space for political participation is being challenged by several pro-democracy movements through political actions and citizens' campaigns at various levels.

The wave of democratic political change appears to have led to the identification of democracy in terms of multi-party politics. This drive towards Western liberal democracy has engendered the polarisation of particularistic groupings, as parties crystallise, mostly on the basis of ethnic and regional interests rather than common ideology or political principles (Dayton 1995; Nzongola-Ntalaja 1997). This tendency does not augur well for the unity and stability

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of African States. Moreover, State policies of non-accommodation and recalcitrance provide strong push factors for ethnic conflict.

Issues concerning security, violence and ethnicity are very important in understanding the democratic governance of a nation. What is the new conception and content of the role and position of the State? It is against this background that this study addresses the problem of violence and democratic transition in Kenya. It argues that conflicts and violence cannot stimulate the much-sought-after democratic governance so vital for political pluralism.

Ethnic conflicts in Kenya appear to be the inevitable consequences of the unresolved political and economic contradiction behind an apparently partisan political system. This system seems to place a higher premium on ideological or sectional interests at the expense of national interests. The 'politics of the belly' syndrome appears to have been perfected by the Kenyan political elite.

Political conflicts generally radiate around the imperative of accumulation and the problem of legitimisation (Anyang-Nyongo 1993). This study shows the correlation between governance, politics, ethnicity and violence in Kenya. There has been an upsurge in cases of conflict and violence in Kenya since the re-introduction of political pluralism in 1991. These have taken the form of student protests, labour unrest, ethnic violence, banditry and cattle rustling. Such violence has caused deaths, destruction of property, dislocation of populations and has added lawlessness to a state of insecurity.

This study argues that violence and conflicts are fallouts of the unresolved problems of citizenship and statehood in Kenya. Such violence poses a threat to the proper resolution of the conflict between citizenship and statehood, and among the diverse ethnic groups in the country. The study re-assesses the presupposition of violence, ethnicity and governance, and is guided by the assumption that for violence to be political, there must be an intention to change

the political process. Thus, when the State feels threatened and resorts to aggression to protect itself, this amounts to State violence, which is a variant of political violence (Anyang-Nyongo 1993; Nzongola-Ntalaja 1997; Diouf 1995).

The study focuses on the prevailing trends and tendencies in the country's democratisation process to identify and analyse the interplay of factors impinging on ethnic relations, the nexus between State and citizenry and the chances of suitable democratic transition. It notes that the need for the State to assert its constitutional authority and citizen's resistance to this may create a dynamic of violence, which in many instances leads to human rights violation.

Ethnicity and its dynamics must be understood in the light of the democratisation process. The ruling elite often manipulates this process in order to further its own political objectives. When ethnic contradictions are not adequately addressed, they tend to have adverse consequences on inter-ethnic relations in society (Oyugi 1997; Bayart 1993; Ochieng and Ojuka 1975). The entire social formation in Kenya is characterised by violent struggle, which is increasingly assuming explosive ethno-centric dimensions. The result has been extensive economic destruction and antagonistic inter-ethnic relations.

Since the re-introduction of political pluralism in Kenya, ethnic suspicions, hostility and witch-hunting have culminated in massacres, destruction of property, socio-economic uncertainty and insecurity (The Jurist 1996). The new democratic openings on the governance front have generated a vicious struggle for political power, capital accumulation and unforeseen cutthroat rivalry for domination and control of strategic resources across the nation (Human Rights Watch / Africa 1993).

This study is a contribution to the understanding of the challenge posed by democratisation and governance in Africa in general and Kenya in particular. The Kenyan polity now requires

peace and order for a successful transition from the current regime to the next one.

The situation in Kenya shows that there is much more to ethnic conflict than the re-introduction of political pluralism and democratic governance. This calls for the adoption of a new theoretical paradigm to re-conceptualise the Kenyan political scenario. This study systematically analyses the diverse experiences and impact of political pluralism on Kenyans and how it stimulates political actions, including the propensity to use violence as a political tool.

The Genesis and Causes of Violence

The first acts of violence erupted in October 1991 at a settlement farm on the border of the Rift Valley, Nyanza and Western Provinces. Within a few days, the fighting escalated and took on an ethnic dimension. Skirmishes later spread to several districts in the region, an area with about 51% of Kenya's population (The Kiliku Report 1992).

The motives for the violence were manifold: to prove the government's often stated assertion that political pluralism was synonymous with ethnic chaos, to punish ethnic groups allegedly supporting the political opposition, to terrorise and intimidate non-indigenous people to vacate the Rift Valley Province, Kenya's most fertile region, and to allow the Kalenjin (loyal ethnic group) to possess and occupy the land through intimidation and violence (Africa Watch 1993). In addition, such violence was the outcome of renewed calls by Rift Valley KANU politicians for the introduction of a federal system of government based on ethnicity.

These leaders also called for the expulsion of all non-indigenous ethnic groups from the Rift Valley. Under this ethnic cleansing policy, the Province was supposed to be the preserve of the Kalenjin, Masai, Turkana and Samburu (KAMATUSA).

It is worth noting that authoritarian rule is often the embodiment of injustice and inequality, especially when tackling the twin issues of governance and interethnic relation (Bangura 1991; Nnoli 1989; Diouf 1995).

Since the 1992 General Elections, ethnic violence has continued in several parts of the Rift Valley. In some areas, acts of intimidation and violence are targeted at supporters of opposition parties who return to their land.

Ethnicity and Politics: An Overview

African leaders have a propensity to use State power and institutions to promote their own interests or those of their ethnic groups (Anyang-Nyongo 1993; Nzongola-Ntalaja 1997). This is achieved through intimidation, violence and other forms of terror against both real and imagined enemies. The violence in Kenya must be seen in that light. Building a new democratic society does not seem to be the major concern of African leaders, whose primary inspiration is to capture and retain State power at all costs (Hyden and Bratton 1997; Ochieng and Ojuka 1975).

Kenyan politicians have continued to trade accusations about the causes of political or ethnic violence in the country. Both the government and the opposition blame each other for having instigated the mayhem to gain political mileage. In June 1998, the Government appointed a Judicial Commission, chaired by Justice Akiwumi, to investigate the causes of the violence in the country. The Government is yet to publicise the Commission's findings.

During the clamour for political pluralism, spearheaded by the church and civil society, the Government warned that multipartism would breed inter-ethnic conflicts, since the people were not yet cohesive enough. However, due to pressure from foreign donors and the international community, who had cut off economic assistance to

Kenya, the government relented and repealed Section 2A of the Kenya Constitution. This action legalised the formation of other political parties to compete with the then sole party, the Kenya African National Union (KANU).

Kenya is made up of over 40 different ethnic groups. The principal groups are the Kikuyu, the Luo, the Luhya and the Kalenjin. During the struggle for independence in the 1960s, two major national parties sprang up. These were the Kenya African National Union (KANU) and the Kenya African Democratic Union (KADU). The large and more advanced Kikuyu and Luo ethnic communities dominated KANU, while KADU was a party of the small and marginalised ethnic groups, such as the Kalenjin, the Luhya and the Mijikenda.

KADU pursued a political philosophy dubbed 'majimboism' (regionalism), which advocated substantial decision-making powers for semi-autonomous regions based on ethnicity, and a limited but well-defined federal role for the central government. On the other hand, KANU favoured a strong unitary government. During the independence negotiations at the Lancaster House Conference in 1962 in London, KANU accepted the KADU-fronted 'majimbo' Constitution in order not to delay the country's independence. Kenya thus achieved independence in December 1963. The country was divided into eight autonomous regions, each with its own Legislative Assembly. However, soon after independence, the new African government dismantled the federal structures, thereby turning Kenya into a one-party dictatorship.

In historical development in Kenya, 'majimboism', regionalism and federalism have all been used interchangeably in defining a political structure based on ethnicity (Kibwana 1994). By all accounts, KANU's rule under Kenya's first President, Jomo Kenyatta (a Kikuyu), was dominated by Kikuyu nationalism along with the political and economic control of all spheres of life (Leys 1975). For

example, with government · support, the Kikuyu managed to appropriate, either individually or through land-buying companies, nearly all the former white settler-owned plantations in the Rift Valley. A small number of the Luo, Luhya and Kisii also purchased some lands: When President Moi (a Kalenjin) took over the mantle of State leadership, following the demise of Kenyatta in 1978, he adopted policies that tended to promote disproportionately the privileges of the Kalenjin elite (Kibwana 1994; Oyugi 1997). As Bayart (1990) put it, 'politics of the belly' or the culture of eating became more pronounced.

Ethnic politics and violence seem to have resurfaced with the advent of political pluralism in Kenya in 1991. The violence adversely affected Kenya's most fertile region of the Rift Valley, Nyanza and Western Provinces. The Rift Valley covers 40% of Kenya. The farms acquired by non-Kalenjin in the Rift Valley were the focus of violence. The Kalenjin laid claim to all the land in the province, based on the so-called rights of previous ownership of those lands in pre-colonial times. The Kalenjin vented their anger on other ethnic groups, whom they viewed as supporters of the political opposition. The violence therefore was a replica of ethnic cleansing.

Oyugi (1997) correctly argues that tribalism is often used as an ideological tool in economic competition and political conflicts. This assertion seems to confirm what happened during the 1992 elections, when the Kalenjin and their kinsmen opted to defend the *status quo* of privileges, against the possibility of deprivation by potential challengers. This marked the genesis of ethnic violence in Kenya. On the other hand, Magubane (1969) and Nzongola-Ntalaja (1997) point out that the condition for ethnic conflicts in Africa was created hi: torically through colonial and post-colonial government policies. The key cause of disagreement in most of African ethnic conflicts is control of the State apparatus and the national resources to which

the State has access. The State is thus both a contributor to and the manager of ethnic conflicts.

Similar views are held by Ibrahim and Pereira (1993), and Mafeje (1971), who argue that under colonial rule, linguistic groups were categorised as tribes and the differences between them were emphasised. Stronger and more rigid ethnic relations thus became manifest. However, with the multi-ethnic States of Africa, ethnic-based political mobilisation constitutes a major threat to the national political stability. It is worth noting that, a responsible government is duty bound to respond to inter-ethnic conflicts, because how it does so is likely to determine the longevity or intensity of the conflict itself. Managing a conflict at its formative stage is more cost-effective than allowing it to escalate. The latter can have many debilitating effects: blockage of governing processes; a widening gap in the State-society relationship, the outbreak of violence, and finally State collapse (Hyden and Bratton 1997; Tardoff 1993; Bayart 1993). Somalia, Congo, DRC and Sierra Leone are classic examples of collapsed States.

The State and Violence

In many African countries, the ruling authorities' public acknowledgement of the need for good governance, transparency and accountability has not been accompanied by an equal commitment to encourage or promote the freedom on which democracy hinges (Hyden and Bratton 1997; Shivji 1990). The prospect for peace and stability is thus strewn with obstacles. Since the 1990s, it has been assumed that democratisation would not only build an order that provided political freedom and economic opportunity but would also accelerate economic growth (Ibrahim1993; Diouf 1995; Nzongola-Ntalaja and Lee 1997). However, most of these expectations have not been realised. This shows that liberal democracy *per se* may not be the panacea for Africa's problems.

The State stands accused of complicity in one way or another in ethnic violence in Kenya. This is due to its acts of omission or commission. From the very beginning, the State's response to violence was lukewarm. The Government and the local administration attempted to play down the conflict by blaming the Opposition and the mass media for sensational reporting (*Kiliku Report* 1992). The Government wanted to gain political mileage out of the clashes by using violence as a political tool.

In general, the local administration and security personnel were largely Kalenjin, who could be expected to side with their tribesmen. This seems to support Kumar's contention that the State security organs frequently exacerbate rather than resolve conflict in multi-ethnic societies (Kumar 1990,4). The violence, therefore, can be seen as strong-arm tactics used by the State to intimidate recalcitrant opposition supporters. In addition, ethnic polarisation and violence were used to destabilise areas from which the opposition parties were expected to garner massive support during the 1992 General Elections in the country. They were also used to punish ethnic groups that supported the Opposition. The fact that lawlessness in the country continued for a long time was a clear indication of the State's unwillingness to contain the situation as a political expediency.

Although the Government portrayed the violence as purely ethnic or tribal, its basis was clearly political. The Government and the ruling party stood to benefit economically and politically from the mayhem (*Kiliku Report* 1992). The violence appears to have been used as strategy to retain power. This was aimed at circumventing the rule of law and undermining the process of political pluralism (*Human Rights Watch* 1993). Bayart points out that in contemporary African States, ethnicity exists mainly as a mechanism for accumulating wealth and political power (Bayart 1993:55).

The Kenyan Government's action (or inaction) therefore promoted ethnic consciousness and in some instances the explosion

of ethnic contradiction into aggression. According to the members of the opposition parties in Kenya, led by the Forum for the Restoration of Democracy (FORD), the State hatched up violence to prove its contention that multi-partism would not work in Kenya and would rather breed ethnic violence. It was argued that had the Government lost the 1992 election, the violence would have been elevated to full-scale civil war to prove the point further, and possibly to ensure continued power for the ruling clique (*Kiliku Report* 1992; *The Jurist*). This argument seems to support Hannah Arendt's assertion that 'violence appears where power is in jeopardy but while power without violence is conceivable, violence without power is impossible' (cited in Frey 1991, 253).

In Africa, access to State power is regarded as an excellent opportunity for various groups because the State controls almost all aspects of economic and political life. That explains why each ethnic group tries to mobilise itself to ensure or safeguard that access. This in turn inevitably heightens ethnicity and ethnic consciousness. Nnoli (1989) notes that once a group takes over State power, it organises itself and society in such a way as to perpetuate its control of power and use it to pursue the group's interests. To a large extent, ethnic sentiments and identity were manipulated for political ends in the ethnic violence in Kenya.

The selfish ambition of the ruling elite and the petty bourgeois is often presented as ethnic interests and as a general struggle for the survival and well-being of the community. The struggle for political power was interpreted in ethnic terms (Nnoli 1989:4). As Nnoli correctly points out: 'as ethnic consciousness thus increases in scope and intensity, the socio-economic and political atmosphere becomes charged with tension' (*ibid.*66).

For example, six months after the onset of the first phase of violence, the President of Kenya allegedly described the clashes as 'mere acts of pure political thuggery' and warned that 'the Government

would not condone the use of force as a political weapon' (*Daily Nation* March 21, 1991:1). Despite this warning, the violence continued unabated. This seems to support Harry Ekstein's contention that 'the State is neither an arbiter nor neutral: - it is itself a focal point of competition, an actor in the conflict' (cited in Kumar 1989:3)

The Kenyan State therefore appeared unwilling to quell the ethnic conflagration. It seemed to have allowed acts of lawlessness to flourish for the sake of political expediency. When a State is unable to provide for its citizens' security and safety, it loses its credibility and legitimacy (*The Jurist* 1996). The State is the determinant in the production and distribution of material and social resources. Consequently, there is strong competition for political power, since access to the State apparatus is the key to the acquisition of material and political resources (Markakis 1994:220). Those who control the State would not hesitate to use State power to defend their privileged position. Kenya is no exception to this rule.

According to Jonathan Glover, the actors using violence for political purposes are those in power or their agents (cited in Frey 1991:257). State-instigated violence is aimed at preventing changes in the status quo. The strategy of instigators of State-sponsored violence is to inspire the target population with terror by means of random acts of violence. Moreover, a government that lacks a popular mandate tends to resort to violence in an attempt to bolster support.

Effects of the Violence

The political violence that rocked Kenya in 1991 and thereafter has had far-reaching consequences. It has greatly altered Kenya's political and economic landscape. The violence has created deep fear among the non-KAMATUSA communities in the Rift Valley, because it contributed to a situation of lawlessness that put the lives of many people in jeopardy. By 1999, the violence had claimed the lives of at least 2,500 people, brutally murdered in cold blood.

It led to the displacement of many people from their farms. It is estimated that 400,000 people were displaced during the violence. Although some people have returned to their farms, about 200,000 are yet to be re-settled. However, some farms have been illegally occupied by Kalenjin, some of whom allegedly bought land at low prices from destitute non-Kalenjin who could not re-occupy their farms. The Kalenjin are capitalising on the current state of insecurity for their own political and economic advantages.

The violence has therefore engendered a growing atmosphere of hatred and suspicion among communities that hitherto lived peacefully together and even intermarried.

Consequently, the peoples' self-reliance approach to life has been shattered and they have been reduced to destitution and helplessness.

The clashes caused deaths and injuries, internal displacement, destitution and extensive destruction of resources in the affected areas. Serious damage was inflicted on agriculture and on economic and social infrastructure, including education and health care services.

The destruction of farms and displacement of populations from a rich agricultural area resulted in serious food shortages in 1993. The Kenyan Government therefore had to appeal to the international community for food aid (*Daily Nation* May 14, 1993:6). Even today, agricultural production is yet to recover.

The displaced persons have been compelled to live under harsh and squalid conditions in unhygienic camps, churches and trading centres without proper sanitation and shelter. The health of the victims is pathetic, especially that of children suffering from malnutrition. Women and children constitute the bulk of victims that bore the brunt of the mayhem. They have little or no resources at all against these acts of violence (Ayot 1995:4). Local children have been psychologically traumatised after witnessing the killing of relatives, the burning of houses and the wanton destruction of property.

Education for most of the displaced children has been disrupted or terminated.

The destruction and destabilisation worked, to a large extent, to the political and economic advantage of the KANU Government. For example, the violence disrupted the 1992 voter registration in communities that whole-heartedly supported the Opposition (*Kiliku Report* 1992). Thousands of Kenyans were thus unable to register as voters or cast their ballots as a result of the displacement and destruction caused by the violence.

By and large, the victims of the violence have been conditioned to live in a state of insecurity. They are apprehensive of possible further attacks. Ethnicity was generally manipulated in the violence for political and economic gains. People who had ostensibly lived peacefully and with a degree of interdependence became arch-enemies. The Rift Valley used to be the epitome and melting-pot of multi-ethnic co-existence but this has now been 'fatally' shattered by the ethnic violence.

From the foregoing account, it can rightly be asserted that building a new democratic society does not seem to be the major concern of politicians, whose primary concern is to capture and retain political power.

Recommendations

The underlying causes of violence in Kenya should be identified and addressed in an honest manner, instead of merely focusing on the symptoms. In this regard, the State should come up with a land policy or establish a land commission to look into the issue of land tenure. Kenyans have a strong attachment to land. Conflicts over land can often occur, especially with the increase in population. In Kenya, there are millions of landless people and squatters. Yet a few

tycoons own thousands of acres of land, most of which is not put to use. This practice often creates resentment.

There is an urgent need for civic education, to encourage the people to respect the civil liberties of individuals and the need for co-existence. The Government, churches and other non-governmental organisations should spearhead this education, so that people can understand the nature of political pluralism and other attendant changes in the country.

The culture of intolerance should be eradicated so that the people can comprehend the need for unity in diversity. Each ethnic group has the right to exist and should be treated equally with all others. Security of life and property should be guaranteed for all individuals.

There should also be equal opportunities for citizens, with respect to sharing the country's natural and political resources. This can be achieved by adopting a democratic style of government that accommodates everybody, and by expanding the country's economic base to meet the aspirations of the various social groups. This would in turn create harmony through the recognition of the legitimacy of diversity and cultivation of the spirit of tolerance. Only social justice and equality can bring about a just peace.

Reconciliatory efforts should be emphasised to stem the wholesale condemnation of specific ethnic groups.

There is an urgent need to build institutional capacity for conflict resolution through indigenous approaches. This will ensure that conflicts are settled at the nascent stages before they engulf the whole community.

The State should make provision for compensation or some form of restitution in aid of victims of violence.

Conclusion

The violence that has characterised the Kenya's political and social scene appears to have been the result of a deliberate manipulation and instigation by the State. The immediate causes of the violence were political rather than ethnic. The other causes advanced, such as land disputes or cattle rustling, appear to be far-fetched, for they merely served as a camouflage to sustain the conflict.

The study contends that the upsurge of violence has been a big challenge to the process of democratisation and governance in Kenya. Ethnic consciousness seems to have become more pronounced since the advent of political pluralism. Kenyan politics hinges primarily on ethnicity and not on ideology. This tends to support Bayart's argument about the so-called 'politics of the belly'. In Kenya, people tend to vote along ethnic lines, hoping that if one of their members won the elections then it would be their 'turn to eat'.

This study therefore demonstrates the nexus between politics, violence and ethnicity. It notes that people who co-existed peacefully for may years have now become arch-rivals, ready to use lethal weapons against each other, with dire results.

Violence has had far-reaching implications for the Kenyan body politic. There is strong evidence that the State was partisan in its intervention in ethnic violence. The State cannot escape censure and blame for the mayhem. This is because it is the duty of the State to ensure the safety of its citizens.

The study concludes that the forces of political violence have impeded the democratisation process in Kenya. The institutionalisation of violence has adversely hindered the achievement of democratic co-existence that is consistent with the new global political order. Violence is often used by an authoritarian State to justify policies, which call into question the establishment of civil and political norms, promotion of healthy citizenship and nation building. Citizens

should not only foster democratic changes; they should also experience such changes. All Kenyans must start embracing the 'democratic culture'. They hold the ace to becoming the liberating force that will swing the pendulum from authoritarianism to genuine democracy.

Violence and conflicts have become endemic in Kenya because the Government has remained obstinately unreasonable, unrealistic and unresponsive to the currents of historical change, and to the need for genuine political reforms. It is necessary to develop workable (home-grown) democratic institutions in African States. This entails discerning and popularising relevant aspects of the traditional political culture, mobilising the masses and promoting their effective involvement in national affairs. It is also necessary to identify and prescribe proper remedies for the political problems plaguing Africa in general and Kenya in particular.

There is an urgent need to redefine for Kenya, a prescriptive strategy based on historical reality, material conditions, demographic trends and the status of ethnic relationships. This should encompass the promotion of enlightened political democratic cultures, through recognition of ethnic and political differences and the discovery of equitable ways to accommodate them. Political tolerance is vital to the consolidation of democratic governance in transitional societies.

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Issues of Violence in the Democratisation Process in Uganda

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Introduction

Analysts of contemporary Ugandan politics tend to lament the repercussions of violence as if it is a recent phenomenon. In fact, violence is as old as humanity itself. The Biblical stories of the struggle between God and Satan, the murder of Abel by Cain and the rise and fall of kingdoms, clearly show how violence has been part of human development.

The pre-colonial, colonial and post-colonial Ugandan societies have all had much experience of violence. The purpose of this paper is to explain that Uganda itself was a creation of violent struggles between the British and pre-colonial social forces. Furthermore, colonialism was established and maintained by force. It was also challenged by the threat of violence, which led the British to reform the colonial system and negotiate independence with the natives.

The post-colonial State maintained the use of violence as an instrument of control. It thus frustrated the democratic hopes for which the people had fought. Violence led to the destruction of the Ugandan State and its economy.

On the other hand, Uganda is a unique example of the use of violence as an instrument of transformation to reconstruct the State.

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Despite all the obstacles, the establishment of a new constitutional order and an alternative model of governance, the building of an economy that has already recorded impressive rates of growth, and the revitalisation of civilian-military relations have created hopes for a better future.

These achievements inspired this paper. The objective is to share with other African scholars the idea that the violence that destroyed the independence agenda was later drawn on constructively, after an analysis of the concrete realities of Ugandan society, in order to usher in a process of democratisation.

The concepts of violence and democracy

Garver (1977) argues that the exercise of power is related to the experience of violence. He submits that violence is not so much a matter of physical force but more a violation of a person. Persons can be violated either in their bodies (physical violence) or in their ability to make their own decisions (psychological violence). Violence is considered to be the disempowerment of persons.

Both Hobbes and Morgenthau had earlier advanced similar arguments. They contended that domination in practical human affairs tends to be violent. This is because a very effective way of controlling people is to disempower them, through the use of physical force or of psychological manipulation. Even though domination may not necessarily be violent, the evolution of Ugandan politics shows how often domination and resistance to it is violent.

I will focus my analysis on 'political violence'. This expression means the use of force, usually, but not necessarily, physical force, in order to harm or destroy human beings or non-human objects, with the intention of preserving or altering political institutions, systems, governments or policies. An act may count as an act of violence, both

when used to maintain an existing arrangement or when used to change it (Oladipo: 1989).

My analysis recognises the importance of State power in influencing the allocation of scarce resources. People's participation in the political process (in elections, for instance) or their resistance to war is determined by how far they feel that State power will bring them scarce resources or will deny them such resources. Violence may thus be perceived as constructive as well as destructive. Violence can be justified if it is used to obtain democracy and justice.

What is democracy and democratisation? Huntington (1991) defines a political system as democratic to the extent that its most powerful collective decision-makers are selected through fair, honest and periodic elections, in which candidates freely compete for votes and in which virtually all the adult population is eligible to vote. In other words, democracy involves two dimensions: contest and participation.

On the other hand, Kakwanda (1993) argues that democracy would make sense if the basic economic needs (food, clothing, etc.) and social needs (education, housing and employment) can be made available to the majority of Africa's people. Similarly, Mafeje (1995) argues that the African people should build a national democratic alliance, in which the popular classes should hold the balance of power in a struggle for an equitable (not equal) distribution of resources. My conclusion, therefore, is that democracy is not only political, but also economic. It is a process that commands general respect for the constitution, and more specifically, for a general consensus on the rules for handing over political power. Democratisation also promotes fair distribution of scarce resources. We need to understand the ways in which the use of violence has evolved through different periods in Ugandan history, in order to see how it has affected democratisation, both negatively and positively.

The historical evolution of violence in Uganda's politics

Before colonialism, the area now known as Uganda had developed social formations that subsequently represented tribal and State formations. Before anthropologists categorised the pre-colonial peoples as 'Bantu', 'Nile-Hamites', 'Hamites', 'Nilotic' and 'Sudanics', there is evidence that the people interacted culturally, economically and politically. States and empires rose and fell, through wars, alliances and marriages. Violence was part and parcel of the metamorphosis of the pre-colonial social and State formations.

Similarly, the colonial conquest of pre-colonial States involved the use of force. The British formed an alliance with some of the kings in pre-colonial Uganda, to subdue others. Buganda's collaboration in the annexation of Bunyoro is a case in point. Socio-economic and cultural penetration of Ugandan society by the colonial power took the form of foreign trade and religion. This was not uniform. It was what happened in Buganda and in the central part of present-day Uganda that determined events in the rest of the country as well as the shape of the colonial system that was established.

Arab traders arrived in Buganda in the late 1840s, during the rule of Kabaka (King) Suuna II. They introduced Islam to the Kabaka's court. They were followed by British and French missionaries in the late 1870s. The new cultural values had consequences for the political system of Buganda and later for the rest of Uganda. Violence was used to settle the balance of power. With the introduction of Islam and Christianity, new centres of loyalty emerged and various factions started questioning the legitimacy for the Kabakaship, unless it was based on their own terms.

The situation was complicated by the death of Mutesa I in October 1884. He was a powerful Kabaka, and had actually invited the Christian missionaries to his kingdom. He was succeeded by Kabaka Mwanga, who was less experienced in managing public

affairs than his father. However, one could safely say that the political situation was so complicated that even experienced leadership would have come to terms with the emerging political forces.

By 1888, when Kabaka Mwanga decided to arrest the leaders of missionaries and their allies, the three religious factions combined forces and deposed the Kabaka. The Moslems later made a bid for power on their own terms, but were overthrown by an alliance between Protestants and Catholics. In the next showdown in 1892, the Catholics were defeated by the Protestants, in alliance with Captain F. Lugard. Actually, Lugard arrived in Buganda towards the end of 1890 as the agent of a British Chartered Company (the Imperial British East African Company), which was supposed to administer Uganda on behalf of the British Government. The Protestant group then restored Kabaka Mwanga as their puppet.

Events during the religious wars in Buganda and the British occupation of Uganda are well documented (Low and Pratt: 1985, Barbar: 1968, Karugire: 1980 & 1996, Mudoola: 1996). There are two lessons to be drawn from them for the theme of our discussion. First, a small clique of converts captured power and weakened an existing political institution in Buganda. Secondly, the wars in Buganda married religion to politics in a violent manner. This has had consequences for the politics and democratisation of post-colonial Uganda.

Anti-colonial violence

British imperialism met resistance from the moment it appeared on Uganda's scene. The pre-colonial Ugandan leaders (kings, clan heads, and chiefs) fought the British in what was known as early resistance to colonial rule. These early resisters provided a foundation for the development of the National Movement. Their weakness was the

narrowness of their outlook. They focused on the colonial agents, and their major interest was to preserve their narrow area of jurisdiction.

The political situation changed drastically after the end of the Second World War. Colonialism had created the commodity-producing peasantry class. A small class of petty bourgeoisie had also emerged, together with a working class. These emerging classes changed the focus of the National Movement from the Reformist approach of the 1920s and 1930s to a militant struggle. The militant Nationalists, drawing their strength from peasants and workers in trade unions, challenged the monopolistic trading activities, questioned the exploitation of the colony and demanded the departure of the British imperialists. They organised mass demonstrations, strikes and boycotts. Colonial agents' properties were destroyed and colonial administrative structures were paralysed.

By the time the British organised a comprehensive economic and political reform in the 1950s, the people of Uganda had employed violence to disorganise imperialism. Although it fell short of the violence in Fanon's concept, there is evidence that the politics and economics of colonialism in Uganda were never left unchallenged.

The Post-independence Era

The development of the National Movement led to the emergence of political parties. The first to be formed was known as the Uganda National Congress (UNC). This was followed by other political parties, the most prominent being the Democratic Party (DP) formed in 1954, the Uganda People's Congress (UPC) formed in 1960, and the Kabaka Yekka (KY), formed in 1962.

The UPC, DP and KY were the significant political actors in the period leading to independence. The British imperialism organised a comprehensive economic and political reform in the 1950s. The political reforms culminated in the London Constitutional

Conference. After serious negotiations between the actors, with the colonial power acting as arbiter, a constitutional arrangement was made to balance the conflicting interests of the major groups.

In the elections that followed, the UPC allied with KY to defeat the DP. It is important to note that DP was predominantly Catholic, while the UPC and KY were predominantly Protestant. The alliance, despite other fundamental differences between the UPC and the KY, was cemented by religion, in more or less the spirit that had defeated the Catholics in 1892.

Uganda achieved its independence under the UPC leadership. Obote, the leader of UPC, was Executive Prime Minister, with Kabaka Mutesa II of Buganda (and therefore the KY) as ceremonial President. The 1962-1966 period seemed to have been more or less 'a honeymoon'. During these years, however, Uganda's leaders showed lack of seriousness about sticking to the constitutional rules of the 'game'.

This lack of political seriousness was compounded by the events of 1964, particularly in the military field, when the men in the First Battalion demanded pay increases and improved conditions and refused to obey orders. They were suppressed with British assistance. Army mutinies also took place in Kenya and Tanzania in the same year. The way each country responded to this crisis provides lessons on how a new form of violence was institutionalised in the politics of Uganda.

In Kenya, Kenyatta accused the troops of a grave betrayal of the trust and confidence given to them by the Government and people of Kenya. He insisted on law and order, rejected any possibility of negotiation and refused to pardon the mutineers. He dismissed the ringleaders of the mutiny from the Armed Forces.

In Tanganyika, Nyerere responded to the mutiny by disarming the troops, disbanding the Tanganyika Rifles and ordering fresh

recruitment. Six months later, Parliament passed measures including national military service, demystifying the monopoly of use of arms, politicising the new army in its new role and making it clear that legitimate power lay with the ruling party.

In Uganda, six months after the mutiny, Obote surprisingly promoted the African officers and increased their salaries. As a result, military leaders developed a mentality of indispensability. At a later stage, this culminated in open confrontation with civilian authority, as evidenced by the subsequent coup d'état in Uganda.

It has already been pointed out that Ugandan leaders exercised their power outside constitutional rules. In 1966, Obote used the army to attack the Kabaka's palace at Mengo. Thereafter, Obote established an army garrison in the Kabaka's palace and turned Bulange, the Lukiiko Hall of Buganda, into the Headquarters of the Ministry of Defence. He abrogated the 1962 Constitution and introduced the 1967 Constitution that vested all powers with the President. It is clear from these events that institutionalised violence determined the course of politics and relegated democracy to the 'backbench' in Uganda's post-colonial history.

Obote continued to use the military as his power base. By 1971, when General Idi Amin carried out the coup, there was no sign of democratisation to be detected. As Karugire 1996:68 put it:

> With a Parliament rendered absolutely impotent, a demoralised Civil Service, a Judiciary whose decisions were circumvented by retroactive legislation, a system of local government paralysed by intense factionalism and an electoral system that had been reduced to a mockery, Uganda had become an anachronism.

The people were subjected to harassment by State security agencies manned by misfits, criminals, prostitutes and opportunists. Violent robberies were common in both cities and rural areas.

Idi Amin's coup continued what Obote had initiated. He used the military to control all sectors of the State and the economy. This is what Mamdani (1983) termed the transformation of military dictatorship into a fascist State. Violence became part of the day-to-day running of State affairs.

The people of Uganda were not dormant during these events. Attempts to challenge Amin caused divisions in the Army. In an attempt to divert the troops from internal struggles, Amin attacked Tanzania and occupied the Kagera salient in 1978. Tanzania responded by mobilising the Tanzania People's Defence Forces (TPDF) and Ugandan exiles, to push Amin out of power, under the umbrella of the Uganda National Liberation Front (UNLF), with a compromise President, Yusuf Lule.

The diverse elements that made up the UNLF were only united in sharing the basic objective of removing Amin and legitimising Tanzania's occupation of Uganda. They were not equipped to sustain a government. Internal contradictions among the UNLF leadership led to the fall of Yusuf Lule, after being in power for only sixty days. He was succeeded by Godfrey Binaisa, who, eleven months later, was overthrown by the Military Commission led by Paul Muwanga. The Military Commission announced that there would be multiparty elections and that the winning party would form the government.

The Military Commission's strong men were basically sympathetic to Obote. They staged the December 1980 elections, which returned the UPC to power. The results of the elections were disputed. Some groups rejected them and resorted to violence.

National Resistance Movement/Army (NRM/NRA) Capture of State Power: Violence with a Difference?

In order to appreciate why NRM/NRA opted for violence as a method of removing dictatorship, we need to understand the theoretical basis of the NRM struggle.

Theoretical Basis of No-party Democracy in Uganda: The Lived Experience Approach

A number of Western countries and their philosophers, ideologues and sympathisers equate democracy with a multi-party system, so that any system that does not allow people to choose from one or more political parties is regarded as undemocratic.

Accordingly, a one-party-State cannot be democratic, since its premise is the denial of political options to the electorate, who can only choose from the list of politicians belonging to the same party with the same ideology and policies.

It is argued that it is a fundamental right for people to be free to form and associate in political parties of their choice without restrictions. To deny this right of freedom of political association is a negation of democracy.

The 'lived experience' approach, on the other hand, takes the view that the history of society and the practice of politics teach us that democracy cannot be measured by the number of parties that operate in any system. Thus neither a one-party nor a multiparty system, nor even the Movement is a criterion of democracy. For one thing, democracy emerged, developed and changed historically. In the Greek City-State, where all citizens gathered and discussed the affairs of the State, democracy excluded women and slaves.

As society advanced, members became involved in new types of production relations. These required interaction between city and city

and later on between nations. Democracy thus had to change in content and in form.

The 'lived experience' approach teaches us that the important thing is whether these systems function in the interest of the people. Whose interests are represented and protected by the system? Do the people have the right to choose and adopt a political system of their choice?

This was the background against which the leaders of the NRM studied the history of Uganda critically. The post-colonial State was found to have preserved the socio-economic structures of colonialism. Little was done to build institutions that could make independence meaningful not in terms of de-linking, but in terms of co-existence and determining the country's interests and priorities.

The post-colonial State, with illegitimate leaders like those of UPC, was established and maintained by force. To reconstruct and revitalise the State as an instrument of transformation, the post-colonial State in Uganda had to be re-organised by revolutionary forces.

The NRM/NRA documents from the early days of the 'bush' war clearly showed that the purpose of the war transcended the mere attenuation of electoral grievances, which arose in the wake of the 1980 General Elections (Odonga 1998). Indeed, Museveni's statement, on the day he was sworn in as President, that the NRM was not 'a mere change of guards' was a clear demonstration that the NRM struggle was to rethink the State as an instrument of societal transformation.

The NRM and the programme of democratisation

During the five years of the protracted liberation struggle, from February 1981 to January 1986, the NRM worked out proposals for a political programme to form a basis for a nation-wide coalition of

political and social forces. This programme is popularly known as the Ten-Point Programme of the National Resistance Movement.

The first point of the Programme was the restoration of democracy. It States that the NRM believes in free and fair elections held at regular intervals.

In order to fulfil this pledge, on 21 December 1988, the National Resistance Council (NRC) — the then Ugandan Legislature — enacted Statute No.5 of 1988, which established the Uganda Constitutional Commission and gave it responsibility to start the process of developing a new Constitution. All groups and individuals in Uganda were encouraged to participate as fully and freely as possible in the exercise so that the new Constitution thus produced would be truly theirs.

The mandate of the Commission, spelt out by Statute No. 5 of 1988, was to consult the people and make proposals for a popular and viable Constitution based on a national consensus. The challenge to the Government consisted in creating an atmosphere of peace and security and freedom necessary for fruitful discussion and debate about all aspects of constitutional issues (Report: p.1).

After four years of consultations, research, seminars and the submission of memoranda, a Draft Constitution was produced. The NRC established by law an interim Electoral Commission, which organised the Constituent Assembly (CA) elections on the basis of individual merit. In 1995, a Constitution of the Republic of Uganda was promulgated. It entrenched the Movement's (no-party democracy) political system as an alternative model of governance.

The basic principles of the Movement include accountability and transparency, popular participation, accessibility to all positions of leadership by all citizens and individual merit as the basis for election to all political offices. Despite setbacks, which will be discussed later,

the political aspect of this democratisation process has been fairly successful.

The second important aspect of democratisation has been civilian-military relations. The NRM embarked on a process to build a people's Army, through the 'politicisation' of the Army. In every military unit, there is an officer in charge of political education. The aim is for soldiers to know their role and duties and to accept the supremacy of the Constitution. 'Conscious discipline is better than mechanical discipline', according to the Code of Conduct established by NRA, now Uganda People's Defence Forces (UPDF). This is important for the Military to appreciate civilian supremacy. As Brett (1998:84) put it:

> Where the army is an instrument of coercion and extortion, it will stimulate opposition to its rule; where it promotes social progress, it may well secure a high degree of public support.

A programme of change, in which the military is a partner, requires civilian support and participation as a way of restoring civilian-military relations.

Civilian-military relations have been improved by exposing military science to civilians. The purpose of this process is not to militarise the civil society but to demystify the instruments of coercion. No group in Uganda should feel confident enough to use the gun to dictate terms. Similarly, the Constitution provides that the people have the right to use any means to fight whoever overthrows their Constitution.

The third aspect of democratisation has been the economic programme that addresses the fundamental question of underdevelopment and poverty. This was to be done by following an economic strategy of a mixed economy. The early years of NRM government in 1986 and early 1987 were characterised by interventionism. It did not take long for the State to come to terms with structural distortions in the

Ugandan economy and embrace the World Bank/IMF Structural Adjustment Programmes (SAPs).

The negative impact of neo-liberal policies on Sub-Saharan economies is quite obvious. However the character of the State, the commitment of the leadership and relative political stability have shown that SAPs can lead to an increase in economic growth.

At the macro level, liberalisation continues to register successes in Uganda. What is needed is to introduce this growth to micro sectors so as to address poverty at household levels.

In spite of the well-known historical relationship between these institutions and imperialism, practical politics demands a pragmatic approach to contemporary political and economic realities. The need for co-operation between NRM and the Bretton Woods Institutions is, therefore, understandable and reasonable.

The War in Northern Uganda: An obstacle to democratisation

The colonial division of labour divided Uganda administratively into two regions. The south, with predominantly Bantu-speaking nationalities and tribes, was demarcated for the production of raw materials for British industries. It is in this region that processing industries for coffee and cotton, etc., were located. Similarly, the south became a centre for education, health facilities and trade.

The north, with predominantly Luo-speaking ethnic groups, was made a labour reserve. It was from this region that the labour for plantations, and for services in the Prisons, Police and Army was recruited. The colonial division of labour produced a culture in which it was believed that civil servants had to come from the south, and the security personnel, from the north. The concept of 'martial tribes' gained prominence during the colonial period.

By the time of independence, the King's African Rifles were dominated by the Acholi and Langi from the north. After independence, Ugandan leaders made no attempt to build a national Army. The military coup staged by Idi Amin, a northerner himself, did not change the ethnic imbalance in the Army. The post-colonial State maintained the north-south division, in which the north controlled political power and the south controlled economic power.

It is important to note, however, that neither the south nor the north is a homogeneous entity. The history of Uganda shows that ordinary citizens in either region have suffered in the name of their leaders. So when blame for destructive violence is attributed to a region, particularly the north, the truth is that people have not benefited from the political dominance the region enjoyed for some considerable time.

The NRM/NRA's leadership was from the south. Its capture of State power in 1986 represented a shift of political power from the north to the south. It was seen as a monopoly of both political and economic power. This explains why various rebel groups from among the northern nationalities tried to challenge the legitimacy of NRM.

When a Resolution mandated a Committee of Parliament to look into all aspects of the war in Northern Uganda, with a view to bringing it to a speedy end, the Committee came up with the same conclusion. The Committee on Defence and Internal Affairs wrote:

> Many witnesses testified that the root cause of the insurgency in the North and West Nile is the desire of the past leaders originating from those areas, or people associated with them, to recapture the power they lost to the NRM (*The Report* 1997:9).

There have been many rebel groups, but the most active to date is the Lord's Resistance Army (LRA) of Joseph Kony. This group uses both superstition and military science. It has the support of the Sudanese

Government, which gives it training bases and sanctuary, whenever it is hit by the Uganda People's Defence Forces (UPDF). The Lord's Resistance Army, whose atrocities include rape and abduction of schoolchildren and cutting off people's ears and arms, has affected the programme of democratisation in several ways.

First, Uganda had successive elections in 1994 for the Constituent Assembly, which debated, enacted and promulgated the 1995 Constitution, for the President and Parliament in 1996, for Local Government in 1997, for the Referendum on Political Systems in 2000, and again for President and Parliament in 2001. The turnout was less impressive in the north than in the south. In the Gulu and Kitgum districts, the local government elections were held in 1998 after other districts had completed the exercise.

Secondly, the country's infrastructure, education and the economy at large were badly damaged by the war. It has already been pointed out that, with the Structural Adjustment Programmes, Uganda has registered some economic growth. This excludes the war-affected areas of Northern Uganda.

Thirdly, in an attempt to develop civilian-military relations, Uganda demobilised its troops and created a small disciplined, professional and efficient army. This process was completed by 1992 and the international community regarded it as a success. However, the increased violence and war in Northern Uganda, and more recently in Democratic Republic of Congo, have brought the formerly demobilised soldiers back to the battlefield, in a state of high morale. A larger army meant an increase in the military budget. Such resources could have been used for poverty alleviation — the economic aspect of democracy. It is not surprising that some sections of Ugandan society are now calling for a reconceptualisation of security. This means security that goes beyond State security as far as human security, to give priority to basic social needs.

The Prospect

The objective of my analysis has not been to glorify violence as the best way forward for African societies that are in the initial stages of transition to democracy. My point is that where the post-colonial State is maintained by force and gives no room for a round table to define national issues, it seems that counter-violence is the only alternative leading to the overthrow of the existing State structures.

Where this policy has been followed in Uganda, and where resistance still exists, it requires the mobilisation of citizens and the initiation of poverty alleviation programmes, to deny the 'insurgents' a home for their brutal acts. Furthermore, the citizens' programme of political education and military science for self-defence (local defence units) is an appropriate means of enhancing the security of the communities. It should therefore be maintained and improved.

Where these measures have been carried out, the citizens can talk of democratisation and a democracy that is not limited to elections. When the population's basic economic needs are met, one can then think of demilitarisation, regional security systems and global solidarity.

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Political Transitions, Crime and Insecurity in Nigeria*

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Introduction

Transitions from military to civilian rule have been a major feature of the post-independence political landscape in Nigeria since the 1970s. These transitions have always been supervised by the Military. The various instances included the Yakubu Gowon political transition programme, the Murtala Mohammed / Olusegun Obasanjo transition, the Ibrahim Babangida transition, the Sani Abacha transition, and the Abdulsalami Abubakar transition. These programmes illustrate attempts to institute a democratic system of government in the country. With the exception of the civilian government of Alhaji Shehu Shagari, which was a baby of the Obasanjo transition, these transitions have become an on-going event. They show that military-supervised political transition programmes are inherently problematic and are perhaps, incapable of installing a fully democratic system in the Nigerian society.

In general, these transitional programmes (as will be shown below) had negative impact on the economic and socio-political stability of the country. Since the late 1980s especially, their adverse effects have become more intense in form and scope. Thus, since 1987, there has been an unprecedented degree of crime and insecurity associated with the nation's political transitions (this was when the Babangida Administration commenced its own transitional

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programme). The trend, therefore, seems to be the conceptualisation of a scenario in which political transitional programmes under military administrations should be considered as threats to national security and development.

This paper is based on the assumption that military-supervised political transitions in Nigeria have negative consequences for the economic development of the country. These consequences predispose the citizenry to illegal and criminal acts, as a result of which, violence and insecurity become pervasive in the Nigerian society. One reason for this is that military-supervised political transitions in Nigeria are normally undemocratic in nature; the degree to which they are undemocratic often determines the level of political and economic uncertainty, which, in turn, fosters crime and insecurity in the country. Furthermore, how crime and insecurity are perpetrated within the framework of political transitions also depends on the balance of forces between the military, the political 'entrepreneurs' and the civil society. There is no gainsaying that this balance has always been mostly in favour of the military rulers, followed by the political class, which has often had a significant proportion of jobbers. The civil society always had to evolve avenues, lawful and unlawful, whereby it placed itself in a position of 'continued relevance' within the framework of the national struggle for 'development'. These avenues are as much economic as political. The Nigerian experience corroborates Mkandawire's (1992:6) thesis:

> the economic conjuncture has fuelled the various struggles for a whole range of goals including some that are not necessarily directly linked to the economy, human rights, ethnic identity, etc.

The analysis in this paper investigates the probable connections between the nation's political transitions since 1987 and the trends of criminality and insecurity in the country. It explores a comparison between the Babangida transition (1987-1993) and Abacha's (1993-

1998), and it uses aspects of the Abubakar transition to corroborate its hypothesis. It identifies and analyses the predominant undemocratic features of these transitions and how they precipitated a higher rate of crime and insecurity in the country. It seeks to determine the dynamics of these transitional programmes in relation to the government's arbitrariness and the consequent increased criminality and insecurity, in terms not only of what has been described as the 'ties between economic dominants, civic leaders and community influentials' (Clelland and Form 1976:273), but also of the imperatives of genuine security, law and order for a truly progressive nation.

The paper is divided into three parts. The introduction is followed by a theoretical framework with a review of relevant literature on political transitions, crime and insecurity. The third part examines issues related to crime and insecurity in military-supervised political transitions, and their implications for national development.

Discourse on Concepts and Current Literature

Political Transitions and the Military

In this study, political transition means the movement from one form of government to another in a particular nation-state. In this case, it means the movement from a military, dictatorial and undemocratic system of government to a civil, representative and democratic one. In most African States, especially Nigeria, this form of transition is always programmed in terms of its content, quality, duration, and the level of participation by the State and civil society. It is most often supervised by the military government in power. To a large extent, therefore, political transition programmes are babies of the State. And the State is often represented by those who control its machinery, especially in the sphere of security (i.e. the Military). Thus the State and the Military are major factors determining not only the

course of a nation's political transition, but the post-transition political spectrum as well (Camilleri *et al*, 1995:3-19; Hutchful 1998:599-617).

Though political transitions of this nature imply the gradual withdrawal of the military from politics, where their transitional programmes succeed, this reinforces their role in the supposedly democratic State. As Robin Luckham (1998:1) puts it,

> Even in retreat they influence the composition and behaviour of in-coming regimes and are formidably equipped to destabilise or reintervene against them if their interests are threatened. Their failures have also been crucial in contributing to the political instability, armed conflict and warlordism, which prevail in much of the continent today.

An implication of this enormous influence wielded by the Military is that a failed political transition leads to an unstable polity, which in turn precipitates a coup d'état and brings in another military government with its own new political transition programme. This has been the case of Nigeria since she experienced her first military coup in January 1966.

Billy J. Dudley (1975:44) has thus described the Nigerian Army of the post-civil war period as a form of criminal organisation responsible for the crippling of Nigerian society. This immobilisation, according to him, meant 'maintaining the society as a pluralistic security community'. To Abiola Ojo (1975:47), the nation's experience with the military has turned governance into 'a hazardous exercise' with an overwhelming uncertainty pervading 'the field of law and government'. As the Nigerian society has deteriorated ever since, in virtually all aspects of national life, one can properly imagine not only incessant changes in laws and governments, but an almost complete break of law and order, with consequent widespread violence and insecurity across the country. The soldiers themselves, as a result of their diminishing real wages, have had to supplement their income with criminal activities.

This failure has grave consequences for the pursuit of a democratic order in society. Yet it has been occurring when political programmes seeking to move the nation to civilian democratic rule have pervaded the official statements of the nation's various administrations.

R.A. Joseph (1991) and Robin Luckham (1998) have identified various forms of political transitions. They stated that the Nigerian experience is a pacted exit (from power) by the Military on their own terms. Eboe Hutchful (1998:606-607) buttresses this argument thus:

> The transition to democracy was preceded by attempts at military reform, the military regime also retained tight control over the process, permitting no discussion or input by the civilians. The domain of military reform was seen as the exclusive preserve of the military hierarchy. This process of self-reform allowed the Military to retain the initiative, or at least to pre-empt unwelcome initiatives on the part of in-coming civilian governments, and to incorporate the interest of both regime and institution into the reform process. Uncontested control over the Military was also seen as necessary for keeping the democracy movement in check and preventing the possible unravelling of the carefully calculated transitions.

A major implication of this mode of political transition is its undemocratic nature. No military government that attains power through a coup rules by the Constitution. It governs by decrees, which are sometimes promulgated to protect the interests of particular persons within the military hierarchy or of their civilian cronies. These decrees are sometimes designed to provide quick material fortunes for a few citizens. This implies a material deprivation of the masses, many of whom are incapable of freely expressing their anger, because the military have muzzled the nation's intellectual market-place. Even in the context of political transitions, this led to the bastardisation and squandering of the economic and socio-

political infrastructure needed for a genuine democratisation process (Oyediran and Agbaje 1991; Ude 1992; and Amuwo 1995). As the field of governance becomes somewhat lawless, a segment of the civil society takes to anti-military and pro-democracy activism, while the other part seeks its survival through illegal and criminal acts. In their selfish bid for quick economic gains, they undermine the trust on which the society is founded. It is, therefore, logical to argue that military-supervised political transitions breed increased rates of crime and pose a threat to national survival, security and development.

It is also valid to argue that, in Africa, a military group that successfully seizes power is often reluctant to return the State to a democratic order in the shortest possible time. This sit-down-tight syndrome has pervaded Nigeria's experience of the military regime since January 1966. Samuel P. Huntington (1984) has stated:

> Once a military junta takes over (power), it will normally promise to return power to civilian rule. In due course, it does so if only to minimise divisiveness within the armed forces and to escape from its own inability to govern effectively. In a praetorian situation like this, neither authoritarian nor democratic *institutions* are effectively institutionalised. Once countries enter into this cyclical pattern, it appears to be extremely difficult for them to escape from it.

Huntington's description applies, however loosely, to all the political transitions in the country, including the highly lauded Olusegun Obasanjo and Abdulsalami Abubakar transitions.

There are thus at least two dimensions to political transitions in Nigeria. The first is the one described by Huntington. It applies closely to the Obasanjo and Abubakar Administrations. The second is where the military administrators have no intention of relinquishing power to a democratically elected government, and keep on postponing the terminal date of their regime. The Administrations of Yakubu Gowon, Ibrahim Babangida and Sani Abacha are illustrations of this phenomenon.

The first situation entrenches economic and political instability in the country, under either military or civilian rule. The second creates the same instability and adds to it a systematic undermining of national values. In the second, the military junta promises a return to democratic rule, but then spends large sums of the nation's resources to keep itself in office by crooked means. The uncertainty that follows its unpatriotic and unlawful actions encourages criminal acts among the citizens. This is because the leaders have no moral authority to oppose crime, since they themselves are perpetrating economic and political crimes against the nation. In fact, crime, violence, corruption and insecurity reached heights unprecedented in the entire history of Nigeria during the Babangida and Abacha years of political transition. This is part of what we intend to illustrate in this paper.

Crime and Insecurity: an Overview

Crime is any offence or unlawful activity punishable by law. It generally reflects the quality of life and development in society (UN 1992:3; Odekunle 1992:47). Criminal activities abound in all societies, developed and developing, but they tend to be more widespread in periods of national conflict and of military-supervised political transitions, when the community experiences a higher degree of economic and socio-political uncertainties. There are more cases of State terrorism against citizens, blatant misappropriation of public funds by government officials, impersonation, murder, extra-judicial killing, armed robbery, hard drug trafficking, theft, advance fee fraud, rape, etc. This increase in the rate of crime breeds general insecurity in the country and undermines any political transition process. It destroys the basis of trust in civil society as well as the credibility enjoyed by any military government.

Criminal activities are either violent or non-violent. Galtung (1990:10-12) has identified three forms of violent crime. The first is the physical form, which results, through force, in some form of physical injury or even death. The second is psychological: it includes propaganda, threats, lies, etc., and inflicts some form of mental disability on the victims. The third is structural. It relates to an oppressive economic and political system that inflicts hunger, ignorance, pollution, etc., on the citizenry. According to Galtung, a society becomes a victim of structural violence when social justice is absent. From these categories, one can see that both the State and civil society can be perpetrators and victims of criminal violence. This is the condition in which Nigeria has been since the beginning of Babangida's political transition in 1987. In fact, Mokwugo Okoye (1993:6), a nationalist, once lamented:

> Diplomats, newspaper reporters, politicians and administrators alike were all fascinated by the baffling ambivalence of Babangida's behaviour: the mixture of pretentious arrogance with the adroit exercise of imperial power, the commingling of callousness and compassion, the suggestion of famed wildness and brutal calmness. Impatient, arrogant and audacious, he was a great manipulator of power and (had) resources to achieve his ends... Babangida's tragedy is that, in time, he so outgrew his colleagues in guile and omnipotence and omniscience and, like Hitler, even began to believe his own propaganda lies.

State violence became the rule during the Babangida years. The Abacha Administration made State violence a dreary and crude business.

Although political instability promotes crime and insecurity, it is not their sole cause. It does, however, lie behind some of the other causes. Other conditions which may give rise to an increased crime rate include poverty, unemployment, and the collapse of traditional family values. The imposition of Structural Adjustment Programmes

on several African countries by the International Monetary Fund (IMF), as a condition of debt-relief and loans, has led to further economic hardship for the masses. This has worsened the crime situation in the continent since the 1980s.

These phenomena relate in various ways to the political instability, which usually precedes military intervention in governance and which characterises military-supervised political transitions. Political instability brings about economic recession and makes it difficult for people to achieve their legitimate aspirations through lawful means. This implies that the deprived citizens will tend to seek fulfilment through illegal means (Albert 1998). The State and civil society thus suffer as victims of crimes which, as we have seen, they themselves encourage in various ways. The instability in the system consequently deepens, and the democratisation process and hopes for a genuine and full democratic order are weakened.

The Military in Nigeria's Political Transition: Security Implications

The Clifford Constitution of 1922 introduced the elective principle into the recently amalgamated Nigerian State. It thus provided a foundation for some measure of participatory democracy, although highly regulated and limited. Owing to the use of military force by the British colonial government, the pre-independence period was, however, one of subjugation and repression of the nationals. Though criminal activities were still at a minimal level, the quest for security became imperative for succeeding colonial administrations, for fear of political insurrection within the country and infiltration by rival imperial powers. More importantly, however, the policy of squandering the nation's human and natural resources from the periphery to the metropoles was achieved only under a heavy security regime.

At independence, the security situation started to deteriorate. Political development in the First Republic was very volatile throughout the country, and there was a complete breakdown of law and order in the Western Region. This supposedly led to the military putsch of 15 January 1966. Since 1966, the Military have ruled Nigeria for about 29 out of 33 years and have produced eight dictatorships. The greater part of these years was spent in pursuit of several transitions from forced rule to a democratic one. Each successive regime assigned itself the messianic role of restoring socio-political sanity and enthroning a lasting democracy.

In his maiden broadcast to the nation in 1975, General Murtala Mohammed accused the Gowon Administration of lacking commitment to its transitional programme. He instituted his own programme, which was concluded by Obasanjo in 1979. After four years, however, the Buhari coup destroyed the temporary success of the Obasanjo transition. When Babangida staged his coup in August 1985, he accused the Buhari Administration of extreme despotism and non-commitment to returning the country to civilian rule.

The Babangida Years

Babangida himself, as subsequent events revealed, became the greatest defaulter with regard to Nigeria's wish for democracy. He announced in January 1985 that he would return the nation to civil rule by 1 October 1990. From the inception of his political transition programme in 1987, when he allowed public political activities to commence, the Nigerian political terrain was fraught with anxieties, arbitrary changes in the transitional programme and in the rules that governed it. The various crises together had very serious repercussions on the socio-political, legal, economic, intellectual, and moral development of the nation. The banning, un-banning and re-banning of many 'old-breed' politicians, for example, led to under-ground and clandestine

political activities. This eroded the whole basis of trust among the political class, and also between them and the Government, and between both groups and the civil population. Many of the 'new breed' politicians, as Babangida called them, saw the anathematisation both of their mentors and their opponents, as their own way of access to the political field, and also as a gold-mine for reaching new economic heights. Bribery and kickbacks became cardinal features of the Babangida transition. The euphemism for them, even among government officials, was 'settlement'. It served as the main means of resolving political and personal differences between the military rulers and their 'clients', who were mostly politicians.

In fact, the State (represented by the Military), political parties and politicians, as well as sections of the civil society, became protagonists of the corrupt activities necessitated by the nature of the transition. Oka Orewa (1997:88-89), who had been a consultant to the Federal Government on local government affairs, succinctly elaborated on the activities of government and party officials during the Babangida transition.

'What is disturbing is that government and local government political functionaries and other party leaders are claiming that they are sourcing funds for the operation of their parties from the following avenues:

1. 10% levy on prices of all contracts awarded at State and local government levels.

2. In some local governments, there is another 15% known as the executive distribution pool, which is shared by the chairmen and members of his executive. The chairman uses his own share to generate funds to recoup his own past election expenses.

3. In some local governments, legislators insist on getting another 5%-10% of the contract price to recoup their own election expenses.

4. The party executives at the local government level get fertilizers and sell them at 300% to 400% profit, claiming that a substantial proportion of this profit goes into the party funds.

5. There are allegations that prospective public servants now pay substantial sums as bribe to party executives in order to obtain sponsorship for appointment...

6. The same party executives, on the approach of general or local government elections, claim demand and receive from prospective candidates huge sums of money which they claim are for the whispering campaign. Usually, a very small percentage of such funds gets into the hands of the voters'.

Government officials and members of civil society, especially the elites, who could not benefit sufficiently from the new forms of settlement, resorted to other forms of economic illegality. By these means, they often raised sufficient funds to satisfy their extravagant desires and meet the demands of their clandestine activities. For the first time in Nigeria's history, there was a dreadful awareness of the notorious and highly organised advanced fee fraud scheme (commonly known as 419), which involved senior government officials and big names in the private sector, as well as actors in the political process. There were widespread cases of drug-trafficking, petroleum bunkering, ritual murders (including the highly publicised Otokoto saga), increased banditry and outright assassinations for economic and political advantages. These crimes were quite often perpetrated by key players in the transitional process. Not only did they pose a major threat to the nation's security, they very often enjoyed the collaboration of the country's top security agents, thus bringing about the collapse of law and order at the upper echelons of society.

These criminal activities also permeated various sectors of the Nigerian society. For instance, as a result of a deliberate attempt by the Babangida Administration to pauperise the universities, in order to check their anti-dictatorship activism, many universities and the teaching and non-teaching staff had to resort to corrupt practices in order to make ends meet. They sold admission letters to the least qualified; they sold grades to students who did not deserve ordinary passes; and they awarded honorary doctorates to notorious criminals and to the highest bidders, in order to raise funds to run their institutions. *The Guardian* noted in its editorial of 21 March 1994:

> The decay in the university system is pervasive: It runs deep in the academic sphere as well as in social life. No strata of the university community — students, teachers, workers or administrators — stand above the rot. Professors can no longer inspire either their junior colleagues or their students. Discipline has broken down not only among the students but also among their teachers. The educators are in dire need of education.
>
> In the area of corruption, immorality and debasement of social values, the university is as bankrupt as the society. University administrators can no longer maintain law and order...

In fact, student unions, which have often been perceived as one of the pro-democracy elements, have become an avenue for hooligans to extort money from 'somewhat defenceless' students. The widespread insecurity in the university and in society at large is such that many students have been driven to establish their own forms of self-protection: secret cults. These cults often became laws unto themselves, thereby worsening the state of insecurity both on the campuses and in the country at large. This has led to the unprecedented presence of police and military personnel on the campuses.

In the last decade of transition, the Judiciary was discredited by the 'settlement' culture, the most typical example being the Mercedes Benz cars that General Babangida offered as gifts to the Supreme Court Judges. The judges were also discredited by their failure to address the challenges posed by laws with 'ouster' clauses. These became a defining characteristic of the legal process in Nigeria's transition process. To a large extent, the Judiciary under Babangida became an arm of the Military. In terms of political transition, the judges were always perceived as executing the wishes of the Military, or else regretting that they had no power to look into some cases, especially cases involving political or security issues. The media witnessed much recklessness in its professional practice. Junk journalism became the rule rather than the exception, as both Government and independent media engaged in excessive propaganda and falsehood for political ends and often for the sake of immediate material gain. The psychological violence unleashed on the masses left them as abused victims. Consequently, the Nigerian public was woefully deceived over many issues that should have been common knowledge in a democratic order. The Government never took kindly to the security threat posed by some independent media houses. There were incessant proscriptions of media houses in the last decade. The result was that some of them went underground and their activities became clandestine and this situation further worsened the state of security in the country. Many of their stories drummed up the imminence of civil war in the country. This reached a climax after the annulment of the 12 June 1993 Presidential Election.

The war-song heralded by General Babangida's Information Minister, Mr. Uche Chukwumerije, and the muzzled so-called 'pro-democracy press' created a state of frenzy. Many fled from places like Lagos and Kano, where they ordinarily resided and did business, to their home-towns (mostly in the Eastern part of the country). There were several accidents in the confusion that followed, and hundreds of people lost their lives and properties.

Several forms of criminality involved military institutions as well as various arms of the civil society: trade unions, ethnic minority organisations and even pro-democracy non-governmental organisations. In several ways, these groups promoted forms of organised physical and economic banditry. Outright physical brutalisation, vandalisation of properties, armed robbery, hostage-taking and large-scale deceit and fraud in the name of human rights activism characterised some of these groups.

Bank frauds became a major economic problem during the Babangida transition. Many of those involved were serving and retired generals, as well as politicians, who sat on the boards of some of the banks. These people used their position to obtain large loans without the required collaterals. By 1993-1994, over 50 of the nation's banks were in financial distress. Some of them were eventually liquidated. Thousands of depositors lost their money. The deteriorating situation posed a major threat to the nation's economic security, hence, the establishment of the Failed Banks Tribunal by the Abacha Administration.

Another major area that needs examination is the Nigerian Police Force. It is a paramilitary arm of government, which has played a role that may be considered ambivalent in the nation's political transitions since 1987. The Police is the primary order in the establishment of any criminal justice system in any country (Alemika 1993; Robert 1997; Albert 1998). Though it had been caught several times in controversial political webs, it was often perceived as performing a role within the citizen's average expectations. Its role in the nation's political transition since the Babangida years, however, gave it the image of the people's enemy and a threat to national security. In the last decade, the Nigerian Police has found itself on illegal missions assigned to it by the Government. While some of these missions were preventive measures against anticipated pro-

democracy civil disobedience, others were openly violent. Both denied sections of civil society their right of free speech, movement and association, which gave them cause to embark on actions that could breach the peace. The Police became so used to such actions that it became a law unto itself and an evident threat to national security. The situation got so bad that the *Daily Champion* reported on 9 April 1994 that General Sani Abacha had called for a 'Surgical Operation' for the police, because its 'ethics' had become 'inimical to the requirement of public safety and good order'. The report quoted the General as saying that 'the slogan, 'the policeman is your friend' now appears to hold true only for the outlaw'. Unfortunately, however, during his tenure as Head of State, the General helped the Police to reach its most corrupt state, as will be shown later.

The Babangida transition was characterised by criminal activities within the State and civil society. There were more cases of politically motivated violence in the country. The peak came with the riots that followed the annulment of the 12 June 1993 Presidential Election, and the spate of assassinations, arrests and imprisonment that followed. The annulment and the consequent crisis obliged the Government to pass laws to give legitimacy to the Interim National Government of Chief Ernest Shonekan. However, the enabling law was annulled by the Lagos High Court about two months later. This gave an excuse for General Sani Abacha to seize power. Ironically, the Abacha Administration passed a decree making the Shonekan 'whirlwind' a fully recognised and legitimate administration of the past.

The Abacha Years

The Abacha Administration, which came to power on 17 November 1993, wasted no time in launching its own political transition programme. It immediately dismantled all the political structures, including the National Assembly, which were already in place, and

set up a Constitutional Conference Commission, to organise a National Constitutional Conference (NCC). The Government then passed an enabling law for the NCC, as best suited its own unknown political agenda. As opposition mounted from pro-democracy groups, workers' unions, university teachers, students and other sections of the Nigerian society, the Government used the combined weapons of military force, 'settlements', and 'ouster clauses' in newly promulgated decrees, to suppress the people and maintain itself in power. The initial bid of the NCC to make the Administration quit in January 1996 was changed and the deadline was extended to 1 October 1998.

The Government registered five political parties, all well disposed to its own agenda. These parties eventually accommodated some of the old-breed politicians, against whom the Government executed the politics of exclusion. Gradually, the parties became a major platform for the orchestration of a self-succession agenda for the Administration. Many old-breed politicians, who showed active interest in becoming the nation's President, turned into active members of the Abacha self-succession choir. A new notorious business, which flourished in the country at that time, was the emergence of several pro-government organisations. The most notorious of them was called 'YEAA' (meaning Youth Earnestly Ask for Abacha), led by one Daniel Kanu. They allegedly drew their enormous income from the Presidency in Abuja, and their main agenda was to promote, through whatever means, the General Abacha self-succession plan. In fact, some of them vowed publicly that if General Abacha did not become a civilian president on 1 October 1998, they would cripple the Nigerian economy and unleash unprecedented violence to make the country ungovernable. The Government made no public statement on these threats; neither did it arrest any of those involved, thus confirming the speculation that the detractors of the nation's democratic aspirations had the support of the State.

This self-succession bid constituted the greatest security threat to the Nigerian State during the era of the Abacha Administration. Ironically, it was perpetrated by the Government of the day. It was such a threat, because it left citizens more impoverished than ever, as billions of naira were used from the public treasury to pursue the selfish political agenda of self-perpetuation in office, while reinforcing the State security network in anticipation of mass revolts. It also ended the principle of power rotation between the North and the South. This had been recommended by the NCC as a means of achieving national unity and equality among the various geo-political units of the country, and as a means of frustrating what had for several decades constituted 'deep and basic cleavages' for the Nigerian people (Akinyemi 1975:68-76). Furthermore, it perpetuated the political instability that set in after the annulment of the 12 June 1993 Presidential Election. The Abacha Administration was the main beneficiary of the annulment. It was, therefore, consistently opposed, in every possible way, by all those who were sympathetic to the annulled election. The political instability created further economic woes, and these were worsened by the loss of support from friendly nations and the consequent flight of foreign investments from the country. All this contributed to a complete breach of law and order. The Government pitched itself against the masses of the country. It found itself totally perplexed by the state of national anarchy.

The situation got so bad that the Government had to resort to street gangsters (these are hoodlums generally known as 'Area Boys') for its 'rent-a-crowd' pro-Abacha demonstrations. They expressed gratitude to Abacha for 'saving the nation' from the post-12 June 1993 precipice. They demonstrated for Abacha against the National Democratic Coalition (NADECO), the arch-opposition group during the Abacha years. They demonstrated for Abacha against the Commonwealth and the European Union sanctions imposed on Nigeria after the judicial murder of Ogoni minority rights activists.

They paid several solidarity visits to Abacha and his cronies in Abuja. They enjoyed elaborate coverage in the Government media. These are the boys who had no respect whatsoever for law and order or the law enforcement agencies (cf. Omitoogun 1994). The reports at the end of their outings were normally tainted by chaos and confusion, following disagreements on how their leaders shared the largesse they received from the government. On a few occasions, they were on a collision course with the anti-Abacha demonstrators and the collapse of law and order was always imminent. However, the Government's security agents always protected them.

The politics of ethnic marginalisation during the transition to civilian rule reached unprecedented heights during the Abacha years. The struggles of the Ogoni people, the Ijaw youths' episode and the Ife-Modakeke War together indicated how resources from these areas had been mismanaged. The mismanaged transitional programme sowed the seeds of enmity between various ethnic nationalities and the Nigerian State, which they regarded as aggressor and robber. There was persistent clamour, especially in the Southern States, for the restructuring of the country into either a true federation or confederation.

All the criminal activities that had been encouraged by the Babangida Administration and by the nature of his political transition, pervaded the country during the Abacha Regime. The greatest threat to the nation's peace and security, however, was his political transition programme. This was completely channelled towards his ambition to succeed himself. There was no rule of law in the country. Rather, the Government unleashed a reign of terror against the citizens. In fact, apart from the years of Nigeria's civil war (1967-1970), the Abacha years were the darkest and most horrible that the nation had ever witnessed. There were incessant politically-motivated assassinations, bombings, torture, acid attacks and detention of opponents. There was speculation through those years that the

Government was directly behind most of these acts, although the
Government increasingly condemned NADECO leaders as the cause
of the calamity that had befallen the country. After the sudden death
of General Abacha on 8 June 1998, however, the truth of how the
Government had become the chief executor of terror against the
nation started to emerge.

Under probing by the Special Investigation Panel, set up by the
General Abdulsalami Abubakar's Administration, the hatchetmen of
Abacha's reign of terror confessed to their evils. Those who made
confessions included Major Hamza Al-Mustapha (Abacha's former
Chief Security Officer), Brigadier-General Ibrahim Sabo (the former
Director of the Directorate of Military Intelligence), Colonel Frank
Omenka (Head of the Security Unit of the Military Intelligence), and
Alhaji Mohammed Gwarzo, the former National Security Adviser to
Abacha.

According to these former aides of Abacha, (cf. *Tell Magazine*, 19
December 1998), Abacha gave them a blank cheque to eliminate any
persons who they considered to be serious threats to his self-
succession bid. In Al-Mustapha's words, 'we had the licence to kill'.
Responsible for executing their wish was a special terror unit called
the Strike Force. These were responsible for the assassination of
Chief Alfred Rewane, a major financier of NADECO, Alhaja
Kudirat Abiola, the activist-wife of the undeclared winner of the 12
June 1993 presidential election (Chief Moshood Abiola) and several
other political opponents of the regime.

They were also responsible for the spate of bombings during the
Abacha years. Most of the bombings were aimed at military men and
installations, as part of the junta's divide-and-rule tactic. NADECO
leaders were, however, held responsible, and many of them were
thrown into prison. Top functionaries of the Administration were
also targeted, in order to convince the public that the bombings were

the handiwork of NADECO. Attempts were made on the lives of two State Administrators, Colonel Buba Marwa of Lagos and Colonel Mohammed Bawa of Ekiti. The former had to cry out that he was the target of 'highly placed Nigerians'. It was a real terrorist situation created by the State. It led many of those in the opposition, including Chief Anthony Enahoro, an elder statesman of about 80 years old, who had recently suffered incarceration, Professor Wole Soyinka, a Nobel laureate, and others, to flee into exile. There was no security anywhere in the country even for the common people, many of whom not only witnessed these acts of terror but themselves became victims of lawless soldiers, who brutalised and extorted money from them.

The Abacha Administration also cooked up coup stories, as a means of settling its scores with those it considered to be threats to its political programme. The Lawan Gwadabe coup of 1995 and the Oladipo Diya coup of 1997 showed how the Government was bent on ruthlessly eliminating every form of perceived opposition, even within the Administration itself. According to Al-Mustapha, the Diya Coup had been framed long before the 'suspects' were rounded up, but was 'unravelled' only after the failed attempt to bomb Diya, who was the second in command to Abacha. The Abacha years were a period of political transition, characterised by unparalleled treasury-looting, gross lawlessness, disorder and insecurity across the country. The Government was the chief executioner.

The Abubakar Transition: A Conclusion

Two major problems that affected the Babangida and Abacha transitional programmes were insincerity and lack of patriotism. These two leaders had hidden agendas. Thus, while they presented the nation with the dream of a 'home-grown democracy', as they called it, they pursued different programmes. These were centred on

enhancing their own status. Such a situation, especially in a country
like Nigeria, had negative security implications for a civil society,
which was extremely politically conscious, vibrant and resilient in its
pro-democracy struggles.

After Abacha's sudden demise on 8 June 1998, General Abubakar
came onto the stage with a new transitional programme. This programme
was laudable in some respects: an 'acclaimed independent' Electoral
Commission and a seeming non-interference by Government in the
political process. These two factors encouraged nation-wide civilian
participation in the transition. There was, however, a crisis of
confidence regarding the real intentions of the Government and the
Military towards the future political dispensation. It was widely alleged,
for instance, that the Government and the Military, both of which
should be non-partisan, were in fact working for the triumph of the
People's Democratic Party (PDP) over the All Peoples Party (APP)
and the Alliance for Democracy (AD) (cf. *The Guardian* of 7
December 1998). There were over 40 retired Army generals in the
PDP. It was hardly a wild guess that many of them still had their
supporters in active military service. The security implications of this
situation were not healthy for the nation's democratisation process
after the transition to civilian rule. It was widely alleged that one of
the generals, Olusegun Obasanjo, who was already in the presidential
race, had been anointed by the military institution to succeed
Abubakar. With the Local Government Council and State Assembly
and Governorship elections held so far, the PDP controlled about 20
of the 36 States in the country. If the party of the generals eventually
controlled the central government, there might have to be an
intellectual re-definition of the nature of the Abubakar political
transition and of the peculiar brand of democracy it produced.
Whether the implications of such a transition would be similar to the
Babangida and Abacha formats would also have to be investigated. It
is, however, to be expected that if the retired military men share

some things in common with their colleagues and supporters, who are still in active service (and there is no doubt that they do), then the nation's experience of the military in politics may continue to be a current phenomenon, even in a novel form, in the next millennium.

With strong attempts to militarise the next civilian democratic order, the future does not seem to promise a clean break from the militarised past. On the other hand, it cannot be certain that even if the politicians were left alone to play their game, there would then be a clean break with the past. However, there is a reasonable amount of hope. Should the Abubakar Administration succeed in ushering in 'a democratically-elected government' characterised by a fair degree of credibility and representative politics, the nation might eventually find the path to a full and genuine bid for democratisation. In essence, the best that the nation might glean from the Abubakar transition may be the structural capacity to embark on a democratic transition to a democratic order in the Nigerian society.

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Ethnicity, Violence and Democracy

Machira Apollos[*]

Introduction

Three issues currently dominate debates about conflicts in Kenya: ethnicity, violence and democracy. Each of these issues represents a vast area of research characterised by intense internal debates. The area where these three concentric circles of interest overlap is a mesh of complex relationships, contradictions and confusion. This study will attempt to highlight some of these relationships and contradictions by examining the unfolding levels of conflict, ethnicity and democracy in Kenya's volatile and violence-prone region of the Rift Valley over the last decade. A certain degree of generality, assumptions and bias is inevitable in a study of this nature. History has shown that insecurity in the region has been largely State-sponsored and can therefore be induced or curbed by the State (Byamukama 1995). Governments of countries in the region, such as Uganda, Sudan, Ethiopia, Somalia, Tanzania and Kenya know that there is mutual co-existence even across borders and that what affects one State may spill over into others. The collapse of the Somali State had consequences in Kenya, into which many refugees crossed the border and where weapons were acquired easily. Banditry has become more prevalent in north-eastern Kenya because of the problems of Southern Sudan and the collapsed Somali State. Leaders of a country must be aware that insecurity in a neighbouring country can affect theirs. When people feel completely alienated, they may

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resort to armed insurgency, if their States refuse or fail to settle conflicts and guarantee security for their people (Byamukama 1995). Collective security is therefore a more complex subject than it may seem. Political observers have recognised that whatever they do, governments organise violence and monopolise it where possible.

Textbook examples of this trend can be found in Rwanda, Burundi, Congo Brazzaville, Liberia, Sierra Leone, Democratic Republic of Congo (DRC), Somalia, Niger, Chad, Nigeria and Burkina Faso. Violence has recently been rife in Kenya. In most of Africa, the transition to democracy has been abrupt. Rulers are not adequately prepared to handle any wider popular political participation. Social violence therefore becomes politicised (Barry 1991). Political repression and massive coercion have turned pluralist politics in Africa into warfare (Ake 1990). The last decade of the 20th century in Kenya will be remembered for the armed conflicts, massacres, displacements, uprisings, riots and demonstrations, whose repercussions will continue to be felt in the next century.

In January 1998, the world was shocked by the massacre of Kenyan men, women and children over a few days in the valley of death, officially known as the Rift Valley. Its conscience was shaken by systematic reports of rape and '*ethnic cleansing*'. While such horrors are not new in the annals of human cruelty, they are systematically hidden and trivialised by the autocratic State authorities. Most weak States in Africa are highly personalised. For instance, in his arguments about States, Reno (1998) cited countries such as Chad, Guinea-Conakry, Guinea-Bissau and Congo-Brazzaville, and said that unless the leader controlled insurgencies by using his own henchmen, it would be difficult for him to control disorganised and decentralised internal guerrillas.

The atrocities experienced in these countries would not have been so horrendous if the States concerned had respected international laws applicable in conflict situations. The law says that

persons who do not or can no longer take part in hostilities are entitled to respect for their lives and for their physical and mental integrity. Such persons must in all circumstances be protected and treated with humanity, without any unfavourable discrimination whatsoever. It is forbidden to kill or wound an adversary who surrenders or who can no longer take part in the fighting. In most of Africa, these provisions do not appear to be respected. In African wars, the wounded and the sick are not provided with treatment by those who have the power to do so.

Captured combatants and civilians who find themselves under the authority of the opposing side are entitled to respect for their lives, their dignity, their personal rights and their political, religious and other convictions. They must be protected against all acts of violence or reprisal. They are entitled to exchange news with their families and to receive aid.

Everyone must enjoy basic judicial guarantees and no one should be held responsible for an act he or she has not committed. No one may be subjected to physical or mental torture or to cruel or degrading corporal punishment or other treatment.

Neither the parties to the conflict nor members of their armed forces have an unlimited right to choose methods and means of warfare. It is forbidden to use weapons or methods of warfare that are likely to cause unnecessary or excessive suffering. It is therefore forbidden to poison wells or reservoirs, to burn houses or to use poisoned arrows.

The parties to a conflict must at all times distinguish between the civilian population and combatants, in order to spare civilian life and property. Most States in Africa have ratified the 1949 Geneva Conventions and are, therefore, bound by the Common Article III in the four Geneva Conventions, as strengthened by the two Additional

Protocols of 1997. The study proposes to establish the reasons why States party to these Conventions do not adhere to such rules.

This is why it is worth undertaking a thorough study on the causes and the extent of this internal violence. Whenever possible, my analysis of conflict will be sustained by an awareness of the diverse settings in which conflicts are waged by many parties. What many African leaders forget is that the evolution of political authority is a universal process from which many post-colonial African rulers stray at considerable cost. The legal provisions are usually sufficient to deter acts of lawlessness in a country like Kenya, but what is lacking is perhaps the political will to do so. More people have died at the hands of State authorities in Africa over the last thirty years than have been killed by natural disasters and road accidents. From South Africa to Algeria, from Eritrea to Liberia, and also in Kenya, the brutal fact is that citizens cannot and do not always rely on governments for protection.

In recent times, the opening of the political spectrum in Africa has led to far-reaching social, political, cultural and economic changes. Political transformations and economic liberalisation have increased competitive politics and economic globalisation (Anyang' Nyong'o 1990). This has created the need to exploit ethnicity for the sake of political survival. Those who hold political power tend to perceive opposing views as treacherous and treasonable (Ake 1990). To maintain their rule, the rulers terrorise, harass and intimidate the powerless. Leaders in a few countries in this region have eliminated real or suspect political enemies in order to reduce political rivalry. Typical examples are Samuel Doe of Liberia, Sadat of Egypt, Thomas Sankara of Burkina Faso and Nguema of Equatorial Guinea, among others. Those overthrown by popular revolts include Mobutu of Zaire, Dawda Jawara of The Gambia, Bokassa of C.A.R, Barre of Somalia, Mengistu of Ethiopia, etc.

The aim of this study is to analyse the conflicts that plagued Kenya's Rift Valley province in early 1998. I shall argue that these conflicts were not based on clear-cut issues such as foreign oppressors against suffering locals. It is at least as urgent to demilitarise the politics of civilian regimes as it is to deal with the policies of military dictatorships. In recent ethnic or political violence in Kenya, children were orphaned, Kenyans were widowed, women were raped, people were displaced, turned into internal refugees and reduced to beggary and abject poverty. Security agents demonised citizens instead of protecting them. Skirmishes were deliberately designed for systematic destruction of social cohesion (Hutchful 1992). A systematic demonisation underlay the conflicts. These are what Hutchful (1992) calls 'intimate hatreds' where neighbours fight neighbours. Many months after the episodes of violence, people still lived in fear of their neighbours, of nightfall, of shadows and of thickets within the same neighbourhood.

Such abuse of power in conflicts of a non-international nature has not been addressed by the rules of international humanitarian law. Perhaps this explains its escalation. A non-international armed conflict refers to a fight within the territory of a State between regular armed forces and identifiable armed groups, or between armed groups fighting one another. The conflicts in the Rift Valley may be categorised as internal disturbances involving a serious disruption of internal order through acts of violence, which nevertheless do not represent an actual armed conflict.

Background to the Violence

The 1991/92 and 1997/98 ethnic violence in Kenya predominantly affected the Rift Valley Province, Kenya's most fertile, productive and diverse region. In the 1991/93 ethnic clashes, some parts of Western Kenya were slightly affected, but even these were areas neighbouring the Rift Valley. During the 1997/98 violence, some parts of Nyanza, namely

Gucha, Migori and Kisii, which border on the Rift Valley, were affected. As a very unusual phenomenon, clashes erupted in the Coast Province, far away from the violence–prone Valley. These clashes particularly affected the Likoni area of Kwale District. Except for these few isolated but intensive skirmishes outside the Valley, most of the ethnic violence was concentrated in the Rift Valley. This Province is one of the eight administrative regions of Kenya. The others are Coast, Eastern, North-eastern, Nyanza, Central and Nairobi Provinces.

The Rift Valley covers 40% of Kenya's land surface and was the area originally settled by the white settlers in the colonial period. During the pre-colonial era, pastoral communities, such as the Masai, Kalenjin, Samburu, Turkana, Pokot and Turgen, were the area's principal inhabitants. Between 1900 and 1915, the natives who lived in most parts of the fertile White Highlands were restricted to Reserve Lands on the periphery of the region. The fertile lands of Laikipia, Uasin Gishu, Trans Nzoia, Nakuru were reserved for whites. This dislocated the pastoral communities who had settled in this area.

The white settlers introduced large-scale farming and livestock rearing, which needed human labour. The white settlers found the pastoral communities unsuitable for cheap labour in these areas so they recruited cheap African labour from the neighbouring regions of Central, Western and Nyanza Provinces. Thousands of Kikuyu, Kisii, Luhya and Luo squatters were brought into the Rift Valley Province as farm labourers in the early 1900s (*Africa Watch* 1993). The issue of land alienation led to the 1952 Mau Mau rebellion, spearheaded by the Kikuyus in the Central Province and by others in the Diaspora. The land issue remained unsolved after independence in 1963. Those settlers who preferred to migrate back to their countries of origin sold their land to the people on a 'willing-buyer-willing-seller' basis. Because the Kikuyus are traditionally a farming community, they

have a great attachment to land. The government encouraged the Kikuyus to buy farms, because the late President Kenyatta was from that tribe.

Internal Strife

Internal strife frequently presents an aggregate of violent acts and human rights abuses that are interrelated rather than isolated phenomena. A systematic relationship often exists between various types of abuses, so that a given practice will create an environment in which other abuses are almost certain to occur.

The instruments of humanitarian law and human rights law are not applicable to cases of internal strife, which fall below the thresholds of applicability of Article III common to the four Geneva Conventions of 12 August 1949 on the protection of war victims and Article 1 of the Protocol II Additional to the 1949 Geneva Conventions on the Protection of Victims of Non-international Armed Conflicts.

Human rights instruments are either inapplicable, because the States concerned have chosen not to become parties to them, or ineffective because of the frequency of *de facto* and *de jure* derogations from normally applicable rights. This ineffectiveness is heightened by the grave inadequacy of inalienable rights relevant to situations of violent internal strife. The combined effect of derogations from human rights instruments, the inadequacy of those provisions of human rights instruments that are incapable of derogation and the inapplicability of humanitarian law results in a denial of elementary protection to persons caught up in internal strife.

Despite the sensationalising of violence in the media, most violent events only receive on-the-spot coverage. There is hardly any attempt to look for explanations and causes or for links and patterns (Salmi 1993). The act of violence is seldom considered in its

historical, social or economic context. The standard analysis prefers to short-circuit any attempt to undertake meaningful investigations by trivialising the meaning and impact of the event.

One common factor generally encountered in explanations of the Rift Valley massacres is the excessive individualisation of violence This consists in attributing violence solely to individual factors. Time and again, it is always the individual who is at fault, never the State. Conventional presentations of violence and human rights violations often display a high degree of ideological one-sidedness. This bias finds expression in excessive leniency towards political allies, but extreme severity towards people, organisations and countries perceived as political adversaries. It is revealed in the media through the choice of words and expressions used.

It would be wrong to claim that Henry Jean Dunant in *Memory of Solferino* or the adoption of the first Geneva Convention in 1864 marked the starting point of international humanitarian law as we know it today. Just as there is no society of any sort that does not have its own set of rules, there has never been a war without some rules, whether vague or precise, that govern the outbreak and the end of hostilities, as well as how they are conducted.

'Taken as a whole, the war practices of primitive peoples illustrate various types of international rules of war known at the present time, rules distinguishing types of enemies, rules determining the circumstances, formalities and authority for beginning and ending war; rules describing limitations of persons, time, place and methods of its conduct, and even rules outlawing war altogether'. The first laws of war were proclaimed by major civilisations several millennia before our era.

'I establish these laws to prevent the strong from oppressing the weak' (Hammurabi, King of Babylon). Many ancient texts such as the Mahabharata, the Bible and the Koran contain rules advocating respect for the adversary.

The 1864 Convention, in the form of a multilateral treaty, therefore codified and strengthened ancient, fragmentary and scattered laws and war customs protecting the wounded and those caring for them.

Violence: The Common Patterns

There are common patterns to most of the violence that occurred in Kenya during the last decade. First, ethnic violence flares up in areas where previously there was no serious friction between diverse communities. This is usually preceded by persistent cattle-rustling and widespread theft by the actors of violence. Ethnic hatred and suspicion is thus created. Accusations and counter-accusations are made between the diverse ethnic communities. At an unexpected moment, outright attacks are carried out swiftly and simultaneously with precision. Victims of such violence then go on revenge missions. According to this author's personal account, the attackers move in columns — local vigilantes or guides are always in front, mostly from the youth, followed by a frontline of raiders equipped with bows and arrows, while the last platoon comprises attackers with rifles. As the raiders take stock of their previous engagements and wait for nightfall to resume attacks, ordinary communities of different tribes target each other fiercely. A spiral effect is set in motion. Some tribes, burning with vengeance, go on arson sprees, hacking their perceived enemies indiscriminately. Women in the Laikipia plains, who accompanied the raiders, rode on stolen donkeys, which they used to carry away their booty. In areas such as Njoro, tribes waited for each other on the roads, flushed people out of public transport vehicles and then hacked them mercilessly to

death. Others in the Ravine area were thrown into crocodile-infested rivers and reservoirs. In the circumstances, revenge leads to a free-for-all encounter. Many people are displaced and forced to leave for safer destinations, mostly churches. In this initial stage, columns of women and children are the first groups to be evacuated, followed by the transportation of household effects, including livestock. Men stay on, in the hope that the violence will come to an end. When this does not happen, they too leave the area. Reports of attacks are remarkably similar. Mr. Khalif, a founder-member of Safina Political Party, said before the Akiwumi Judicial Commission on Political Clashes in Kenya:

> The attacks are well coordinated and the raiders' ability to acquire weapons raised suspicions. He argued that the security forces' failure to counter the raiders' onslaught was a clear pointer to the government's involvement (*Daily Nation* 29 Sept. 1998).

The independently owned print media, usually the *Nation* newspapers in the first instance, reported the orgy of violence. The Government, through the electronic media, usually the KBC, characteristically denied that violence had occurred and accused the church and the media of blowing the episodes out of proportion. The press continued to report tangible evidence such as photographs, narratives and personal interviews. When reporting persisted, the areas concerned were declared security operation zones in order to prevent the press and international observers from visiting the sites and collecting tangible evidence. This happened in all areas affected by violence. Police reinforcements often came in too late, after the raiders had almost nothing left to attack — with villages already looted and their residents displaced. Once there was nobody left, attackers engaged in an orgy of looting, clearing the possessions out of deserted homes. Even the sight of policemen did not scare raiders away and this confirmed the fear that they were State-sponsored. This happened in

Ndemu Ndune in Laikipia, Stoo Mbili in Njoro area and Kwale in Coast Province.

One respondent, Mrs. Monicah Wambugu, whose nine head of cattle, two donkeys and three goats were stolen, was quoted as saying:

> We informed the police immediately the raiders stole our animals, because the police were patrolling the area in a Mahindra police car, but instead of following the route the raiders had taken, the police went in the opposite direction, despite our protestations. Eventually, they returned to their station 12 kms away. They came after two days to ask for money to buy fuel for the government land rover, for food and for beer. We gave them but they did not go far to pursue the raiders. They came for more money the following day but we did not have any. They left for the station, never to return again (Interviews).

In most episodes of ethnic violence, the mayhem usually lasted only a few days, but the cost in both human and physical terms remained horrendous. Within a week of the Likoni violence in August 1997, 61 deaths were reported and thousands of people were displaced. On 17 January 1998, more than 45 deaths occurred in one day in the Laikipia plains. On 28 January 1998, at least 61 deaths were reported over one weekend in the Njoro area, and thousands of people — men, women and children — were displaced.

After the raid, murders and destruction, a lull or a non-violent period followed. People mourned, prayed, buried the dead and counted the losses. Rhetoric then began. Politicians from both the ruling party and the opposition parties engaged in name-calling, condemned each other and raised the war cry. A surprised international community expressed some concern and appealed to the government to stop the massacres and resettle the displaced. A reluctant government sent a face-saving police force to restore peace with strict instructions not to shoot anybody, including the actors of violence. When the police arrived, some actors of violence were

arrested. Victims of violence who organised revenge or retaliatory attacks were mostly sought. They were arrested and their vehicles were impounded. Members of the KAMATUSA tribes were treated well by the criminal justice system. They were given bonds and their cases were dismissed faster. The other cases draged on for months or years, but were eventually withdrawn for lack of evidence and effective human rights representations. A case of oathing in the Ndurumo village of Laikipia by 47 people took three years to complete and the accused persons were found innocent. The arrests, investigations, prosecution and trial appeared to be stage-managed by the State as public relations exercises for international consumption.

As the international community initiated aid resettlement programmes, the Head of State made a hurried high-profile visit to the area and declared there was no violence. After the Laikipia episodes, he stayed a record 45 minutes, trying to reconcile the communities. The President and those in charge of internal security visited both the Laikipia and Njoro genocide areas a month after the killings, despite the fact that Njoro was 20 kms away from the President's regular home and State House. During those visits, the President usually demonised the victims of violence and castigated the opposition parties. Almost one year after the disturbances, he ordered community-based 'Peace Talks' and chose the peacemakers, who were bent on following the ruling party's philosophy of 'Divide and Rule'. It took the President eight long years to order a judicial commission to inquire into the tribal clashes of 1991/92 and 1997/98.

In retrospect, it can be seen that spontaneous violent reactions occur after a prolonged period of frustration, when an incident sparks off mob hysteria or communal madness. This leads to mass destruction, murder, rapes, maiming and looting. It is my assertion that the Rift Valley violence is a complex web, woven by powerful politicians, who deliberately intend to put an end to peace and to victimise innocent citizenry for their own selfish, short-term political

gains. Given its fragile ethnic and political mix, the Valley is the ideal place for dirty politics. When this issue is raised in Parliament, it is most likely to promote fights. After the 1991/92 clashes, Parliament appointed a Parliamentary Select Committee of Inquiry to investigate the causes and to identify the perpetrators of violence. The report submitted by Hon. Kennedy Kiliku, a former Member of Parliament, was rejected by the same Parliament that recommended it. The report had blamed the government and high-ranking State functionaries for starting and perpetrating violence all over the country. In Parliament, this provoked hostility, walk–outs and condemnations. The Parliamentary Report confirmed earlier reports by the mainstream churches and non-governmental organisations, that the clashes were politically motivated by the government. Many people agreed that the clashes had nothing to do with land but only with politics. In the Likoni and Kwale violence: *'Those who suffered were poor kiosk owners who had no influence to grab land'*, said Prof. Alamin Mazrui, Director of Kenya Human Rights Commission (*Daily Nation* 29 Sept. 1998).

The thesis of this study is that whenever violence erupts, a skein of excuses and outright lies cloud the real issues so that what emerges is a tale about co-existing communities who suddenly target each other. On the ground, local leaders peddle land differences as the source of conflicts.

Another thesis that will be proved in this study is that violence usually precedes general elections in Kenya. There are testimonies to the fact that the clashes are meant to influence voting patterns in presidential and parliamentary elections.

> In a large number of cases, elections have merely 'constitutionalised' existing authoritarian regimes, military as well as civil, with former dictators donning a thin mantle of democracy. In formerly single-party States such as Kenya, Côte d'Ivoire, Gabon and Cameroon, the official party has re-emerged as the official dominant party within the framework of political pluralism...
> (Hutchful 1997:6).

These regimes set the election rules, which they then administer. It is no wonder that they win these elections. This has happened in a number of countries, including Mali, Mauritania and Burkina Faso. Kenya's political scene is full of contradictions and surprises. Sometimes, after intense external pressure, the State concedes liberalisation, freedom of the Press and amnesties, but as soon as the Bretton Woods institutions release the necessary funds, the State regresses to its former autocratic self. It muzzles the Press, detains activists and puts pressure on civil organisations to toe a certain line of thought. This re-awakens more dissatisfaction, which sometimes leads to mass protests that turn violent. Whenever Kenya is in civil strife, the President makes a quick rearrangement of the regime, which temporally cools tempers. When the national mood returns to normal, the President carries on with his old, well-known autocratic rule. Kenya's regime may be likened to a chameleon that changes colour according to the environment, while always remaining a chameleon.

The Akiwumi Commission heard testimony to the effect that the government feared that the emergence of the National Convention Executive Committee (NCES), as a major impetus in the reform process, would pose a threat.

'At this point in time, the government felt threatened by the forces of change and was compelled to act accordingly. It had to come up with a counter-offensive and the outcome was the clashes', Mr. Khalif told the Commission (*Daily Nation* 29/9/1998).

This point will be developed further to show that even though the authorities had foreknowledge, they did little to forestall the massacre. It will also be shown that the wars have never been between Kikuyus and Kalenjins, Kikuyus and Samburus, Masais and Kisiis, Luos and Kisiis, but between politicians. Ordinary people across the ethnic divide found themselves caught up in a trap they never understood. The Government of Kenya is bogged down by

the complexities of securing a peaceful Nation-State. In the first place, it deliberately advocates an unworkable unitary State while setting up effective mechanisms for a federal State. The 'divide–and–rule' tactic is quietly used to polarise ethnicity and to demonise any politics opposed to the ruling party, KANU. This negates the often repeated saying by the late President, 'United We Stand, Divided We Fall'. The KANU constitution contains a unitary system of governance but its leaders openly preach '*Majimboism*' (a form of federalism).

It would seem that, despite its declared commitment to security and development, the State does not have the political will or the skills to conceptualise and operationalise security, '*nor the vision to look beyond economic growth to full or multidimensional development as its priority*' (Schoeman 1998:18). The government's objective on paper to promote security and development is not reflected in its approach to security and development. Another tangible piece of evidence of the government's unwillingness to return peace to the areas that have lost it is the absence of programmes that would ensure peace and development. The idea of a time frame is associated with strategic approaches towards realising goals and objectives. The government has increasingly promised resettlement efforts in aid of the victims of clashes, but nothing ever appears to happen on the ground. Efforts made by the mainstream churches and non-governmental organisations to resettle and rehabilitate the victims of ethnic clashes have often met a hostile attitude on the part of the Government. A UNDP-Government initiative to resettle people was bogged down by tedious administrative bureaucracy, which made it impossible to continue the programme. Cornwell (1998) alluded to another complexity of Kenya as an African State when she said: '... *the African State is weak and tends to put short-term political survival before-long term and sustainable development needs....*'

There is a large gap between the State's stated goals and its actions on the ground.

The Causes of Conflicts

One of the causes of conflict in Kenya, as elsewhere in contemporary Africa, is bad governance and the marginalisation of the citizenry. Political power is used as a means of access to scarce resources. The citizens may resist this, but State power is applied to maintain the status quo. Certain States favour violence.

Most people think of violence in terms of wars, murders, riots and crime. According to Salmi (1993), violence is 'any act that threatens a person's avoidable actions and therefore constitutes violation of a human right'. There are several types of violence. Direct violence refers to deliberate acts resulting in direct attack on a person's physical or psychological integrity. This includes all forms of homicide, including genocide, communicide, ethnocide, war and murder, as well as all types of coercive or brutal actions involving people's physical or psychological integrity. This may include forceful removal of populations, maltreatment, etc. Another type of violence is the indirect type or violence by omission. This is non-assistance to people in danger. Passive behaviour or lack of action to assist clash victims in times of danger is very common in Kenya. Another common type of violence is repressive violence, which concerns fundamental rights such as the right to vote, the right to assembly and the right to fair trial.

During the last decade, Kenya underwent a series of profound political changes, culminating in multi-party politics in Kenya, which resulted in a serious political power struggle between different political leaders. During this period, power brokers exploited their ethnic backgrounds to drum up support to their own political advantage. Though ethnic violence did not start in 1991 in Kenya, during the introduction of multi-party politics, this period witnessed

widespread ethnic cleansing, which caused thousands of the
population to be displaced from their homes. According to Human
Rights Watch (1993:91), the motive for violence appears multifold;
first, to prove the government's assertion that pluralism would not
work in the country and would only lead to tribal animosity.
Secondly, to punish ethnic groups that allegedly supported the
political opposition, such as the Kikuyu, Luhya and Luo. Thirdly, to
terrorise and intimidate non-Kalenjins to leave the Rift Valley
Province so as to allow Kalenjins to take over the land through
intimidation and violence. The bulk of this ethnic cleansing took
place in the prosperous Valley that cuts Kenya into two. At the heart
of the matter was the deeply ingrained pattern of social inequality
and exclusion typical of the Kenyan society. This refers not only to
the problem of widespread poverty but also to the syndrome of
systematic exclusion from formal livelihood resources (land, work
and wages), from public welfare schemes, from political participation
and even from the nation as a collective social and cultural construct.
This exclusion is based on various combinations of class and ethnic
divisions. It is further complicated by the persistent links that can
determine whether one is 'in' or 'out' in terms of effective
citizenship. The emergence of a strong civil society and strong
opposition political parties rapidly increased people's expectations of
a better life. People became more hopeful as the State conceded
ground to the various calls for democracy. In periods of rapidly
increasing achievement, such aspirations can sometimes outstrip
reality. People expected complete democracy, full employment and
improvement of income levels. When these were not forthcoming in
the newly emerging democracies, there was inevitable discontent,
anger and conflict. At any rate, conflict is most likely to occur when
there is a slowdown or a reversal after a period of increased
achievement. Mass demonstrations took place in Kenya after the
1991 general elections, because the government did not fulfil its
stated promises after coming to power.

Ethnicity appears to play a leading role in political conflicts in Kenya. According to Nnoli (1989), ethnicity is a 'social phenomenon associated with interactions among members of different ethnic groups'. Ethnic groups are social formations distinguished by the communal character of their boundaries. The relevant communal factor may be language or culture, or both. In Africa, language has clearly been the most pervasive and crucial variable. As social formations, however, ethnic groups are not necessarily homogenous entities, even linguistically or culturally speaking. Somalia is an example of this phenomenon. Ethnocentrism is also associated with the interaction of ethnic groups. It is therefore often confused with ethnicity. Ethnocentrism is attitudinal in form and perceptual in content. It represents the subjective dimension of ethnic behaviour. Ethnic hostility, even among individuals who have not met face to face, as well as ethnic loyalty and identity, are passed on to successive generations through the process of socialisation. Ethnicity is often manipulated by those who are in control of State power or are aspiring to control it in order to further their political objectives. The fact that the consequences of such manipulation could be detrimental to the population at large may be of very little interest to these politicians (Nnoli 1989). There is usually the mistaken assumption that ethnic diversity brings with it political instability and the likelihood of violence. Some of the world's most ethnically diverse States, such as Indonesia, Malaysia and Pakistan, though not without internal conflict and political repression, have suffered little inter-ethnic violence, while countries with very slight differences in language or culture, such as Somalia and Rwanda, have had the bloodiest of all such conflicts (Browen 1996). In the Kenyan context, the desire for national cohesion was clearly illustrated by the *Harambee* (let us pull together) slogan. Unfortunately, this has now been abused by successive governments. The Kenyan experience shows that unless ethnic contradictions are correctly and quickly resolved, they tend to have adverse consequences for positive

communication, mutual understanding and co-operation within society. Associated with these contradictions are calls for federalism. Where these problems exist, it is difficult for members of the society to work co-operatively in pursuing their interests. Ethnic conflicts have a high potential for causing a breakdown of society into splinter groups and formations. The colonialists propagated ethnicity in order to dampen the revolutionary potential of the African proletariat. They also used it to hamper African nationalism in general. The colonialists employed it as a mechanism to divide the colonised, and, therefore, rule over them. They encouraged communal sentiments among Africans. In Africa, the petty-bourgeois political line of ethnicity is characterised by philistinism, opportunism, narrow-mindedness, prejudice, chauvinism, particularism, discrimination and exclusion (1989). The selfish ambitions of a few are put forward as an ethnic interest. In this way, communities are set one against the other. They are told that their communities are being finished, marginalised, discriminated against and are advised to protect themselves from outsiders. People are made to believe that their problems are due to exploitation by the other tribe. When groups rather than individuals are in the throes of conflicts, several additional mechanisms come into play. Group support can make people more confident of the legitimacy of their aspirations, and this enhances the likelihood of conflict. When several tribes with similar interests begin to talk to one another, they may begin to develop and pursue new aspirations, which can lead to conflict with others whose interests are opposed to their aspirations. Such a result is particularly likely, if they begin to identify themselves as a group apart from other groups. For inter-group conflicts to develop, a sense of group bonding is needed. One of the most important sources of bonding is common group membership such as GEMA or KAMATUSA or political associations. The political exploiters want to bridge only those gaps in government institutions whereby they can advance their own narrow class interests, which they portray as the interest of their

ethnic group. When one parliamentarian's land was invaded by some people in Njoro, he mobilised the people by saying that the community, and not himself, was the target. When the President attained power, he was threatened by the strong ethnic associations that existed and he quickly outlawed them all. Conflict is more common in relations between groups or between individuals who see themselves as sharing a common group membership than it is in relations between individuals, who do not see themselves as sharing a common group membership (Rubin 1994).

Politics of poverty and exclusion jeopardise 'social citizenship'. In the long run, they work against democratic consensus and stability. Relative deprivation has two effects: first, it alerts parties to a conflict to the existence of incompatible interests. Secondly, the frustration and indignation associated with relative deprivation are a source of energy that increases the likelihood and vigour of any reaction. If those victimised feel offended, this energy takes the form of anger, which is particularly likely to produce contentious action (Rubin *et al.* 1994). This is now happening in Kenya. If relative deprivation continues, a sense of hopelessness may develop and give rise to overt conflict. People adjust their life expectations downwards and hope for a miracle. People increasingly turn to religion and escapism for comfort. This has happened in the present-day Nigeria, Sudan and Somalia. The areas that have been affected by most violence are those next to pastoralist regions. At the community level, there is general mistrust and suspicion between pastoralists and agricultural communities. There is a belief that the other is hostile or indifferent to one's own interests. There is also a general belief that pastoral communities are uncivilised, illiterate and uncouth and they live in the style of yesteryear. This is seen as reflected in their houses, clothes and their lack of education. These communities resent such labels and tend to be angry at the implications. This is a source of conflict, even in times of relative peace. Pastoralists in Kenya suffered greatly, particularly when drought was compounded by other

misfortunes, such as insecurity. In these communities, a person
stripped of stock is stripped of most active social relationships and
therefore of self-respect. It is no wonder then that almost everyor ··
strives to keep some stock, and that those fortunate few who ha\ e
income from elsewhere invest in more livestock. Owing to prolonge 1
ethnic frustrations and social injustices, a whole range of outbursts or
social violence may occur, leading to the erosion of the State's
capacity to uphold the principles of justice, rule of law and inclusive
citizenship. This dimension of the livelihood and security of a large
number of Kenyans casts a shadow over the consolidation of
democratic politics. What is worrying is that once these insurgencies
erupt, they appear very difficult to control. Conflicts escalate,
because each tribe thinks it is more powerful than the other. The
Kikuyus of Laikipia had the mistaken belief that their numerical
strength reflected their power and that they could overpower the
Samburus immediately. The Kalenjin warriors in most of the Valley
originally thought it would be very easy to displace the other
communities from their homelands. It turned out to be difficult.
Experiences in many parts of Africa show that the terrain of
insurgency is very complex, and that control by conventional armies
is impossible (Hutchful 1993). The cases of Liberia and Sierra Leone
attest to this observation. This is even more so in weak States, where
control at the centre becomes disjointed. According to Hutchful,
(1998), these new conflicts are typically occurring in poor, marginal
States lacking in appreciable economic or strategic resources. The
insurgencies are disorganised, without a common centre of gravity to
which the combatants can appeal. In many cases, it is not clear that
the insurgents have any interest in gaining political power or
responsibility. The Rift Valley conflicts appear confusing, because
they are disjointed and the antagonists have no clear vision in their
violent episodes. They are usually led by *an obscure and nihilistic leader,
sometimes with no political organisation or political agenda* (Hutchful 1998).
Zartman (1995) has described a State as the authoritative political

institution with sovereign power over a recognised territory. It is an institution that makes decisions. It is a guarantor of security for a populated territory. A State collapses when it cannot perform its basic functions, when laws are not made, order is not preserved and societal cohesion is not enhanced. When this happens, there is no legitimacy to govern. The State is a social contract entity where individuals give up their entities for the mutual existence of all. They bestow power to some other body of persons. When these cannot effectively rule, they are and should be replaced with others. State collapse involves the breakdown not only of government superstructures but also that of the societal infrastructure. A point to note is that the collapse of a State is not a short-term phenomenon. It is not a crisis with a few early warnings or simply a matter of a coup or riot. State collapse is a long-term degenerative disease (Zartman 1995). Its outcome is not inevitable. Cure and remission is possible. Many countries that almost collapsed, eventually regained their balance and began the process of development. Uganda provides a classic example. It is possible to predict with some certainty that a State will move towards collapse unless certain elements of proper management of its institutions are in place. An independent regime, which stays in power for a long time, wears out its ability to satisfy the demands of the various social groups. Resources dry up, either through internal waste or corruption. Social and ethnic groups feel alienated, excluded and marginalised, and such a situation breeds dissatisfaction and opposition. In turn, there is an increased degree of repression and the use of police and the military to keep order. State collapse is marked by loss of control over the political and economic spectra. When a country is nearing collapse, other neighbouring countries take advantage of the weakening structures and involve themselves directly in its politics by hosting dissident movements, who play politics from neighbouring sanctuaries. The currencies of the stable neighbours are used extensively. For instance, the Somalis are

using the Kenya Shilling or the US dollar during the present collapse of the Somalian State.

A State on the point of collapse goes through several stages. First, the power base at the centre is ethnicised and the smallest clique at the centre takes over, forgetting the broader community. There is intense infighting by the inner power brokers and a lot of witch-hunting. At this stage, only defensive policies are pursued. Elections are postponed and the leader occupies his time attacking those who are opposed to his policies. The rulers are afraid of losing power. They become paranoid and intimidate people to coerce them into submission.

The prevalence of highly centralised governments, rule by single men surrounded by cliques of courtiers, constitutions reduced to paper documents, cowed judiciaries, easily disposable laws, ubiquitous and intimidating security services, large and inefficient State bureaucracies, restricted freedoms of thought, assembly and organisation and widespread corruption, are just some of the characteristics that many African systems share with the fallen regimes of Eastern Europe (Johnson 1990:17). The existence of sharp fault lines of potential civil conflicts in many third world countries renders it important that political changes be introduced systematically rather than precipitously.

Kenya is made up of over 40 different ethnic groups, ranging in size from a few hundred to more than a million members (Human Rights Watch 1993). The major tribes include the Kikuyu, who comprise about 21% of the country's population, the Luhya 14%, the Luo 13%, Kamba 11%, and the Kalenjins 11%. When Kenya became independent in 1963, the first President was a Kikuyu who led the KANU political party. The other parties, KADU and the APP, were not so strong. APP was a Kamba Party led by Mr. Paul Ngei, while the main opposition party, KADU, was a conglomeration of the smaller tribes that advocated a federal form of government. This was meant to avoid a situation where the bigger tribes assumed total

control of governance. After a brief period of independence, the other political parties decided to merge with KANU to make Kenya a de-facto one party. President Kenyatta solidified his rule by appointing his tribesmen in all the major government ministries, including the Military, Defence, Finance, Police, the Education sector, Land and all the important sectors of the civil service. Obviously, the Kikuyu benefited from Kenyatta's rule. In fact, ethnicity started before the attainment of independence (Babu 1991). When Mr. Moi assumed power, he systematically dismantled what the late President had done for over 15 years. He concentrated his development efforts on promoting the Kalenjin tribe. He supplemented this by giving some favours to the small tribes. President Moi's cabinet is dominated by the Kalenjins and KAMATUSA tribes. Kalenjins dominate the provincial administration, despite their small numbers. Political observers at this stage in Africa's political development have said that:

> We no longer see the rise of a bourgeois dictatorship, but a tribal dictatorship. Ministers, members of the cabinet, ambassadors and local commissioners are chosen from the same ethnological group as the leader, sometimes directly from his own family... This tribalising of the central authority, it is certain, encourages regionalist ideas and separatism. All the decentralising tendencies spring up again and triumph, and the nation falls to pieces, broken in bits (Fanon 1968:183-84).

It appears that leaders in the Third World deliberately refuse to learn from history or from the experience of neighbouring States. They live in day-to-day compartments without any thought for the future. Regimes of minority ethnic domination which are maintained by violence can only be radically changed by violence. The laws in these societies are maintained to keep the status quo and cannot be reformed voluntarily. Leo Kuper (1980) has said that a privileged group will not voluntarily renounce its privileges. Hence, reforms will only be introduced under pressure, and the response of the ruling group is to resist such pressure for as long as possible, and concede

the very minimum. In consequence, if reforms are introduced, they are invariably too late to be acceptable, and too modest to be significant. Contradictions are inherent in minority or ethnic domination and they heighten the antagonism between different groups, thereby rendering inevitable the resort to violence. The deprivation caused by economic exploitation fosters the chances of a revolutionary challenge, while social exclusion and inferior status create bonds of solidarity among the subordinates and cultural repression and denigration stimulate cultural renaissance (*ibid*). There is a high probability that societies long dominated by a minority will resist reforms, sabotage reform processes and only change partly and that they may reverse the changes at an opportune moment. That is what has been happening in Kenya. Agents of change must be aware that rulers will not make significant concessions from their own initiative.

The experience of other countries shows that those who ignore their populace are likely to fall from power sooner or later. Siad Barre concentrated power in the 1990s within his clan and this prompted his overthrow. Samuel Doe of Liberia concentrated power in the hands of his ethnic group and this too prompted his downfall. Mobutu Sese Seko of the former Zaire became an autocrat who fell by the wayside when the wind of change could not sustain his rule any more.

By 1990, when Kenya's movement towards democracy had intensified, the ruling party decided to extract political mileage from ethnicity. Many Kenyans now thought, perhaps wrongly, that under democracy, there should be competitive politics, that parties should be free to take their messages to voters, and that at least some independent media and associations should be allowed. When Kenya moved from one-party to multi-party democracy, ethnic patterns developed along party lines. The ruling party, KANU, led by Mr. Moi, became a party of Kalenjins and the minority tribes. Mr. Oginga

Odinga dominated the FORD Kenya party, which was mainly associated with the Luo–Nyanza tribesmen. The more populous Kikuyu dominated two political parties — the Democratic Party (DP) and the FORD Asili Party — led by Mwai Kibaki and Kenneth Matiba respectively. There were other small parties that did not affect the voting patterns significantly. As a result of the fragmentation of political parties and the flawed nature of the 1992 elections, KANU won by a minority vote of 36%.

This scenario was repeated in the 1997 General Elections, when the ruling party, KANU, once again retained power by a narrow margin. This time, there were five main political parties and a host of smaller ones. Moi's ruling party, KANU, managed to secure 113 representatives in the House against a combined opposition vote of 108 Members of Parliament. The runners-up were the Mwai Kibaki-led DP, Charity Ngilu's Social Democratic Party (SDP), Kijana Wamalwa's FORD Kenya and Raila Odinga's National Democratic Party (NDP). What is remarkable about these political parties is that they are all tribally based. Since Moi has only a small democratic margin in Parliament, he now depends on co-operation pacts with other opposition parties to remain in power. These patterns breed suspicion, animosity and hatred (Anyang' Nyong'o 1991, Samir 1990). The phenomenon of violence within tribes and regions is of serious concern in the country. All this is attributed to politics of ethnicity. Hutchful (1998) calls it 'Ethnicisation' of political parties in countries. Ethnic conflicts have been used by African leaders as a pretext to limit or avoid political liberalisation, and once again power-sharing has used ethnic conflict. Mr. Daniel Moi has created an ethnic electoral base excluding most Kikuyus and upholding the relevance of ethnicity in politics and therefore increasing inter-group tensions (Bowen 1996). What the myth of ethnic conflict would describe as ever-present tensions are in fact the products of political choice.

One of the major causes of conflict in Africa is the contradiction in the way the African State was constructed. There was no original consensus on State formation. This meant structural contradictions in terms of language, culture and even religion. The Third World countries were often left with totally artificial borders, which the colonial powers had drawn up without regard for any previous delineation or for any ethnic, cultural, geographical or economic logic. The new borders simply served the colonial needs for administrative control and economic exploitation. It is widely believed that the root problem facing the African State is the artificial nature of its boundaries, arbitrarily drawn up at the Berlin Conference of 1884/85 and then imposed on the continent from outside. Many of the States, as they exist today, with exceptions like Ethiopia, are a legacy of colonisation. The colonial State was, above all, a military entity. The colonised people were cowed into submission, and when this was relaxed, the British coloniser used indirect rule that imposed traditional colonial chiefs to rule over their subjects. They were highly despotic and continue to be so even today, thus alienating the citizenry from their rulers, even at local village levels. This leads to conflict. Because one of the main objects of colonial conquest was the control of primary resources, the colonial State was organised to ensure the conditions required for economic exploitation. In Kenya, the colonial State allocated the best lands in the Highlands to white settlers and excluded the indigenous tribes who roamed the area as pastoralists and hunters. This appears to have brought about the present-day conflicts.

The Impact of Violence in Kenya

The re-introduction of pluralist politics in Kenya led to some problems that could not have been foreseen. To sound a warning, the President had predicted that Kenya was not ready for pluralism and said that the people 'will fry themselves in their own fat'.

Immediately after this statement, ethnicity, mistrust and suspicion slowly emerged and eventually led to violence.

Violence affected the whole of the political landscape in Kenya. Democratic infrastructures were deliberately obstructed throughout the country. Political rallies were disrupted by the police and by KANU youth-wingers. People who settled in the great Valley were displaced and could not, therefore, register for voting in forthcoming elections. The violent episodes mostly affected areas perceived to be firm opposition strongholds. President Moi apparently wanted to punish those who did not vote for him. This habit is practised by weak States, under the control of warlords and tyrants. Experience has shown that weak States eventually create the phenomenon of warlordism, as in the case of Somalia, Uganda, Liberia, Sierra Leone, etc. It is easier to lead by warlordism than by democratic leadership. This is because the basis for patronage eludes democracy. The rulers of weak States tend to commercialise politics. The process of privatisation is used to strengthen the ruler's power and he loots the national economy for his own gains. He uses State finances to fortify and discipline his own forces. He uses liberalisation as an excuse to marginalise economies and broaden social forces. He and those close to him buy the State corporations that are mostly profitable. On the other hand, Structural Adjustment Programmes deliberately marginalise whole populations. This is usually a political strategy designed to benefit a few politically correct tribes or communities. According to Reno (1998), this puts resources in the hands of weak men. A weak ruler becomes a warlord himself without knowing it. From 1991 to 1998, President Moi presided over a weak State. The Structural Adjustment Programmes, which eventually led to pluralism, had good intentions and advocated less government. The World Bank and the International Monetary Fund called for the trimming of government institutions, such as the civil service and State corporations, and called for cost-sharing economics in public welfare services, such as health, education, social services, etc. Unfortunately,

the effect of these adjustments contributed to less government in the form of exclusion, nepotism and ethnicisation of power. Those who are retrenched in Kenya's civil service belong to the 'wrong' tribe or opposition – dominated areas of the country. State corporations are sold to the politically correct foreign firms advancing the ruler's political base. In Kenya, the majority shareholding in Kenya Airways, oil companies, newspapers and airwaves are owned by foreign firms related to power brokers in KANU. The *East African Standard* Newspaper owned by Lonrho and the son of the President is a case in point. In the farming sector, the mainstay of the country, the Coffee Board of Kenya, the Kenya Tea Development Authority, the Kenya Farmers Association, the Kenya Creameries Co-operatives, the National Cereals and Produce Board are dominated by State functionaries, to the extent that they are deliberately mismanaged in favour of KANU.

The effect of re-introducing pluralism and violence has therefore been a broad marginalisation of people in weak States such as Kenya. This is usually a deliberate means of staying in power. It shows that there are warlords in civil societies. Violence has benefited the government politically. The government has been able to polarise ethnic sentiments to ensure that the KAMATUSA communities have no choice but to support the Moi regime. Rift Valley has 44 seats in Parliament and this is important for Majimbo advocates.

Secondly, many people left their farmlands and homes because of the violence. The Valley massacres led to the displacement of various communities. People hate and fear the government and they suspect and evade it in any undertaking. Citizens formed community vigilante groups for their own protection, and rediscovered kinship lineage, clannism, ethnicity and a 'return to the village' idea as ways of solving their everyday problems. People live in a state of preparedness for any eventuality, and do not expect any government assistance in times of trouble.

Many Kenyans have been unable to engage in food production or to continue with their daily economic activities. Food rotted on farms and stored food was stolen. Houses were burnt. This led to widespread poverty throughout the region. People who had businesses migrated to urban areas, thus depriving the rural areas of much needed business activity. Those who had wanted to start businesses hesitated. Motivation was at rock bottom. Once an area is affected by violence, the inhabitants' lives are indefinitely disrupted. Continuing attacks prevent a return to the land (*Africa Watch* 1993). Insecurity affects development. Conflicts take time and energy away from other pursuits. A group or country can become so embroiled in controversy that it is unable to cope with basic development issues. The link between security and development has not been studied enough (Solomon and Shoeman, 1998). This statement is as true for Africa as it is for the rest of the world. Development here means economic growth. This is the ability of a society to generate and sustain an annual increase in its gross national product in real terms. Development is measured in this way without any regard to equity or to the distribution of wealth. In the Rift Valley concept, development also refers to the visible physical infrastructure (roads, schools, hospitals, cattle dips, houses, etc.) provided as society moves from one state of development to another. In terms of development, an area may lag behind during a period of violence and for a long time thereafter. In the Rift Valley Region, many schools were affected by the clashes and some children left school altogether, never to go back. Considering the abject poverty and often extreme levels of deprivation suffered by the majority of small-scale farmers in the Rift Valley, and the fact that much of this deprivation was due to political mismanagement of the national domestic product and internal conflicts, the need for stability and peace-building mechanisms became all the more important. It is often suggested that security is a prerequisite for development (Schoeman 1998). Obviously, there can be no development without security and there can be no peace

without development. If there is peace (absence of conflict), there is likely to be development, or positive social change. It is noted that social systems operate best in peacetime. In situations of conflict, schools close down. Under the circumstances, children are predominant in the rural areas and in war situations as victims. In refugee camps, children outnumber adults by six to one. In the Laikipia and Njoro clash areas, the violence has traumatised children. Some were witnesses to the death of their parents and the destruction of their farms. The education of the displaced children is inconsistent, expensive and eventually leads to truancy or their leaving school altogether. Many children leave school to go into child labour. Competition with stable children inside normal schools has led to displaced children performing badly, thus encouraging them to play truant and to eventually indulge in delinquent behaviour, which leads to poor personal growth.

Thirdly, in a situation of social conflict, there is a breakdown of law and order. Genocide or ethnicide, rape and physical abuse of the victims of violence make people mistrust the State, the police and the institutions of power. A general militarisation of youths takes place. The young people are encouraged to disobey, take up arms and protect their communities. Globally, it has been noted that youths are predominant in the sphere of violence. This is particularly noticeable in warlordism and liberation movements. The textbook examples of this phenomenon include Uganda, Somalia, Liberia, Zaire, Sudan, Sierra Leone and the insurgency in Kenya. Why are youths so crucial in the nationalist movement? For one thing, youths are more available in terms of radicalism, idealism and lack of attachments. They are ready for mobilisation. Unemployment and idleness are also contributory factors. The youth population is over 50% in any society and they are central to the crisis of social reproduction in Africa. They are marginalised and there is usually a generation crisis. Youth militarism in urban areas has been fostered by the group's cultural and social upbringing and by the disintegration

of the extended family systems. Access to higher education, with the resultant frustration thereafter, due to unemployment, alienation and exclusion, leads the youth into militarism. The Rift Valley experience shows that youth violence is attributed to the fact that the young people are easily manipulated, they are radical, intelligent and excluded. Exclusion and alienation refer to denial of social participation or opportunities to enjoy anything other than deviant behaviour, drugs, alcohol and other forms of vice. In Rift Valley, the Kalenjin 'warriors' and the Masai 'morans' are made up of young males aged between 16 and 35 years. They are the ones charged with responsibility for cattle raids. Their victims who go on revenge missions are in the same age range. Youths' contribution to violence cannot be underestimated. Warlords derive some advantages in recruiting youths for armed conflicts. The child soldiers' sense of fear is low. War is an adventure for them. They are proud to take part in it. Children learn very quickly. In times of war, children are less suspect. In democratic transition societies, leaders use young people as political activists. The long-term effect of the involvement of youths in violence is a setback in any efforts that may be undertaken to reduce conflict. Indoctrination and psychological warfare are deeply implanted in young minds and may take a long time to remove. The genius of violence is that it disempowers in such fundamental ways that its effects cascade in many directions and for a long time. Violence reduces human prospects systematically in every conceivable way. The pitiful aspect of violence is that it weakens the very thread needed to weave our social fabric as individuals, communities and cultures.

The widespread poverty prevailing in the areas of clashes is another social impact of violence. Those who migrate to urban centres live in squalid, unhygienic camps, without proper food, water, employment, privacy or proper sanitation. They become internal refugees in their own country. Their abandoned lands are occupied by invading raiders. A compromised government does little to assist

such displaced persons. When some of them eventually returned to their farms, they found their property looted. They were repeatedly chased away by the raiders after their farms had been destroyed, their houses burned and their materials stolen.

The government's response to the violence has been characterised by inaction towards its perpetrators and the demonising of the victims of violence. Those who attempted to assist the victims were castigated by the State (*Africa Watch* 1993). For instance, the Catholic Churches at Sipili, Ol-Moran and Njoro were castigated for allowing their compounds to be used as refugee camps for the victims of violence. The non-governmental organisations that wanted to help were asked to channel their assistance through the same government that had encouraged the attacks. Eye witnesses reported that, in many cases, the police and the provincial administration stood by as people were massacred. When asked why they could not arrest the perpetrators of violence, they claimed that they were under strict instructions not to shoot anyone. The few junior officers who attempted to prevent violence were reprimanded and threatened with being transferred. Once the first round of violence was over, the senior police officers and the provincial administrative personnel were transferred to safer regions that had not experienced any violence.

There are many reasons why governments must try to contain conflicts in societies. Whenever problems occur, people regard themselves as belonging to micro-entities for their own comfort and security. This re-introduces ethnicity, clanism and fanaticism. Some countries and people are sinking backwards into the conditions of the last century, as a result of paternalism, mismanagement of State power and ethnicity. Internal wars arise from intensely parochial issues as a result of multiple cracks in the system of power.

'Although many African leaders talk about development, it is not in their political agenda' (Ake 1990).

When violence occurred in Coast Province, many tourists cancelled their trips and this affected the tourist industry in the country. Many people also left their businesses as a result of the clashes. Political repression and massive coercion have turned politics in Africa into warfare. Leaders are besieged by a host of hostile forces, which they unleashed through their use of coercion.

Peace-building and Conflict Transformation

Countries divided by ethnic and religious cleavages may need more specific policies to address the general crisis associated with current patterns of development. The main issue here is usually equity. Many ethnic conflicts or grievances can be traced to the ways in which different groups in the social economy find opportunities or encounter discrimination and/or inequalities in jobs, income, asset holdings and social services.

One of the major redistributive efforts can be made through the concept of proportionality in governance and other advantages. Another one is affirmative action for the marginalised groups. Proportionality ensures that jobs, political appointments, educational opportunities and public investment programmes are distributed in ways that reflect population ratios. This involves the use of quotas, subsidies and special funds for disadvantaged groups since the new forms of violence can be traced to structural problems, such as high levels of unemployment, poverty, exclusion and the generational crisis. Kenyan youths are turning to mass riots and crime almost as a subsistence hobby, because of the diminishing opportunities for employment, education and self-fulfilment. These problems are heightened by the failure to address fundamental governance issues such as police brutality, human rights abuses, tyranny, etc.

Even if similar to proportionality, affirmative action seeks primarily to redress imbalances created by discriminatory practices, often of an historical nature. Affirmative action policies have

encountered a number of difficulties in many countries. Redistributive
policies also involve additional problems of entitlement. Favoured
groups may come to believe that this favour should be permanent.
Its withdrawal leads to opposition and resentment. This is what has
now happened to the KAMATUSA ethnic groupings. In parts of
Laikipia, the land is being given out to members of the Turgen tribe.
This has created passive conflicts, which may later turn dangerous.
Redistributive policies are essential for reconciliation, for a sense of
national belonging and for political stability in unequal plural
societies, but they need to be carefully formulated and monitored if
they are not to fuel the conflicts they seek to prevent. The idea of
Nation-State is a recent concept. In the past, people tended to
identify with the smaller units of a village, a town or a clan type.

Other ways of bringing harmony to Nation-States include:

1.   The devolution of power, through power-sharing arrangements,
        based on electoral systems that reflect pluralism. Representation
        should be transparent and acceptable to plural societies.

2.   Power-sharing arrangements, in which all groups are represented
        in government. This has the advantage of ensuring stability
        and bringing together the parties that would otherwise be
        locked in conflict. A recent power-sharing model is the five-
        year government of national unity in South Africa, in which
        cabinet posts are distributed on a proportional basis to
        parties that gained at least 5% of the popular vote. A
        government of national unity spreads out the structures of
        governance, making it an inclusive, instead of exclusive,
        process. It limits partisanship and the allegiance of those in
        government to a particular political party. Hence, there is the
        added security that those who are effective and efficient at
        their jobs will not be victims of political intrigue. Experiences
        in the Kenyan administrative structures show that those
        patriots who abhor corruption and inefficiency are the ones

who lose out in power structures, and are demonised and sacked. Those who appear to be less straight continue to occupy positions of power. Ironically, in Africa,

> those who use their positions within the State apparatus to become rich tend to be admired and envied, and are criticised when they fail to distribute their gains to their families, entourage and networks. People who have access to high-ranking State functions are expected to enrich themselves. If they fail to do so, they become objects of sarcasm, criticism, and pressure from the people around them' (Drame 1996:204).

In a State where the Judiciary is independent and separate from the domineering Executive, respect for laws is upheld and lawbreakers are punished. Justice is not only done; it is also enforced. The contradiction in Kenya's administration of justice promotes conflicts. If the Judiciary and the civil service were free to work without political interference, peace-building structures could be established. The current Judicial Commission on Political Clashes should be seen as one of the major pillars for bringing about a healing process in the country. This body has the power of law and is headed by some of the most respected judges on the Kenyan bench. The Truth and Reconciliation Commission in South Africa was headed by churchmen, and the Kenyan Commission has a lot to borrow from it.

Power-sharing arrangements need sound electoral systems, so that people can choose representatives to reflect the plural character of society. A healthy system of ethnic relations also needs a sound policy for public education and culture. Many conflicts in Kenya are sustained by stereotypes, myths or prejudices that have been fed to groups at household, neighbourhood or national levels. Such myths may be based on feelings of superiority or on the belief that ethnic groups are fundamentally different and cannot therefore resolve their differences through peaceful means. They may also be based on the assumption that some groups are lazy, unreliable, parasitic or

distrustful of outsiders. Stereotypes generate feelings of fear and hatred, which may entrench ethnic boundaries and weaken the forces of moderation when conflicts break out. A lot can be achieved in ethnic relations through policies that seek to deconstruct myths, stereotypes and prejudices, and through the creative use of public discourse, humour and education.

The principle of majoritarianism in its undiluted form — rule by the winning political party, without any accommodation with the others — is simply unsuitable for governing deeply divided societies (Adekanye 1998). This is the principle of 'winner–take-all' or the 'rule of majoritarianism'. To produce civil peace in deeply divided multi-ethnic political settings, democracy must adopt non-majoritarian principles of power-sharing.

In deeply divided societies such as Kenya, power-sharing is preferable as a strategy for conflict reduction and as a principle of governance. Power-sharing has several basic characteristics:

♦ Executive power-sharing among representatives of all significant groups.

♦ Proportional representation and proportional allocation of civil service positions and public funds.

♦ The possibility of a veto by a minority on vital questions.

States that have experimented with the power-sharing strategy include South Africa, Uganda, Mozambique, Ethiopia/Eritrea, Angola and Niger.

Deutsch (1957) proposed a paradigm for a secure community based on the following criteria :

♦ Mutual compatibility of values. Dependence is by no means a one-way street. Mutual dependence is quite common and can encourage either mutual yielding or mutual problem solving. People embroiled in escalating conflicts often lose awareness of the

future. They concentrate so hard on winning in the present that they lose track of the importance of maintaining good relations.

♦ Strong economic ties and the expectations that these will broaden and deepen.

♦ A multiplicity of social, political and cultural contracts.

♦ Capacity to develop institutionalised relationships.

♦ Mutual responsiveness and

♦ Mutual predictability of behaviour.

The above criteria seem to point to education and to an emphasis on the responsiveness of communities. There is need for a shared history of co-operation, inter-marriage and infrastructures, etc., which brings about mutual dependence. This would lead to the development of mutual sensitivity and the desire to work towards a common, peaceful future. For a peaceful transformation to take place, the Government should place emphasis on human security rather than on State security. This should be 'an all-encompassing condition in which individual citizens live in freedom, peace and safety, participate fully in the process of governance, enjoy the protection of fundamental rights, have access to resources and the basic necessities of life and inhabit an environment which is not detrimental to their health and well-being' (Hutchful 1998).

International instruments that are already in place and have been ratified by many countries provide an important element of conflict resolution, which is often ignored. In a situation where conflicts are inevitable, the best way forward is for States to respect international conventions that provide comprehensive ways of improving situations of armed conflict and protecting civilians and their property in times of war. In the 18th Century, Jean-Jacques Rousseau

made a major contribution by formulating the following principle
about the development of war between States:

> War is in no way a relationship with man but a relationship
> between States, in which individuals are enemies only by
> accident; not as men, nor even as citizens, but soldiers (...) Since
> the object of war is to destroy the enemy stated, it is legitimate
> to kill the latter's defenders as long as they are carrying arms;
> but as soon as they lay them down and surrender, they cease to
> be enemies or agents of the enemy and again become mere men
> and it is no longer legitimate to take their lives.

The 1949 Geneva Conventions and the 1977 Additional Protocols 1
and 11 should be respected in situations of war. The First Geneva
Convention addresses the problems of combatants fighting on land,
while the Second Geneva Convention addresses the problems of
armed conflicts at sea. The other two Conventions deal with the
problems of combatants who have surrendered and laid down their
arms and are therefore treated as prisoners of war, while the last one
covers civilian populations in situations of armed conflicts. These
treaties try to civilise conflicts, so that the minimum unnecessary
damage is inflicted when conflicts become inevitable.

Other international instruments that try to address the issues of
conflict between nations are the United Nations Convention on
Human Rights (1948) and the United Nations Convention on
Human Rights (Teheran 1968), which recognise the importance of
having civilised wars when war becomes inevitable. Moreover, all
States party to Article 6 of the International Convention on Civil and
Political Rights are obliged to respect the human rights provisions
that prohibit torture, arbitrary arrest and deprivation of life. This
Convention guarantees equality before the law and protection for all
persons without regard to race, sex, colour, religion, class, nationality,
political affiliation or any form of discrimination. States have a duty
to observe this and have recourse to justice in the event of violations.

If this is done uniformly and transparently, people's confidence in the administration of justice will be enhanced. This will promote respect for the rule of law and foster peace. In a period of relative peace, democracy will be consolidated along with the achievement of social justice, economic development, safe environment and a substantial reduction in the level of violence and political instability.

From the religious perspective, when people attempt peacemaking and conflict resolution in diverse societies, efforts should be made to apply the Buddhist view of resolving conflicts. The Buddhists believe that conflicts have a co-dependent origination and mutual cohesion and, therefore, there are no single actors. To resolve conflicts, there has to be shared responsibility for the causation of conflict so a joint problem-solving mechanism should be applied. Sir Isaac Newton observed that for each action there is an equal and opposite reaction. The political clashes in Kenya are a multi-faced problem with many actors. Blame should not be laid on one particular group. Fighting groups must have a reason for fighting and it is the origin of the quarrel that should be discovered and redressed. The argument between the minority tribes who feel oppressively excluded from the Valley, which they regard as their native land, and others who argue that property ownership should be free, has to be addressed according to the country's Constitution.

Judaism has a more advanced conflict resolution mechanism based on the philosophy that dialogue is continuous and that it has no beginning and no end. Even in situations of relative peace, dialogue must continue at all levels at all times. It appears that conflict managers have a lot to borrow from religion. The Islamic view is that there should be responsible well-being for all.

The Christian faith insists on forgiveness and love of one's neighbour. If all people followed the Ten Commandments, peace would prevail in the world. From a traditional perspective, the Department of Culture within the government should promote

'peace culture' among the different ethnic communities, in order to prevent conflicts. Some tribes have traditional symbols of peacemaking tools such as honey, milk, beer, grass, feathers, doves and green twigs, and ceremonies to promote love, peace and unity. In situations of conflict, all these aspects should be given more attention. The present forms and types of violence prevailing across the globe are not determined by the past forces of the Cold War. The insecurity prevailing in most of the Third World exists within States.

'No longer are conflicts and threats to security confined to the international arena and to military aspects' (Schoean 1998). In present-day Kenya, the Nation-State has been so centralised that everybody's life evolves around it. Village-based conflict resolution mechanisms should be encouraged, with the active participation of respectable community leaders. The present arrangements whereby the village chief has to lead any community initiative may not be the best solution. Within communities, an additional conflict resolution mechanism to be promoted is compensation for stolen or destroyed properties.

Another lasting solution to the problem of mistrust of power consists in democratising the office of local chiefs. The solution adopted by Uganda's National Resistance Army in the Luwero Triangle was to democratise the local State by dismantling the system of chieftaincy, by turning the chief into an administrative officer supervised by an elected village assembly of adults in the village, whether indigenous or not.

ACRONYMS

APP	Africa People's Party
KANU	Kenya African National Union
KADU	Kenya African Democratic Union
DP	Democratic Party of Kenya
SDP	Social Democratic Party
NDP	National Democratic Party
FORD – K	Forum for Restoration of Democracy – Kenya
FORD – ASILI	(Original)
FORD – People	
GEMA	Gikuyu, Embu and Meru Association
KAMATUSA	Kalenjin, Masai, Turkana and Samburu Association
NCEC	National Convention Executive Council
Majimbo	Federalism
Harambee	Let's Pull Together in Unity

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Espace électoral et violence au Sénégal (1983-1993): l'ordre public otage des urnes

Alioune Badara Diop[*]

> «La première préoccupation de la mise en œuvre du suffrage universel fut la sauvegarde de l'ordre public» Alain Garrigou, «La construction sociale du vote», *Politix*, n° 22, 1993, p. 36.

> «Quel peut être l'intérêt de mettre en parallèle l'expérience électorale avec le phénomène de la violence politique? Tout simplement de montrer que le vote oppose à la rhétorique vindicative de la force une autre scénographie: celle d'une conviction dont la manifestation relève de la dynamique pacifique de l'échange. Sa généralisation à partir de la fin du XIXᵉ siècle s'établit sur un double mouvement: d'un côté, l'émancipation des formes traditionnelles de rapport à soi qui favorisaient l'explosion des violences tantôt communautaires tantôt révolutionnaires, de l'autre, la diffusion d'un système de représentations célébrant la primauté de la conscience individuelle comme principe légitime de décision politique» Olivier IHL, *Le Vote*, Paris, Montchrestien, 1996, pp. 92-93.

Introduction

Les auteurs du *Public Administration Dictionary* suggèrent une définition assez rigoureuse de ce que ne saurait être la notion d'ordre public: une notion abstraite que l'on peut appréhender hors la turbulence de l'environnement, *lato sensu*, et les interrelations complexes des acteurs (Plano 1988:64-66).

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Les États africains, en particulier, se situent sur une trajectoire intermédiaire entre d'une part la volonté officielle de domestiquer des phénomènes sociaux rendus impersonnels et collectifs afin de leur imprimer «permanence, continuité, stabilité» — acception durkheimienne des institutions — et d'autre part la difficulté à endiguer un processus dialectique de corrosion, de subversion et de déstructuration des formes instituées (Quermonne 1985:61-88).

Nous nous proposons de dresser un tableau. Tempêtes sociales, crises politiques consécutives aux récriminations d'adversaires battus — souvent victimes de fraudes électorales ritualisées — manifestations estudiantines et syndicales ponctuées d'actes de vandalisme, coups d'État militaires répétitifs, autant de scénarios critiques qui expriment un potentiel protestataire irrépressible[1]. On ne rajoutera pas la théâtralisation macabre de l'accaparement du pouvoir, au terme de guerres civiles fratricides entre composantes ethniques (Braeckman 1996).

La conséquence en est l'apparition des milices sauvages et autres agences privées de sécurité, qui se substituent à la défaillance de la force publique, voire s'en approprient la logistique au profit de «nouveaux ordres de domination» (Bowden 1978).

La police, instrumentalisée, et l'armée politisée, ne sont en Afrique ces institutions fortes qui, dans les démocraties occidentales, garantissent l'intégrité et la stabilité de l'État. Davantage que le soutien populaire, le pouvoir politique africain recherche d'abord celui de l'armée et l'obéissance aveugle des forces de police car il y va de sa survie.

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[1] Nous entendrons par «potentiel protestataire», non pas le sens «post-matérialiste» que donnent Kaase et Barnes à ce concept, mais simplement la disposition sociale et psychologique de certaines personnes à exprimer par des manifestations symboliques ou violentes leur colère contre le gouvernement, en particulier lorsque ces actions sont conduites par les partis d'opposition qui cherchent à cristalliser les enjeux autour de la question de la légitimité électorale.

C'est pourquoi la violence, la sécurité et l'ordre public constituent un triptyque de paramètres qui, articulés à l'objectivation institutionnelle du pouvoir, se chevauchent, se complètent, se contredisent et s'excluent mutuellement. Fondamentalement, la violence est action — ou expression symbolique — déstabilisante pouvant être gratuite ou constitutive des règles du jeu, la sécurité un état souhaitable, et l'ordre public le résultat d'un prescriptif légal nécessaire au déploiement de l'autorité de l'État et à l'exercice monopolistique de sa puissance. Les écrits foisonnent qui analysent ce triptyque en termes de justification d'un mode de domination, de légitimation d'un régime politique notamment totalitaire ou encore pour esquisser une problématique de l'économie politique de la guerre (Chingono 1996).

Rien de tout cela ne retient notre attention puisque la quasi-totalité des contributions abondent dans ces problématiques «purement policières» de l'ordre public, jugées plus légitimes et pertinentes dés lors que le théâtre en est l'État africain tout entier pris dans le pathos de l'émeute et des déprédations sauvages de tout ce qui symbolise l'officiel, le public et le régalien. Ainsi la «justification» de la mise à sac systématique de cabines téléphoniques, d'arrêts de bus, de voitures officielles, d'édifices publics par des manifestants de l'opposition se déclinera en deux mots: «alalu buur», littéralement «propriété du roi». Il s'agit de «casser de l'État» dés lors que la légitimité électorale dont jouit celui qui en a pris les rênes est sujette à caution, tant par l'absence d'une «majorité sociologique» — notion des plus floues dont use et abuse l'opposition persuadée de s'être fait usurper sa victoire — que par le soupçon de partialité qui pèse sur le juge électoral.

On est alors pris dans un cercle vicieux, pire encore, un dialogue de sourds. A la question du militant furieux, déterminé, s'il le faut, à jouer les Cassandre de l'ordre public: «Roi, qui t'a fait roi?» (Emeri 1985:315), le prince usurpateur et sa soldatesque s'arc-boutent à l'inconscient du réflexe sécuritaire des masses passives pour agiter le spectre du chaos alternatif: «c'est moi ou le chaos!».

«Maay seen baay!»[2], lâchait malencontreusement Abdou Diouf, dans un accès de colère et de pédagogie constitutionnelle retransmis en direct à la nation sénégalaise, tandis que Dakar était livrée aux émeutes et la légitimité du pouvoir contestée.

Le désordre qui menace le Sénégal, si l'on excepte l'instabilité que font peser au Sud les séparatistes du MFDC, est aux antipodes des affrontements entre milices congolaises (Bazenguissa-Ganga 1996; Quantin 1997), du processus de «déterritorialisation» sanglante dont certains États font l'objet de la part de seigneurs de guerre sans foi ni loi, pour tout dire, du potentiel disruptif des conflits religieux, ethniques et raciaux qui placent plus d'un pays africain dans une poudrière (Reno 1998).

Si la trajectoire sociale et politique du Sénégal relativement pacifique et consensuelle — Cruise O'brien (1978:187) évoque «l'histoire d'une réussite à bien des égards remarquable» — semble expliquer qu'il ait contourné le piège des conflits identitaires inhérents à la précarité et à l'absence de linéarité caractéristiques de la plupart des dynamiques de formation de l'État sur le continent noir, ce pays n'est pas, pour autant, à l'abri d'une implosion politique.

Le paysan sénégalais affirme, en général, qu'il votera pour la reconduction de Abdou Diouf «parce que c'est un homme de paix» (en wolof, «nitu jamm», sous-entendu qui incarne la sécurité, la tranquillité et l'ordre) dont le discours contraste fortement avec la rhétorique jugée incendiaire de ses adversaires. Mais quand vous interrogez les militants du PDS et surtout les militants et intellectuels de la «gauche traditionnelle» (And Jëf/PADS (Parti africain pour le développement et le socialisme, LD/MPT (Ligue démocratique/Mouvement pour le parti du travail), PIT (Parti de l'indépendance et du travail)) plus enclins à s'impliquer dans l'activisme et la contestation virulente du régime

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[2] Littéralement: «Je suis votre père!». Le Président traduisait librement le titre «Père de la Nation» qu'aimaient à s'arroger les premiers chefs d'État africains.

socialiste, ils invoquent Marx, Lénine, Mao et se disent révoltés par «l'injustice et l'arbitraire d'un régime bourgeois fossilisé», en dénonçant «un complot politico-militaro-religieux» d'élites hétéroclites, sorte de «bloc historique», qui feraient main basse sur l'État (Kassé 1992). Ces militants sont prêts à descendre dans la rue, à crier leur colère d'électeurs et de citoyens floués par un système de connivences où l'État — rendu par le vocable de royauté dans la plupart des langues nationales («nguur», en wolof, «laamu» en pulaar) — se pérennise grâce à des alliances structurelles multiformes (Kanté 1991:169).

La vitrine démocratique sénégalaise a été brisée, de façon récurrente, sous les coups de boutoirs de la colère, de la frustration, du désespoir et sans doute de l'impuissance sociologique des adversaires de Abdou Diouf à faire basculer la majorité des électeurs à leur profit: c'est-à-dire à réaliser l'alternance.

Soyons naïfs et posons des questions dont la réponse paraît évidente, voire contenue dans la formulation même: pourquoi demander au GMI[3] de réprimer, souvent dans le sang, des adversaires politiques qui contestent le «verdict» du juge électoral — en l'occurrence la Cour suprême puis le Conseil constitutionnel (Ngom 1989)? Et si leur capacité de nuisance n'était rien d'autre que l'expression violente des suffrages détournés? Le cas échéant, l'ordre public, celui que l'État–cet arbitre tendanciel mais irrécusable qu'auraient été le ministère de l'Intérieur de Jean Collin à Djibo Kâ, et le Conseil constitutionnel où, sans doute, des soupçons avérés de manœuvres frauduleuses en amont du processus électoral ont présidé à la démission du juge Kéba Mbaye en 1993 — a vocation à faire respecter, n'est-il pas fatalement synonyme d'ordre politique bancal?

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[3] Groupement mobile d'intervention: corps de la police chargé de réprimer les manifestations perturbant l'ordre public et généralement organisées par les partis d'opposition et les étudiants grévistes.

Ce dernier qualificatif, on le verra, n'attente en rien à la «neutralité axiologique» du chercheur puisque, loin d'exprimer une subjectivité suspecte, il rend compte du réel d'une configuration problématique. En effet, si des élections multipartites ont été régulièrement organisées au Sénégal, il n'empêche que le système politique n'a vraiment jamais tout à fait envisagé la fonction d'opposition institutionnelle définie comme: «la remise en cause de tout ou partie des choix arrêtés par les gouvernants ainsi que l'ensemble des pratiques et configurations qui découlent de cette affirmation critique» (Hermet *et al.* 2001:208).

Comme ailleurs en Afrique, l'arsenal juridique qui encadre la socio-genèse de la démocratie multipartisane sénégalaise a excipé du même prétexte: «la sauvegarde de l'unité nationale sénégalaise exclut, sur le plan électoral, l'adoption d'un mode de scrutin qui serait de nature à créer, entretenir ou exacerber les clivages politiques régionaux et à donner naissance à un régionalisme» (Fall 1977:75, Otayek 1997:817-818).

Précisément, ce garde-fou de l'unité nationale sera, ici, un principe fondamental dans la structuration du parti politique. La philosophie du Bloc démocratique sénégalais (BDS), l'ancêtre du Parti socialiste (PS) et toute la stratégie électorale de son leader, Léopold Sédar Senghor, consistaient à faire du Parti un instrument consensuel de modernisation et de construction de la réalité sociale étatique — c'est-à-dire de l'objectivation institutionnelle de l'idée de nation — synthèse des registres de légitimation pluriels des différents groupes historiques, culturels et religieux — en particulier confrériques, constitutifs de l'État-nation précolonial (Balandier 1995:213-214).

Cet arrière-plan historique et principiel fera du PS un Parti d'oligarques régionaux dont la légitimation positive ne souffre pas de contradiction. Et l'élection n'est alors qu'une liturgie sociale de cautionnement de l'ordre socio-politique sur lequel est bâti l'État (Hayward et Grovogui 1987:244-253). Dans ces conditions, l'alternance, parce que révolution sociale porteuse d'incertitudes et de chaos, est

condamnée à n'être qu'une utopie, suivant le fameux mot de Léon Blum: «ce ne sont pas les partis qui créeront chez nous le gouvernement, c'est le gouvernement qui créera d'abord les partis» (Hamon 1986:23). Cependant, la conjoncture de crise des années 1980 marquées par un État économiquement exsangue finit par légitimer les mobilisations électorales de l'opposition au point de disqualifier «une démocratie sans alternance» (Cruise O'brien 1993).

A la lumière de ces considérations sommaires, l'objet de cette contribution sera de mettre en perspective *l'ordre public* comme baromètre des rapports politiques dans l'État. Heurtés et conflictuels, les rapports entre pouvoir et opposition exhalent une tension diffuse qui menace, au fur et à mesure que s'exacerbent les frustrations d'un contentieux électoral non apuré, la stabilité de l'État. Après avoir posé les éléments qui tendent à suggérer que le processus électoral sénégalais confinait à un rituel d'auto-légitimation, si l'on admet qu'il était «mal arbitré», porteur de précarité dans une première partie, il s'agira de questionner et d'analyser le conflit et la césure que l'élection introduit, de manière régulière, dans l'homologie structurelle entre l'ordre public et l'ordre politique, la tranquillité de celui-là étant le reflet de la capacité de celui-ci à objectiver sa légitimité positive et à revendiquer le monopole de la coercition (deuxième partie).

L'utopie contre la liturgie sociale: la précarité de l'ordre public post-électoral

L'absence d'alternance au pouvoir légitime semble justifier l'assimilation des pratiques électorales au Sénégal à une banale liturgie sociale. Le potentiel subversif de l'opposition repose essentiellement sur ses recrues urbaines issues des classes défavorisées et sur la «relative dépravation» (Gurr 1970) des classes moyennes victimes d'ajustement structurel mais qui sont loin de constituer un électorat massif capable de faire la différence face à l'écrasante majorité d'électeurs ruraux, qui plus est, plus aisément mobilisables et sur

lesquels le PS exerce une emprise historique. La frustration de l'opposition est exacerbée par la conscience qu'elle a de son impuissance à abattre la forteresse de cette «société d'État» profondément enracinée dans les structures sociales, et que la rhétorique du «Sopi», slogan du PDS qui signifie changement en wolof, a du mal à investir (Copans 1991:144). Ainsi, le thème de la violence électorale au Sénégal ne recouvre pas une occurrence universelle: les émeutes post-électorales sont localisées jusque-là en zone urbaine, plus précisément à Dakar et à Thiès, cette dernière ville rebelle étant réputée être le fief du PDS.

La capitale Dakar, théâtre de mai 1968, outre qu'elle est un cadre sociologique de perturbation des alliances structurelles tissées par le régime du fait qu'elle prédispose à la sécularisation culturelle, est une synthèse de sites institutionnels (université, lycées, usines, syndicats, sièges de partis politiques, palais de justice) qui cristallisent le potentiel protestataire (Bathily 1992).

C'est donc là que s'éclôt l'utopie de l'alternance; sans pour autant que le «Sopi» qui en énonce la figure onirique ne soit ni systématique et ne veuille se déployer en dehors de toute historicité[4].

A partir de cette utopie de l'alternance, l'on peut explorer les éléments d'ordre normatif, institutionnel et contextuel qui, depuis l'élection de Abdou Diouf, en février 1983, tendent à agréger, suivant le schéma d'analyse proposé par Ted Gurr, les conditions de passage à l'expression de la violence politique (A).

On s'attachera ensuite à saisir ce qui fait sens dans les représentations des électeurs de l'opposition dont certains ont pris part aux «explosions

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[4] Paradoxalement, l'analyse psychologique du discours oppositionnel du PDS et même de la gauche marxiste-léniniste montre que les leaders de ces partis sont loin de s'imaginer et de vouloir construire, au sens propre de l'utopie, une société émancipée, libérée des contraintes et de toutes les formes de pouvoir traditionnel notamment religieux qui assujettissent l'électorat conservateur qu'ils ont du mal à mobiliser.

volcaniques de vandalisme» perpétrées en désespoir de cause face à l'hégémonie électorale écrasante de l'adversaire socialiste (B).

A- Les conditions du passage à la violence politique
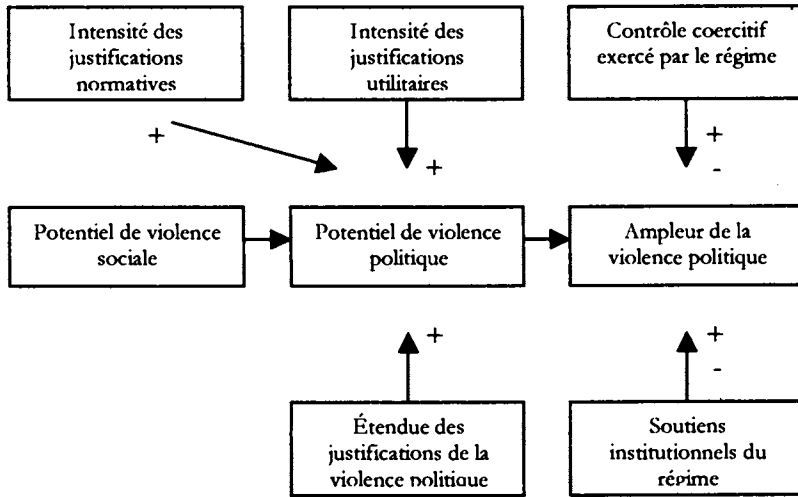
Source: Gurr, Ted, 1970, *Why Men Rebel*, Princeton University Press, p. 320.

1- Définir la violence électorale: la cible et l'ambition

Avant d'appliquer ce schéma au pathos du jeu politique sénégalais, il convient de préciser l'acception rigoureuse de la violence électorale en rapport avec le vaste thème retenu par le CODESRIA: «violence, sécurité et ordre public». Considérer le phénomène de violence sous l'angle de la participation politique n'est, *a priori,* qu'un parti pris méthodologique, ainsi que l'attestent les autres mises en perspective nigérianes, kenyanes, éthiopiennes, ougandaises et camerounaises des participants, toutes aussi pertinentes les unes que les autres. Mieux, la

perspective «babylonienne» de Benga (1998) prouve que, même dans le cas du Sénégal, l'on peut faire abstraction des partis politiques et opter pour des acteurs quotidiens, tragiques et moins banals qui puisent leur trop-plein de «rage» contre l'État et la «galère» ailleurs que dans le «bourrage des urnes» et autre «mascarade électorale» qui, après tout, relèvent d'une appréciation qui, en plus d'être discutable, échappe aux «pirates» et «gangsters» dissimulés dans les grottes longeant la Corniche Ouest de Dakar, agressant les passants riches sous l'effet de la marijuana, et attendant de pied ferme les brigades de police chargées d'«assurer la sécurité» et de «restaurer l'ordre public».

Inutile de dire que les actes de violence ainsi spécifiés sont motivés non pas par la volonté d'accéder à l'existence politique, mais à l'existence tout court.

Si nous avons mis la question électorale au cœur de cette analyse, c'est parce qu'au nom de la légitimité électorale conférée *de jure* par le Conseil constitutionnel ou revendiquée au nom d'une «majorité sociologique» mythique, la rue sera le théâtre tout à la fois de la violence d'État et de la violence contre l'État.

> La première, est ordinairement légitimée par le souci de protéger l'ordre public contre les fauteurs de trouble: la provocation justifie la répression. La seconde au contraire se donne volontiers comme excuse absolutoire le devoir de lutter contre l'asservissement c'est la répression qui alimente la protestation (Braud 1998:343).

L'excuse absolutoire de l'opposition sénégalaise qui a régulièrement affronté la répression policière et les tribunaux, avec les épisodes tragiques des émeutes post-électorales de 1988 et 1993, est invariable: les résultats officiels ne reflètent pas la réalité des rapports de force réels qui lui serait favorable. La violence électorale est une forme de violence politique suscitée par la conquête du pouvoir. L'État est à la fois ambition et cible. Ambition de pouvoir du candidat aux suffrages, il redevient, dès que celui-ci est battu, l'exutoire cathartique de ses partisans frustrés.

Pour autant, cette agression *a posteriori* de la femme convoitée et finalement conquise par l'adversaire, n'est qu'un acte de dépit pour signifier un amour toujours vivace: le soupirant ne demande qu'à changer les règles du jeu pour se donner une seconde chance, à tout le moins, rester visible dans la cour des courtisans, c'est-à-dire le champ politique concurrentiel. En termes prosaïques, on dira que: «La violence électorale n'est pas l'indice d'un refus des procédures démocratiques; c'est une forme déviante de participation politique» (Quantin 1998:22).

Au total, nous appliquerons le déictique «électoral» à cette définition opératoire de la violence, envisagée comme menace ou comme recours qui:

> constitue une «ressource» qui s'intègre, à côté d'autres moyens d'action concomitants, dans les logiques de négociation et de marchandage qui gouvernent la vie politique. Elle est inégalement performante selon qu'elle éveille seulement l'attention éphémère des médias ou qu'elle inspire soit la peur qui paralyse, soit l'indignation qui mobilise (Hermet *et al.* 2001:309).

2- La violence électorale au Sénégal à la lumière du schéma de Gurr

C'est parce que le plaisir escompté de la conquête du pouvoir va se révéler inaccessible depuis l'ouverture démocratique en 1974 que l'opposition sénégalaise rentre dans le schéma psychologique «frustration/agression» de Gurr.

2-1 Les lois et statistiques électorales de la «frustration»

> *Élections présidentielles et législatives du 27 février 1983. Contestations tous azimuts, justifications normatives d'une violence contre l'État: les règles du jeu incriminées*

.e nombre d'électeurs inscrits était de 1 928 257 avec 1093 244 votants, et 4169 bulletins nuls. Les suffrages exprimés étaient de 1089 075.

Ont obtenu (% suffrages exprimés): Abdou Diouf (PS) 908 879 soit 83,84%, Abdoulaye Wade (PDS) 161 067 soit 14,78%, Oumar Wone (PPS) 2146 soit 0,19%, Mamadou Dia (MDP) 15 150 soit 1,38%, et Majmouth Diop (PAI) 1833 soit 0,16%.

Aux législatives régies par la loi 82-10 du 30 juin 1982, le PS obtient 79,94% des suffrages exprimés et s'adjuge 111 sièges sur les 120; quant au PDS, avec 13,97% des suffrages exprimés, il obtient 8 sièges et régresse sensiblement par rapport à la dernière législature de 1978 où, à la faveur de la loi du 19 mars 1976, il avait eu 17,80% des suffrages et raflé 18 sièges contre 82 au PS.

Des cinq autres Partis qui s'étaient présentés PAI (Parti africain de l'indépendance), RND (Rassemblement national démocratique), LD/MPT, PIT (Parti de l'indépendance et du travail), PPS, seul le Parti du professeur Cheikh Anta Diop obtint un siège qu'il a d'ailleurs boycotté.

Et pour cause, de nombreuses irrégularités avaient été relevées notamment le bourrage d'urnes dans certaines localités, le vote multiple facilité par la redistribution massive de cartes d'électeurs aux militants du PS et la rétention délibérée de celles des militants de l'opposition. Le camaïeu juridique qui entourait la question de l'identification de l'électeur tout comme le caractère facultatif du passage à l'isoloir, n'étaient pas de nature à garantir la transparence et la régularité des opérations.

Au lendemain de la proclamation des résultats qui consacrent la première élection de Abdou Diouf, le potentiel de violence qui menace l'ordre public se mesure d'abord par la virulence des réactions des partis de l'opposition. Virulence inversement proportionnelle à l'absence de représentativité réelle de la plupart d'entre eux portés à hypertrophier l'impact des fraudes que maints analystes rigoureux s'accordent à

minimiser, et qui n'avait aucune chance d'affecter les résultats définitifs (Cruise O'brien 1983, Hayward & Grovogui 1987:258-259).

Pour Majmouth Diop, leader emblématique du PAI, les règles du jeu étaient faussées dés lors que l'Opposition n'avait qu'un statut d'observateur: «Nous n'avons jamais eu un code électoral aussi mauvais», s'insurge-t-il, en ajoutant que: «Chaque petit chef local, maître de son fief, peut perpétrer son coup».

Le PDS parle de «coup d'État civil électoral» et exige «de nouvelles élections libres et démocratiques sous contrôle neutre», en proposant au passage la formation d'un gouvernement parallèle, hypothèse lourde de menace pour la stabilité de l'État et le monopole légitime de la violence exercée au nom du droit, c'est-à-dire pour le maintien de l'ordre public. Pour la LD/MPT, parce que frauduleuses, ces élections ne sauraient conférer une quelconque légitimité aux institutions qui en seront issues. Et de lancer, sur un ton d'avertissement: «Les résultats officiels du scrutin reflètent l'inverse de la réalité politique du pays et créent une situation lourde de dangers». Le PIT évoque «un contexte intolérable de violence morale». Le MDP s'indigne d'un «viol de la démocratie» qui serait le fait d'un «gangstérisme électoral». Bref, c'est une opposition frustrée, à tort ou à raison, qui déjà va tenter de mobiliser ses militants afin de protester contre «la légitimité du pouvoir» (Sylla 1985:254-259). Cette protestation se solde par des actes de violence sporadiques mâtés par les forces de l'ordre. Et on ne peut pas soutenir systématiquement que de telles violences «dévoilent des populations frustes et inaptes à la vie démocratique» (Garrigou 1992:14-15); c'est une «sauvagerie» motivée et consciente qui, au contraire, n'implique aucunement l'«exit option» mais bel et bien des pratiques qui accompagnent le processus électoral (Quantin 1998:23).

Les élections présidentielles et législatives du 28 février 1988. Tension sociale et État d'urgence: l'ordre public malmené ou quand les urnes crachent le feu et envoient les blindés dans la rue

Lors des élections présidentielles, ont obtenu (% suffrages exprimés): Abdou Diouf 828 301 soit 73,21 %, Abdoulaye Wade 291 869 soit 25,80%, Babacar Niang 8449 soit 0,75%, Landing Savané 2849 soit 0,25%.

Aux élections législatives, le PS recueille près de 72% des suffrages exprimés et s'adjuge à nouveau la quasi-totalité des sièges soit 103 sur 120. Le PDS, avec 24,74% des suffrages remonte la pente par rapport aux élections de 1983 puisqu'il obtient 17 sièges de députés. Quant à la «gauche traditionnelle» représentée par la LD/MPT (1,41%), le PIT (0,84%) et le PLP (1,18%) et le PDS/Rénovation (0,40%), ils n'obtiennent aucun siège.

Rien n'a donc changé sous le soleil, serait-on tenté de dire: régies par la même loi, ces élections se tiennent dans un contexte marqué par l'aggravation de la situation économique des couches sociales défavorisées. Les effets des politiques d'ajustement structurel se font sentir, comme en témoignent la tension sociale, les grèves «politisées» des étudiants, la colère des syndicats indépendants et le malaise général des classes moyennes dont la chute du pouvoir d'achat devient un motif de réalignement sur l'opposition. Tous ces facteurs critiques fragilisent le pouvoir et remettent en cause certaines alliances structurelles jusqu'alors déterminantes comme le soutien de la puissante confrérie religieuse mouride dont le Khalife se heurte pour la première fois à la sourde désapprobation des «talibés» (disciples) réticents à obéir à la consigne impérative de vote (ndigël)[5].

Certains leaders de l'opposition appelleront leurs militants à prendre d'assaut les locaux du ministère de l'Intérieur et à s'opposer à toute tentative de fraude au besoin par la force physique (Kanté 1991:179, Young et Kanté 1992:69). Lors d'un meeting de campagne à Thiès, le Président sortant va essuyer des projectiles lancés par des

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[5] Cf. l'interview de Wade dans: «Sénégal: les confréries, l'argent et le pouvoir», *Jeune Afrique Économie*, n° 117, mars 1994.

militants décidés à lui signifier qu'il était en terre hostile, militants qu'il qualifiera en retour de «bandits de grand chemin» et de «jeunesse malsaine». Et cette fois, avant même la proclamation officielle des résultats, les émeutes éclatent qui vont mettre Dakar à feu et à sang. Pour contenir la colère éruptive des vandales, le candidat réélu se voit contraint de décréter l'État d'urgence, le 29 février 1988. La violence culmine. Une menace extrême pesait pour la première fois sur l'ordre public, porteuse d'instabilité au sein de l'État.

> *Les élections présidentielles du 21 février et législatives du 9 mai 1993. Montée en puissance de la contestation de l'électorat urbain. Quand la violence électorale mène à la tragédie: l'assassinat de Me Babacar Sèye*

Résultats de l'élection présidentielle

Ont obtenu (% des suffrages exprimés): Iba Der Thiam 20 840 soit 1,61%, Abdoulaye Bathily 31 279 soit 2,41%, Abdou Diouf 757 311 soit 58,40%, Landing Savané 37 787 soit 2,91%, Abdoulaye Wade 415 295 soit 32,02%, Mamadou Lô 11 058 soit 0,85%, Madior Diouf 12 635 soit 0,97%, Babacar Niang 10 450 soit 0,81%.

Lors des élections législatives, la bipolarité PS-PDS continue de marquer le champ politique concurrentiel. Avec 56,56% des suffrages exprimés, le PS régresse mais conserve 84 sièges de députés contre 27 au PDS (30,04%), 3 à la LD/MPT (4,11%), 3 à la Coalition «jappoo Ligueyal Sénégal», 2 au PIT (3,04%) et 1 à l'UDS/R (1,16%).

Au soir de la proclamation des résultats officiels des élections de 1988, on peut dire que le Sénégal s'engageait dans une conjoncture critique au sens de «processus sociaux aboutissant, ou susceptibles d'aboutir, à des ruptures dans le fonctionnement des institutions politiques, pas nécessairement légitimes, propres à un système social et paraissant menacer la persistance de ces institutions» (Dobry 1992:14). Institutions que nous supposerons en l'occurrence légitimes, qui sont,

en démocratie, sacrées et à ce titre, font l'objet du dispositif de sécurité de l'armée et de la police, forces de l'ordre par excellence, qui ont vocation à en assurer la défense et la préservation.

Sous ce rapport, aucune mise en perspective du triptyque que nous analysons ici, ne saurait occulter dans ses conclusions majeures le fait que le pire avatar que porte en puissance la conjoncture critique est d'engendrer un faisceau de circonstances troubles propres à compromettre, voire abolir les conditions d'une revendication par l'État du monopole de la violence physique légitime, ainsi que l'entendait Max Weber.

Du point de vue strictement juridique, ce qui se joue là, c'est la continuité de l'État.

Et ce n'est pas le moindre motif qui a poussé le président Diouf à accepter de jeter aux orties un code électoral décrié par ses adversaires, y compris les moins farouches. Le code électoral qui va régir les élections de 1993 sera négocié «de l'intérieur» par les principaux acteurs du jeu politique dont le ministre d'État Abdoulaye Wade, entrés au gouvernement le 9 mars 1991, sur le mode de transactions collusives destinées à apaiser le climat social.

En promulguant les lois n° 92-15 et 92-16 du 7 février 1992 et en signant le décret n° 92-267 du 15 février de la même année, le pouvoir sans doute mû par le souci de restaurer l'ordre et l'autorité bafouée de l'État, accède enfin à la requête de l'opposition[6].

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[6] Cette requête n'est rien d'autre qu'une exigence de codification. On peut rappeler ici, avec Olivier Ihl (1996:103) que la formation d'un code électoral est le fruit de plusieurs dynamiques combinées qui sont: «la dénonciation par les candidats des actions jugées déloyales, cela au nom d'une exigence stratégique de réciprocité; la transformation de la règle de droit en un mécanisme de recours à part entière, mobilisable par chacune des parties prenantes; enfin, le développement d'un vaste système contentieux dont la technicité contribua à autonomiser l'intervention des instances juridictionnelles».

Optimiste, le Président du Conseil constitutionnel, juge suprême de l'élection, salue la capacité des politiques à produire un texte propre à prévenir, *a priori*, l'occurrence d'une conjoncture critique liée au contentieux électoral. L'engagement des acteurs à se soumettre au verdict des urnes en vertu des dispositions consensuelles qu'ils ont édictées est ainsi présumé apte à réduire sensiblement la fluidité post-électorale.

> Il a fallu, de la part des acteurs de cette entreprise sans précédent, une grande volonté politique de faire franchir au Sénégal un nouveau pas décisif vers la réhabilitation de la formule que l'article premier consacre comme le principe de la République: gouvernement du peuple par le peuple (Mbaye 1993).

N'était-ce pas présumer un peu trop hâtivement de la loyauté des acteurs de l'opposition qui sont enclins à la suspicion, appréhendant dans ce type d'arrangement, de simples calculs et anticipations de l'adversaire affaibli, destinés à les neutraliser et à les court-circuiter? (Linz 1970:75-80).

En relevant à juste titre que la notion de contentieux électoral était, à la longue, devenue «une donnée structurelle du champ politique sénégalais», Diop et Diouf (1999) avancent une explication qui corrobore parfaitement l'analyse de Linz:

> Depuis la fin des années 1980, et malgré les progrès notés dans l'organisation de la compétition électorale, la classe dirigeante sénégalaise a trouvé les moyens de court-circuiter, en sous-main, les concessions faites à l'opposition (Diop et Diouf 1999:179).

Cette explication est d'importance puisqu'elle met l'accent sur la propension «totalisante» d'un régime prompt à reconsidérer ses «concessions conjoncturelles» (Diouf 1992:272) dès que s'estompe la conjoncture fluide, pour rechuter dans son vice rédhibitoire: celui d'un système politique décidé à ne laisser survivre aucune force politique ou syndicale en dehors de son sillage (Ly 1992:319).

De fait, quelques heures après l'annonce des résultats définitifs de l'élection présidentielle, le 13 mars 1993, des manifestants vont saccager plusieurs résidences appartenant à des dignitaires du régime socialiste à Dakar. Dans la capitale, Abdou Diouf est en effet nettement désavoué par les électeurs qui lui accordent seulement 39,93% des suffrages exprimés loin derrière son principal challenger Wade qui recueille 51,21% des suffrages. Ces actes de vandalisme, exprimant la frustration de voir que l'avance substantielle de l'opposition en milieu urbain est happée par le vote rural, sont qualifiés de «honte» par le quotidien gouvernemental *Le Soleil* (Sané 1993:13). La menace proférée par Wade de provoquer les conditions d'une guerre civile en cas de fraudes électorales avérées de la part du PS, était dans tous les esprits.

Mais le pire était à venir: la Commission nationale de recensement des votes (CNRV) s'enlise dans ses travaux, incapable de démêler l'écheveau complexe de l'usage «industriel» de fausses ordonnances. Elle décide de se décharger sur le Conseil constitutionnel, se jugeant incompétente pour apprécier des altérations litigieuses. Les résultats proclamés par le Conseil constitutionnel sont rejetés par l'opposition. Le PDS dit s'en tenir à son propre décompte qui lui donnerait 63 sièges, arguant du fait que la CNRV n'a pu apprécier et établir la sincérité du scrutin. On en vint alors à préconiser une solution politique à l'impasse. Kéba Mbaye remet sa démission au chef de l'État: «Je n'accuse personne, écrit-il, je constate un fait: je me suis trompé et toute erreur de cette nature est un échec» (cité par Faes 1993).

Échec fatal qui va peser sur l'ordre public puisque le 15 mai 1993, Me Babacar Sèye, Vice-président du Conseil constitutionnel est assassiné. Acte crapuleux ou crime politique? Cette situation inédite jette la suspicion sur les acteurs politiques. Me Wade est accusé d'avoir commandité le meurtre du haut magistrat. Celui que les journalistes appellent le «Président de la rue publique» se retrouve derrière les barreaux, en compagnie de quelques-uns de ses lieutenants, avant

d'être acquitté quelques semaines plus tard, sous le bénéfice du non-lieu. Les observateurs évoquent un «terrorisme politique» dont les auteurs sont les responsables de partis politiques qui provoquent une situation absurde au détour de laquelle, c'est l'ordre public qui se retrouve pris en otage (Ndiaye 1993).

D'un autre côté, ceux qui voient là le déploiement d'une violence diffuse de l'État préféreront s'indigner de l'arbitraire de la détention prolongée d'un homme qui réunit autour de sa personne charismatique les suffrages d'un quart de l'électorat. Tout cela, dira-t-on, relève d'une logique inavouable d'étouffement et de répression politiques. La sécurité et l'ordre public deviennent dès lors des prétextes commodes, trahis cependant par l'absence d'une nette délimitation des frontières entre justice et politique. Amalgame qui est source d'abus et qui servirait à museler les manifestations populaires de protestation.

Des analystes qui font prévaloir l'argument de la confusion entre le Parquet et l'Exécutif pour dénoncer ce qu'ils appellent «le modèle de la logique de l'alternative illusoire» aboutissent à la conclusion que «le système démocratique sénégalais ne conçoit pas l'opposition comme modèle de réalité possible» (Tine 1994:3).

La question se pose alors de savoir à quel régime juridique d'État les citoyens sont tenus de concéder le monopole de la violence. Car, de toute évidence, dans le cas d'espèce, la violence qui s'abat sur les adversaires politiques n'est guère légitime. Le champ d'application du droit régissant l'ordre public se trouve miné par les incohérences et les contradictions flagrantes qui le traversent: les pouvoirs exorbitants du parquet (accusation, inculpation, arrestation, détention...) sont de nature à restreindre indûment les libertés politiques et à rogner dangereusement sur les libertés publiques.

Aussi longtemps que le contentieux électoral ne s'apure qu'au travers de l'incarcération des adversaires, Wade, Bathily, Dansokho, Savané séjournent régulièrement en prison pour incitation à la violence

et atteinte à l'ordre public, «de flagrant délit d'opposition» sera dénoncé (Tine 1994). Scénario qui plonge le système politique dans l'impasse en ce sens que les brimades systématiques contre les leaders de l'opposition engendrent une accumulation de frustrations chez leurs partisans; ceux-ci, comme le montre Gurr n'ont d'autre alternative que l'agression physique ou symbolique de cet ordre illégitime dans lequel ils sont enfermés. La cible identifiée c'est l'État; le fait d'infliger un «dommage-catharsis» peut revêtir des proportions incontrôlables, toujours au détriment de l'ordre dit public.

2-2 De la frustration à la violence: le «Sopi» entre justifications normatives, dissuasions, négociations et passage à l'acte

L'objectif affirmé des acteurs politiques de l'opposition et de leurs militants enclins à se livrer à des actes de violence symboliques contre l'État, est la réalisation du changement par la voie des urnes. Or, le «Sopi», on l'a souligné, apparaît comme l'expression d'une utopie, eu égard à la configuration politique d'un État qui s'appuie sur un réseau d'alliances structurelles tirant leur efficacité de leur enracinement dans des logiques sociales déterminantes.

Et même si ce réseau d'alliances venait à s'avérer lâche sous l'effet conjugué de la crise économique et sociale, et de la montée en puissance d'une nouvelle génération sécularisée de «cadets sociaux» qui

ne trouvent plus leur compte dans un «contrat social» de type politico-religieux (Cruise O'brien 1992:17-18), le système demeurait tel que:

> (...) l'alternance démocratique, pleine et entière du point de vue formel, est en fait difficile (et à la limite impossible) à cause de la nature présidentialiste du régime constitutionnel sénégalais et des contraintes idéologiques qui enserrent l'action des partis politiques (Fall 1977:87).

Cette observation conserve toute son actualité même après l'instauration du multipartisme intégral puisque ce qui demeure mis en cause ici, ce sont le régime et la loi électorale n° 82-10 du 30 juin 1982, cette dernière étant la pierre d'achoppement du processus démocratique jusqu'à l'adoption d'un nouveau code en 1992.

Dans ces conditions, la mobilisation politique, au sens précis de

> création de nouveaux engagements et de nouvelles identifications ainsi que le rassemblement, sur cette base, d'acteurs ou de groupes d'acteurs dans le cadre d'un mouvement social chargé, au besoin par la confrontation directe et éventuellement violente avec les autorités en place, de promouvoir et parfois de restaurer des fins collectives (Chazel),

réduit l'idéologie du «Sopi» qu'elle promeut à sa stricte dimension manifeste de confrontation violente avec l'État. En définitive, appliquer le schème séquentiel décrit ci-dessus par Ted Gurr à l'exemple du Sénégal, en considérant la période 1983-1993, c'est:

a) évaluer l'intensité des justifications normatives de la perpétration de la violence électorale à l'aune du dispositif législatif décrié;

b) sonder la légitimité du contrôle coercitif exercé par le régime à partir du ministère de l'Intérieur — Jean Collin et la radiation des policiers grévistes en conjoncture critique, Djibo Kâ et la répression des *Moustarchidin Wal Moustarchidati* accusés de grossir les rangs de l'opposition et soupçonnés d'être impliqués dans le meurtre de policiers lors d'une manifestation;

c) mesurer le potentiel de violence sociale et politique en l'expliquant par la propension du pouvoir à parrainer une kyrielle de mouvements de soutien issus de la «société civile» qui ont vocation à annihiler le potentiel protestataire;

d) jauger de l'ampleur de la violence politique et établir sa régularité post-électorale (proclamation de l'État d'urgence en 1988,

assassinat non encore élucidé du Vice-président du Conseil constitutionnel en mai 1993, meurtre de policiers, etc.);

e) interroger l'état de solidité des soutiens institutionnels du régime (la loyauté de l'armée et les délibérations souveraines d'un pouvoir judiciaire qui a apporté la preuve de sa neutralité vis-à-vis des acteurs politiques et celle de son indépendance par rapport à l'Exécutif).

Le passage à la violence contre l'État peut prendre la forme d'émeutes et de soulèvements populaires (*turmoil*) relativement inorganisés et spontanés.

Et c'est, en général, l'expression d'une agressivité d'électeurs qui ont accumulé un trop-plein de frustrations inassouvies. Persuadés que l'élection n'est finalement qu'un «piège à cons», ces «conjoncturés» déchirent leur carte d'électeurs et s'improvisent pyromanes. Le discours d'investiture d'un Abdou Diouf réélu pour la troisième fois, sonne à leurs oreilles, comme le bruit sourd d'une malédiction: un bail avec la misère que leur conscience n'a jamais signé avec les urnes... Se greffent au *turmoil*, les actions ponctuelles isolées (assassinats, complots, attentats) que l'auteur désigne sous le mot *conspiracy* et dans lesquelles on rangera le meurtre du Vice-président du Conseil constitutionnel.

Dans le schéma explicatif de Gurr (1970), l'Opposition n'a évidemment pas intérêt à ce que cette catégorie d'acteurs rebelles triomphent sur le régime constitutionnel qui, en prônant la forclusion du recours à la violence sauvage dans les luttes politiques, établit jusqu'où ne pas aller trop loin dans l'«exit option». Le recours à la violence repose sur la conviction que l'adversaire sera contraint de faire des concessions significatives. Gurr (1970) relève quelques facteurs propices à la perpétration de la violence que l'on peut résumer ainsi (librement):

• le fait que l'Opposition puisse se prévaloir de succès obtenus par des moyens similaires dans le passé. On pourrait à cet égard rappeler que les violences post-électorales de 1988 avaient

enclenché un processus de «décompression autoritaire». L'éclatement de la Conférence nationale des leaders et chefs de partis de l'opposition (CONACPO) fondée en 1989 et regroupant dix partis, fait suite, on le sait, à la cooptation du PDS et du PIT dans un gouvernement dit de majorité présidentielle élargie. Pour désamorcer la crise, le «geôlier» de Wade et de Dansokho était acculé à lâcher du lest en offrant de partager le pouvoir avec ses «ex-prisonniers politiques» dont la capacité de nuisance n'était plus à démontrer. Maints observateurs y ont vu ni plus ni moins que la volonté de restaurer l'ordre public et d'apaiser le climat social afin de réunir les conditions d'une application sans risque des politiques de rigueur imposées par le FMI et la Banque mondiale. C'est ainsi du moins qu'il faut comprendre la réaction des représentants de l'«Alliance Sopi»: «Nous estimons que cette table-ronde a été une trouvaille géniale pour le pouvoir! Nous espérons cependant qu'elle ne lui permettra pas de se tirer d'affaire» (Ndiaye, Prinz et Tine 1990:76);

souligner la place de la violence dans la mémoire historique. L'histoire électorale coloniale du Sénégal est sans doute marquée par des épisodes de violence, mais le contexte et la signification problématique de la notion d'ordre public dans une configuration qui, en elle-même, participait d'une vaste entreprise de viol(ence) historique et de restrictions des libertés publiques indigènes n'entrent pas dans le cadre de notre analyse. S'y ajoute qu'en ce domaine précis, notre compétence est très limitée. Du reste, il s'agit là d'un «État douloureux» (Braud) qui a fait le lit de ce que Nietzsche appelle «la honte douloureuse» et qui ôte tout à-propos normatif au triptyque. On se contentera donc d'évoquer une «mémoire historique par procuration» pour désigner la violence politique qui a ébranlé certains régimes autoritaires africains que la rue a poussé à négocier dans le cadre de conférences nationales souveraines. Ce qui d'ailleurs «colle» mieux

à l'optique d'actualisation du risque qui est celle de Gurr (1976), et qui l'amène à intégrer dans les facilitateurs de succès de la violence, la manière d'évoquer l'efficacité de celle-ci dans le traitement médiatique d'une actualité souvent tragique et sanglante. Ici et là, l'étincelle provient, en dernier ressort, du «sentiment subjectif d'être marginalisé dans le jeu institutionnel normal» (Braud 1998:345). Le «pyromane» de l'ordre public est d'abord un acteur qui se sent dépossédé, un citoyen *lambda* qui rumine la frustration d'être «hors-jeu» et qui légitime son forfait par la conscience de violenter un système vis-à-vis duquel il entretient désormais un lointain rapport d'extranéité.

D'un autre côté, Gurr (1970) ne manque pas de faire observer que, *a contrario*, il existe des facteurs qui disqualifient l'ingénierie de la violence, la délégitiment et en amoindrissent considérablement l'efficacité. Dans le cas du Sénégal, ce sont les soutiens institutionnels et l'autorité morale des personnalités religieuses avec lesquelles l'État noue des alliances structurelles dont la violence symbolique énonce l'ordre public et sert de garde-fou aux débordements subversifs[7].

Parmi ces soutiens institutionnels, c'est sans doute l'armée réputée loyale qui polarise le plus les vertus de la stabilité puisqu'elle jouera un rôle de dissuasion important au lendemain des émeutes post-électorales de février 1983. Le contexte critique des élections de 1988 ne manquera pas non plus de l'interpeller. Pour une tension sociale et une crise politique de moindre ampleur, on a vu ailleurs en Afrique, l'armée s'emparer purement et simplement du pouvoir. Ici, elle

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[7] On peut certes s'interroger, comme le fait Diouf (1988:191-196) sur la tendance suspecte des religieux à intégrer l'establishment politique d'autant plus qu'on note une variété dans leur discours idéologique qui, à terme, risque d'accélérer le processus de sécularisation et donc de désamorcer l'efficacité de cette violence symbolique qui s'attache à la prise de parole «pacificatrice» de l'homme de Dieu. La figure de feu le Khalife général des Tidjanes Serigne Abdoul Aziz Sy est à ce propos, une heureuse exception. Cf. Mamadou Diouf, «Le fait religieux dans les élections américaines et sénégalaises», *Colloque sur les élections américaines*, Dakar, mars 1988, p. 191-196.

résistera à la tentation de perpétrer un putsch, choisira de respecter la Constitution et de servir l'intérêt supérieur de la Nation:

> L'onde de choc de la crise politique de février 1988 a secoué la hiérarchie militaire. La composante civile de la classe dirigeante appréhendait que l'armée ne pût demeurer loyale au moment où une crise sociale et politique majeure menaçait le socle même de l'État (Diop et Paye 1998:333) (c'est nous qui traduisons).

A moins d'en être dissuadée par la présence et le soutien diffus de l'armée française, comme le suggère l'auteur des *Gardiens du Temple*[8].

C'est encore aux Forces armées, la gendarmerie en l'occurrence, que le ministère de l'Intérieur fera appel au moment de la mutinerie des Forces de police en avril 1987, pour restaurer l'autorité de l'État.

En somme, et on peut le lire dans le schéma de Gurr (1970), les soutiens institutionnels du régime ont pour effet d'amoindrir plus ou moins, et non de prévenir, l'ampleur de la violence politique. Les éléments décisifs, les variables qualitatives essentielles qui peuvent contrecarrer efficacement la violence contre l'État sont notamment l'enracinement dans le temps du système de gouvernement, l'existence d'un large consensus des citoyens autour de son mode de fonctionnement, le sentiment collectif de pouvoir s'exprimer librement avec la certitude que son opinion sera entendue et accessoirement que les dirigeants de l'État soient prestigieux et respectés.

Il apparaît alors difficile de réunir toutes les conditions requises propres à endiguer tout processus de désordre. Cette vision schématique des conditions du passage à la violence mérite toutefois d'être corrigée et relativisée, ne serait-ce que parce que, ce que nous désignons par «violence électorale» peut revêtir une signification moins instrumentale et moins liée aux enjeux d'ordre et de sécurité de l'État que ne le postule Gurr (1970).

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[8] Cheikh Hamidou Kane, 1995, *Les Gardiens du Temple*, Paris, Stock.

S'il est possible de reconstituer rétrospectivement le contexte dans lequel s'est opérée la violence et de replacer l'objet violenté dans le champ conflictuel de l'État, il est en revanche plus douteux que l'on puisse préjuger des motivations qui traversent les pensées du «pyromane» de l'ordre public. Nous avons donc interrogé des militants pour savoir comment subjectivement et politiquement ils se situaient par rapport au couple frustration/agression.

B- «Sopi», «Folli», «Jallarbi»: derrière les émeutes, un appel à la révolution sociale

Ces trois slogans popularisés par Abdoulaye Wade (PDS), Landing Savané (AJ/PADS) et Abdoulaye Bathily (LD/MPT) signifient respectivement «changer», «détrôner», «renverser». Même si nous avons observé plus haut les scrupules des acteurs politiques sénégalais à apparaître ouvertement comme porteurs du discours extrémiste de la révolution politique, force est d'admettre qu'ils ne manquent pas d'en instrumentaliser le spectre. Le discours de campagne libéral du PDS tout comme celui socialiste et communisant de la gauche marxiste expriment, malgré eux, un potentiel de violence révolutionnaire, si l'on entend par révolution, à la suite de Skocpol (1985:21), un processus de participation populaire visant une transformation sociale et aboutissant à l'institutionnalisation d'un nouvel ordre politique.

L'avènement d'un nouvel ordre n'intervient bien souvent, on le sait, que sur les cendres fumantes de l'ancien qui ne s'écroule qu'après de très fortes résistances, engendrant l'évanescence, voire l'éclatement irrémédiable du cadre de la légalité: l'ordre public, dans cet intervalle d'incertitude, ne fait plus sens. Entre une révolution sociale en puissance, dont l'ampleur affecte de manière fondamentale l'organisation politique et la structure sociale, et une révolution politique–limitée au basculement de l'ordre politique — le «libéralisme démocratique» sénégalais qualifié de «révolution passive» (Fatton 1987) en dépit de ses avatars et de ses paradoxes, est donc loin d'épuiser la virtualité politique du «Sopi», du

«Folli» et du «Jallarbi». A tout le moins, les protagonistes du jeu politique sont loin d'avoir entériné unanimement la réalité et la sincérité d'un tel libéralisme puisqu'une partie de l'opposition ne lui concède pas la vertu politique qualitative célébrée par les politologues. Il nous suffit de rappeler que le «Cadre d'unité d'action électorale anti-impérialiste» regroupant la LCT, la LD/MPT, le MDP et l'UDP, parlait, par la voix de Mamadou Ndoye, de «honte pour la démocratie néo-coloniale», au lendemain des élections de février 1983!

L'usage que Coulon (1981:186) fait de ce concept gramscien appliqué au contexte et à la configuration politiques du Sénégal d'avant 1983 nous semble, de ce point de vue, plus pertinent. Rien ne permet de préjuger de jusqu'où peut aller cette frustration accumulée d'une opposition qui, pour l'essentiel, fournit la «cinquième colonne» des troupes syndicales, en plus de contrôler les étudiants activistes habitués, en période électorale, à susciter l'effervescence politique dans les campus universitaires et à transformer les amphithéâtres en États-majors déguisés de And Jëf/PADS, de la LD/MPT, du PIT, du PDS, etc. (Diop 1992).

1- Foi d'un militant révolté: «Ordre public? Connais pas!...»

B.N, 25 ans, étudiant en Histoire, Université Cheikh Anta Diop de Dakar, sympathisant de AJ/PADS.

> **Question:** «J'aimerais que tu me dises ce que c'est pour toi le respect de l'ordre public».
>
> **B.N:** «(hésitation) ... enfin, je croyais qu'on allait parler des élections? Non?...»
>
> **Q:** «Si si, je vais en venir. Mais dis-moi d'abord ce que signifie l'ordre public, pour toi...»
>
> **B.N.:** «Bof, je dirais que c'est le fait que l'on puisse sortir sans se faire agresser... Non?...»
>
> **Q:** «Se faire agresser par qui?»

B.N.: «(rires) Ne va pas croire que je le dis parce que j'ai peur. C'est pas ça, non! Seulement, la question n'est pas claire. Je ne sais pas à quoi tu fais allusion en me demandant comme ça, d'entrée de jeu, est-ce que je respecte l'ordre public. Bon, moi, je suis un citoyen honnête et tout le monde sait qu'il y a aujourd'hui beaucoup d'agressions à Dakar. Donc, si tu me demandes «l'ordre public, c'est quoi?», c'est l'idée d'agression et d'insécurité qui me vient à l'esprit...»

Q: «D'accord, j'ai bien compris ce que tu veux dire. Maintenant dis-moi, qui c'est-ce qui peut empêcher ces agressions?»

B.N.: «Ben les policiers sont payés pour ça, non? Je ne sais pas moi, l'ordre public c'est l'affaire des flics. C'est à eux d'attraper les délinquants qui agressent les femmes dans la rue et de les mettre au frais, non?... En tout cas...»

Q: «Bon, maintenant, parlons des élections. Tout le monde sait qu'au Sénégal, elles provoquent toujours des actes de violence après la proclamation des résultats; ce qui a amené les autorités à décréter l'État d'urgence en 1988. Qu'évoque pour toi l'image des GMI, cherchant à ramener l'ordre et obligés de jeter des grenades lacrymogènes aux manifestants?»

B.N.: «(...)Tout sauf l'ordre public. Ça n'évoque pas pour moi quelque chose de catholique. Moi, j'étais au lycée à l'époque, j'avais 16 ans. Tout le monde sait que les dés étaient pipés. Ces élections étaient «volées» (truquées) (rires). Je n'avais pas la majorité pour voter, mais je suis sorti dans la rue, nous sommes descendus sur l'avenue Blaise Diagne. Les «bérets rouges» étaient là, au rond point de la Poste de Médine. Certains étaient debout sur leurs blindés, d'autres tenaient à la main...tu sais ces *lifes* avec lesquels ils bastonnent les étudiants (rires)... pour refouler les gens à qui on avait volé les voix. C'est vrai que des vandales s'étaient glissés dans la foule et s'étaient mis à piller les boutiques des Libano-Syriens, mais pour la grande majorité des gens, le problème c'était pas les *Naar*, mais les élections. Moi-même j'avais

des copains libanais. Diouf ne pouvait pas gagner ces élections!
Donc, pour moi, c'est l'image d'un régime qui fait de la «doolécratie»
(pouvoir de la force) et se drape sous les habits de la soi-disant
seule vraie démocratie en Afrique... Non seulement le vote ne
servait à rien, mais c'était révoltant de voir ces policiers dressés
comme des cerbères pour sauver la peau d'un régime aux abois
... Il paraît qu'on leur fait subir le lavage de cerveau au camp
Abdou Diassé. Les gens, ils en avaient ras-le-bol!... Franchement,
si c'est ça l'ordre public, j'sais pas ce que c'est».

2- L'ordre public repose sur la légitimité de l'ordre politique.
Pas de «Jalgati» ni de «chèque en blanc» pour les usurpateurs!

F. B. D, 34 ans, Assistante en Droit, Université Cheikh Anta Diop de
Dakar, militante du PDS.

> **Question:** «Violence électorale et ordre public. Pensez-vous que le
> rapport entre ces deux notions relève, dans le cas du Sénégal,
> davantage de l'appréciation politique que de l'appréciation strictement
> normative et juridique» ?
> **F.B.D.:** «Ouh la!, c'est vite dit tout ça... Alors, commençons
> par voir si tous les deux, on entend la même chose dans ces
> notions. En droit, l'ordre public, c'est en gros, une notion qui
> est en rapport avec la tranquillité, la sécurité et la salubrité, cette
> fameuse trilogie qu'on apprend en 2e année. Le pouvoir de
> police est l'affaire du maire. Donc, si vous voulez, il y a les
> violentes manifestations liées aux élections, à l'idée d'une police
> administrative qui a pour finalité de prévenir les atteintes
> circonscrites et pas très graves à l'ordre public. En revanche, il
> va de soi que des émeutes graves, orchestrées par des populations
> nombreuses, dans des circonstances politiques graves de nature
> à menacer la stabilité de l'État, de telles émeutes doivent être
> appréciées au regard des enjeux politiques qui les engendrent...
> Bref, il y a des lois et règlements qui invoquent l'ordre public;

et au Sénégal comme en France, ou ailleurs, ces lois et
règlements peuvent parfaitement être bafoués lorsque les
circonstances l'exigent...».

Q: «Justement, parlez-moi de ces circonstances, plus précisément
de celles que l'on pourrait imputer au contexte électoral.
Comment appréciez-vous, en qualité de militante du PDS, les
événements de février 1988 et ceux de mars et mai 1993? Je fais
allusion à l'État d'urgence décrété par Abdou Diouf et à
l'assassinat de Me Sèye...».

F.B.D.: « [...] C'est simple: en tant que militante du PDS où je
milite depuis bientôt dix ans, je dirais, comme la plupart des
Sénégalais, que cela m'a choquée. La mort d'un homme, c'est
toujours quelque chose de regrettable. Me Sèye a malheureusement
appartenu à un corps, celui des magistrats, qui a les mains
liées... Cela peut paraître prétentieux et peu objectif d'émettre
un tel jugement, mais ce que je veux dire, c'est que depuis
l'indépendance, tout semble avoir été fait de sorte que le
pouvoir judiciaire soit contrôlé et manipulé, parfois de façon
flagrante... Me Wade l'a rappelé en 1988, au lendemain de son
jugement, en parlant de «théâtre judiciaire» et en déplorant la
perversion des institutions. Il l'a dit avec humour mais c'est la
vérité: le tribunal qui l'a jugé, aurait pu ne pas s'embarrasser de
le juger à la Maison du PS de Colobane» !

Q: «Vous le reconnaissez vous-même, ce que vous affirmez là
est discutable. Après tout, c'est Diouf qui a remporté les élections.
L'on pourrait vous opposer valablement que les juges de la
Cour suprême sont des personnes honnêtes et assermentées
qui se sont prononcées sur la base des votes de millions de
Sénégalais que Wade ne peut pas indéfiniment avoir la prétention
d'incarner. Ne pensez-vous pas que c'est trop facile de crier à la
fraude et d'ameuter les chiens» ?

F.B.D.: «(furieuse) Mais non! Pas du tout! La fraude, c'est une
culture, une pratique rituelle au Parti socialiste. Cela, tout le

monde le sait. Peut-être que vous faites semblant de l'ignorer mais je vais vous dire une chose, pardonnez-moi, si cela vous offusque: Me Wade est lui-même juriste et avocat, c'est un homme d'État et il n'a pas besoin d'ameuter les chiens puisque les chiens, c'est vous, c'est moi, ce sont ces milliers d'électeurs persuadés d'avoir été, excusez-moi, pris pour des moutons! (...) Où sont passés leurs bulletins de vote? Après ça, qu'on ne vienne pas nous parler de respect révérenciel des institutions. Ce n'est pas le PDS qui est dans la rue, c'est le peuple sénégalais... Je suis désolée mais le fait est que l'ordre public est un vain mot s'il n'est pas garanti par un ordre politique légitime. Et je continue à penser que le pouvoir de Abdou Diouf n'est pas celui-là...(...) D'ailleurs, personne ne semble se poser la question de ce qui a motivé la démission spectaculaire de Kéba Mbaye... Ni s'interroger sur la personnalité sulfureuse de celui qui, après l'assassinat du vice-président, a accepté de faire le sale boulot au Conseil constitutionnel... Hein? Moi, je dis: «stop!» En matière de sécurité et d'ordre public, on ne va pas continuer à donner un chèque en blanc à des usurpateurs. C'est clair et net...Si ça continue, c'est l'armée qui risque de prendre le pouvoir au Sénégal... On a trop longtemps fait du *jalgati* avec le *fitt* des gens[9]».

En réalité, ce n'est pas à sa capacité à brandir l'arme de la répression et de la peur que le PS doit sa longévité. Ces propos, comme on l'imagine — propos parfois excessifs qui frisent la diffamation — ne reflètent qu'une «vérité» politique: celle de l'opposition. Au terme de notre recherche sur le Fouta, il est apparu indéniable que le PS possédait une base électorale réelle qui dépassait très largement ce que pouvait prétendre le parti de Abdoulaye Wade. Le poids électoral de AJ/PADS, de la LD/MPT, du PIT, du PDS/R, de la

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[9] Expression intraduisible en français qui signifie, à peu près, jouer avec le sentiment de peur des gens.

CDP/Garab-gi, pour ne citer que les partis plus ou moins «représentatifs» au plan national, y est négligeable, en toute objectivité, quoique l'on puisse dire au sujet de la fraude qui, *a contrario,* comme l'a montré l'usage massif, aussi bien par le PS que par le PDS, d'ordonnances irrégulières aux élections législatives de 1993, est un élément constitutif du «marché politique» (Quantin 1998:19, Young et Kanté 1992:68, Villalon 1993:191).

La «vérité» sociologique qui ruine les prétentions légitimatrices exagérées de l'opposition est que les explosions urbaines post-électorales, aussi impressionnantes qu'elles soient, ne pèsent pas le poids constitutionnel du bulletin de vote. Bref, sur le terrain électoral, rien ne permet d'établir, comme le prétend F.B.D., que le rapport des forces soit en faveur du «Président de la rue publique». En revanche, on veut bien admettre que, derrière les scores plébiscitaires réalisés par le PS, il y ait un effet d'amplification lié à des pratiques insidieuses d'«indigénisation» de la culture électorale aboutissant à la mise en place d'un dispositif panoptique bien réglé:

> Dans les bureaux de vote ruraux où les partis d'opposition ne pouvaient pas se faire représenter par des observateurs, les citoyens analphabètes votant sous le plein contrôle des agents locaux de l'Administration et de ceux du PS, faisaient face à des pressions psychologiques appuyées propres à les contraindre à voter PS (Young et Kanté 1992) (c'est nous qui traduisons librement).

Au fond, la violence électorale est dirigée contre la conscience impuissante de ces «pressions psychologiques» qui, pour l'opposition, n'ont que trop longtemps forcé le destin politique. Pour Wade et ses alliés de la «gauche traditionnelle», il n' y a qu'une seule façon brutale d'interrompre la liturgie sociale d'un vote qui les condamne à demeurer dans l'opposition: briser les statues des «propriétaires de voix» et arracher les masques oligarchiques qui hantent les isoloirs et dont le verbe abrutit, intimide et corrompt...

Après avoir, en 1993, expurgé définitivement le «ndigël» de la matrice socio-politique de légitimation électorale, c'est un pan entier des soutiens institutionnels classiques du régime que l'Opposition a mis à terre. En exigeant que soit inscrit l'abaissement de la majorité civique à dix-huit ans, dans le nouveau code électoral qu'elle a négocié, elle escomptait capitaliser des centaines de milliers de «voix» jeunes et rebelles qui, jusque-là, ne faisaient que grossir les foules «exubérantes» de ses meetings (Young et Kanté 1992, Gérard 1993:108-115).

Il convient dès lors, pour la sociologie électorale sénégalaise, de ne pas se limiter à adopter le paradigme déterministe — notamment celui du Michigan qui, si on lui reconnaît une relative perspective heuristique n'est point d'un grand recours méthodologique pour questionner les conséquences électorales du délitement des cadres sociaux auxquels il attribuait une capacité prédictive du vote — mais de diagnostiquer dans le malaise identitaire de l'électorat (Dansou 1999:89), un bris des ressorts psychologiques et culturels qui, en même temps qu'il inaugure le tournant de la rationalité et de l'individualisme, re-qualifie la notion de violence électorale; cette dernière se déclinant dorénavant en termes d'instrument efficace, de moyen dissuasif propres à orienter le processus de crise vers un «rééquilibrage» du système qui rompt avec le «rafistolage» de la cooptation d'une opposition forcément «déloyale» à partir du moment où l'alternance démocratique n'est plus une hypothèse d'école (Linz 1970:51).

Ce scénario, on le voit, contribuera à résorber la manifestation d'un type de violence illégitime et gratuite ressortissant de l'«exit option», et comme telle, non absolutoire tant qu'elle disputera l'usage de la force physique à un pouvoir qualifié par ailleurs de «réalité solide»[10].

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[10] C'est cet aveu implicite que faisait le leader de la CDP/Garab-Gi, au lendemain des élections de 1993: «[...] Nous devons, disait-il, avoir le courage de reconnaître que le PS est encore une réalité solide de notre pays et que le PDS constitue le pôle vers lequel

Ordre public *versus* ordre politique: à quoi tient le conflit?

Il y a d'abord lieu de revenir sur ce que nous avons appelé plus haut les «statistiques de la frustration». Le lecteur s'est vite aperçu que de ce côté-là il n'y avait pas de quoi fouetter un chat. Le sempiternel discours de victimisation de l'opposition ne trompe personne: elle n'est pas majoritaire! On n'a donc pas pu lui voler ce qu'elle n'a jamais obtenu. Son leader charismatique, Me Wade, n'a jamais dépassé 32% des suffrages exprimés (score réalisé à l'élection de 1993 contre 25,8% en 1988 et seulement 14,7% en 1983).

Passées les émeutes et l'instrumentalisation violente et vaine des foules — ce que certaines personnes n'ont pas tort d'interpréter comme un appel du pied à la Grande Muette — l'opposition se montre prompte à négocier sa réinsertion «morale» au gouvernement, rendant les armes devant cette «réalité solide» dont parlait Iba Der Thiam. Nous essayerons de montrer en quoi, en réalité, le pouvoir ainsi qualifié n'est pas à l'abri d'une tempête sociale et politique (A), avant de suggérer quelques éléments explicatifs de la violence électorale indirectement liés au processus électoral en tant que tel (B).

A- De la fragilité d'une «réalité solide»: le «parti-État»[11] socialiste et le tribut de l'usure

A l'élection présidentielle de février 1993, le taux d'abstention s'élevait à 48,54%.

Ce chiffre peut, sans doute, exprimer la défiance envers le Président sortant et l'élite «technocratique» dont il s'était entouré pour

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se déploient les espoirs des Sénégalais dès qu'ils pensent que la possibilité de changement est imminente» (*Le Soleil* n° 6885).

[11] Pour une esquisse d'analyse de la dynamique de construction politico-constitutionnelle de la démocratie sénégalaise qui a conduit à la réalité du Parti-État, lire l'essai suggestif de Antoine Tine: «Du Multiple à l'Un et Vice-Versa? Essai sur le multipartisme au Sénégal (1974-1996)», *Polis* (3), n°1, août 1997, pp. 61-105.

atténuer les effets désastreux de la crise en proscrivant au passage, et trop tard, les pratiques corrompues de la «politique politicienne». Or, quoiqu'une telle thèse puisse paraître quelque peu tirée par les cheveux, ces pratiques sociales avaient fini par devenir régulatrices du système et structurer, plus efficacement que le droit, le socle psychologique et politique sur lequel était assis le *principe général d'ordre*. Façon trop commode, dira-t-on, de prendre ses distances avec la connotation juridique qui entoure la définition de la notion d'ordre public. Le regard du juriste-constitutionnaliste n'est, pourtant, pas plus perçant en la matière que ne l'est celui de la taupe politique dans la nuit du désordre et de l'instabilité de l'État. A côté de l'acception wébérienne de l'État impliquant la primauté du droit dans les critères de légitimité, la sociologie politique de l'État africain envisage, non sans raison, des critères psychologiques [«une justification pratique de l'ordre établi» (Hesseling 1985:371)], et anthropologiques [«une matrice de légitimation» qui échappe discursivement à la typologie wébérienne et où l'exercice de la violence coercitive n'est pas l'apanage des forces de l'ordre institutionnelles (Schatzberg 1993)]. Bref, l'ordre public ne doit pas être réifié, il n'est que décrété, et sa puissance d'abrogation de toute virtualité d'affront contre l'État est très aléatoire.

Mais le plus intéressant, par rapport à la problématique de l'ordre (ou du désordre, ce qui revient au même), c'est ce que la courbe ascendante du taux d'abstentionnisme depuis 1983, avec une légère remontée de la participation à la présidentielle de 1988, ne matérialise très certainement pas: une disposition massive des électeurs à se mobiliser pour réaliser le «Sopi», accélérer le «Folli» et infliger le «Jallarbi» à Diouf et au PS.

Certes le candidat du PS a été réélu par 757 311 voix pour plus de 4 000 000 d'électeurs potentiels. Il a donc bénéficié de l'abstention massive des uns et de l'adhésion intéressée — celle des «calculateurs de la société civile, experts dans la structuration de mouvements de soutien» — ou par défaut des autres, c'est-à-dire tous ceux qui pensent

que l'opposition n'est pas une alternative crédible à Diouf. Comment interpréter la quasi-vacuité des urnes, au double sens physique et symbolique? Le «non-sens» et l'absence de portée significative qui la caractérisent (Kanté 1994) participent d'une altération de la fonction légitimante de l'élection, rendant propice l'occurrence d'une scénographie de l'émeute. Était-ce là le signe tangible d'une aliénation par rapport à un système dans lequel la plupart des gouvernés ne s'identifiaient plus? Indifférence consentante ou abstention oppositionnelle?

La crise de mobilisation électorale est, en tout cas, un fait indéniable qui, s'il nourrit la rhétorique de délégitimation véhiculée de bonne guerre par le «Sopi», peut parfaitement être un contre-argument du régime socialiste qui a beau jeu d'invoquer le soutien diffus des populations. Moins que jamais, l'argument de la fraude tient: Diouf est réélu, on l'a vu, par 29,70% des électeurs inscrits, satisfaisant de justesse l'exigence des 25% des inscrits fixée par le nouveau code électoral.

Et lorsque le journal *Sud Quotidien* (du 15 mars 1993) s'interroge à la «une» sur la capacité de Diouf à gouverner, ce n'est pas tant la perspective d'une Assemblée nationale hostile que la question implicite du potentiel protestataire présumé qu'il pose. La *crise des rapports collusifs* à l'intérieur du gouvernement de majorité présidentielle élargie et le départ de Wade et des ministres du PDS avaient désobjectivé les «réseaux de consolidation» tisses à la faveur d'un long processus d'apaisement (Dobry 1992: 156).

Au-delà de l'assassinat du haut magistrat et des actes de violence récurrents qui émaillent le processus électoral (incendies, pillage de bus, batailles rangées entre militants PS et manifestants notamment dans certaines grandes villes, saccage de locaux administratifs, prise d'assaut de stations d'essence pour se procurer de quoi fabriquer des cocktails Molotov, ministère de l'Intérieur assiégé, etc.), l'opposition bluffe une forme de violence inédite en rapport étroit avec la problématique de l'ordre public: éclater l'État et «partitionner» le cadre de légitimation et le champ d'application du pouvoir. Il ne

s'agit plus d'infliger de la violence destructrice aux icônes de l'«État-PS», mais de se prévaloir d'une certaine légitimité électorale en vertu de laquelle, l'opposition est «sujet d'autorité et incarnation occultée d'un pouvoir populaire réel»: celui de la «majorité sociologique». On en vient alors à une situation pour le moins ubuesque où les politiques des deux camps en sont réduits à revendiquer un soutien diffus représentant les trois-quart de l'électorat, abstentionnistes plus ou moins réguliers. D'un côté, l'opposition voudrait faire apparaître ces abstentionnistes majoritaires comme le bras potentiellement puissant de sa violence contre l'«État-PS», de l'autre celui-ci aimerait, au-delà de sa légitimité positive au regard des règles strictes du jeu électoral, que l'on considère l'abstention comme l'expression tacite d'une acceptation du système en place.

Ainsi, la Coalition «Bokk Sopi Sénégal» (ensemble pour changer le Sénégal), formée par le MSU, AJ/PADS, et le PDS voudra: «conquérir dans l'État une plage de souveraineté que lui confère sa légitimité de force alternative au gouvernement»[12]. Avant de parler des implications d'une telle déclaration séditieuse et négatrice du processus électoral, on peut rappeler que cette question de l'abstentionnisme est une équation non résolue de la sociologie électorale:

> [...] Si l'abstention électorale (ou la non-inscription sur les listes) n'est pas un vote comme les autres, c'est qu'elle rassemble dans l'envers du vote, voué par la force du vote à apparaître comme un vote, tous ceux qui échappent — sans qu'on puisse d'emblée savoir sous quel rapport — à la ventilation des opinions opérée par le langage des partis ou à l'adhésion exigée par le vote comme comportement énonciatif» (Subileau 1997:245).

Nous avons déjà dit pourquoi le paradigme rationnel serait une perspective heuristique plus appropriée au contexte de délitement des

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[12] Lire la déclaration des cadres de ces Partis politiques dans *Sud Quotidien* du 16 septembre 1994, p. 7.

cadres sociaux en milieu urbain. C'est seulement en dépassant la thèse de la surdétermination culturelle du vote que l'on a besoin d'envisager celui-ci «comme comportement énonciatif»; sinon, ce que le vote énonce est présumé être soit la philosophie eschatologique du «ndigël», comme l'atteste la mise en garde aux «électeurs-disciples» récalcitrants par le Khalife Abdou Lahad Mbacké aux élections de 1988, soit l'expression d'une loyauté historique (aadi), sorte de contrat dont le poids moral au Fouta Tooro explique que les électeurs préfèrent encore s'abstenir plutôt que de voter contre les entrepreneurs politiques issus de l'oligarchie et dont l'écrasante majorité militent au PS. Certes, il est possible d'adopter une méthode d'analyse de type inductive qui consiste à partir des opinions politiques énoncées par l'idéologie du «Sopi», du «Folli» et du «Jallarbi» pour y voir une adhésion consciente des électeurs de ces différents partis au projet contre-hégémonique.

L'étude du GERCOP de l'Université Gaston Berger de Saint-Louis, pour avoir identifié l'électorat potentiel des différents partis, permet d'évaluer effectivement le potentiel protestataire mobilisable notamment par le principal parti d'opposition, le PDS (45% de chômeurs, 46% des salariés du public, 46% des indépendants et près de 57% des personnes âgées de 18-34 ans) (Dansou 1999:91-97). Cette démarche est vite contredite par la réalité et l'étendue limitée de la subversion politique à laquelle l'État a eu à faire face.

Mais le fond du problème est ailleurs: non seulement on ne peut rigoureusement assimiler le «Sopi» à un projet de «dé-totalisation stratégique du champ étatique». Le Sénégal n'est tout de même pas une dictature, mais encore la querelle de leadership à l'origine de l'éclatement de la CONACPO en 1989 montre qu'il est hasardeux d'affirmer que le vote des Sénégalais — on parle ici plus précisément de l'abstention de 75% de l'électorat potentiel — exprime un comportement énonciatif du projet contre-hégémonique.

L'expérience tend à révéler que le PDS n'a pas d'alliés inconditionnels dans l'opposition. Wade ne peut donc pas, pour s'inscrire dans la logique de raisonnement de Bayart (1985:361): «capter le potentiel politique de ses alliés et (de) le gérer conformément à ses intérêts».

La revendication de «*Bokk Sopi Sénégal*», telle qu'elle est formulée, nous paraît en soi grave, dans la mesure où, au-delà de l'ordre public qui ne saurait s'accommoder d'une juxtaposition de légitimités concurrentes, c'est l'existence même de l'État qui se trouve menacée dans ses fondements constitutionnels[13]. La faute est à incomber à des élections qui débouchent sur un questionnement vicieux quant à l'obligation des perdants à se plier à des principes constitutionnels galvaudés par la pratique. Si une coalition de partis se targue du droit de disputer l'exercice de la souveraineté au pouvoir élu, c'est que la volonté populaire sur laquelle repose cette souveraineté demeure diffuse et est de l'ordre de la présomption.

Il y a alors crise au sens d'une rupture d'équilibre provoquant une tension que l'opposition dramatise en embouchant la trompette du «Sopi», décidément accordée à toutes les fanfares qui jouent de l'eschatologie institutionnelle. Crise de régime en puissance, puisque le consensus des forces politiques autour des procédures constitutionnelles en vigueur se trouve ébranlé: récuser le Conseil Constitutionnel et prôner la partition de la souveraineté illustrent cette hypothèse, même si par ailleurs, le PDS et ses alliés de la Coalition s'en défendent (il ne faut pas tenter l'armée!). Crise de l'État du fait d'une déperdition de légitimité et d'une relative impuissance à faire respecter son monopole de la coercition.

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[13] L'article 2 de la Constitution dispose: «aucune section du peuple, ni aucun individu ne peut s'attribuer l'exercice de la souveraineté»; et l'article 3 stipule que les partis politiques: «sont tenus de respecter la constitution ainsi que les principes de la souveraineté nationale et de la démocratie».

En somme, l'ordre public est pris en otage par les urnes. La situation semble se prêter à la lecture idéal-typique de L. Pye:

a- crise d'identité de l'État marquée par la disparition de valeurs et de symboles qu'il véhicule et qui amène Diouf à exprimer l'impérieuse urgence à obéir au «Père de la Nation» devant les caméras de la télévision;

b- crise de légitimité et de participation: l'une entraînant l'autre et ouvrant un large boulevard aux mouvements sociaux; tout mouvement social étant présumé être un processus politique.

L'opposition cherche à récupérer ces mouvements sociaux pour réaliser le projet contre-hégémonique du «Sopi».

Seulement, comme l'observe Bayart (1985):

> Du fait même de ce projet contre-hégémonique, un mouvement social de dé-totalisation du champ étatique est ambivalent: à certains égards, il tente la synthèse et le déploiement des modes disséminés d'action populaire; à d'autres égards, il abrite des phénomènes d'accumulation politique ou économique et des mécanismes d'insertion dans l'État...

A l'exception notable de AJ/PADS, cette ambivalence est caractéristique du déploiement stratégique de tous les partis: PDS, PIT, LD/MPT, PDS/R sont rentrés au gouvernement et ont fait des ministères «concédés» par le PS des mécanismes d'insertion de leurs militants dans l'État. L'objectif du pouvoir étant, comme on l'a dit, de désamorcer ainsi de manière significative le potentiel protestataire, de maintenir l'ordre public...

Quelques semaines avant les élections de 1993, les analystes politiques abondaient dans ce sens: le gouvernement de majorité présidentielle élargie est perçu comme une instance de régulation efficace apte à garantir durablement la stabilité de l'État et à prévenir les mouvements sociaux subversifs. L'harmonie affichée par les principaux protagonistes du jeu politique a même amené certains

observateurs à conjecturer un «ticket» Diouf-Wade et la création d'un poste de vice-Président, taillé sur mesure à l'intention du «Président de la rue publique».

L'approche clausewitzienne de Charles Tilly permet de lire la nouvelle configuration politique dès lors que les trois catégories d'acteurs définies par cet auteur étaient en place:

- une population que l'on peut globalement présumer définie par des intérêts communs liés à la résorption de la crise économique et sociale aggravée par les politiques d'ajustement structurel des années 1980;
- une «politie» — en l'occurrence la majorité élargie — déterminée par l'action collective du gouvernement et de ses membres;
- des prétendants (*contenders*) qui cherchent à influencer la *politie* soit de l'intérieur (*members*) soit de l'extérieur (*challengers*).

La recherche d'une influence de la *politie*, de l'intérieur, de la part du PDS s'est heurtée à l'aile «ultra» du PS qui n'a jamais vu d'un bon œil le partage du pouvoir avec une opposition largement battue aux élections: en attestent les rapports heurtés entre le Premier ministre Habib Thiam et le ministre d'État Wade. Ce dernier, conscient d'avoir déçu les acteurs des violences post-électorales de 1988 gardait «un pied dans la rue et un pied au gouvernement», à la fois *member* et *challenger,* activant à l'occasion le registre populiste de la critique gouvernementale et (se) jouant de la précarité de la base populaire de légitimation de ses adversaires pour dramatiser les enjeux d'une crise potentielle.

En définitive, la précarité de cette base populaire de légitimation affecte l'État lui-même qui, dans les représentations dominantes se voit disputer la légitimité de l'autorité.

B- De l'inscription différenciée de l'État dans l'espace social

Le Sénégal qui résulte d'un processus hybride de formation et de construction d'État est héritier d'une culture d'ordre public colonial fondée sur la menace, l'intimidation, l'humiliation, la violence et la répression de l'Administration coloniale et des ses relais locaux. Sans revenir sur la critique facile de l'ordre public colonial, on peut incriminer la violence symbolique inhérente aux structures sociales historiques de domination sur lesquelles le colonisateur s'est appuyé avec un efficace inespéré. Le pouvoir «ceddo» et le pouvoir «omarien»[14] qui le combattaient étaient tous deux porteurs d'une logique d'ordre public. La violence païenne et la violence guerrière du «jihad» se sont longtemps disputé le pouvoir d'informer l'ordre social et politique sur la base de principes plus libertaires et dogmatiques que légaux et institutionnels. Le triomphe du second est visible dans la prépondérance de l'ordre confrérique, en particulier en pays wolof où la figure de Serigne Touba inspire une révérence et une soumission que l'État — qui s'appuie sur le droit et l'oriflamme hérités du «Toubab» — n'obtient qu'au prix de la contrainte, en cultivant l'auto-mythification rationnelle et en réinventant la modalité autoritaire du «commandement» (Mbembe 1995). La conquête des âmes semble se révéler plus efficace que celle des esprits citoyens au travers de la socialisation juridique de l'État. La pacification de la scène sociale et la prévention de la violence que la scénographie électorale a vocation à réaliser sont à mettre à l'actif du «ndigël» plus qu'à la «raison des urnes»...

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[14] Le «ceddo» renvoie à la figure du païen insoumis qui s'adonne aux libations et livre une guerre destructrice à tout ce qui contrarie sa nature libertaire. Par pouvoir «omarien», au-delà de la figure emblématique du saint Tooroodo El Hadj Omar Tall (1793-1864), nous désignons le pouvoir issu de la ré-appropriation de l'Islam par les oligarchies traditionnelles qui entendaient, en son nom, édifier l'ordre de la charia par le recours à la force contraignante. La conquête des âmes par le chapelet s'est avérée plus efficace que celle des esprits par la rhétorique abstraite de l'État en tant que catégorie juridique.

Pourtant, l'hypothèse d'une sécularisation culturelle urbaine et la tendance des recompositions sociales à bousculer les logiques déterministes du vote viennent reconsidérer la légitimité de l'immixtion du religieux sur le processus électoral. Ce qui a pour conséquence de montrer les limites intrinsèques d'une «success story» sénégalaise qui porte en germe les principes contradictoires de l'État de droit[15]. La nécessité dans laquelle se trouvait le pouvoir politique d'obtenir le «ndigël» électoral des chefs religieux devient en soi problématique. Contrairement à ce que l'on pourrait penser, l'«État-PS» cherchait moins à engranger un capital de «voix», toutes les études révèlent que le PS, même sans fraude, est effectivement la première force politique du Sénégal qu'à légitimer, *a posteriori*, le recours à la violence d'État contre des adversaires qui contesteraient une victoire acquise *et* par les urnes *et* grâce à l'onction d'un soutien institutionnel de taille qui pèse de tout son poids symbolique et participe de la construction sociale de la réalité du pouvoir.

L'épuisement de l'efficace du référentiel dominant de l'État (Diouf 1992:270) débouche sur le questionnement logique d'un processus électoral tout entier calqué sur sa symbolique et sa technologie instrumentale du vote.

La violence devient alors, comme nous l'avons suggéré plus haut, un moyen plus ou moins approprié, quoique paradoxal, de conjurer l'«intervalle d'incertitude» qui mène à la mise en place d'un autre référentiel, c'est-à-dire d'un autre ordre de configuration du pouvoir reposant de préférence sur l'arbitrage incontesté des urnes.

Si l'on suit ce raisonnement, la récurrence des troubles post-électoraux s'explique par un déficit d'objectivation sociale de l'État.

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[15] Au sens très précis de la perspective historique qui, en France notamment, marque l'affranchissement du magistrat dorénavant habilité à exercer une justice qui se veut indépendante des assemblées représentatives du royaume et qui a vocation à transcender la personne du roi.

L'ordre public qui motive la coercition légitime n'est rien d'autre qu'une appellation de l'ordre institutionnel au cœur de la discipline civique qui s'attache au principe du vote.

Or cet ordre qui se déploie dans l'espace électoral vient à l'objectivité «en ce qu'il est vécu comme doté d'une force propre; vécu et pas seulement pensé comme tel» (Lagroye 1997:158).

En mettant en parallèle la perpétration de la violence électorale et le déficit d'objectivation sociale de l'État, cet article a la prétention de reproblématiser la question de l'alternance au Sénégal. En focalisant l'analyse sur les impairs techniques de l'élection et en hypertrophiant implicitement la césure entre le «peuple», de plus en plus majoritairement abstentionniste, et la représentativité «relative» du PS qui en découle, la non-alternance apparaît suspecte. Pourtant, évoquer le vote en termes de liturgie sociale et postuler que les chances de victoire de l'opposition tenaient de l'utopie, c'était mettre l'accent sur le poids sociologique du PS et suggérer que sa capacité à instrumentaliser des logiques sociales efficientes, ce qui en soi n'avait rien d'illégitime, expliquait sa longévité.

Le PDS dont le leader est mouride s'est employé à priver son rival du poids symbolique substantiel du «ndigël» électoral, à défaut d'en être le bénéficiaire. En poussant les principaux khalifes généraux à prendre leur distance vis-à-vis du régime, prohibant du coup l'interférence «intempestive» du religieux sur le politique, l'opposition réussit dés 1993 à priver l'«État-PS» d'une alliance structurelle importante. Elle gagne les législatives à Dakar où son électorat urbanisé et sécularisé est concentré. La fin du «ndigël», au sens large d'une interférence explicite des dignitaires religieux, marque aussi l'épuisement d'un modèle colonial de registre de légitimation sociale de l'État. C'est donc quelque peu «désincarné» que l'État apprend à réhabiliter le champ concurrentiel en s'appuyant sur un nouveau code électoral jugé «parfait» par les acteurs qui ont pris part aux transactions

collusives rendues urgentes et nécessaires par la conjoncture critique. Il en sortira des élections «vides», selon le fameux mot de Babacar Kanté.

Explorer et expliquer cette vacuité: voilà, à notre sens, la problématique pertinente qui permettrait de questionner le recours systématique à la violence pour contester (violence contre l'État) ou consolider le verdict du juge électoral (violence d'État). Faire cohabiter analytiquement l'espace électoral et la violence, ce n'est pas seulement antinomique, cela permet de poser la dialectique du rapport règle de droit/autorité.

En guise de conclusion, nous ferons nôtre cette réflexion de Lacroix (1955): «Au vrai, pas plus que la règle n'a d'autorité en tant que telle, pas plus que l'État n'a-t-il d'unité, de force, de volonté en tant que tel», et d'arbitrer entre la perspective durkheimienne de l'État comme «machine à expliciter des représentations collectives» et celle wébérienne du «titulaire du monopole de la violence légitime», en faveur du premier (Lacroix 1985:550).

Il est vrai que le «ndigël», le «aadi» en haalpulaar, les «parastatals», et autre «cohabitation» comme modes de régulation du système politique et de contrôle de l'idiosyncrasie culturelle des électeurs — «justification utilitaire» de l'ordre établi, raison symbolique pratique de l'oligarchie — ont fini par devenir inopérants pour prévenir la violence.

Au soir du 19 mars 2000, le «Sopi» a triomphé sur un pouvoir affaibli par l'implosion consécutive au congrès de la Refondation de mars 1996. La scission de deux poids lourds de l'ex-«Parti-État»: Djibo Kâ, dont le Parti l'URD (Union pour le renouveau démocratique) se positionne comme la troisième force politique après les législatives de 1998, et Moustapha Niasse (16% au premier tour de la présidentielle) sera décisive. Les observateurs ont prophétisé le chaos si Abdou Diouf venait à être réélu. Certains leaders de l'opposition ont cru devoir interpeller l'armée, l'invitant à prendre ses responsabilités en cas de «coup de force».

Pourtant, il a fallu au «Sopi» qu'il négocie une alliance impérative avec une frange représentative de la «réalité solide», en l'occurrence l'AFP (Alliance des forces du progrès) qui est essentiellement un ersatz du PS, né d'un «parricide» politique, selon le mot de son fondateur. Au regard des résultats incontestés du premier tour, le «Sopi», le «Folli» et le «Jallarbi» n'ont pas eu plus de légitimité que par le passé...

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State and Ethno-Communal Violence in Nigeria: The Case of Ife-Modakeke

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Introduction

The cause of every violent struggle has been the quest for liberty, equality and justice, as well as contests for power, influence, resources, recognition and identity. Nigeria has been no exception. The history of Nigeria has been shaped and sustained by violence since independence. The violence has manifested itself at the State level in the form of coups, civil war, State-sponsored assassinations, judicial murder, police brutality, electoral manipulation and suppression of the Press. In civil society, it has manifested itself in demonstrations, protests, civil crimes and ethno-communal violence.

For a very long time, the Nigerian State has wielded a near absolute monopoly of violence. This now seems to be changing, as civil society has grown more aggressive and resilient, even in the face of live bullets, authoritarian rule and the divisive manoeuvres of different administrations. Violence in Nigeria can be explained from environmental and economic perspectives. It draws its origin from very harsh living conditions, exclusion from political participation and the brutal experience of ethno-communal skirmishes, which have recently become a feature of life in Nigeria. The Ife/Modakeke

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case clearly shows how the State has promoted communal violence, and it also reveals the logical contradictions of communal violence in Nigeria.

The purpose of this paper is twofold. It first argues that the Nigerian State is responsible for ethno-communal violence. The paper subsequently explains the patterns, causes and dynamics of ethno-communal violence in Nigeria. It uses Ife-Modakeke as a point of reference and draws parallels between it and other forms of violence in Nigeria. To accomplish this task, I analyse the driving political and economic as well as the historical and cultural factors that sustain violence. I also examine various abortive attempts to resolve the crisis and, hopefully, I suggest some pragmatic solutions.

The paper is divided into five sections. The first section is the introductory part. The second focuses on the conceptual and theoretical background of the paper, and the third attempts to set the argument in its historical perspective. The fourth section is devoted to an examination of the Ife/Modakeke crisis, and the last section contains some concluding remarks.

The Notion of Violence and the State

Let me take my point of departure from the popular Weberian definition that the State is a politically organised society. This definition is no doubt unduly inclusive, and leaves no room to query the legitimacy of a regime or for the crucial question of State formation. It still remains a useful definition, however, for the understanding of the word 'State'. Although 'State' is an abstraction, its formation is empirical and requires the balancing of forces between rulers and ruled. In every modern State, one therefore expects a common point of reference that is a constitutional order, which guides relationships in a given organised society. The lack of such an order remains the greatest of Africa's political woes.

Most African leaders are notorious for personalising State power and paralysing constitutional procedures. The examples of Mobutu of Zaire, Kamuzu Banda of Malawi and General Sani Abacha of Nigeria, to mention a few, are indicative of this trend. These leaders misappropriated public funds and diverted them into their personal coffers. They ran the State like a private business concern. They ended up organising the State around their local and international cronies at the expense of the public.

The primary functions expected of a State — public security, welfare and facilitation of socio-political and economic activities — were either abandoned or performed only perfunctorily by these leaders (Cf. Reno 1998:3). Reno's argument complements this:

> Rulers thus would jettison all pretence of serving the interests of a public that might contain dangerous rivals or unruly citizens ...At this extreme, rulers and their associates resemble a mafia rather than a government ...Security (of the populace) is coincidental. It is dependent on the venture's profitability and the degree to which it satisfies the shared interests of members of the organisation (a foreign firm and a warlord, for example). When either or both of these conditions are no longer satisfied, security may disappear, unless the local inhabitants take it upon themselves to provide this collective good in a way that does not threaten the ruler.

The argument of Tilly (1985:171) corroborates Reno's that African leaders govern for private, not public, interests. He also argues that '...Since the repressive and extractive activities of government often constitute the largest current threats to the livelihoods of their own citizens, many governments operate in essentially the same ways as racketeers', where a racketeer is someone who creates fear, insecurity and tension, and then comes around to levy an economic charge for removing or reducing it.

The foregoing suggests that African leaders can be described as a bunch of political opportunists, whose sole objective is to use the State for their own personal and corporate advantage. These leaders, called 'racketeers' by Tilly, maintain their grip on power by extreme violence.

One thing that emerges from the foregoing is the description of the African State as having failed (Wunsch and Olowu 1995) or as having collapsed (William Zartman 1995). Others describe it as 'prebendal', patrimonial, clientelistic, weak, soft, backward, broken-backed or swollen. In fact, the list is as endless as the number of scholars writing on the African State. Through all these words, one can see that African States have clearly been unable to match their glittering and rhetorical promises with any encouraging performance or visible economic growth (Aaron Wildavsky 1973:128; Richard Cornwell 1997:15).

The foregoing demands that we put our conception of the State in a proper perspective. I therefore define 'State' in this paper as the impersonal and autonomous network of institutions that are saddled with the responsibility of governance and are sustained by a monopolistic control of legitimate force (violence), although this may vary from country to country. A State is not just a government. It is a constitutional and responsive socio-political entity. Against this background, a 'prebendal' or 'predatory' State is a misnomer. My notion of the State includes the democratic elements of equality, justice, accountability, transparency, probity and a pluralistic approach to policy formation. This notion is captured more sharply by Ajit Roy (1995:2010) in his distinction between democracy and what he calls 'ritualistic and episodic participation in engagements, viz. electoral occasions'.

This exposition is necessary in order to assess whether the Nigerian State is indeed a State or not. Nigeria falls short of obvious requirements of a State. First, the Nigerian State grows outside its people. On this first count alone, it lacks the necessary legitimacy of

a State. Secondly, the Nigerian State is not constitutional. The operators of the State rule through the use of raw violence, which is hardly open to challenge. Like any other failed State, the Nigerian State is not responsive. It has failed to guarantee for the citizens their basic needs and services, such as potable water, decent accommodation, education, primary health care, a decent and sustainable environment, safe territory, and the realisation of their cultural aspirations and identity (Cf. Eboe Hutchful 1998:11).

The socio-political and economic environment in which the Nigerian people live is one that predisposes them to violence. It is important, therefore, to examine the current discourse and application of 'violence'.

Current Discourse on 'Violence'

Apart from literature, our daily experience provides various manifestations of violence, such as wars, bomb explosions, cruise missile attacks, police brutality, rape, murder, violent community protests, genocide, ethnocide and communal uprisings. These forms of violence come within the category of what I call 'manifest violence', which other scholars (Betz 1997; Chesnais 1992:216-234) describe as 'physical or overt violence'. The other form of violence, to which I will return later, is what I call 'latent violence'. Other scholars refer to this as either psychological, covert, economic or structural violence (Robert Audi 1971; Chesnais 1992:216-234; Litke 1992:173-184; Platt 1992:185-192).

Whichever way one looks at it, violence means 'carrying force toward something' (Robert Litke 1992:173). This definition is inadequate, as it includes too many aspects. Virtually all human actions can be so described. A more restrictive definition seems to be necessary. Some key elements of violence need to be discerned and articulated before any case of violence can be successfully established. These elements are brute force, violation, disempowerment and physical or

psychological injury. From these elements, violence can be defined in any of the following three ways:

1. As the application of brute physical force that inflicts physical or psychological injury on a person (Cf. Betz 1987)

2. As the violation or disempowerment of a person with respect to his bodily capacities and decision-making abilities (Newton Garver 1972)

3. As the infliction of mental or psychological pain on a person through institutional or structural malfunctioning (Robert Audi 1971)

This paper defines violence as the act of inflicting physical, psychological or structural pain or injury on a person, through the use of either vigorous physical force or the disempowerment of persons with respect to the two basic abilities of man i.e. bodily capacities and decision-making abilities.

Moving on from definitions, let us now examine why people take the option of violence, particularly when one regards man as a rational being. This consideration is closely linked to a moral appraisal of violence. Three major arguments can be adduced for why people take the option of violence in politics. The first is because of their exclusion from the social, economic and political life of a society. People consider themselves alienated from the system of which they consider themselves to be integral parts.

The second argument follows from the first. It sees violence as an emancipatory tool from colonialism, neo-colonialism, or any repressive regime. It can help to bring about a new socio-political and economic order or identity, to reflect the yearnings of the revolutionaries and their cronies. The third argument sees violence as a corrective and demonstrative activity by all or some people, to

register dissent from a given policy of the State, with the evident intention of reversing such a policy.

The logic of the above arguments is contrary to the demonised notion of violence as counter-productive, because it inflicts pain and unleashes terror and destruction. Instead, violence can be constructive and emancipatory (Fanon 1967; Fashina 1989). For example, repressive authoritarian regimes may not relinquish power until faced with superior power, something that can only be achieved through violence. In short, violence is the last resort of the civil population in a lawless State where law and power have been usurped and personalised by a group of individuals. To divest such a clique of its hold on to power, one might have to resort to violence (See Tilly 1985; and Reno 1998).

Leaving the realm of the State and civil society, and coming down to a more local level, where strong ethno-communal affinities guide relationships and interactions, one finds a slightly different interpretation of violence. Granted that the decay of the State contributes to ethno-communal violence, it is worth examining the dynamics of and historical explanations for ethno-communal violence in Nigeria.

The Dynamics and Historical Antecedents of Ethno-Communal Violence in Nigeria

African societies had organised socio-political entities before the advent of colonial rule. Cultural and ethnic consciousness became more pronounced, however, after the introduction of colonialism. Before then, peoples from different parts of Africa travelled throughout the continent without any feeling of cultural or ethnic violation. Traders from Western Nigeria settled in parts of Northern Nigeria and lived there peacefully, without any resistance from their hosts. (Osaghae 1986 & 1994; Nnoli 1978; Ekeh 1982; Helena Jerman 1980).

Fred Riggs (1995:594) addresses socio-political formation in his discussion of traditional primary ethnicity. According to him, this form of ethnicity '... resulted from conquests, slavery, serfdom and caste systems in which status hierarchies became institutionalised'. This negates a popular assumption that traditional African societies were homogeneous and peaceful. It shows that every society is a product of its own history. The history of the formation of African societies shows hardly any ethnic or sub-ethnic group that can lay claim to cultural or ethnic homogeneity.

From this viewpoint, it can be deduced that ethnicity or communalism is more than simple cultural affinity. I consider the association of primordiality with ethnicity as a *non sequitur*. Common cultural and linguistic linkages do not fully explain ethnicity. Shibuttani and Kwan (1965:47) define the concept of 'ethnic group' as 'people who conceive of themselves as being of a kind. They are united by emotional bonds and concerned with the preservation of their type'.

Ethnicity or communalism thrives on two significant factors, 'self-consciousness and self-ascription' (Jerman 1980:52-53). The notions of consciousness and ascription come out more clearly in what Crawford (1984) calls 'we-ness' i.e. a given community or ethnic group becomes fully recognised when it grasps the meaning of 'we-ness'.

A 'community' or 'ethnic group' describes peoples of either a homogeneous or heterogeneous background-cum-interests, who only coalesce around a common objective in a specific historical period. The objective or goal around which people coalesce constitutes the bedrock of the we-ness or community/ethnic consciousness and ascription. Ethnicity is therefore not substantial or concrete. It is intangible, even though its objects may be tangible.

The psychological dimension of ethno-communalism makes it problematic in a society where it provokes a crisis. It is difficult, therefore, to dismiss ethnicity in political discussion, especially as regards

the advancement of nationalism. As suggested by P. van den Berghe (1987:353-354), '...(the) government is best which pays least attention to ethnicity'. Why this is difficult is found in the justification given by Berghe. According to him, for nationalism to be sustained, ethnicity must be disintegrated and fragmented. Since nationalism also involves the working together of various nations/ethnic groups, it is *prima-facie* fraught with contradictions. Its propensity to collapse is high. It follows that nationalism will crumble if ethnicity is promoted as a virtue, over the national interest.

Nationalism is usually promoted for the sake of grand economic ventures and consolidation. This argument is deficient, however, because it fails to account for the appropriation and distribution of economic resources, as well as the access to power structures in society. As regards Nigeria, for example, it is difficult to explain, in terms of nationalism, how a section of Nigeria can rule an ethnically plural country for more than thirty out of the thirty-eight years of independence, without evoking an ethnic conflagration.

Again, it is difficult to explain away ethnicity, when national economic resources are administered by a few, and most of the population wallow in abject poverty. In such a situation, it is rational to turn to ethno-communalism as a tool for political mobilisation against the ruling few. The politics of accumulation is so deeply rooted in Nigeria that even those few leaders who parade themselves as the embodiment of nationalism end up acting ethnically.

The development of the various nations that comprise Nigeria was seriously altered by colonialism. The subsequent Nigerian politicians took over parochial objectives. Politicians often exploited ethno-communal divisions for personal gains, instead of trying to solve those problems. This whole idea is succinctly captured by Hutchful's remark on the manipulative use of the ethnic weapon by politicians, when he argues that '... although (ethnicity was) cynically harnessed by often unscrupulous politicians, their intense appeal

seems to suggest a mass attraction rooted in popular alienation' (Hutchful 1998:5).

In spite of this problem of alienation, the common slogan usually shouted by these politicians, to justify the sanctity of ethno-communal divisions and their commitment to the ethos of nationalism, was – 'Unity in diversity' or, alluding to the former Head of State, 'To keep Nigeria one is a task that must be done'. This political gimmick seems to have been only briefly effective. It is evidently inapplicable to the present-day reality of Nigeria, with its new forms of ethno-communal violence that have swept across the country in recent times in an uncontrollable manner.

Alex Gboyega (1997:152) puts the problem of ethnicity in the following painful manner:

> Whatsoever the constraints of British colonial policy and strategies, the very act of bringing together such a large number of heterogeneous people with their different languages, religions, cultures and political systems was bound to be inherently conflict-prone, whatever the agent of such incorporation. Indeed, the factors responsible for pre-colonial integration also had a disintegrative effect on Nigeria.

In almost every part of Africa, ethnicity has become a dominant factor of the crisis of governance over the last two decades. It is safe to assert that while African States are waning in influence, legitimacy and political control, ethnicity is waxing stronger in State formation, consolidation and disintegration.

Ethnicity seems to be detaching itself from 'being a cultural group symbol'. It is now being shaped by politico-economic considerations. Cultural factors are not irrelevant, but they are secondary. The second level of analysis reveals the compelling motives around which ethno-communal consciousness is built. The Nigerian case, as will be shown in the next section, reveals that

ethno-communal violence results from either a contest for power and influence at all levels of society or a contest over economic resources.

Ethno-communal violence in Nigeria may have predated colonialism, but it assumed a new form with colonialism. It led to fierce civil disorder or wars of secession. Apart from the civil war of 1966-1970, there have been several other episodes of ethno-communal violence in Nigeria. One violent incident occurred over the Federal Government's decision to create local government councils (LGCs), and the subsequent location and relocation of the councils' headquarters between March and August 1997. These new violent episodes challenged the Nigerian State's integrity, power and legitimacy, and threatened the government.

The Political and Economic Factors Sustaining Ethno-Communal Violence in Nigeria

Obviously, government decisions radically altered politico-economic relations as well as power relations among the various elements of the communities affected. In other words, beneath ethno-communal violence lies what can be described as 'situational identities', as against the 'primordial' ones, which are often brandished. Most of the available literature reveals that what we tend to describe as ethno-communal identity or consciousness is often used as a platform for struggle only when such an identity seems likely to bring gains. In Nigeria, the economic reasons for inter-communal violence vary from conflict over the control of forests, farmlands, grazing pastures, fishing waters and market sites to contests for access to mineral resources.

Because of the absence of clearly stipulated conditions laid down by the State for access to resources, the contest turns out to be one to see who is the strongest. Ethno-communal identities and problems seem to be deliberately ignored by the State, in order to

enhance advantages for the State and other political opportunists. One wonders what kind of State the Nigerian government represents when it could not take decisive action in the communal violence between Ife and Modakeke, which took over a thousand lives in two months. Again, the ethnic lopsidedness of political power relations in Nigeria makes one wonder how sensitive the government is to matters concerning political stability or disintegration.

Quite unlike the masterly way in which Tanzania, with about 114 different ethnic groups, has managed to prevent ethnicity from constituting a serious problem, the reverse is the case in Nigeria, which is regressing to a consolidation of pan-ethnic identities and boundaries through most of its policies and actions (See Osaghae 1986:161-173). Rotimi Suberu pungently argues that '...in spite of remarkable institutional and constitutional reforms (in Nigeria)...ethnicity and region still provide the basis on which political values are defined, articulated, contested or challenged'.

Judging by the frequency and attention given to ethno-communal violence, Nigerian newspapers and magazines have shown that this phenomenon is a national issue that might explode like a time bomb, sooner than expected, if it was not addressed promptly. Colonel Abubakar Umar (retired) (in *Tell* August 3, 1998:10) remarked:

> ...Whatever the feelings of the people in the North (of Nigeria), it is crystal clear that unless the (office of the President) is conceded to the South as a panacea to heal the wounds, I do not foresee peace in Nigeria.

A similar feeling was shared by millions of Nigerians, particularly after the brutal death of Chief M.K.O. Abiola, the self-acclaimed winner of the June 12 presidential election.

Let us also take the statement by the late Abubakar Gumi (a distinguished Islamic teacher and protagonist of the contemporary Islamic jihadist movement in Nigeria) that it is the inalienable right of

the northern elements to always occupy the position of political power, since the economic power resides in the south. The same view was also expressed by another distinguished northerner, Senator Umaru Dikko. Sharing the same sentiment is another northerner, Saleh Michika, one time Governor in Northern Nigeria, who stated that 'Much as I personally admired Moshood Abiola as an individual, the idea of a southern president was unrealistic' (*VIVA*, Lagos, July 5, 1993, quoted from Rotimi and Ihonvbere, 1994:678).

In the same vein, another notable northerner, Alhaji Maitama Sule, comparing the natural endowments of the three largest ethnic groups in Nigeria, observed that while the Igbos of Eastern Nigeria are best gifted in merchandise, and the Yorubas of Western Nigeria in administration, the northerners are 'born to rule the country for ever'. Such statements portray a misconfiguration of the country's political system and this is likely to breed ethno-communal violence.

The Cultural Factor of Ethno-Communal Violence

Even though I attempted to lump the cultural factor with the political and economic factors in the earlier sub-section, I consider it worth saying a little more about it for a number of reasons. This does not undermine my earlier claims, but rather strengthens them. It is true that underneath any cultural explanation of violence lies a deep-rooted question of economic resources and power relations. However, I must stress that underlying economic or political motives may be visible only to the elites or the leaders. The essential point is that the majority do not always perceive the underlying motive. They usually act for reasons such as 'cultural violation' or the 'maintenance or preservation of ethno-communal identity'. For instance, in Warri-land, an average Urhobo person will not hesitate to go to war with his Itsekiri counterpart, on the grounds that the traditional status of the Olu of Itsekiri (the paramount ruler of Itsekiri) was elevated by the State to that of the Olu of Warri-land. To an average Urhobo or

Ijaw, who believes that he has a claim to Warri equal to that of any Itsekiri — since all are legitimate occupants and consequently owners of different parts of Warri-land — the issue of a traditional title is itself a sufficient motive for going to war. This scenario is similar to the Ife-Modakeke imbroglio.

The Communal Violence in Ile-Ife

There has been an age-long communal violence between the Modakeke and the aboriginal communities in Ile-Ife. The cause of such violence is partly economic and partly political. The first crisis started between 1835 and 1849, barely four decades after the immigration to Ile-Ife, following the rupture in friendly relations occasioned by the expulsion and eventual murder of a famous Ife generalissimo, Chief Maye Okunade, the then ruler of Ibadan. It was recorded that 'Chief Maye Okunade was habitually imperious, irascible and a veritable terror. He was especially oppressive in his treatment of the Oyo refugees in Ibadan' (R.A. Olaniyan in I. A. Akinjogbin, 1992:268). It could be seen that the crisis came as a reaction to Chief Maye's high-handedness and rash use of power. His intervention in a dispute between two neighbours over a piece of land used as a common dunghill turned into a major conflict (*Ibid.*). The action of the Ibadans against Maye displeased the Ifes, who vented their anger on the Oyo-speaking Modakekes in their domain. That was the beginning of hostilities. One Modakeke native was quoted as saying:

> They were kind to us in all the Ife towns and villages till the outbreak at Ibadan, when Chief Maye, an Ife, was expelled from the town. It was then that we began to suffer all sorts of indignities from the Ifes at home... The Ooni (the paramount ruler in Ile-Ife) we met, who befriended us at first, was Odunle. The disaffection was towards the latter part of his reign (Correspondence 1887:90F).

During the ensuing 'Gbanamu war' between the Ibadans and the Ifes, the Modakekes allied themselves with the Ibadans to sack Ife in 1849 (Johnson 1969: 238-242).

Ogunmola, the then Ibadan warlord, was considerate towards the Ifes. He therefore sent messengers to the Ife camp to encourage them to return to their homestead. He deemed it disgraceful to abandon the cradle of Yorubas in desolation and leave all the ancestral deities unworshipped (M. A. Fabunmi 1985:117).

Again in 1882, during the Kiriji war, otherwise referred to as the Ekiti-Parapo war, the Ifes refused to grant passage to the Ibadan warriors who wanted to attack the Osu community in Ilesa territory. The Ibadans were infuriated, and the Modakekes once again joined the Ibadans' contingent to devastate Ile-Ife. The Ifes fled into exile on their farmlands of Isoya, Itajamo, Iwaro, Iloro, Olejoda, etc. At the end of the war in 1894, the Ifes returned home and resolved to remove the Modakekes. They executed this plan in two ways. First, they succeeded in having signed the Treaty of 1888, which stipulated that the Modakekes should evacuate Ife-land and move to a place between River Osun and River Oba. Secondly, Oba Adelekan Olubuse I., the paramount ruler of Ile-Ife in 1909, performed a sacrifice in which he took the earth of the Modakeke community and the latter mystically dispersed into places such as Ibadan, Ikire, Gbongan, Owu Iponle, Ede. The majority moved to a place called Odeomu. That episode marked the end of the history of the first Modakeke.

Between 1915 and 1923, the population of Ile-Ife was sparse, and the King of Ife consequently received a paltry stipend as salary. When the King, Oba Ademiluyi (or Ajagun) observed that his salary was not comparable with the salary of the Baale of Ibadan, he raised a query. The Resident Officer of the Province explained that the size of the salary varied according to the population of taxpayers in any community. From that time onward, Ademiluyi started thinking

about how to bring the Modakekes back to Ile-Ife. They had already been begging to return. The move was vehemently resisted by most of the chiefs. They sent a joint letter, dated 27 May 1915, to the Commissioner of Oyo Province. In spite of this resistance, the arrangement was concluded in 1922. The first batch of about 300 Modakekes came back to Ile-Ife in 1923. They were settled on the land of Chiefs Obalaaye, Fegun and Obalejugbe, with the proviso that they would constitute only a quarter of Ife town and not a separate town.

Land as a Factor of the Crisis

Owners of land in Ile-Ife had to belong to one of the five traditional quarters — Ilare, Okerewe, Iremo, Ilode and Moore. Although the Modakekes were given a portion of land in Ile-Ife for residential purposes, this did not mean having land for farming activities. For this, they had to make personal arrangements with different families. In return, they were requested to pay tributes called *ishakole*, which usually took the form of a given number of tins of palm oil, palm wine, yams or any other farm produce or money on which the contracting parties agreed.

The population of the Modakekes grew in the course of time on various farmlands. The Ife landlords were not at all enterprising, being unduly given to leisure. There used to be a popular joke about the Ifes that 'Emu ni Ife mu', meaning that Ifes are palm-wine drinkers. The Modakeke serfs' natural dislike of their arrogant treatment by the idle Ife landlords led to protests against the further payment of *ishakole* (land tribute). The specific refusal to continue to pay *ishakole* started in 1946. It then became a legal battle. In November 1946, the Lagos branch of the Modakeke Progressive Union petitioned Ooni Aderemi, the then King of Ife, about the excessive sums being demanded from the Modakeke farmers by Ife

landlords. They complained that it was an act of exploitation and should therefore be stopped.

The intervention of the Government displeased the Modakekes. The Government perceived the problem as a private matter and treated it in that light. Similarly, all the efforts of the King of Ife, Oba Aderemi, to settle the dispute out of court failed. Oba Aderemi even offered them virgin farmlands, so that they could leave the Ife farms of the landlords and cultivate their own farmlands and become landlords there. The Modakekes refused. The matter was taken to the Ife Native Court on 30 June 1948. Before the judgment, the Modakekes expressed fears about the partisanship of the Colonial Resident Officer.

The verdict was unfavourable to the Modakekes and they appealed to the Supreme Court. Dissatisfied with the verdict of the Supreme Court, they then appealed to the West African Court of Appeal – again without success. Having realised their complete failure, the Modakekes agreed to accept the Ooni's original offer to migrate to a virgin farm settlement, but the Ooni now declined to proceed, saying that the land had been acquired by the Native Authority.

This land issue, as a fundamental cause of the crisis, was given further impetus in 1978, when Olusegun Obasanjo promulgated the land-use decree, which stipulated that all land belonged to the State. The Modakekes quickly swung into action yet again. This time, they were resolute in discontinuing their payment of *ishakole* to the Ife landlords. The crisis was serious enough for them to prevent the Ife landlords from getting to their farms, particularly where they were in the majority. In this way, they forcibly acquired such large farms as Famia, Oyere, Onibambu, Olokuta, etc. The matter got worse when the new Ooni, Sijuwade Olubuse II, at his installation/coronation ceremony, declared that Modakeke would no longer be called Modakeke but – Isale-Ife. The Modakekes misunderstood the King's motive, and by April 1981, a full-blown war began. All the Ife huts and houses in the

villages and in the main town, where the Modakekes were in the majority, were burnt and utterly destroyed. The Ifes suffered greater casualties than the Modakekes during the war. The war ended in the same year.

Before the war, signboards bearing the description of Modakeke usually ended with Ile-Ife. Immediately after the war, the inscriptions of Ile-Ife on all the signposts were rubbed off. They even started writing Modakeke on sign posts in all the Ife areas, i.e. streets close to them where many Ifes lived. When another war broke out again in 1983, they destroyed more houses and drove more Ifes away from their areas of concentration. The situation from 1983 to 1997 was pathetic for the Ifes, who could not understand how any community could embark on territorial annexation and expansion through violence at this stage of history. Worse still, there were attempts to demolish any Ife shrines and groves they found so as to rename the area and then allocate the land to their members for development, either free of charge or at a relatively low price. Most of the buildings erected on this land did not have the approval of the Town Planning Authority based in Ife.

With the outbreak of the war on 14 August 1997, once again started by the Modakekes, the Ife youths impulsively trooped out *en masse,* with a do-or-die resolution to drive away the Modakekes once and for all. They sacked and destroyed their houses in about forty Ife villages close to the main Ife settlements in the city. Although the Modakekes recorded some early successes by burning and destroying some Ife houses and properties, the Ifes gained the upper hand this time, unlike the situation during the 1981 and 1983 wars. In fact, they subjugated the Modakekes, to the extent that their Chief had to go on the air in October 1998 to register his capitulation.

It is necessary to examine the nature of the violence. To the Ife youths, the violence was inevitable, in that they could not watch their people and property being wantonly destroyed by the Modakekes,

without putting up some resistance. From their point of view, it was preventive violence. To the Modakekes, the violence was geared towards a liberation struggle. They saw this as a struggle to get a safe 'place in the sun', where they could assert their 'rights and privileges in the determination of their local affairs' (Ibidapo-Obe 1981:36). The violence had a new aspect, as children were not perturbed by the death of parents (or vice-versa) as part of the ethnic cleansing process. It involved a deep-rooted bitterness similar to that of Israeli-Palestinian relations. There were other causative factors than land, such as politics, corruption and the State, which are considered in the following sub-sections.

Politics and the Communal Violence

Modern politics in post-independence Nigeria have added some dimensions to the communal violence between the Ifes and the Modakekes. Two incidents of political manipulation are particularly noteworthy. The first is the 1981 experience, when the actual war broke out on 14 April. At that time, the Ifes and the Modakekes belonged to two different parties. The Ifes supported the Unity Party of Nigeria (UPN), and the Modakekes subscribed to the National Party of Nigeria (NPN). The Modakekes capitalised on the form of politics in Nigeria, which can be best described as the politics of bitterness, calumny and belligerence, designed to exploit Federal might against the Ifes, whose political party was confined to the State. The Modakekes were thus able to get arms, mobile police vehicles and even make up mobile police uniforms, to disguise themselves as law enforcement agents — a trick which gave them easy access to Ife territory. Consequently, they were able to kill hundreds of people and destroy many properties, before the Ifes discovered that they were fake mobile policemen.

Again, during the election campaign in 1983, a contingent of NPN politicians instigated the Modakekes to take up the option of violence in their struggle for an autonomous local government council. The NPN group persuaded them that this was the quickest way to realise their dream of self-government. The leader of this political contingent was the late M.K.O. Abiola. At the end of the rally, Abiola donated a huge sum of money (about Naira 1 million) in aid of the Modakekes' struggle. Since the country was then NPN-controlled at the centre, there was a repeat scenario of the 1981 incident. During the ensuing voting, the total number of votes cast in Modakeke alone — 250,000 — was so outrageous that it exceeded the number of votes cast in Ibadan, the largest city in West Africa. This shows just how unscrupulous politicians can exploit communal divisions, to achieve their cheap political ambitions.

Corruption, State and the Ife-Modakeke Crisis

The above exposition is a succinct account of how the government can be partisan in creating and exacerbating conflict. There is another angle to the State's involvement in creating crises in the area under study. This is corruption. The latest crisis in Ile-Ife is a good case in point. Very prominent State officials, such as the Commissioner of Police in Osun State, the then Commissioner of Justice, the Secretary to the State Government and the State Governor, were publicly indicted for taking huge sums of money from the Modakekes, in exchange for promises to facilitate the creation of a separate local government council for them. At other levels, particularly during the August 1997 – September 1998 war, there were several cases of bribery and corruption, involving the two conflicting sides and the police. An eye witness account had it that the policeman beckoned to the Modakekes to advance around Lagere area of Ile-Ife, after they had driven away the Ife fighters. As a result, the first case of destruction of houses and other properties was recorded as an instance of police collusion with the Modakekes.

The Modakekes also alleged that the Ifes had bribed the policemen to fight against them. Whether that was true or not, one fact that is clear is that the local government Chairmen in the Ife councils used a lot of money to accommodate and feed police officials. After the Lagere havoc, the local government Chairmen cried out and vowed to eject the police officers from their hotel rooms, arguing that they were partisan.

There were reported cases of one side preparing food (beans, amala and rice) for the policemen. Plenty of liquor was also supplied. Several policemen on assignment during the episode were using it to mock the Ifes by accusing them of miserliness. There was even a local song to that effect — 'Modakeke Alanadanu, Ife Ahun' — which literally means 'Modakeke, wasteful spender, Ife, misers'. The policemen deployed to Ife during the period made so much money that they bought up almost all the electronic goods in the major electronic shops in Ife.

Implications of the Crisis

The implications of all crises can only be grave for any human society. 'As a result of both local and foreign wars, by the end of the 19th Century (1893), Ife was territorially dwarfed from a kingdom to a city' (M. A. Fabunmi, 1985:117). Most of the good things to be found in the big cities of the world, such as industrial estates, manufacturing companies and huge business investments, are conspicuously absent in Ile-Ife, simply because of the fear of insecurity.

Secondary and primary schools were burnt in the area during the war, and some schools were abandoned, because of their proximity to either of the warring communities. Education for many pupils was disrupted. Students from Modakeke could no longer attend schools in Ile-Ife, and vice-versa.

There was also growing fear and suspicion among members of the two communities, in common workplaces such as the University Campus in the city. The fear extended to travellers changing their routes out of the city, even when this meant extra expense.

The crisis has hindered infrastructural development in the city. Some bridges, houses, High Court buildings, schools and other infrastructures, which cost huge sums of money, were destroyed. It may be impossible to replace or repair some of them. The same applies to the installations of the National Electric Power Authority (NEPA) and Telecommunication and Water Corporation damaged during the war.

The most striking effect of the crisis was the loss of human lives. No fewer than one thousand people lost their lives during the crisis, including several illustrious sons and daughters of the two communities. Some of them had higher university degrees while others were successful businessmen. One has to add that these people fought for a cause in which they believed.

The crisis also reopened age-old bitterness and animosity between the two communities. It severed peaceful relationships, which had taken years to build, and it shattered hopes for future cooperation. The success of integration achieved from 1966 to 1978 was thrown into the mud in 1979, with the signs of rebellion and the ultimate war.

Resolution of the Crisis: the Efforts so far

The resolution of the Ife-Modakeke crisis can be spread over six phases. The first relates to the 1888 peace treaty signed by the two warring parties under the then colonial administration. This treaty recommended that:

> In order to preserve peace, the town of Modakeke shall be reconstructed on the land lying between the Osun and the Oba rivers to the North of its present situation and such people of Modakeke who desire to live under the rule of the Baale and Balogun of Ibadan shall withdraw from the present town to the land mentioned at such times and in such manner as the Governor, his envoy or messenger shall direct after conference and such of the people as desires to live with the Ife shall be permitted to do so, but shall not remain in the present town of Modakeke, which shall remain the territory and under the rule of king and chief of Ife, who may deal with the same as they may think expedient. (Johnson 1969:529 see pp. 527-532 for the full text of the treaty of peace).

The treaty came into force in 1909, when the then Modakeke town was dispersed. Although the treaty was not implemented in full, nevertheless for once, the Modakekes completely evacuated Ife territory.

Their return to Ife in 1923 was backed by another peace agreement, which they signed under the then Lieutenant–Governor of the Southern Province on 26 November 1922. Two of the main provisions of that peace agreement Stated:

> (a) That the Modakekes should not form a separate town but should form one of the quarters of Ife town.

> (b) That they should not be allowed to return and build promiscuously over the old site but that the site should be laid out with roads and open spaces. No particular limitation, however, need be placed on the size of the houses to be erected.

The agreement was honoured for only about two decades, after which another tussle on *ishakole* began in 1946. The period from then until 1996 was marked by a series of political crises between the Ifes and the Modakekes and their allies.

Between 1966 and 1980, there was relative peace and harmony between the two communities. Then came the 1981 crisis. As a result, the Government of that time under Chief Bola Ige as the Executive Governor of Oyo State instituted the Honourable Justice Kayode Ibidapo-Obe's Judicial Commission of Enquiry into the communal disturbances in the Oranmiyan Central Local Government Area of Oyo State. The Panel's recommendations did not favour township status for the Modakeke, in spite of its acknowledgement that 'Modakeke is a large section of Ile-Ife'. Nevertheless, it condemned any attempt by the Ifes to subjugate the Modakekes. It equally condemned the feudal arrangement between the Ifes and the Modakekes as anachronistic. The Commission recommended that the wind of change', which permitted equality and co-operation, should be allowed to blow in the area (Ibidapo-Obe 1981:35–37).

The 1983 crisis was quenched when the Military seized power once again in Nigeria. There was no special resolution of the crisis by the Government. The two communities just buried their hatchets, somehow, probably for fear of the military administration of Buhari/Idiagbon and Badamosi Babangida. However, the worst violence ever recorded in the area broke out on 14 August 1997, during the administration of Abacha, and lasted for almost one and a half years.

Given the magnitude of the violence, many efforts were made to settle the crisis once and for all. These efforts can be compared to pressing the brake pedal of a battered old car, which needs to be pressed hard three or four times before the car actually stops. The first intervention was the institution by the then Governor of the State, Lt. Col. Anthony Obi, of a Royal Committee on the Ife/Modakeke

crisis. The recommendations of this Committee consisted in four main points. The first point related to the status of Modakeke. The Committee admitted that the present Modakeke is only a quarter in Ile-Ife, but added that it could assert a township status, once the community was relocated to another land area, which the Ooni (Ife paramount ruler) or the State was willing to provide. The Committee said, however, that the State had to bear a substantial part of the large financial commitment involved.

The second point covered the status of the Ooni. It Stated that the status of the Ooni was too sacred to be trampled on by the Modakekes. The Committee then recommended that 'allegiance of the Modakeke leadership and their Baale (the traditional Modakeke leader) to the Ooni should be total and unconditional' (The Report of the Royal Committee, September 1997:9). It also warned that since the Chief (Baale) of Modakeke was on the same level as some other chiefs in Ile-Ife, the implications of his elevation would ipso-facto affect other chiefs on the same level.

The third point concerned farmlands. The recommendation was that the Ooni should negotiate with the individual families owning farmlands to give some concessions to the Modakekes.

The fourth and last point related to local government. The Committee noted that since the Modakekes had begged in the first place to be resettled back in Ile-Ife, there was no just basis for demanding a purely autonomous local government council for their people, and all the more so because there were other considerations for the creation of a local government council. The Committee therefore supported the creation of another local government in the area to serve the interests of all concerned, for the purpose of development. (*ibid.*).

There was also a religious dimension to the crisis. The religious intervention involved the whole State, including the staff of the Obafemi Awolowo University. In addition, a professional evangelist was invited to offer special prayers. The former Military Administrator of Osun, Lt. Col. Anthony Obi, declared a seven-day fasting and prayer programme, which took place from Monday 16 to Sunday 22 March 1998. In the same month, Evangelist T. O. Obadare was invited to pray for the two communities. The venue of the meeting was Lagere in Ile-Ife. The two communities were present at the ceremony. Curses were poured on whoever should start another round of crisis in the area. After the programme, there were repeated attacks from both sides. The Christians at Obafemi Awolowo University organised prayer sessions on the university campus as well as in the Methodist Church in the main town of Ife. Also interesting was the widely circulated invitation for a prayer and fasting programme, which was organised by the wife of the Ooni of Ife, Queen Morisola Sijuwade, from 27 to 31 October, 1997. A large number of people turned up for the programme, which was held on the palace premises. The prayers concentrated on peace in Ile-Ife and its environs.

Another attempt to resolve the crisis consisted in a series of consultative meetings between leaders of the two communities and the Governor of Osun State and the defunct National Reconciliation Commission, led by Chief Alex Akinyele.

The last step in the reconciliation process, which seemed to have been the most effective, was achieved during a peace meeting convened by the incumbent Governor of the State, Lt. Col. Aduragbemi Theophilus Bamigboye. This meeting was held at the S.S. Peter and Paul Catholic Church at Lagere on Sunday 3 January 1999. The Ooni and the Military Administrator revealed many facts. The Modakekes were told point-blank that Modakeke was a quarter in Ile-Ife and not a town. The Chief of Modakeke was requested to prostrate himself before the Ooni of Ife as a mark of submission and to follow the

Governor to the Ooni's Palace with his community. There, they wined and dined and made peace. The Military Head of State was highly delighted at this development and he applauded his Governor for a job well done. He described the development as 'a divine intervention'.

General Recommendations and Concluding Remarks

The Ife-Modakeke crisis is certainly an age-old feud, as noted earlier. Its resolution calls for very careful consideration. Much as one would applaud the Governor of Osun State for the current level of success, there is need for a proper arrangement that would allow for discussions on other pertinent issues such as farmlands, the status of the Chief of Modakeke and the political participation of the people. Without this, the current euphoria may be short-lived.

A clearly delineated boundary between the two communities is recommended as a matter of urgency. Besides, a more permanent solution, consisting in the total relocation of the Modakekes, may have to be reconsidered. The total relocation of the Modakekes would be best for Osun State and Nigeria as a whole; but if this is not feasible, a carefully worked out programme of cultural re-integration should be urgently implemented. This would require some cultural amnesia, whereby all the ethnic consciousness hitherto brandished by the Modakekes would have to fade into oblivion with the passage of time. In other words, there should no longer be anything called 'Modakeke'. Instead, all the people there would remain as they are in their streets and enjoy all the rights and privileges of aborigines. The Ooni might have to give new names to the new compounds and wards that would be carved out in the new area.

More urgently, the Government should redesign the security network in the city and demilitarise the fighting youths completely by enacting new laws, imposing sanctions and commissioning various awareness programmes.

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Les forces armées et le maintien de l'ordre dans le contexte de transition démocratique au Cameroun

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La position de l'armée dans le processus de transition démocratique engagé en Afrique depuis les années 1990 a été jusqu'ici des plus contrastées. Dans presque tous les États engagés dans le phénomène de changement politique, à l'exception de quelques-uns, les forces armées nationales ont pesé de tout leur poids dans le jeu politique. Prenant souvent le parti du pouvoir en place, des gouvernements de transition ont eu maille à partir avec les militaires. Des bras de fer ont eu lieu, débouchant parfois sur des coups de semonce ou sur des putschs graduels, voire sur le renversement des gouvernements. Cette cohabitation difficile entre le pouvoir civil et les militaires n'est pas un fait nouveau en Afrique noire.

Cette question qui se pose depuis les indépendances avait pourtant été déclarée hors-la-loi à la fin de la décennie 80. De manière générale, l'ordre complet kaki et képi étoilé n'était plus en odeur de sainteté auprès des créanciers de l'Afrique. La réprobation des bailleurs de fonds qui suivait les coups d'État ou les tentatives de coups d'État était un signe qu'il n'y aurait plus de primes au renversement de l'ordre constitutionnel ou à la pérennisation des mœurs politiques anachroniques (Danique 1997:76).

Pourtant, dès les premières années de la re-découverte démocratique jusqu'à nos jours, la rémanence de fait militaire dans la

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scène politique reste d'actualité. Chargées de maintenir l'ordre, les forces armées sont plutôt devenues des agents perturbateurs et «confiscateurs» de l'ordre public. Plusieurs pays vont faire les frais de cette situation. Tour à tour, le Mali, le Niger, la Sierra Leone, la Gambie, Sao Tomé et Principe, les Comores, la République centrafricaine, le Nigeria, le Congo et très récemment la Guinée Bissau[1] vont s'inscrire dans le registre des États peu recommandables, pourtant ils ne sont pas les seuls à expérimenter une transition démocratique.

En Afrique centrale par exemple, espace que l'on dit particulièrement perturbé et agité, un pays mérite de retenir l'attention des observateurs. A l'aine de cette façade maritime où se joue pour une large part le renouveau de la relation entre l'Afrique et le monde, à l'angle droit où s'articulent Afrique occidentale et Afrique équatoriale, un pays surgit comme un carrefour de géographie physique et humaine, un lieu de géométrie de rencontres ou d'affrontements culturels. Dans ce pays où sévit la sécheresse sahélienne avec des records d'humidité; savanes, forêts et montagnes, désert et ruches humaines, florilège contrasté d'ethnies et de langues vernaculaires, coexistence de l'Islam, du catholicisme, du protestantisme, de l'animisme sans compter le foisonnement des sectes; partage d'une possession allemande entre deux systèmes antagonistes de colonisation anglais et français qui sont en perpétuel conflit... le Cameroun n'est pas de composition simple. L'opulence et la misère, les abus et la rage impuissante, l'exacerbation des conflits identitaires sont proches de déchirer ce tissu complexe. Qui n'observe pas cependant en cet espace de rencontres désigné «carrefour dangereux»[2] l'exceptionnelle stabilité politique dans une région où la fameuse «théorie des dominos» ou effet «boule de neige» a unanimement rangé d'un côté la plupart des stratèges et analystes politiques? La technologie politique utilisée au Cameroun pour le passage à la modernité démocratique et à l'expression d'une citoyenneté

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[1] Cette énumération est faite sans aucun ordre chronologique.

[2] Voir «Agir ici – Survie»: *Dossiers noirs de la politique africaine de la France* n° 7. «France-Cameroun: croisement dangereux», Paris, l'Harmattan, 1996.

libre présente ainsi des caractéristiques propres qui la distinguent d'autres processus de démocratisation actuellement en cours en Afrique.

Il s'est agit, tout au long du processus démocratique, d'un mode «évolutionnaire» plutôt que révolutionnaire de transition, l'armée camerounaise contrairement à ses consœurs de la région est restée dans les casernes. Une telle situation, loin d'être un véritable respect du principe armé, bras séculier de l'État, découle plutôt de la pérennisation de la politique d'instrumentalisation du corps militaire. Autrement dit, l'attitude de l'armée camerounaise depuis les années 1989 jusqu'à nos jours résulte en grande partie du fait que la tentative de subversion de l'ordre politique qui lui profite risque d'hypothéquer les privilèges et les avantages dont bénéficie la grandé muette sous le régime du renouveau, expliquant par-là même son attachement à l'homme du 6 avril 1982. Telle est l'hypothèse que nous entendons vérifier.

Retour sur la période de charbons ardents

Dès 1982, le Cameroun vit une véritable «subversion par le haut» (Kamto 1993:212). C'est une nouvelle philosophie qui détermine le contexte politique camerounais et qui est caractérisée par le discours suivant: «Il n'est plus nécessaire, pour exprimer ses opinions, de prendre le maquis, de vivre en exil ou de quitter sa famille»[3] ou bien «aussi ne revendiquons-nous aucun monopole, ni celui de la parole, ni celui de la raison, ni celui du cœur, ni celui du patriotisme» ou encore «à l'ère de l'ouverture libérale et démocratique, fort heureusement conduite dans la rigueur, la moralisation, le réalisme, la méthode et la responsabilité, je vous invite plus solennellement que jamais, chers compatriotes à prendre toujours davantage conscience des nouvelles exigences qu'elle implique: elle sollicite la participation éclairée et

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[3] Cf. Rapport de politique générale du président national Paul Biya lors du IVème congrès de l'UNC à Bamenda, in le *Messager du renouveau*, Tome II, Sopecam, Yaoundé, p. 99 - 100.

active de tous à la vie publique, mais une participation respectueuse de la légalité et de l'ordre, des intérêts supérieurs de la nation, de l'opinion et des droits d'autrui. Elle exige ainsi la vigilance de tous pour préserver nos précieux acquis de stabilité et de progrès»[4]. Telles sont des phrases qui vont justifier le complexe du géniteur dans l'avènement du «multipartisme» au Cameroun. Seulement, les limites de l'approche gradualiste et de la politique des petits pas adoptée par le régime du Président Biya dans la mise en œuvre de son projet démocratique entre 1986 et 1990, vont amener celui-ci à faire le saut, longtemps différé, dans le multipartisme (Moukoko Mbonjo 1993:237).

Sur la toile de fond du mécontentement engendré par la crise économique, les évènements de l'Europe de l'Est vont donner le déclic nécessaire au déclenchement de la vague de revendications démocratiques. Celle-ci rattrapera le Président Biya (Médard 1995:355-390). Trois cycles de mobilisation se succèdent alors pour déboucher sur une sorte de «démocrature».

Le premier cycle est celui qui conduira à la reconnaissance officielle du multipartisme. Tout commence le 19 février 1990, la police camerounaise effectue une perquisition à l'étude de Me Yondo Mandengue Black, ancien Bâtonnier de l'ordre des avocats, dans le but de saisir les statuts d'un parti politique que ce dernier serait en train de créer, ainsi que l'exposé de politique générale dont il serait l'auteur. Suite à cette arrestation, le barreau camerounais fait alors bloc et devient dans l'esprit de Médard «le premier fer de lance de la contestation». Le 5 avril 1990, le tribunal militaire prononcera trois condamnations. Ce sont ensuite les anglophones qui entrent en lice. Ces derniers qui n'avaient jamais digéré le passage à la République unitaire, expriment de plus en plus ouvertement leur frustration. Les plus durs d'entre eux réclament même le retour au fédéralisme, voire la sécession. Le 16 mars 1990, John Fru Ndi, libraire à Bamenda,

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[4] Paul Biya, «Discours de prestation de serment», Yaoundé le 21 janvier 1984.

dépose une demande de légalisation d'un nouveau parti: le Social Democratic Front (SDF). Le 26 mai il convoque la réunion de Bamenda et la manifestation qui s'en suivra sera réprimée: au total 6 morts «piétinés» selon la version officielle. A l'Université de Yaoundé, une autre manifestation est réprimée. La colère et l'indignation sont à leur comble en pays anglophone. Les évènements se précipitent. Les étudiants anglophones sympathisants du SDF marchent en chantant à travers le campus en signe de soutien au nouveau parti. Ils sont en outre accusés de chanter l'hymne national du Nigeria. Plusieurs d'entre eux sont arrêtés au cours d'une rafle violente. Les pressions sur le pouvoir sont multiples et variées. La démission pour le moins spectaculaire du RDPC (parti au pouvoir) de John Ngu Foncha, personnalité anglophone d'envergure, figure considérable de l'histoire politique du Cameroun, révèle l'ampleur de la cassure de l'élite anglophone. Dans le même registre, la lettre pastorale des Évêques du Cameroun et une intervention très critique du Cardinal Christian Tumi alors Archevêque de Garoua — qui dénonce avec une dureté sans précédent les «violations de plus en plus flagrantes des droits de l'homme, des pauvres, des faibles livrés à l'arbitraire des fonctionnaires sans scrupule, d'agents des forces de l'ordre ou même des personnages aux attributions mal définies ...». On a vu d'honorables citoyens abattus dans la rue, des crimes crapuleux enveloppés d'énigmes devant le silence apparent de ceux-là à qui le peuple vient marquer la fin de la complicité entre l'église catholique et le pouvoir politique au Cameroun (Kamto 1993:219).

Partout dans le pays, des manifestations contre le multipartisme ont cours. Un bref répit: le *Mundiale*, et le 28 juin, le Président en profite pour annoncer une accélération des mesures de démocratisation. Ces pressions convergentes sur le pouvoir produisent les résultats escomptés. Le 1er congrès ordinaire du RDPC qui s'ouvre le 27 juin à Yaoundé marquera un tournant décisif. Dans son discours du 28 juin, discours de politique générale, le Président de la République, Président du parti annonce un train de mesures tendant à promouvoir les libertés

publiques, à garantir la protection des droits de l'homme et à
libéraliser les activités économiques, le point d'orgue de cet
important discours est atteint lorsque le Président déclare, en usant
de la périphrase comme pour répondre à l'attente des uns tout en
ménageant les autres: «(...) il faut bien considérer que ce qui est bon
pour l'un ne l'est pas forcément pour l'autre (...) que d'autres valeurs
de référence peuvent exister (...) que d'autres courants de pensée
existent, qu'il faudra prendre en compte, combattre ou intégrer.
Notre parti est fort certes, mais il doit dès aujourd'hui se préparer à
affronter une éventuelle concurrence. Sachez donc vous y préparer
(...)»[5]. Le 21 juillet, le Président Biya annonce la démocratie intégrale
et le multipartisme: un décret présidentiel est pris pour créer une
commission chargée de réviser la législation sur les libertés publiques.
La législation qui s'en suivra abolira toute la législation d'exception,
légalisera le droit de fonder des associations et des partis politiques,
reconnaîtra la liberté de la presse, mais sans renoncer au régime de la
censure administrative.

Ce «succès» de l'opposition va la stimuler et l'emmener à appuyer
sur l'accélérateur des revendications. Dès janvier et février 1991, les
premiers partis sont légalisés dont l'UPC (l'Union des populations du
Cameroun). Suite à la lettre ouverte qu'ils adressent au Président de la
République, Célestin Monga et Pius Njawe seront arrêtés. L'agitation
va se développer et se généraliser dans la plupart des régions sauf
dans le Centre. Elle se focalise sur la revendication de la tenue d'une
conférence nationale souveraine, l'opposition spectaculaire dite
radicale est réunie au sein de la coordination nationale qui regroupe
une vingtaine de partis politiques. La conférence nationale souveraine,
nouvelle recette, est ainsi considérée par la «coordination» comme étant
l'unique modalité de transition démocratique. Celle-ci est par contre

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[5] Discours de politique générale au 1er congrès ordinaire du RDPC in *Cameroon Tribune*,
n° 4070 du 4 juillet 1990, p. 11.

considérée par le pouvoir comme étant «sans objet», comme un «coup d'État civil».

Un deuxième cycle de contestation va dès lors se développer. Plusieurs villes du pays enregistrent des troubles graves avec l'érection des barricades dans les rues, l'incendie des autobus publics. Dans le même temps circulent à Yaoundé des tracts distillant la haine tribale et appelant à une guerre ethnique. A la même période, les troubles s'aggravent à l'Université de Yaoundé, compromettant sérieusement l'année académique, la répression des forces combinées de l'armée, de la gendarmerie et de la police s'accompagne de plusieurs arrestations. L'opinion s'alarme devant cette violence, la presse privée fait état de plusieurs cas de décès du reste non confirmés. Le rapport de la commission d'enquête à l'Université créée par le chef de l'État aboutit à la conclusion qu'il y a eu «Zéro mort» à l'Université et, de ce désaccord découlera en mai 1991 le lancement par la «coordination de l'opposition» de l'opération «villes mortes» qui va durer sept mois, entraînant la paralysie de Douala, Bafoussam, Bamenda, pour atteindre les villes du Nord. Mais, mise à part l'agitation à l'Université qui se mobilise maintenant pour des raisons politiques et plus seulement alimentaires, cette opération ne touche pas Yaoundé. L'opération «villes mortes» a consisté en une tentative d'arrêt de toute activité économique, une sorte de grève générale combinée à une campagne de désobéissance civile visant à paralyser le pays. L'opération «villes mortes» par le mot d'ordre de pays mort constitue un véritable défi au pouvoir central.

Dans les provinces de l'Ouest, du Littoral, du Sud-Ouest, de l'Adamaoua, du Nord et de l'Extrême-Nord, à travers le respect des mots d'ordre, la «Coordination de l'opposition» cohabite avec la vivacité de la délinquance: destruction des prisons, incendie des tribunaux, remplacement de l'impôt par le carton rouge «Paul Biya doit partir», et destruction des biens de l'État. Émeutes, heurts entre pasteurs et cultivateurs, jacqueries et actes de banditisme engendrent

des violences et des excès de part et d'autre. Le défi au pouvoir central culmine dans la programmation d'une marche vers le palais présidentiel à Yaoundé pour le 5 juillet 1991, d'une campagne de désertion de la capitale par ses habitants et d'un blocus alimentaire de la ville de Yaoundé. Face à l'opération «villes mortes» qui ébranle l'autorité de l'État à la périphérie, le pouvoir ne recourt pas automatiquement à l'usage de la légalité d'exception. Dans un contexte de surenchère libérale et de culpabilisation systématique des dirigeants ayant géré la période autoritaire, le risque serait très grand. Le Président Biya optera pour la restructuration de la «répression» en créant des «commandements opérationnels» locaux confiés à l'armée. Sept des dix provinces que compte le Cameroun seront ainsi sous régime spécial.

Ces commandements opérationnels sont chargés de maintenir l'ordre public sous l'autorité des gouverneurs. Fochive, le grand maître de la police politique sous Ahidjo, est rappelé pour devenir Secrétaire d'État à la sécurité. C'est tout un symbole. Ainsi, en juin 1991 le Général Youmba est Commandant opérationnel pour les provinces du Littoral et du Sud-Ouest, le Général Oumarou Djam Yaya est commandant pour les provinces de l'Ouest et du Nord-Ouest, le Général Nganso, l'est pour les provinces de l'Adamaoua, le Nord et l'Extrême-Nord. Les régions quadrillées sont les lieux de prégnance de l'opposition. Pour Sindjoun (1993-1994), «la qualité des Commandants opérationnels (officiers supérieurs) et leur provenance (l'armée) indiquent la détermination conservatrice de l'ordre dirigeant». En plus du régime des «commandements opérationnels», la nouveauté est constituée par le rangement de l'ancienne province du Nord dans la catégorie des régions rebelles. Il semble alors qu'il existe deux Camerouns: celui du désordre constitué par les provinces du Littoral, du Sud-Ouest, de l'Ouest, de l'Adamaoua, du Nord et de l'Extrême-Nord d'une part, et d'autre part, le Cameroun de la légalité républicaine constitué lui, par les provinces du Centre, du Sud et de l'Est. Est-ce une modalité juridique de camouflage du recours à la

violence d'État, et de l'ajustement conservateur de la formation dirigeante à la libération politique?

Le régime spécial participe de la construction étatique des lieux du «vandalisme» au mauvais usage de la liberté et de la démocratie, de l'usage de la force pour terroriser les populations. En septembre, l'opposition radicale cherche à entraîner une grève scolaire, mais elle s'essouffle et se divise. Des manifestations dégénèrent; les leaders de l'opposition font l'objet de violence, dans l'opposition, tout le monde n'est pas d'accord avec les méthodes et la tactique qui ont caractérisé l'opération. Elle se solde ainsi par un échec cuisant. Le Président Biya cette fois, sort vainqueur et contrôle toujours les forces de répression que l'opposition ne réussit pas à paralyser. Afin de sortir de l'impasse, le Président propose alors une conférence tripartite réunissant les représentants des partis politiques, de la société civile et des pouvoirs publics. L'opposition face à cette proposition du président se divisera. Certains leaders y participeront, d'autres pas, et d'autres encore y participeront sans y participer. Les conditions dans lesquelles ont démarré les travaux de la commission tripartite constituée par le Premier Ministre à la fin du mois d'octobre pour examiner les deux avant-projets de loi préparés par le gouvernement poussent au scepticisme quant à la sincérité des acteurs du jeu à vouloir débloquer la situation politique du pays à travers une solution de compromis acceptable pour tous.

Peu de temps après, la majorité de ces partis va conclure avec le gouvernement une sorte d'armistice politique. En effet, dans une déclaration datée du 13 novembre 1991, les deux partis font état d'un accord au terme duquel le gouvernement accepte certaines conditions de mise en avant par les partis de la «coordination», notamment l'extension de l'ordre du jour de la commission au réexamen de la constitution en vigueur, les partis de l'opposition s'engagent de leur côté à faire cesser «des villes mortes». C'est dans ce climat de divergence de ton au sein de l'opposition que celle-ci est prise de

court quand le Président Biya annonce la tenue des élections législatives pour février 1992.

Commence alors le troisième cycle de mobilisations; il s'agit cette fois de mobilisations électorales. L'opposition crée une nouvelle structure qui regroupe le SDF et d'autres partis: l'Alliance pour le redressement du Cameroun par la conférence nationale souveraine (ARC-CNS). Estimant qu'elle manquait de temps pour s'organiser, l'opposition appelle au boycottage des élections. Vont se retrouver dans la compétition face au RDPC, l'Union nationale pour la démocratie et le progrès (UNDP), l'Union des populations du Cameroun (UPC), et le Mouvement pour la défense de la République (MDR). L'UNDP de Bello Bouba Maïgari, fils spirituel d'Ahidjo, n'est plus le parti régional du Nord depuis que Samuel Eboua en a été exclu. Il s'agit d'un parti modéré dont la position n'est pas dénuée d'ambiguïtés. L'UPC légale ne constitue que le dernier avatar de cette formation qui a toujours été ruinée par les divisions intestines; elle ne représente qu'une fraction de l'ancienne UPC, alors que les fractions radicales de l'ex-UPC appellent à boycotter le scrutin, le MDR a lui, été fondé par Dakole Daïssala, leader kirdi du Nord emprisonné depuis les évènements du 6 avril 1984: c'est le parti des Kirdis qui correspond à une réaction anti-peuls musulmans, donc anti-UNDP. Les résultats font apparaître une relative victoire du RDPC, qui n'obtient pas certes la majorité absolue puisque ne gagnant que 88 sièges sur 180, mais il la complète facilement avec son allié le MDR qui remporte 6 sièges, l'UPC obtient 18 sièges dans ses fiefs locaux du Littoral et du Nyong-et-Kellé. L'UNDP quant à elle remporte 68 sièges principalement dans les provinces du Nord. Dans l'Ouest et le Cameroun anglophone, les abstentions sont considérables, et les sièges sont surtout récupérés par le RDPC. Les absents ont bien eu tort, car si l'opposition avait concouru, elle aurait eu une large majorité au parlement. Un nouveau gouvernement est formé avec un anglophone, Achidi Achu Simon Komme, comme Premier Ministre. Dakole Daïssala, leader du MDR devient Ministre, le Président Biya convoque alors les électeurs le 25

août pour des élections présidentielles anticipées qui auront lieu le 11 octobre 1992. L'opposition proteste. En vain. Vont se présenter cinq candidats, Paul Biya soutenu par le RDPC, le MDR et l'UPC légalisée et contre lui quatre candidats de l'opposition qui n'est pas parvenue à s'unir: Bello Bouba Maïgari de l'UNDP, John Fru Ndi, candidat du SDF et plus largement de la coalition de l'opposition radicale, Ndam Njoya, leader Bamoun de l'UDC et par Claude Ekindi, ancien Président de la section RDPC à Douala, qui a quitté le parti après l'échec de l'aile progressiste qu'il animait et qui est devenu entre temps «le chasseur de l'homme lion» et enfin Emma Ottou. Les élections ont eu lieu le 11 octobre 1992 au scrutin majoritaire à un tour. La publication des résultats officiels se faisant attendre, John Fru Ndi publie ses propres résultats le 21 octobre et se proclame vainqueur avec une majorité étroite. Le 23 octobre, c'est au tour de la Cour suprême de publier les résultats qui donnent le candidat Biya vainqueur avec 39,9% contre 35,9% à John Fru Ndi.

La situation post-électorale est une situation de tension politique. La production de la croyance dans la victoire naturelle de John Fru Ndi — organisée notamment par les intellectuels tels que Achille Mbembe qui a présenté le candidat du SDF comme «la meilleure chance pour le Cameroun depuis 1955», ou Célestin Monga qui a évoqué «quatre-vingt dix-neuf raisons pour ne pas voter Paul Biya» ou Maurice Kamto, «porte-parole des élites de l'Ouest pour le changement» va de pair avec la constitution de la suspicion à l'égard de la commission chargée du recensement national des votes et de la Cour suprême organe de production des résultats. Dans sa déclaration d'auto-proclamation de Président de la République, John Fru Ndi précise que: «il faut que le régime Biya sache que nous sommes prêts à nous battre jusqu'au dernier homme afin qu'on ne nous vole pas notre victoire». Après les résultats de la Cour suprême John Fru Ndi se considère toujours comme le «Président légitime élu». C'est la contestation interne des résultats de l'élection présidentielle caractérisée par les atrocités commises à l'endroit des

personnalités (Tita Fomukong, Président d'un parti politique affilié à la majorité présidentielle est brûlé vif à Bamenda, les résidences et biens de certains dignitaires du régime sont détériorés, voire détruits dans le Nord-Ouest et le Sud-Ouest), dans les localités remportées par John Fru Ndi qui va déboucher sur la proclamation de l'État d'urgence dans la province du Nord-Ouest. Cet état d'urgence vise à circonscrire et à cristalliser la localité du mauvais perdant, lequel est présenté comme engagé dans «une stratégie de refus du verdict des urnes» dans une stratégie du chaos «visant à l'insurrection populaire», le renversement des institutions et la partition du Cameroun (Sindjoun 1993-94). Il s'agit en outre pour le pouvoir d'éviter le déclenchement d'une situation d'agitation politique extrême semblable à celle de l'année 1991 en territorialisant le désordre. Les prérogatives exécutives permettent ainsi au pouvoir d'assurer un minimum d'ordre social. En effet, le pouvoir réglementaire s'entend succinctement comme celui de statuer par voie générale et accordé à des autorités nationale ou locale autres que le parlement. Ainsi, suite à la montée en puissance du désordre perpétré par la «coordination radicale», le pouvoir oppose la fermeté du décret en vue d'une stratégie d'étouffement des velléités contestataires. Ce renforcement du maintien de l'ordre dans les zones troubles avec l'appui de l'armée, permet au Président Biya de rester maître de la situation.

Par arrêté n° 185/A/MINAT/DAP/SPLP du 30 juin 1991, le Ministre de l'Administration territoriale constatait la «nullité de la coordination nationale des partis d'opposition et associations». Face à l'entêtement de ses animateurs, des personnalités telles que Samuel Eboua, Jean Jacques Ekindi, Anicet Ekane ... seront sévèrement flagellées à Douala par les hommes du Colonel René Claude Meka alors commandant opérationnel de la province du Littoral. En tout état de cause, le déploiement de l'armée apparaît comme l'ultime recours d'un pouvoir bureaucratique en crise». Enfin, en application de la loi N° 90/053 du 19 décembre 1990 relative à la liberté d'association, le Ministre de l'Administration territoriale prendra un

arrêté portant dissolution de certaines associations «pour participation à des activités contraires à leur objet statutaire et pour troubles graves portant atteinte à l'ordre public et à la sécurité de l'État». A ces différentes mesures s'ajoutent l'interdiction du «parlement des étudiants», la suspension récurrente des journaux privés et toute une panoplie de mesures administratives portant interdiction des manifestations publiques, arrestation des manifestants, etc.

Armée et pouvoir politique au Cameroun: les raisons d'un soutien constant

«Début février 1994, un coup d'État au Cameroun était entré au stade ultime de sa préparation. Les services secrets français mettent au courant le Président français François Mitterrand qui prévient aussitôt le Président Biya par le canal de son fils aîné Jean Christophe» (*Agir ici – Survie* 1996:74). De telles situations sont très rares au Cameroun depuis la tentative d'usurpation du pouvoir par la force le 6 avril 1984. Certes des rumeurs alarmantes ont souvent circulé, distillées par une presse privée en quête de sensation, le moins que l'on puisse dire c'est que le constat qui se dégage est celui de la «loyauté» de l'armée camerounaise vis-à-vis des institutions de la république. Celle-ci s'est d'ailleurs observée tout au long de la transition démocratique face aux incidents qui ont émaillé ce parcours.

Plusieurs situations viennent éclaircir et expliquer ce «bon état» de relations entre l'armée et le pouvoir politique au Cameroun. Moukoko Mbonjo faisait déjà remarquer que «la problématique de la transition démocratique en Afrique noire se pose donc pour l'armée en termes de coûts-avantages. Quel est le coût pour l'armée de son maintien au pouvoir? Quel est le coût d'un éventuel retrait dans les casernes? Quels avantages le désengagement de la scène politique et la démocratisation du système politique procurent-ils à l'armée? «Cette série de questions, et plus particulièrement la dernière indiquent clairement les enjeux de la transition démocratique pour

des militaires jaloux de leurs prérogatives. Le Cameroun peut très bien s'inscrire dans ce schéma. La confrontation des enjeux et des risques du non-soutien permet de déterminer, voire de prédire l'attitude des militaires à l'égard de la dynamique démocratique. Dans l'étude sur la perception sociale du privilège de la fonction militaire que fait Jean-Pierre Meloupou, Officier de Marine camerounais, il a été relevé que l'armée était perçue par les Camerounais comme la catégorie socioprofessionnelle la plus privilégiée, alors même qu'elle est «peu productive pour certains et improductive pour d'autres».

Essayons de vérifier ces éléments qui nourrissent la polémique dans le contexte camerounais. Le Cameroun est de ces contrées d'Afrique noire dont Jacques Giri explique «qu'elles sont rentrées depuis la nuit des temps», du moins depuis un demi-millénaire, depuis qu'elles ont été branchées en position périphérique, sur l'économie-monde occidentale. Malgré cela, le Cameroun traverse une crise économique sans précédent. L'action économique du Président Biya prend appui sur des interventions économiques facilitées par l'accumulation des réserves pétrolières et par la poursuite de l'exploitation de l'or noir à un rythme soutenu jusqu'en 1985. Ce qui fait crier au miracle, c'est la renaissance économique qui se poursuit alors que depuis plusieurs années déjà la crise est installée ailleurs en Afrique. L'argent du pétrole permet de maintenir l'illusion pendant un temps, alors que la production agricole diminue (la sécheresse de 1983-1984).

Le Président Biya cherche à relancer l'économie immédiatement par la demande tout en consolidant sa popularité dans les franges clés de la population. Dès le 17 novembre 1962, il fait augmenter de 16% les salaires des secteurs public et privé; le 24 novembre, il fait recruter 1 500 licenciés dans la fonction publique dont les effectifs vont finir par atteindre 170 000 personnes, un des taux les plus élevés d'Afrique. Mais lorsque le prix du pétrole baisse alors que la production décline dangereusement en raison de l'épuisement des réserves pétrolières, l'État tombe en panne financière et l'économie

s'effondre d'autant plus brutalement que rien n'a été prévu pour affronter l'après-pétrole qu'on savait pourtant très proche.

L'ensemble des indicateurs et des analyses sur le Cameroun présente un tableau accablant. Aucun régime ne saurait y résister sauf par la contrainte. L'économie camerounaise subira trois chocs importants depuis le milieu des années quatre-vingt: détérioration de 50% des termes de l'échange de 1985 à 1989; déclin de plus d'un tiers de la production du pétrole; sur-appréciation du franc CFA. Le PIB par habitant a chuté de moitié de 1985 à 1993. En 10 ans le revenu par tête des ménages à Yaoundé a baissé de plus de 60%. Les principaux indicateurs sociaux régressent. On constate une forte déscolarisation. La situation n'était guère meilleure après la dévaluation, compte tenu des arbitrages prélevés immédiatement par les «rentiers» au détriment des producteurs. Le Cameroun ne retrouvera pas la facilité financière et les niveaux de vie de la période de l'euphorie pétrolière. Il est le pays d'Afrique subsaharienne qui a connu la décroissance du revenu par tête la plus forte. Pris dans une spirale récessionnaire, il doit gérer le passif de la période pétrolière et notamment le poids des arriérés et de l'endettement extérieur. Il doit répondre au défi démographique de la moitié des jeunes dans un tel contexte d'extrême marasme économique, la réduction du train de vie de l'État s'impose d'autant plus qu'elle est exigée par les Institutions de Bretton Woods.

C'est dans ce train de mesures que surviendra l'allègement des effectifs de la fonction publique et la diminution des salaires. Toutes les catégories socio-professionnelles seront frappées par cette baisse des salaires courageusement décidées par le gouvernement camerounais à l'exception des corps en armes: les militaires, les gendarmes et les policiers dont les salaires restent inchangés. Pourquoi les militaires ne sont-ils pas touchés par la mesure qui frappe les autres fonctionnaires? S'agit-il d'une stratégie de fissuration du bloc de mécontents en vue de la pérennisation de la relation «tu m'engraisses – je te protège». La réponse à la stratégie qu'adopte le système semble se trouver dans les

lignes qui suivent: «l'armée dans un État est l'un des attributs de sa souveraineté et le symbole de son unité. Chaque État doit trouver dans la force tout ce dont il peut avoir besoin pour la défense du territoire et pour le maintien de la sécurité et de l'ordre public. L'État démocratique doit assurer la tranquillité à l'intérieur de ses frontières. Pour se faire, il lui faut réprimer les séditions, les émeutes d'extrême gravité: son existence en dépend».

La force armée est le seul moyen de réaliser cette mission. Seule une bonne armée peut défendre l'intégrité territoriale. L'amélioration, sinon le maintien du niveau de vie des soldats et autres sans grade relevant des forces de l'ordre peut donc être la clé du respect de l'autorité civile en période de démocratisation dans une Afrique en proie à une crise économique aiguë.

Quittons le Cameroun pour la République centrafricaine afin d'opérationnaliser cette hypothèse. Lorsque éclate la première mutinerie en RCA, la Ligue centrafricaine des droits de l'homme dans un communiqué qu'elle publie dans *Jeune Afrique Économie* (1996) mentionne:

> En fait, cette mutinerie a pour cause, le mauvais traitement dont sont victimes les soldats: bas niveau des salaires, absence de dotation en habits et chaussures; manque de soins et de suivi médical, détournement des primes globales d'alimentation par certains officiers: détournement de la ration alimentaire; abandon sans moyens financiers et matériels des éléments envoyés au front dans le cadre de la lutte contre les coupeurs de route et les braconniers; insuffisance de moyens logistiques de travail; injustice dans l'évolution de la carrière; règlement de comptes et autres humiliations ...

Les revendications des mutins sont également suffisamment claires. «Depuis quinze ans, on continue à percevoir un traitement de deuxième classe qui est de 29 041 FCFA par mois. Nos conditions de vie sont très médiocres. Nous sommes lésés et exposés à des maladies. Depuis la caserne, nous avons exposé en vain ces

revendications: nous demandons le paiement des arriérés de salaire de 1992, 1993 et 1996; le déblocage des salaires, la re-dynamisation des forces armées centrafricaines. Dire que nous payons des tenues! Une tenue ou une paire de Rangers coûte 25 000 FCFA, or nous ne percevons que 29 041 FCFA, nous sommes des pères de famille avec des enfants …». Le corps militaire apparaît donc comme bien loti au Cameroun, rien de comparable avec les forces armées zaïroises du temps de Mobutu (Pourtier 1997:17).

Dans le guide à l'usage des partisans de la démocratisation ou comment freiner le pouvoir des militaires et promouvoir leur professionnalisme, Huntington (1996) donne le conseil suivant: «donnez-leur des jouets c'est-à-dire des armements tout neufs et sophistiqués: tanks, avions, voitures blindées, artillerie, équipement électronique... Ces nouveaux équipements font la joie des militaires et les tiennent occupés. Ils doivent apprendre à s'en servir...». Sur ce plan et contrairement à M'bara (1996) dans son livre au titre fort évocateur *Cameroun une armée sans défense*, l'armée camerounaise ne peut être classée dans la catégorie des laissés pour compte et pour cause. Depuis 1993, les armes et équipements des forces de sécurité intérieure peuvent bénéficier des crédits FAC (Fonds d'aide et de coopération). En outre, les dépenses connaissent une augmentation considérable à la faveur du conflit de Bakassi et de l'agitateur anglophone, soit près de 218 millions de dollars en 1996. L'accroissement des effectifs aura également suivi, plaçant le Cameroun au 3ème rang des pays africains ayant un pourcentage élevé du fait de nouvelles recrues, soit 202,7% derrière le Burundi 323% et qui connaissent les problèmes de réduction des effectifs.

Au plan intérieur, les avancements et autres avantages sont maintenus alors que les autres catégories socio-professionnelles font face à un véritable gel des positions. A tout ce qui précède s'ajoutent d'autres avantages qui ne sont pas ou très peu connus du grand public. Pour les observateurs camerounais avertis, c'est la forêt

camerounaise qui, de toutes les richesses du pays, subit le pillage le plus intensif et peut-être le plus irréversible. (*Agir ici – Survie* 1996:20). Aussi Yaho (1995) note-t-il:

> Dans le Cameroun de la mafia, ce traitement des dossiers relatifs aux forêts est l'objet de nombreux cas de fraude au mépris de la législation [...]. Dans la province de l'Est gravite une pègre de faussaires en col blanc. Les responsables locaux de l'administration des forêts entretiennent de véritables équipes ou réseaux d'exploitation frauduleux de bois [...] les autorisations de coupe d'arbres à but domestique [...] accordées [en principe] à ceux qui veulent améliorer un habitat, [...] sont utilisées pour de véritables vente à l'échelle industrielle. [...] Les autorités administratives et du maintien de l'ordre [...] sont de connivence.

De même dans les deux autres provinces (Littoral et Centre), l'administration au plus haut niveau participe à la course au pillage des ressources forestières. L'armée y est également impliquée. La presse camerounaise n'est pas la seule à dénoncer cette surexploitation d'un patrimoine inestimable. Voici ce qu'en dit *Nations Solidaires*, le bulletin du Comité français de solidarité internationale (CFSI):

> les exploitants (hauts responsables de l'administration et de l'armée) ne contribuent en rien au développement économique des régions dans lesquelles ils opèrent. Avec des complicités gouvernementales évidentes, ils obtiennent en toute illégalité les autorisations de coupe puisqu'ils ne consultent pas les villageois, préalable obligatoire à toute exploitation forestière et ne signent pas les cahiers de charges qui les obligent normalement à réaliser un certain nombre d'œuvres (dispensaires, écoles ...).

A cette situation s'ajoute la criminalisation des circuits. Dans un texte co-signé avec Yao Assogba et Célestin Monga, Achille Mbembe fait remarquer «qu'aujourd'hui le Cameroun est au centre de transit des réseaux d'exploitation de la drogue et de blanchissement de l'argent sale ainsi que l'atteste la prolifération des casinos et des salles de jeux. Ces activités sont contrôlées par de hauts responsables de l'armée et

des responsables politiques et de la police, par ailleurs membres des deux plus importants groupes mystiques qui dominent les institutions de l'État (La Rose-croix et la franc-maçonnerie) (*Agir ici – Survie* 1996:21). Bien que les pouvoirs camerounais (militaire, administratif, confrérique) interviennent dans l'octroi des concessions, les Français restent les maîtres incontestés de la filière bois dans ce pays. A suivre l'histoire récente du Cameroun, on conçoit que les libertés politiques, n'ont pu être arrachées au pouvoir en place. Malgré les chansons incitatives à la révolte dans le genre «Mbere, Mbere di suffer Paul Biya di chop moni»[6], rien n'y fait.

A la pressante question du militant révolté: «toi qui t'a fait roi?», le système et sa soldatesque s'arc-boutent à l'inconscient du réflexe sécuritaire des masses passives pour agiter le spectre du chaos alternatif. Si ce régime se défend avec de telles armes, c'est qu'il est constitué autour d'un noyau complètement impénétrable à la perspective d'une intervention du peuple dans la conduite des affaires publiques. Il n'est pas inutile à ce stade de rappeler les lignes de dérive qui emportent nombre de régimes d'Afrique subsaharienne. Reprenons donc dans la composante plus politique, les descriptions d'Achille Mbembe: «une fraction de l'élite au pouvoir confisque l'appareil d'État et s'allie l'armée. Regroupée autour d'un noyau ethnique, bénéficiant de solides appuis intérieurs et disposant du contrôle absolu des organes de répression (brigade présidentielle, police secrète, unité d'élite de l'armée, para-commandos et organisations paramilitaires), elle s'appuie en outre, sur d'importants réseaux extérieurs... Puis à partir de cette position avantageuse, elle tente d'imposer par la violence, un multipartisme administratif qui consiste à agréger des formations politiques tout en maintenant [...] la répression...». En réalité, la politique d'instrumentalisation de l'armée camerounaise découle d'une minutieuse observation et d'une analyse froide de la situation. Il

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[6] «Soldats, Soldats qui souffrent alors que Paul Biya mange l'argent».

faut bien reconnaître que l'attachement des militaires au prestige et à l'image de marque des forces armées est une constante de leur comportement politique. La notion d'intérêt comprend non seulement les avantages matériels que procure l'exercice du pouvoir et que la démocratisation ne doit en aucune manière remettre en cause, mais également le prestige de l'armée. Moukoko (1993) fait remarquer à ce titre que «tout régime civil de succession qui espère durer doit donc non seulement accroître les avantages matériels dont jouit l'armée quand celle-ci était au pouvoir, mais également éviter de ternir l'image de marque de l'armée ou de mettre en danger la vie et les biens des Officiers sortants». Le retour des militaires au Ghana en janvier 1972 s'explique non seulement par les mesures d'austérité budgétaire décidées par le gouvernement Busia en juillet 1971, mais également par des affectations pour le moins maladroites d'un certain nombre d'officiers supérieurs. Il est apparu au Colonel Acheampong que l'autonomie professionnelle des forces armées ghanéennes avait été bafouée par le gouvernement Busia. Plus récemment la reprise en main farouche et sanglante opérée au Togo par le Général Eyadema pendant la transition démocratique obéit à la même logique. La dramatisation excessive de la vie politique camerroise pendant les années de démocratisation s'inscrit dans la même dynamique.

Dans tous les cas de figure (processus de démocratisation conduit ou subi par les militaires) l'armée cherchera, autant que faire se peut à minimiser les coûts éventuels et à maximiser les avantages de son retrait par une série de mesures préalables. Entre un peu et rien, la différence est nette. Au Cameroun, les gains d'un soutien sont nets. Peu comprise, peu respectée, suspectée, humiliée et appauvrie, l'armée peut être portée à se faire respecter par les autorités civiles ou

les populations, comme on a pu le constater ailleurs au Congo, au Togo, au Niger ou au Zaïre. Pour Danioue (1997):

> les militaires n'ont pas accès aux procédures de revendication dont disposent les membres des institutions civiles en vue de l'apaisement des conflits internes et de la défense de leurs intérêts professionnels lorsque ceux-ci sont menacés. Ayant l'obligation de réserve, les forces armées ne peuvent ni se syndiquer, ni entreprendre de grève. Dans ces conditions, obligation est faite aux autorités civiles d'éviter de mettre les militaires en position revendicative et de ne pas exposer, pour un oui ou pour un non, les chefs militaires à des décisions de nature à provoquer des répercussions sur tout le corps des officiers et/ou des hommes de troupe.

Il faut donc perpétrer le «gombo»; ne dit-on pas que «la bouche qui mange ne parle pas?» Malgré cette «gomboïsation», il reste tout de même que des éléments constitutifs d'un militarisme rampant existent toujours. Dans ce chapitre peuvent être classés l'extrême affairisme entraînant l'abandon des troupes et le fait qu'une seule poignée d'officiers bénéficie d'un certain type de privilèges.

Quelques faisceaux sur le déclassement de la police camerounaise en matière de maintien de l'ordre pendant la transition démocratique

Au Cameroun, les éléments de la gendarmerie territoriale et plus précisément de la brigade territoriale ou des commissariats de sécurité publique forment les forces de première catégorie. Celles de deuxième catégorie sont constituées des éléments de gendarmerie mobile et des unités de police. Dans les opérations de maintien de l'ordre, les militaires en principe ne devraient pas intervenir. Ceci n'est d'ailleurs pas une spécificité camerounaise puisque la même organisation existe dans d'autres pays. Toutefois, l'on a observé que pendant la transition démocratique, les militaires formaient le gros

des troupes engagées dans les opérations imparties au commandement opérationnel. La police camerounaise faisant plutôt figure d'enfant. Une telle situation, loin d'être la réponse à la dimension du désordre, découle largement d'un ensemble de raisons qu'il convient de souligner.

Il y a d'abord le problème des effectifs insuffisants qui est l'un des plus importants. En fait, depuis pratiquement sept ans, il n'y a pas eu de recrutement à la police. A cela s'ajoute la question des effectifs vieillissants, l'âge d'un gardien de la paix variant entre 27 et 30 ans pour les plus jeunes. Or le désordre est perpétré pendant la démocratisation par des jeunes véloces courant très vite et qui sèment la pagaille à une vitesse incroyable. En plus, la formation reçue par la police camerounaise est manifestement dépassée par rapport aux méthodes utilisées par les délinquants[7]. Par ailleurs, matériellement, cette police est totalement démunie. *Les dossiers noirs de la politique africaine de la France* no. 7 écrivent: «Africa Security (Société de gardiennage privée) dirigée par Patrick Turpin, emploie plus de 1600 hommes. C'est devenu une véritable milice sécuritaire. Armés et équipés de matériel essentiellement sud-africain, les agents d'Africa Security disposent d'un réseau de radio, d'un avion et, globalement, des moyens nettement supérieurs à ceux de la police officielle...». Les éléments de la police camerounaise seraient seulement donc plus outillés dans le racket des taximen que dans le maintien de l'ordre...

Conclusion

A la lumière des éléments sus-évoqués, il devient possible de comprendre pourquoi dans certains pays la transition vers la démocratie s'est opérée de façon relativement satisfaisante sans aucun bruit de bottes, et pourquoi dans d'autres elle a du mal à avancer.

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[7] Interview du délégué général à la Sûreté nationale, M. Bell Luc René in *Cameroon Tribune* n° 6547 du 26 février 1998, p. 4.

Le facteur explicatif central de ces évolutions contrastées semble résider en grande partie dans la capacité des élites civiles favorables à la démocratisation à apprécier convenablement et en pleine conscience le rapport de forces entre l'armée et les forces contestataires à un moment donné. En somme, au-delà des considérations morales qui voudraient que l'armée ne puisse légitimement pas s'opposer à la volonté populaire, la réalité brutale et crue qui s'impose à l'analyse est la suivante: dans tout processus de transition démocratique impliquant les forces armées, les groupes civils oppositionnels ne doivent jamais perdre de vue que l'armée est dans l'État l'organisation qui détient le monopole de la violence et, qu'à ce titre, elle ne restera jamais indifférente aux tentatives de subversion d'un ordre socio-politique qui lui profite. Souvenons-nous des propos du Président Éyadema s'adressant à ses hommes de troupes: «Pensez à votre avancement, à votre tranquillité, et à votre retraite ...» (sous-entendu: tous les avantages et privilèges que la subversive marée démocratique menace de balayer et de noyer pour votre plus grand malheur). «La politique du ventre» restera pendant longtemps encore, le creuset de l'univers comportemental des individus.

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NGO-Government Relations: Conflict and Co-operation in Development Management for Rehabilitation of Demobilised Soldiers: The Case of Eastern Tigray, Ethiopia*

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Introduction

Statement of the Problem

NGOs attracted international attention in the mid-1980s after being 'discovered' by experts and institutions. Only recently have these organisations gained momentum in many countries. The organisations themselves, however, have deep historical roots (Charlton and May 1995:237; Carroll 1992:1; Fernades 1994; McPherson and Rotolo 1996:179; Clarke 1990). According to Nyang'oro, NGOs 'have been actors on the development stage for several decades, longer than the World Bank, the United Nations or any other official aid agency' (1993:283). This is accepted by the United Nations Organisation (UNO). In its document, *A Vision of Hope*, UNO gave credit to the experience and lengthy existence of NGOs: 'From the very start, the founding members of UNO recognised that NGOs existed and had an important role to play in the economic and social life of people, at

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both national and international levels' (1995:186). The Anti-Slavery International (1839), the Salvation Army (1865), the American Red Cross (1881), Wild Life Conservation International (1897), the American Friends Service Committee (1917), Ouvers Hospitalieren Federation (1932) and the World Jewish Congress (1936) were among the NGOs that had long existed. Indeed, NGOs date back to much farther than the Nineteenth Century (see Smith 1997:189-207 for a detailed world history of grassroots and non-profit-making organisations).

In Ethiopia, the importance of NGOs in emergency, rehabilitation and development ventures were not adequately investigated before the great famine of 1985/86 (Tegegne 1994; Desalegn 1986; Dodd 1997). However, multilateral and bilateral international development organisations such as the World Food Programme (WFP), German Technical Co-operation (GTZ) and the European Economic Union (EEU) actively participated in such activities before the mid-1980s (Solomon and Yaraswork 1985; cf. Stahl 1990). Ethiopia's own indigenous organisations, such as 'Iquib', 'Edir' and 'Maheber'[1] have long histories (Salole 1982[2]; Dejene 1991:449-461) but their significance and organisational bases were not exploited in structuring and modeling the major local NGOs.

Despite the argument that the success of NGOs has been by default, because of the State's weakness (Bratton 1989:572; Clarke 1991; UNO/ECA 1995:268), it is widely recognised that States are not willing to admit their weakness. They are also not much inclined to give enough room to enable NGOs to operate and function smoothly. This is certainly the case in Africa.

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[1] Iquib' is a rotating credit association while 'Edir' refers to neighbouring mutual aid associations. 'Mahebers' are religious mutual aid associations attached to specific patron saints.

[2] See Salole (1982) for further discussion.

On the other hand, there is an obvious danger in developing a myth about NGOs on the sole assumption that they can be trusted simply because they are different from the State (Rahnema 1985:69). We cannot love NGOs just because they are non-governmental. Clarke contends that it is governments that 'we, the public, love to hate; non- government, voluntary, cannot be suspect' (1990:45). We should be cautious in evaluating actors such as NGOs. Some writers note that the substantial majority of NGOs working with the poor are committed to relieving the immediate consequences of poverty so they give little attention to matters concerning development theory (Cherrett *et al.* 1995:29). Few NGOs' income-generating projects manage to reach the poorest and few of them have sought to create new employment opportunities (Farrington and Bebbington 1993). Such criticisms are becoming so intense that many people question the value of NGOs as mechanisms for poverty alleviation. Their accountability is a major issue. One report questioned whether NGOs have had as much success in tackling poverty as they claim. It concluded: 'Nobody really knows. What seems clear is that even people helped by successful [NGOs] projects remain poor' (UNDP 1993 in UNO 1995:183).

After 1991, Ethiopia experienced many changes in the system of government and in government policies. These changes explain the proliferation of the Third Sector in the country. The mushroom growth of NGOs was one of many such changes. More than 250 international, national and local NGOs participated in various undertakings with the total number of beneficiaries being roughly 26 million (CRDA)[3]. In developing countries altogether, NGOs (of both the North and South) reached as many as 250 million people (UNO 1995:191). As a result, they attracted enormous attention, though interest in them varied widely in different circles. In June 1993, the

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[3] Interview of a representative of CRDA with Radio Ethiopia, June 3, 1998.

Ethiopian Government introduced the National Policy on Disaster Prevention and Management (NPDPM) to rationalise activities of NGOs in the country. The Third Sector in the country tended to reflect the organisational and functional transformation or changes countrywide, which stimulated the growth of NGOs and sometimes seemed to be their *raison d'être* (Redmond 1997:100).

Objectives and Hypothesis

The change in the system of government transformed the country's main development functions and objectives. The formulation of a rational policy in 1993 to control the functions of NGOs affected the operation of Third Sector organisations. The manner in which the policy was implemented determined how much political space could be allowed for NGO operations. This study is concerned with the variables affecting the policy implementation process, including networking and the organisational aspects.

The objective of this study was to investigate how relations between actors, particularly government and Third Sector organisations, affected the efforts to rehabilitate demobilised soldiers. The study considers how the work of NGOs was changed, following the introduction of the relief policy (the NPDPM). Ambiguous and deficient policy frameworks, together with difficult NGO-GO relations, impeded the smooth operation and flexible response of development actors, particularly the NGOs. This was due to the narrow 'political space' allowed for Third Sector organisations. By 'Political space,' I mean the area in which non-State actors can take initiatives independently of the State (Riker 1995:23). The paper also probes the effects of the policy on activities of NGOs, particularly their Food-and-Cash-For-Work-Programmes (FFWP/CFWP) for the rehabilitation of demobilised soldiers. These programmes have been identified as one of the most effective undertakings, in terms of labour and productivity (ILO 1998:25-26). It should be noted that no projects are intended

exclusively for demobilised soldiers, some of whom are among beneficiaries in the category described as 'the poorest of the poor'.

The change of government in 1991 was immediately followed by the demobilisation of thousands of soldiers of the Derg regime. The Ethiopian People's Revolutionary Front (EPRDF), which overthrew the Derg regime, also demobilised many of its guerrilla fighters, the majority of whom were landless and had no other assets[4]. However, this paper is concerned with only demobilised soldiers of the previous regime. Both NGOs and GOs worked to rehabilitate them through income- and employment-generating strategies, such as Food- and Cash-For-Work Programmes. This study has taken the Relief Society of Tigray (REST), the Adigrat Catholic Secretariat (ACS) and World Vision International-Ethiopia (WVI-E) as its three NGO units of analysis[5].

The paper argues that the introduction of the relief policy transformed the activities of NGOs by restricting hand-outs. Nonetheless, while the transformation was helpful, it did not lay the foundations of a complete rehabilitation[6] of the demobilised soldiers.

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[4] Interestingly, Eritrean forces overran the research sites, particularly Irob, where this study was conducted. Most of the demobilised soldiers were therefore remobilised for another war effort against Eritrea. For a recent development on the situation in Irob, see Ann Waters-Bayer, 'Field Trip Report from Northern Tigray: Conflict Displaces the Irob People', *A Report Prepared for Indigenous Soil and Water Conservation in Africa (ISWC)*, Addis Ababa, August 1998.

[5] In 1996/97 the regional DPPB in Mekelle concluded formal agreements with 13 NGOs. The largest NGOs are found in the Eastern and Southern zones. Among the NGOs in the Eastern zone, REST and WVI-E undertake FFWP while ACS is engaged in CFWP.

[6] Rehabilitation is defined here as an approach in the process of preparing unstable grounds for emergency interventions and enhanced development activities. It is a strategy aimed at providing a basis for long-term recovery of beneficiaries and areas. The constitution of the Relief and Rehabilitation Commission (RRC) No. 172/1979 defines rehabilitation as 'the preparation and implementation of programmes which

The limited results of the rehabilitation process were not simply that the beneficiaries did not get free food. It was the other provisions of the policy that did not work smoothly. The policy was to help provide a relief-rehabilitation-development 'continuum' for the rehabilitation of demobilised soldiers. However, the basic strategic objectives were not properly focused, and they did not encompass underlying problems, notably the questions of land, long-term employment and income generation. The strategy was perhaps unduly ambitious. It should also be acknowledged that the agencies, mainly governmental institutions and NGOs, did not work well together.

There were several reasons for the limited success of the policy. First, even though the government pledged equal treatment for all NGOs, it did not act fairly towards the latter. On the other hand, the NGOs wanted to enjoy clear organisational autonomy, but this was not accepted by the local government. Relations among the NGOs was also characterised by flabby and loose co-operation. Moreover, some NGOs came to dominate others through a process of organisational colonisation. These difficulties resulted in inefficient delivery services and the Non-Governmental Organisations' incapacity to rehabilitate demobilised soldiers. This reduced the contribution they were able to make to peace and human security.

Secondly, the GOs structurally excluded some demobilised soldiers at political, economic and social levels and the centralising and hostile attitude of the GOs impeded efforts made by NGO to curtail this trend. However, literature about exclusion mainly focuses on the West. There are few works on Africa (Gore 1994; Apter 1993; Worfe 1994). The efforts to rehabilitate demobilised soldiers did not include other salient factors, such as psychological counselling.

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will enable disaster-affected people to be self-supporting and capable of protecting themselves from possible future disasters' (p. 54). See Mimica and Stubbs (1996:281-290); Brigaldino (1996:367-369).

1.3. Research Questions

The following are the main research questions that the study aims to investigate: What roles does the State play in the management of development activities in Africa? How does the NGO-GO relationship affect 'secured development interventions' in rehabilitating demobilised soldiers? Does the implementation of policy enhance the status of strong civic organisations and the civilian life of the newly demobilised soldiers? How can the strategies employed reduce the likelihood of possible violence by demobilised soldiers? Do NGOs and GOs have the will and the capacity to work to this effect?

1.4. Research Methods

A shift is being made from simply probing interpersonal relations to conducting research on inter-organisational relations. The roots of serious poverty in the modern world have to be sought in organisations and policies (Barraclough 1997:121; Form 1971:3), and NGOs are organisations that deal with various developmental issues and problems. Their activities are complemented, controlled and checked by governments. This study is mainly about the interaction of organisations in an effort to reduce poverty.

The issues are sensitive. Care was taken to reduce gaps in data collection. The characteristics of the organisations being studied and the relationships between them, the status of respondents and how they were approached were all taken into account, since this could affect the validity and reliability of the data collected.

Primary Sources

The primary methodologies employed during the field study included an intensive interview with NGO representatives, the heads of different units and staff members concerned, representatives of the zonal DPPB, heads and experts of the Bureau of Agriculture (BOA),

heads of the Planning Bureau, officials of the zonal and *wereda* Administrations and the beneficiaries. Open and close-ended questionnaires, prepared before the study, were used.

Twenty respondents from the different organisations were selected. The selection was based on the fact that almost all the respondents were thought to have a good understanding of the issues considered. Secondly, they were closely involved in activities of NGOs and the main government bodies in the area concerned. Other members of the relevant institutions contacted during the field study were also asked to express their feelings. This further diversified the scope of the study and enabled the study team to cross-check information from different sources.

In areas like Tigray, where there is systematic control over most of the activities of both governmental and non-governmental institutions, the quality of the data can be affected by the way that researchers present themselves. If this is not done tactfully, representatives, officials and even employees of the different organisations have less confidence in sharing information. We tried therefore to employ some of the techniques of Participatory Rapid Appraisal Methods (PRAM). A series of informal and focus group discussions with the interviewees were conducted in their homes and in 'mess' (wine) and teahouses. Attempts were made to cross-check the information provided.

Fifty beneficiaries were interviewed at three project sites at Atsibi, Saese Tsadamba and Irob. At Atsibi, thirty household heads/beneficiaries were interviewed on three different sites at Haresaw, Debre Selam (Rubafelege) and Atsibi Endesilassie and also at a payment distribution centre. Group discussions were also held with the beneficiaries. At Irob and Saese Tsadamba, twenty household heads/beneficiaries were interviewed at project sites, in 'Sewa' (local beer) houses and in their homes.

Sample size was determined arbitrarily, according to the convenience, capacity and time framework of the study. The qualitative aspect of the study had to be emphasised. Beneficiaries were screened intensively so as to understand the importance, homogeneity and completeness of all the independent variables in the study. The beneficiaries of the study, the demobilised soldiers, had been randomly dispersed after the change of government. No census data on their number or where they lived after 1991 are available and any statistics in this connection would probably not be reliable.

It was also beyond the capacity of this research to include the standard sample size for the number of beneficiaries found in the research sites. Basic assessments were made in respect of the number of beneficiaries in the three project sites. We tried to obtain information about the number of beneficiaries residing in each area. In this regard, beneficiaries were informally advised to tell their own stories and this enabled us to deduce how many of them had come to the area and how many demobilised soldiers and returnees were then living there. Beneficiaries were categorised as possessing land or without land, having a multiple or single source of income, households headed by males or females, and beneficiaries working on a variety of projects or otherwise. We used as key informants, 'Abo Wonbers' (chairmen of *Kushet* — village-level administration), experts and Development Agents (DAs) from the BOA and demobilised soldiers serving as foremen at project sites.

Participatory and empirical observation of each aspect of the study was helpful, as we critically observed how NGOs carried out their daily activities through interaction with their various units. We also assessed working conditions of beneficiaries and their reaction to such conditions.

Secondary Sources of Data

This study took NGOs as semi-open entities prone to organisational and environmental changes. Like other organisations with different structures, objectives and functions, these organisations had both dynamic and static attributes. The interplay of these attributes, and the development of dynamic behaviour, gave the organisations the incentive they needed to adapt themselves to changes in the working environment. At the same time, the organisations resisted changes that threatened their survival. Absolute openness within the organisation was seen as a weakness to be remedied by partial openness. Literature on the Third Sector, project assessment reports and other documents were used as secondary sources of data.

1.5. The Setting

Tigray region is divided into four zones: Central, Eastern, Southern and Western. Eastern Tigray has a total population of 584,946 (CSA 1995). The zone has seven *weredas*: Hawzen, Atsibi Wonberta, Irob, Gulamado, Wukro, Saesi Tsaedamba and Ganta Afeshum. WVI-E, ACS and REST were active in Atsibi Wonberta, Irob and Saesi Tsaedamba *weredas*, respectively, where this research was carried out.

Atsibi Wonberta is located in the south-eastern part of Eastern Tigray. It is 860 km from Addis Ababa and 80 km from Mekelle. Atsibi and Wonberta used to be separate *weredas*, but they recently merged together, with Atsibi as the capital. Agro-ecologically speaking, the area is classified as highland. The altitude varies between 2,640 and 2,800 metres and rainfall is very erratic. According to meteorological records, there had been three normal rainy seasons in ten consecutive years (WVI-E 1995:1).

Centuries of human settlement and repeated conflicts have exhausted the fertility of the land. Exposed sedimentary bedrocks and deforested mountainous landscapes are characteristic features of this

zone. Most of the local people engaged in subsistence agriculture along with small-scale trading. Cereal crops are predominant in the area, although it is not well suited to them, because of moisture and nutrient stress (WVI-E 1995:1). The majority of the population are followers of the Orthodox Church, but there are also minority Muslim communities. Tigrians are dominant in the central parts of the area, and Afars in the lowlands. Tigrigna is widely spoken. The area, one of the poorest parts of Tigray, has been devastated by drought and wars.

Irob is located in the north eastern part of Tigray, 940 km from Addis Ababa and 160 km from Mekelle. Saesi Tsadamba is located at 75 km north of Mekelle. The area in both *weredas* is rugged with steep and highly eroded escarpments. War and failure of the seasonal rains seriously affected the land. The soil is exhausted through long settlement and intensive farming. Irob has a total population of 17,286 and 90,935 live in Saesi Tsadamba (CSA 1995). The people in these two *weredas* depend on small-scale trading. These activities are adopted to make up for shortfalls in agricultural production due to adverse climatic conditions. It is estimated that 98% of Irob's population is Catholic, while Saesi Tsadamba has both Orthodox and Catholic communities, with a Muslim minority.

Framework for Analysis

Officials of popular organisations, governments and international organisations adopted the *African Charter for Popular Participation in Development and Transformation* in Arusha in 1990. This Charter affirmed that one of the underlying causes of the crises engulfing Africa had been an inherent conflict of interests between NGOs and the States (Rashed and Getachew 1995:191-92).

It is usually recognised that building relationships is a long and complex process in the operation and role of NGOs. Even after establishing relationships, there are often conflicts and difficulties

(World Bank 1996:V). Generally speaking, there can be two kinds of relationships: functional and organisational. Functional relationships entail co-ordinating and strengthening the functions (specific or general) of NGOs, by exchanging information, offering technical assistance, sharing experiences, etc. Organisational or institutional relationships, on the other hand, concern the creation of co-ordinating bodies of which NGOs are members.

NGO functions and roles can be understood by investigating the sector's relations with governments. This aspect has remained unaddressed for a long time (Meyer 1996:454; Hammack and Young 1993; Weisbrod 1977:51-76; Riker 1995:100-102). The emergence of the Third Sector as an important input to development and the interest expressed in them make it easier for this issue to be examined closely. There has been intense debate on the definition and nature of these relationships since the 1980s. Consequently, the issue is becoming well documented (Bratton 1990:569-89; 1990a:87-118; Bebbington and Farrington 1993:199-219; Copestate and Wellard 1991; Farrington 1993; Fowler 1991b:53-84; Gary 1996:150; Marcussen 1996:405-423; Riker 1995:15-52 and 128; N. Heyzer 1995:1-14; Pieterse 1997:157-166).

The dominance of the government and some GO-NGOs over NGOs and the weakening of other 'independent' NGOs makes NGO-GO relations sensitive. Put simply, this means that they are used as a conduit for material/financial and political returns. This refers to 'the Cash in on Approach'. Relationships determine the success or failure of development activities. The rehabilitation of demobilised soldiers in Ethiopia hinges closely on this factor. Consequently, there are many and varied opinions and recommendations calling for closer, medium or distant relations between NGOs and governments.

At one extreme point, some people argue that closer co-operation with governments has contributed greatly to the success of NGO projects (Ahmed 1992; Sanyal 1994; Tvedt 1992:22; Carrie

1996:458). In the middle, an appropriate division of responsibilities and duties between governments and NGOs is recommended, to achieve a balanced co-operation, without infringing the autonomy of either actor (Lee 1994:169; Bratton 1987:572-73; Drabek 1987:xiv). At the other extreme point, it is argued that close co-operation and relations with governments erode the credibility, responsibility and independence of NGOs (Drabek 1987:xiv; Bebbington and Thiel 1993; Marcussen 1996:418).

In a comparative study · of relations between NGOs and governments, Drabek wrote that, in ·India, a collaborative/co-operative relationship exists, and that in Africa, NGOs acknowledge the frequent need to work closely with governments - or at least to avoid antagonising the authorities. In Latin America, NGOs are often opposed to governments, for many reasons, including religion (1987:XIII).

Government actions can range from granting the Third Sector considerable operational freedom (e.g. Sri Lanka) to viewing the sector as a threat to national security that should be actively discouraged (e.g. Somalia) (Hulme 1994:264). Moreover, following Korton's Analysis of State, Market and Civil Society (1990), Goodman and Chamberlain (1996:196) tried to draw an analogy with NGOs in Afghanistan with focus on prince, merchant and citizen. They argued that, rather than promoting accountability,. NGOs were perhaps 'dancing with the prince', whether the latter was a government, an insurgent movement or a local warlord.

· In Africa particularly, it is indicated that 'despite the expectation of providing discretionary treatment for NGOs· and African Governments for a democratic system of governance, shifting funds to favour NGOs more than governments may not be readily accepted by the latter' (UNO / ECA 1995:272). The politics of NGO-GO relationships include the proposition that NGOs should be less provocative in their relations with governments and work in a pacific

mood by lowering their voices (Bratton 1989:572-73; Goodhand and Chamberlain 1995:200-201; Drabek 1987:xiv). Others, for example Eldridge, note that a few NGOs, as observed in Indonesia, deliberately dropped the 'non-governmental' appellation, because of its 'anti-government' connotations (1989).

Efforts to reduce 'provocation' sometimes lead to co-option, which consists in absorbing new elements into the leadership or policy-making structure as a means of averting threats to its stable existence (Selznik 1981:317). On the government's side, co-option comes before suspension and dissolution. This magnifies the threatened stage in which NGOs find themselves (Hulme 1994:264). The alternative between survival and becoming redundant is recommended as a last resort to NGOs (Gary 1996:150). The strategy can be criticised for its implied questioning of NGOs' accountability and independence (Drabek 1987:xiv; Hulme 1994:264; Esman and Uphoff 1984; Bebbington and Thiele 1993).

It is often purported that one factor behind the emergence of NGOs is the inability of States to provide all aspects of services. In other words, the emergence of NGOs has been by default (Bratton 1989:572; Clarke 1991; UNECA 1995:268). However, most people regard NGOs as the most flexible and efficient means of dealing with poverty and reaching poor communities (World Bank 1996:1; 1991:135-136; UNECA 1995:271). It has been pointed out that one should be cautious in case there is a danger of building up a new NGO myth, on the sole grounds that NGOs can be trusted, because they are different from the State apparatus (Rahnama 1987).

Sometimes governments realise their weaknesses and allow NGOs to fill the gaps they have left. NGOs can thus be sources of funding. Providing resources to governments in these circumstances is assumed to lessen the friction in NGO-GO relations (Marcussen 1996:75-76; Bebbington and Thiele 1992). Prime Minister Meles Zenawi recently reiterated this (DPPC June 1997:2).

NGO-GO relations are also illuminated by the Opposition's role, which consists in directly challenging government policies and supporting other local organisations to take over such roles. Fowler openly states that NGOs should oppose illegitimate governments and weaken their bases from below (1992:7). Opposition is possible when NGOs are able to redefine the means and objectives of civil society, by counterbalancing the predatory and rent-seeking powers of governments (Clarke 1991). NGOs might thus support empowerment and democratisation. But in a system where the political space for NGOs is suffocated, any effort to bypass the government may be an act of suicide (Riker 1995:22). This is still worse for NGOs that do not have the 'cards' to influence an establishment. Such 'cards' may be support from donors, organisational and financial capacity and special links with communities or governments.

At times NGOs help grassroots and civic organisations to acquire the capacity to transform the socio-economic and political structures of a country. NGOs here serve as catalysts for mobilising public opinion through local organisations that hold politicians accountable for their actions (Fowler 1992a:16; Marcussen 1996:418).

The politics of NGO-GO relations, one of the basic variables affecting many development and rehabilitation activities, is characterised by the proposition that NGOs should work with governments for complete collaboration and co-operation, i.e. without any resistance and opposition. This option is a characteristic feature of Scandinavian NGOs (Klausen and Selle 1996:99-122). It is rare in most African NGOs, since it endangers their survival. Full co-operation depends on the nature of both political systems and the Third Sector organisations.

NGO-GO relations are also illuminated by attempts to strike a balance between the above roles. This can mean playing a new game with old rules, i.e. a balancing act whereby NGOs exploit the

'economy of affection' for governments, without being 'colonised' by them (Goodhand and Chamberlain 1995:200-201; Paul 1988:66).

It is on the basis of the above framework that the roles of NGOs in rehabilitation and development can be examined. NGO roles in rehabilitating 'sensitive and delicate' beneficiaries can easily be affected and disturbed by the pattern of NGO-GO relations. Sensitivity and delicacy are attributed to demobilised soldiers, with particular regard to the attention they received from GOs.

Discussion of Findings

The Politics of NGO-GO Relations in Ethiopia: An Overview

Poverty reduction efforts in Ethiopia have never been governed by clear laws or policies concerning the agencies or organisations that should be involved. Most of such activities were undertaken in conformity with guidelines based on the Civil Code of Ethiopia. There is, however, a strong organisation responsible for such undertakings — the former Relief and Rehabilitation Commission (RRC), now known as the Disaster Prevention and Preparedness Commission (DPPC).

Restrictions on Third Sector organisations have their base in the legal framework of Ethiopia. The legal practice aims to assimilate the organisations into civil associations, as defined in the 1960 Civil Code, and regulate them accordingly (Human Rights Watch/Africa 1997:41).[7] Several humanitarian organisations were accused of having other objectives opposed to the Derg regime, which was in power from 1974 to 1991 (Clay and Holcomb 1986:3; Dawit 1989:182-220;

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[7] Article 404 reads: 'an association is a grouping formed between two or more persons with a view to obtaining a result other than the securing and sharing of profits'. Article 411 requires, however, that the statutes of the association be signed by 'not less than five associates'.

cf. Tegegne 1994:62). Until 1991, activities of NGOs in Ethiopia were closely monitored by the Derg regime. NGOs supporting projects in areas outside the government sanctuary were put under stern control (Toye, June 1996:iv). A number of NGOs were ordered to discontinue operations during the 1980s famine, mainly because of conflicts with the regime* (Riker 1995:34). There was an autarchic control over the organisations during the Derg period.

The Ethiopian People's Revolutionary Democratic Front (EPRDF) overthrew the Derg regime in June 1991. The emergence of a multitude of international and local non-governmental organisations since the 1984/85 famine, and especially after the change of government in 1991, therefore necessitated the creation of a regulatory and co-ordinating mechanism. The realisation of the power decentralisation policy further accelerated the law enactment and policy formulation process. In 1993, the Transitional Government of Ethiopia (TGE) came up with a policy that fundamentally restricted the provision of free relief hand-outs[8]. This policy envisaged transformations in the role and activities of NGOs.

There was a debate about which activities of NGOs were political by nature. Conventionally, activities such as human rights protection, empowerment, advocacy etc., are considered to be highly political. However, every activity of NGOs is political, because no

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[8] Here, NGOs should note that the practice was not launched in an organised manner so it could not be applied strictly. This is also observed in the NPDPM of the present government. Similar approaches to the concepts can be discerned under different wordings. The RRC establishment proclamation No. 174/1979 defined relief as 'the supply of food, water, medicine, clothing, shelter and similar basic necessities to disaster-affected people until they became self-supporting, rehabilitated or resettled'. Proclamation No. 10/1995 on the establishment of DPPC employed the term assistance for relief. It treated assistance as 'comprehensive measures taken to prevent the future emergence of a disaster area under similar circumstances in addition to meeting the needs of disaster victims in terms of food and other basic necessities of life'.

activity is immune from policy issues, which involve political decisions (cf. Riker 1995). Among the basic issues concerning responsibilities of NGOs and the government, the strategies to abate disaster include basic attributes of policy. These strategies are crucial in determining not only the relations between NGOs but also their sensitive relations with the local government. The official position of the present government on the Third Sector in Ethiopia is based on bringing efficient functional outputs to NGO projects. Although there is some misunderstanding between the NGOs and GOs, there are signs that they will be rectified as time goes by (Simon Mechale 1997)[9].

It is reported that the present government has generally less hostile relations with NGOs than the Derg had. However, this 'decreased' hostility is not accepted by all NGOs (Toye, June 1996:vi). Although a comparison with the past does seem to indicate some relative improvement in the present government's attitudes towards NGOs, the government's autarchic tendencies vis-à-vis the NGOs are evident. Similarly, the contentions of some NGOs mainly reflect the reality at the micro level.

The strategies of WVI-E, in its relations with the local government in Atsibi, varied between keeping a low profile, co-opting and taking pragmatic decisions. Government bodies criticised the NGO for maintaining its organisational autonomy. This perhaps arose from a religious factor. Although religion is believed to inspire the work of NGOs in Africa (Dejong 1991:6), the inability of WVI-E to infiltrate the dominant Orthodox followers of Atsebe Wonberta led to an inward-looking 'seclusion' of the organisation. Some beneficiaries said they preferred not being paid to becoming converts (cf. Hancock 1993).

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[9] The Commissioner said this at a meeting held in Addis Ababa in August 1997.

On the other hand, the ACS attempted to take up a position of resistance complemented by selective collaboration. For its part, REST took the alternative line of complete co-operation (cf. Klausen and Selle 1996:99-122).

Government bodies criticised some of the NGOs for undermining the former's roles and recommendations. In Zambia, Collier (1996:246) found that some FFW projects of NGOs attempted to undermine the role of the local government by creating NGOs-beneficiaries networks, and this disrupted relations between local government authorities, beneficiaries and NGOs. He warned that isolating NGOs from local government would not help towards the achievement of the poverty alleviation objective. Sometimes the NGOs were commended for accomplishing fundamental development activities particularly in Tigray. However, most of the staff of the NGOs believed that, in Tigray, such activities were designed to secure more funds without being closely involved in the project implementation process.

Impact of Relationships on Interventions and Rehabilitation: NGO Cash and Food For Work Programmes (CFWP/FFWP) and Demobilised Soldiers

A Brief Background to NGO Projects

The CFWP of ACS: Long Experience in Irob

ACS is part of the organisation of the Catholic Church in the country. The Church came to the Eastern zone of Tigray more than a century ago. It has carried out developmental and religious projects at both zonal and regional levels.

The ACS developmental activities began more than two decades ago. The organisation's programme emphasises environmental conservation activities. ACS is also involved in providing education to the people of the region.

ACS undertakes the CFWP, while REST and WVI-E conduct the FFWPs. The CFWP of ACS dates back to the 1970s. This programme is widely known as the Adigrat Diocesan Development Action (ADDA). Except during the intensified war in Tigray, the CFWP of ACS continued various environmental and infrastructure activities in Irob and two other *weredas* of the Eastern Tigray zone.

The CFWP of ACS is one of the extensive and long-term projects for remedying natural resource depletion and shortage of cash income sources in Eastern Tigray. UNICEF undertook similar CFWP in Ethiopia in the 1980s (Webb and Von Braun 1993). However, the former was distinctive in that it had a well-established background among the people of the area who closely collaborated on the projects and also in other values.

The major justifications for ACS using cash instead of food are that cash is easier to pay than food; it is not perishable and it is easier to transport in such a rugged and inaccessible area as Eastern Tigray. Beneficiaries who get cash can also use the money according to their own priorities.

The advantages of paying cash rather than food are supported by arguments from different backgrounds. One major work in this field is T. Jackson and D. Eade's 'Against the Grain - The Dilemma of Project Food Aid' (1982). Research undertaken in Southern Africa also supports the argument that cash has advantages over food, particularly in rehabilitating demobilised soldiers and returnees (Whiteside 1996:123-24; Coelho and Vines 1994; Buchanan 1994).

Objective clarity, participation of beneficiaries, effective attainment of objectives, feasibility and the lasting benefits of food-

based programmes are other factors that have increased scepticism about food for development projects through FFWP (Barraclough 1997:126).

It was noted that ACS found itself fulfilling both the material and spiritual expectations of several beneficiaries in Irob. Its CFWP was run by staff sharing the same ethnic and religious background as the beneficiaries and this facilitated project planning and implementation.

The FFWP of REST

The Relief Society of Tigray (REST) was established in 1978 by Tigrians abroad who were participating in some way in the civil war against the Derg regime. During its difficult formative years, the NGO's basic objective was to assist those sections of the population in Tigray who were seriously affected by recurrent drought and war.

REST served as the relief arm of the Tigray People's Liberation Front (TPLF) during the seventeen years of active armed struggle. Some observers argue that REST was an 'organic part' of the liberation movement (Duffield and Prendergast 1994:24) and it was widely believed that REST was a branch of TPLF (Omaar and de Waal, November 1994:11).

The toppling of the Derg regime and the establishment of a government controlled by members of the TPLF helped REST to assert a dominant position, in a 'stabilised' way, over relief and developmental issues in Tigray.

REST believed that the FFWP would enable the beneficiaries to realise the benefits of development projects. Drought and war, and the fact that so many people needed assistance, pressurised REST into providing free relief hand-outs during the 1980s. The attendant 'dependency syndrome' 'created' by the free relief hand-outs made the NGO reverse this dangerous policy.

REST had perceived relief and development as being inextricably linked. In other words, a transformation from relief to development-oriented strategies meant shifting resources and efforts, which had inevitably been focused on relief during the war, in an all-out effort to promote long-term sustainable development (REST 1996:5). The top priority was to address the root causes of poverty. The respondents identified environmental degradation as the main problem facing the people of Tigray. The ecological disturbance, which led to starvation, could be reduced by remedying the environmental situation.

REST launched a series of FFWPs in Tigray in the late 1980s and in the early 1990s. Its main FFWP activities were undertaken through the Environmental Rehabilitation and Agricultural Development (ERAD) projects, which included soil conservation, road construction, reforestation, irrigation and construction of small dams.

Beneficiaries received 3 kilogrammes of grain per day per person. It was soon realised, however, that all the activities could not be rewarded equally. The payment of 3 kilogrammes to all beneficiaries was considered unsatisfactory. In our research zone, one of the major activities was road construction. The area is rocky, with rugged scenery in various places where new roads were constructed along with the maintenance of old ones. It was therefore decided that payments should be commensurate with the length of the roads constructed by the beneficiaries. About 2,000 to 2,500 beneficiaries were engaged to construct one road. For 1 kilometre of road, they received 60 quintals of grain.

The respondents stated that they had been involved in carrying out the projects and selecting beneficiaries in the first period. The responsibility for this was delegated to the *baitos* of the *wereda* and *Kushet* administrations. The NGO released payments in accordance with the recommendations of the implementing bodies.

The respondents said that the results of the FFWP could be measured in relation to the benefits afforded by the programme. It was believed that measurement based on expectations might be misleading. Because of the seriousness of the problems faced, and the efforts needed to mobilise the people and provide the various inputs required by the project, it was considered advisable to evaluate the project by comparing the results with those obtained in the past. Some of the project results also resolved other related problems, although one should not ignore certain negative consequences, which were indeed being tackled by the NGO's integrated rural development programme.

The Kilete Awulalo Area Development Programme (KAADP) of WVI-E

WVI-Ethiopia began its intervention in Ethiopia at the height of the drought and famine in the 1970s. Its main objective was to settle Sudanese refugees and other people displaced by the Ogaden war. The main activity consisted in supplying relief hand-outs. The 1984/85 famine posed a serious challenge to the organisation and running of the NGO. The first WVI-E feeding centre was established in Alamata (Wello) in 1984. Thanks to the Community-Based Technical Programme (CBTP) and to its Revolving Agricultural Inputs Loan Schemes (RAILS), the NGO expanded its strategies into the Area Development Programmes (ADPs). By mid-1992, WVI-E had 13 ADPs in different parts of the country.

With continued fund-raising and international expansion, WVI became one of the eight largest American NGOs, which together account for 80% of all US aid to Africa. Ignoring the government funding they receive, these eight NGOs provide 70% of all private US aid to Africa. Catholic Relief Service (CRS) and WVI together account for 45% of such aid (Anheier and Seibel 1990:371).

KAADP (one of the 13 ADPs of WVI-E) was established as part of a new strategy and operational method. Officially, the main focus of KAADP is 'integrated rural development'. This includes reforestation, earth dam construction, road construction and maintenance, establishment of health posts, construction of boreholes and provision of credit facilities. These activities were mostly undertaken through Food-For-Work Programmes (FFWP). In an agreement concluded in 1993 with the regional DPPB, the NGO committed 74,326,979 Birr and 19,729.7 MT of food during the life span of the project from 1993 to 1997. In 1997, another agreement was concluded for the next four years, and the NGO committed 45 million Birr and additional material inputs.

The FFWP of WVI-E was regarded as a means of serving the community and developing a better approach to enable the NGO 'to achieve the results of a community-based sustainable transformational development that would avert dependency and enable the community to decide on its fate' (WVI-E 1995). The objectives set by the NGO depended, to a large extent, on the policy environment in which it found itself. We however observed that NPDPM, the basic ingredient of the policy, was not fully understood. Few of the interviewees seemed to know much about the policy. They felt that the FFWP of KAADP brought about some improvements as a result of activities undertaken by the NGO. At any rate, the definition of the role of KAADP was fraught with problems.

Demobilised Soldiers

Ethiopian history is 'rich' in militarisation and mobilisation. The different empires and warlords mobilised large numbers of cavalry and infantry against one another and at times against external invaders. The Eighteenth Century 'Era of Princes' remains an illuminating case. Emperor Tewodros II (1855-68) set up a professional standing army in the middle of the 19th Century. This

effort was continued by subsequent rulers. During the reign of Emperor Haile Selassie I, the Italian invasion and internal resistance in Eritrea and in other regions pushed the regime to expand and strengthen the military.

The most extensive militarisation of all began after the Derg (Military Council) came to power by overthrowing the Emperor in 1974. The disengagement from the US, the invasion of Ethiopia by Somalia, the intensification of internal resistance in the northern parts of the country and in urban areas together contributed to the wide-ranging militarisation of the country. A peasant army of over 250,000 was mobilised within a year of the military junta's takeover (Human Rights Watch 1991:291; Dawit 1989:49-50). Subsequent extensive conscription into the military and rounds of military services through the *kebeles* (urban administrative structures) and Peasant Associations (PAs) gave a further boost to militarisation. The militarisation launched by the various internal armed rebellion movements and fronts further reinforced the militarisation of the country. This new dimension to the history of warfare and militarisation in Ethiopia inspired the evolution of a 'regimented society' with the attendant rebellion, conquest and counter-insurgency campaigns. 'Whose face have you not disfigured? Whose wife and child have you not captured?' have been the songs of soldiers since the 14th Century (Caulk 1978, in Human Rights Watch 1991:22-23). Titles such as '*Fitawurari*', *Dejazmatch*', *Kegnzmatch*' and *Ras*' were military ranks comparable to the dukes, earls and barons of medieval Europe (Dawit 1989:71; Bahru 1998:260-62).

The number of troops mobilised by the previous regime is not exactly known. Different sources give different figures. The most widely cited figures (including those for the militia) vary between half a million and one million (Human Rights Watch 1991:6; Dawit 1989:49-50; Morrison 1992:128-29; Keller 1995:125; Bahru 1998:264). In 1991, the main six fronts of those who had been

fighting the military government had an official total military strength of 127,700 (Transitional Government of Ethiopia 1991). The actual numbers, however, could have been higher. It is estimated that more than half a million people died as a result of three decades of war in the country (Human Rights Watch 1991:4; Pool 1993:394).

The causes of the disintegration of the military body as an army and as an institution are hardly different from the problems facing the government. There were internal difficulties over the structure and role of the army. Dawit Woldeiorgis, a former government official, said '... since the internal resolution of the internal conflicts will bring about the demobilisation of this huge force, Mengistu ensures that the forces are kept busy and scattered throughout Ethiopia' (1989:61). It was surprising to observe the sudden total collapse of what was supposed to be a strong army, which was there to defend the regime and the country's national interests. In fact, the army was swept away completely. Its downfall was followed by an unprecedented proliferation of light weapons. During the 1974 revolution, the Military Council attempted to confiscate weapons in the people's possession. In Bahru's words, this was the 'arming of soldiers...accompanied by the disarming of civilians' (1998:276). 1991 witnessed the rearming of civilians. It is estimated that the uncontrolled proliferation of light weapons accounted for 90 percent of the death toll during the conflict and post-conflict phases (Kock 1998:12-17 cited in Specht and Empel 1998:4). Such light weapons are easy to transport and even the local blacksmiths can repair them.

Almost all the beneficiaries (demobilised soldiers) covered by this present research were living in the same areas where they had lived before they were mobilised. Most of them were born there and had served from three to seven years in Alula, Atse Kaleb, the 4th and Zaray Yakob Divisions in Eritrea. The highest rank among the ex-servicemen was Captain. Most of the ex-servicemen had joined the army willingly. Their reasons were generally economic. Eleven of the

conscripted respondents left the army after serving for some years. They did not opt to do this, however, because they thought they would have no opportunities if they left.

It was a pity that we did not find any ex-servicewomen among the respondents. Indeed, we tried to make the selection purposive so that female respondents could be included but all the respondents turned out to be ex-servicemen aged between 28 and 57 years. The majority had elementary education and quite a few (8) completed Grade Twelve. Most of them (37) were family heads. The largest family size was ten, and the lowest, four. The remaining respondents were single, divorced or widowed without children or family dependents. Several of them lived with their parents or relatives.

Many respondents had property (mainly land and cattle), before they joined the army. Few of them got their property back on their return. The majority said that the government authorities had told them that land allocation had been completed by the time they arrived. However, some claimed that even after they were told that land redistribution had been completed, land categorised as uncultivated or unoccupied was allotted to some returnees.

Impact Assessment

In this context, impact assessment consists in looking into the effects of NGO-GO relations on the role NGOs played in rehabilitating demobilised soldiers. As mentioned in the objective of this study, there are no projects exclusively intended for demobilised soldiers, neither are there any NGOs undertaking such activities.

Assessing these effects is not a simple task. In fact, the assessment should be comprehensive enough to provide a complete picture of the issues involved. This study does not claim to have made a complete coverage of the basic criteria and procedures for project assessment. Its objective is to understand the role NGOs

played in rehabilitating segments of a society that could easily create instability and public disorder.

Three important issues affected the role of NGOs in the rehabilitation of demobilised soldiers:

Selection of project area and beneficiaries: Despite the fact that NGOs were given priority in the selection of project areas, the recommendations of GOs carried more weight here. In practice, the overriding decisions were taken by GOs. Most of the areas where NGOs operated were poor and several NGOs were allotted regions which were difficult to manage in terms of potential and capacity. Even the local administrations in such regions kept on demanding more assistance from the NGOs.

The selection of beneficiaries used to be more contentious than the selection of project areas, although the line separating area and beneficiary was so thin. The living conditions of the beneficiaries usually indicated the nature of their areas. Most poor people lived in areas without resources. The selection of beneficiaries entailed some targeting and the identification of target groups often generated debates among experts in the field. Specht and Empel indicated that this question became more relevant in the post-conflict context where needs were urgent and the principles of social justice extremely sensitive (1998:10). The effectiveness and efficiency of organisations determined the extent to which they could reach the needy. Different organisations used different selection methods, which ranged from voting by beneficiaries to group discussions, participatory selection by organisations and government bodies.

The fundamental issue was to determine who was poor and hence eligible to participate in projects (i. e. to receive assistance). Even if a 'situational definition' could be reached, no NGO was allowed to target a particular section of a society. Indeed, there used to be a debate about inclusive and exclusive methods of targeting

demobilised soldiers. One line taken was that any reintegration project had to encompass not only demobilised soldiers but also returning refugees and internally displaced persons. In this regard, it was argued that special attention should be given to demobilised soldiers since they posed a unique threat to peace and security.

Apart from REST, the NGOs played restricted roles in selecting beneficiaries through the local administrative structures (*'wereda'* and *'tabia baitos'*). This was a sensitive issue, particularly to the demobilised soldiers. At times it led to political manipulation and unfair distribution. There were cases where the needy were excluded, particularly, demobilised soldiers with large families but no land or other assets.

Project formulation: Projects of NGOs are expected to be integrated. Moreover, Integrated Development Programmes (IDPs), as they are called, should include the major areas in any development activity. An NGO engaging in the construction of small dams should also have health and agriculture projects including training. In-depth studies of NGO activities for rehabilitating the poor showed that small and repeated interventions were really more feasible and worthwhile. Nonetheless, GOs give preference to those NGOs that submit broad projects. It is clear that the size of the financial input became more important than the rehabilitation and development of beneficiaries and regions. This approach had a negative impact on the formulation of small projects for specific groups of beneficiaries identified as having real needs.

Project implementation: The practice of transforming NGOs into mere funding channels greatly inhibited the role of NGOs in the rehabilitation process. Unless NGOs participate in implementing projects, corruption and unfair treatment of beneficiaries can occur more easily. Implementation includes budget allocation, provision of materials, project execution, payment and evaluation. Selecting an ex-serviceman to participate in a project meant he had passed all the

screening procedures. If he actually participated, it was difficult to guarantee his payment in the form of grain and edible oil. Who guaranteed his payment? After working for more than a month, beneficiaries often had to beg for payment. Sometimes they were told that the payment had not been processed, or that it had not arrived or that the work they did was for their own benefit so they could not ask for payment! Obviously then, the CFWP/FFWP addressed only social obligations.

The local government in the Eastern zone closely influenced the functions of NGOs. Government bodies wanted this policy to be strictly implemented. Two NGOs, the Jesuit Refugee Service (JRS) and the Nazareth Children's Centre and Integrated Community Development (NACID), were banned from Eastern Tigray in 1996 and 1997 respectively. Admittedly, as the NGOs brought in more money, they became less involved in the project implementation and control functions. At the same time, they earned higher status, more respect and appreciation in the eyes of government bodies. As a result, the smooth functioning of NGO projects depended on:

(a). The amount of funds (financial and/or material) the NGOs were willing to give to government bodies.

(b). The willingness or reluctance of NGOs to act simply as funding agencies, without assuming much of the implementation functions.

(c). The existence of 'special values' in the NGOs, such as political and economic values, which attract a good status ranking by government bodies.

The above factors impeded NGOs from setting up possible rehabilitation mechanisms for demobilised soldiers. With the flight of Colonel Mengistu in 1991, many soldiers, carrying heavy and light weapons, began roaming around in urban areas. Armed people looted major cities. Most ex-servicemen begged for civilian clothes in

order to escape capture or death from in-coming EPRDF fighters. After calming the havoc, EDRDF called on the ex-combatants to report to training camps of the previous regime. Most of them did so and were given cash for transport and ration cards for some time. Few of them reported that they were mistreated. A Red Cross report also confirmed that there was no serious EPRDF mistreatment of ex-servicemen (in Morrison 1992:128).

The EPRDF propaganda about the Derg regime made the Ethiopian public regard soldiers of the previous regime as 'monsters' and 'cannibals'. One can imagine the feelings of the respondents' reaction to such an attitude, which inhibited social integration. The CFWP/FFWP of the NGOs had some positive impact because they came to minimise the existing problem. The promotion of interaction in project participation and the support shown by each beneficiary created a feeling of solidarity. This is because 'the importance of work does not simply lie in the fact that it provides a material benefit, but that it also enables people to participate in society and to feel that they have something to contribute' (Alder 1992:270). GOs play direct and indirect roles in either reducing or inflaming a sense of social exclusion.

One important point consisted in defining the demobilised soldiers. The basic question was: whose soldiers were these ex-servicemen? The Derg's? Those of Mengistu - as a warlord? Or Ethiopia's? The ERPRD government defined them as members of an army of dictators. The army was therefore regarded as that of Emperor Menelik II, Emperor Haile Selassie I and Colonel Mengistu. Others did not accept this assertion, for they viewed the army as one belonging to Ethiopia, defending its national security and interests although the regime also manipulated the troops for its own purposes (cf. Bahru 1998). The issue is still debatable. The way demobilised soldiers are defined can shape GOs actions towards any efforts intended to help them.

GOs have the right and power to determine resource distribution. The case of land is another major issue. The authorities have full power to refuse or allot land to any member of the community. Most of the demobilised soldiers were landless. They could only benefit from CFWP/FFWP payments. Together with most of the poor communities in the region, they were on the verge of absolute poverty. In the region as a whole, wealth was measured in terms of the area and fertility of land and the number of oxen that one possessed. Additional criteria included family size, optional sources of income and labour power within a family. The greater majority of demobilised soldiers had none. Land remained the underlying means to political power in a community. Most members of the previous regime were critical targets, in terms of party and army membership. Economic exclusion was rampant among the demobilised soldiers. It involved a structured exclusion from agricultural resources, which Gore referred to as 'restriction of access to land resources and patterns of land poverty, denial of access to productive inputs, high-value crops and output markets and processes of land degradation' (1994:26). He stressed that 'in Africa, some people were poor in the past because they were excluded from livelihood. Now they are poor because they are excluded from livelihood and they are excluded from livelihood because they are poor' (1994:81). In the Ethiopian case, however, demobilised soldiers were excluded not only because they were poor but also because they were 'politically unwanted'.

The discouragement of NGO rehabilitation schemes and the pursuit of policies and practices whereby GOs structurally excluded specific members of a society had negative effect on and 'ghettoised' the subjects (Apter 1993:6). Demobilised soldiers were therefore ghettoised and such a practice induced recruits to indulge crime and violence. Ethiopia after 1993 has been marked by a clear increase in muggings, armed robbery and other crimes. Roads leading to different regions of the country have remained insecure as

occasionally armed gangs blocked roads to rob passengers. Government sources reported such incidents and often claimed that soldiers of the previous government were responsible for those crimes.[10]

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[10] It is possible to refer to the mass media and police records of GOs. I have tried to check news broadcasts and newspapers of different times for more than one year. I have found out that in a weekly news broadcast (both TV and radio), there were three reports on violence. I was personally trapped in one of the incidents while I was coming from Dessie to Addis. More than five armed men forced the public bus, on which we were travelling, to stop just after finishing the tunnel near Debre Siena. They seized personal property including bags, watches, gold and money. At that time, a regular soldier was seated at the back of the bus. As soon as the robbers learned that he was there, they started shooting, hit him in the head and ran away with their booty. The victim was taken to the nearest hospital. The message below was the US State Department's advice to American nationals travelling to Ethiopia. However, reference to the statement should be considered cautiously, as the advice is exaggerated in some cases.

US State Department

Ethiopia - Consular Information Sheet

April 15, 1998

Country Description: The Federal Democratic Republic of Ethiopia is a developing East African country comprising 11 semi-autonomous administrative regions organized loosely along major ethnic lines. A 17-year civil war ended in 1991 and a transitional government turned over power to an elected five-year government in August 1995. Tourism facilities in Ethiopia are minimal.

Areas of Instability: Armed attacks apparently targeting foreigners have occurred in Ethiopia. Americans throughout Ethiopia are advised to carefully consider security implications when visiting public places such as markets, restaurants, bars, night clubs and hotel lobbies and to limit their presence in these places. It is advisable to lodge at larger hotels, which offer better security. U.S. citizens should exercise particular caution in Harar and Dire Dawa, and to defer travel to the Somali Region and the Bale Zone of the Oromiya Region. In Addis Ababa, three co-ordinated grenade attacks against public places in April 1997 killed one Ethiopian and injured numerous people, including several foreigners. In 1996, bombs at the government-owned Ghion and Ware Shabelle Hotels killed five Ethiopians and wounded numerous Ethiopians and foreigners. In Southern Ethiopia, reports of banditry are not uncommon along the Kenyan border. Isolated incidents of violence have occurred in the vicinity of Lake Langano and Awassa. In Eastern Ethiopia, two

Demobilisation in Ethiopia was conducted occurred by force. After all, the soldiers had been defeated. Even in countries such as Mozambique and Sierra Leone, where demobilisation was carried out systematically, both individual and organised crimes have become a major challenge to the State. In Sierra Leone, Richards observed how excluded youth or 'young people' can be a source of violence (1996:125-30). The case of child soldiers in the same country reveals a threatening trend. In Mozambique, demobilisation, coupled with

foreigners were killed and one wounded in daylight shooting incidents in Dire Dawa in October 1996. A February 1997 grenade attack at a hotel in Harar wounded five foreign nationals. In several of these incidents, the attacks appear to have targeted foreigners. Since the mid-1990s, there have also been several clashes between various opposition elements and government forces around Harar and in the Somali Regional State, particularly near the border with Somalia. The Awash-Mile Road has been the site of shootings, apparently by bandits operating at night or pre-dawn hours. In Western Ethiopia, military units have skirmished with forces allegedly belonging to the Oromo Liberation Front (OLF) in the vicinity of Nekemte. The Western-most tip of Gambella Region is rife with dissident activity from Sudan, and should be avoided. Visitors should seek current guidance from local officials before travelling to other areas along the Sudan border.

Traffic Safety and In-Country Travel: While travel on paved and unpaved roads is generally considered safe, land mines and other anti-personnel devices can be encountered on dirt roads targeted during the civil war. Before any off-road travel, it is advisable to inquire from local authorities to ensure that the area has been cleared of mines. Excessive speed, unpredictable local driving habits, pedestrians and livestock in the roadway, and lack of basic safety equipment on many vehicles, are daily hazards on Ethiopian roads. In addition, road travel after dark outside Addis Ababa and other cities is dangerous due to broken down vehicles left on the road and the possibility of armed robbery in some locations.

Information on Crime: Pickpocketing and other petty crimes are prevalent in urban areas. There are occasional reports of thieves snatching jewelry. Armed banditry can occur on roads outside major towns or cities and may be accompanied by violence. The loss or theft abroad of a U.S. passport should be reported immediately to local police and to the nearest U.S. Embassy or Consulate. The pamphlets, 'A Safe Trip Abroad' and 'Tips for Travellers to Sub-Saharan Africa', provide useful information on personal security while travelling abroad and on travel in the region. Both are available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

severe poverty, has diminished respect for human life and crime has become a way of life for many people, including demobilised soldiers (Macamo 1996:198-205). During the period when 63,000 Frelimo and 20,000 Renamo soldiers were being demobilised, 77 cases of injury and deaths were reported in only one day (Gutteridge 1997:48). The basic cause of this crime and violence has been the soldiers' fear and lack of confidence in their future.

In Eritrea, the demobilisation of almost 100,000 Liberation Army soldiers has remained a political dilemma (Berhane 1993:134). The aim was to reduce the army from 100,000 to 30,000. There has been discontent among the fighters '...who have carried guns and would not be incorporated into the new national army' (Pool 1993:392). The EPRDF government also demobilised 40,000 of its own fighters. It was forced, however, to allocate extra resources to make their life correspond more to their expectation. The ex-fighters have been resettled in the Dansha Resettlement Area. This scheme has been evaluated as one of the most expensive projects in the country. A study even expressed doubts about the government's ability to sustain the flow of resources (Tesfay 1998)[11]. Some reports indicate that demobilised soldiers of the previous government are falling prey to the objectives of some political organisations. The most cited case has been the recruitment of soldiers by the Oromo Liberation Front (OLF) (Keller 1995:135; Morrison 1992:132). It is easy to understand how difficult it is for the States to make demobilisation a smooth undertaking so that the risks of large-scale public disorder and insecurity are minimised. There is an underlying danger that the small and disorganised crimes of today may become organised fatal political violence in future. David Apter issues a pertinent warning in this regard. He indicates that 'it is not such a

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[11] The report was prepared for GTZ-Ethiopia. Dr. Tesfaye looked into the significance and effectiveness of the resettlement package. He presented findings of the report at a seminar organised by IDR, 1998.

different step to move from the growth of crime, to more occasionally organised protests, to more explicit forms ... manifested by [organised] violence' (1993:6).

The case taken up in the present study shows how misguided rehabilitation of dislocated and vulnerable social groups can lead to socio-political fragmentation and public disorder. Other issues can contribute to a fuller understanding of the crisis of legitimacy in successive regimes in Ethiopia. The movement spearheaded by EPRDF, which was supported by a large segment of the population, is now being plagued by many instances of failure in governance. The last seven years were marked by far more intense public outrage and estrangement from the policies and actions of the regime. The most crucial question for most citizens was, 'Can EPRDF reconstitute fragmented mass support and identification?' Today, EPRDF still finds itself in crisis. Writing on the subject, Edmond Keller said:

Any regime that attempts to restore State efficiency must be guided by competent, politically committed leaders working systematically to establish legitimacy and develop trust among society's disparate groups. The EPRDF regime initially attempted to present the public image that it had the political will to effectively reconstitute the Ethiopian State, but it demonstrated that the autocratic tendencies of the revolutionary movement continued to predominate among the EPRDF leadership. (1995:132)

The problem of the country's successive regimes has been more of 'changing fashion' in the style of rule than 'fashioning changes'[12]. The regimes have been losing opportunities for fundamental reconciliation with the people. I cannot say they knew or did not know what the public wanted; the fact is that they did not want to *listen*.

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[12] This phrasing is based on Charles Elliot, who wrote about Third Sector organisations. He criticised organisations for changing fashions rather than fashioning change.

Concluding Remarks

I attempted in the foregoing discussion to show how relations between NGOs and GOs are characterised by complex and changing factors, which together weaken the role, autonomy and independence of NGOs. The local government does not treat all NGOs equally. There is unfair policy practice. The consequences are reflected in the rehabilitation of demobilised soldiers.

Martin Whiteside defines rehabilitation as 'a process of involving re-establishing livelihood security among the poorest households in order to reduce vulnerability to future disasters, restart the local economy in a sustainable fashion and avoid dependency' (1996:121). The rehabilitation of demobilised soldiers in the areas studied has been limited and hardly comparable with the type featured in the above definition. Demobilised soldiers and other returnees without land and other assets or income did not receive the help they needed to address their major concerns such as land and other long-range income and employment-generating activities.

Efforts made by the government alone towards reducing disaster and poverty have so far been crowned with little success. NGOs have the potential to mobilise resources, to create simple systems for delivering services and to build organisational capacity from within. The stubborn and autocratic attitude of the government towards Third Sector organisations in Ethiopia cannot at present be reconciled with the positive attributes of these organisations. NGOs can obtain the leverage necessary to operate in the country only by agreeing to be led and controlled by the government. There is a practice of 'the cash in on strategy' by the government. This means that NGOs are used as mere fronts and conduits for channelling resources from donors to the government. Their mere presence is taken as evidence of the existence of democratic rights of association in the country.

The government's interest is to acquire resources, mainly financial, from NGOs and then implement important policy decisions through organisations that the government itself created. These government-sponsored organisations are tarnished with the image of independent NGOs. They manifest more characteristics of quasi-NGOs (QUANGOs) closely affiliated to government bodies and departments. They also facilitate the operation of mechanisms that the Government uses to control other NGOs.

The NGOs are desirous of carving out their own organisational and functional autonomy. They are seen trying to conceal important decisions from the government. However, the organisations cannot be a substitute for government. They exist to complement it and to support the creation of local independent civic and development organisations. The continued existence of NGOs depends mainly on the objectives that they set out to achieve, which justify the funds they raise in the name of the Ethiopian poor. The Government has the responsibility to ensure that their work is implemented properly. NGOs should be open to proper enquiries from the Government. They should also understand that protests against this practice are tantamount to trying to make excuses for their failures or malfunctioning. Some of the organisations sometimes make mountains out of molehills.

The study revealed that basic policy requirements and the pattern of their implementation determine the success of disaster and poverty-reduction efforts, in rehabilitating vulnerable segments of communities, such as demobilised soldiers, as well as the smoothness of working relations among the actors. Relations between NGOs and GOs greatly influence the success of development activities and policy implementation. The structural exclusion of demobilised soldiers is contributing to the failure of efforts to turn them into peaceful community members. These efforts are being impeded in Ethiopia, particularly at the grassroots level and this, in turn, is endangering public order and security.

List of Abbreviations

ACS	Adigrat Catholic Secretariat
ADDA	Adigrat Diocesan Development Action
ADP	Area Development Programme
AVA	Ambiguous Voluntary Agency
BOA	Bureau of Agriculture
CFWP	Cash-for-work-programme
CRDA	Christian Relief Development Association
CSA	Central Statistic Authority
DA	Development Agent
DPPB	Disaster Prevention and Preparedness Bureau
DPPC	Disaster Prevention and Preparedness Commission
EEU	European Economic Union
EPLF	Eritrean People's Liberation Front
EPRDF	Ethiopian People's Revolutionary Democratic Front
FFWP	Food-for-work-programme
GO	Governmental Organisations
GONGOS	Government-organised non-governmental organisations
GR	Gratuitous Relief
IDP	Integrated Development Programme
IDR	Institute of Development Research
JRS	Jesuit Refugee Service
KAADP	Kelete Awulalo Area Development Programme
NACID	Nathereth Children's Center and Integrated Development
NDPPF	National Disaster Prevention and Preparedness Fund
NGO	Non-Governmental Organisation
NIRP	Netherlands Israeli Research Programme
NPDPM	National Policy on Disaster Prevention Management
PRAM	Participatory Rapid Rural Appraisal
QUANGOS	Quasi-Non-Governmental Organisations
REST	Relief Society of Tigray
RRC	Relief and Rehabilitation Commission
TGE	Transitional Government of Ethiopia
TPLF	Tigray People Liberation Front
WFP	World Food Programme
WVI-É	World Vision International-Ethiopia

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An Anatomy of Violent Crime and Insecurity in Kenya: The Case of Nairobi, 1985 - 1999

Edwin A. Gimode[*]

Introduction: Crime and Insecurity in the Late 20th Century

Crime is as old as human society. This is borne out by the fact that, at all times in history, societies have had taboos, customs and laws designed to contain crime.

Crime is an index of lawlessness and disintegration of social order (*Hall, et al, 1978:vii*). Such lawlessness has a debilitating effect on society. It disturbs its security and necessarily provokes a situation of insecurity. A United Nations report states, among other things, that crime:

> impairs the overall development of nations, undermines spiritual and material well being, compromises human dignity and creates a climate of fear and violence, which endangers personal security and erodes the quality of life (*United Nations* 1992:6).

It is difficult to give a precise definition of crime. But crime can be roughly divided into two broad categories. The first is covert, less visible crime, which often comes under the rubric of corruption. This includes criminal activities such as embezzling public funds, filing false information, etc. Such crimes are mainly committed by the elite in society — the economically well-to-do and the politically powerful. By the very covert nature of these crimes, their perpetrators mostly go free.

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The second category is overt crime, which is easily identifiable. It involves the physical or psychological injury to other people. Physical criminal violence or physical assault includes homicide, armed robbery, car-jacking, attempted murder, manslaughter, rape, etc. Psychological violence includes lies, threats, brainwashing, etc. These serve to diminish mental potentialities (Galtung 1990:10-12). In addition, there is also violent crime against property — car-jacking, house breaking, etc.

This kind of crime, which is rightly called violent crime, causes direct harm (Chesnais 1992:217). It is a big contributory factor that disturbs security in society. Violent crimes are committed mainly by members of the lower social strata, whose lives are characterised by poverty. It is this kind of crime that forms the subject matter of this paper.

There can be no pursuit of meaningful sustainable development in a situation marked by uncontrolled and uncontrollable crime, because it breeds and accompanies insecurity. (Albert 1998). Criminal violence is one of the most worrying problems of modern times (Cauchy 1992:209). Our own era, the late Twentieth Century, is arguably characterised by a violent crime rate unprecedented in human history.

It has been argued that because of material affluence and the practice of liberal democracy, violent crime has declined in Northern countries (Pestieau 1992:202). Available literature from the print and electronic media contests this assertion. Chesnais, for instance, states that the United States of America records a wholly exceptional level of criminal violence. To him, this violence is twice the level of that which accompanied the disintegration of the Soviet Union at the end of the 1980s, and 'more murderous today than in the depths of the economic depression in the 1930s' (Chesnais 1992:221).

The last quarter of the Twentieth Century witnessed an escalation of violent crime in Africa. This crime is mainly related to the increased intensity and complexity of urbanisation. Obviously, specific features of urbanisation have particularly contributed to the growth of criminal violence.

Cairo, Lagos and Johannesburg are the cities that feature most prominently in literature on violent crime in Africa (Albert 1998). There are other cities, however, whose violent crime rate is equally or relatively high or is fast becoming so. Nairobi, the capital of Kenya, is one of those cities.

The objective of this paper is to focus on the trends of criminal violence (and on the attendant insecurity) in Kenya in general, and in Nairobi in particular since the mid-1980s. The paper examines the topic under specific sub-themes, which attempt to bring out aspects such as the evidence of increased crime, the types of crime committed, the targeted groups, justice and crime, politics and crime, police in crime, measures taken to contain crime, economic and other factors in crime.

Violent Crime and Insecurity as a Signifier of Changing Times

From independence in 1963 up to the mid 1980s, Kenya was one of the most politically stable and peaceful countries on the continent. In the East African Region, she remained a haven of peace and security, as her neighbours were engrossed in endless civil wars. Her stability attracted foreign investment and assured steady economic growth. Kenya emerged as a leading tourist destination with Nairobi as the international headquarters of the region, becoming host to foreign journalists and businessmen and to United Nations Agencies (the only one in a Third World city).

However, from the mid-1980s began a wave of criminal violence, which has intensified with time. This gradually became endemic throughout the country, especially in Nairobi, and this led to an international hue and cry over insecurity. In a real sense, violent crime and insecurity were among the hallmarks of Kenya in the 1990s. Sudden brutal attacks, brazen threats, encounters with young hoodlums desperate for quick cash, became normal on the streets of Nairobi. So did house breaking in the estates, armed bank robberies, car-jacking and the casualties associated with them.

The result was an air of resignation on the part of the *Wananchi* (citizens), given the apparent impotence of law enforcement authorities, an atmosphere of fear and defensiveness and an abnormal degree of security consciousness. But how should we regard this debilitating phenomenon? What does it signify? We can validly assert that in the period under study, crime and insecurity should be regarded, first of all, as an index of the changing times. The criminal violence reported in the daily mass media symbolises the problems and tensions of changes in the social, political and economic life of Kenya.

Violent crime and insecurity have come to connote a whole complex of social themes reflecting the 'crisis besetting Kenya's society' - namely political pluralism, economic hardships, insecurity in the countryside and in the city, suburban and street crime, etc. Crime and insecurity are a signifier of changed and hard times, which are characterised by unsafe streets, the breakdown of law and order, the criminalisation of politics, economic inequality, poverty, etc. All these elements characterise the dilemma of the Kenyan society, three and a half decades after independence. The following sub-sections examine these aspects of crime and insecurity in detail.

Evidence of Escalated Crime Violence and Insecurity

Attacks on Tourists and International Alarm

One of the clearest indices of increased criminality during the period under study was the international alarm about Kenya as an unsafe tourist destination. The international press came to give the world a picture of Kenya totally different from that of the 1960s, 1970s and early 1980s. The picture was grounded on sufficient facts and it gave a true indication of the situation as it really existed. There were incidents of highway banditry in the middle of the 1980s and through most of the 1990s. Thugs mounted roadblocks, especially on the Mombasa/Nairobi highway to rob motorists. Tourists were their favourite targets.

During this period, there were also frequent incidents of banditry in the North-eastern province of Kenya, the home of the Somali ethnic group. The main cause was the civil war that raged among rival clans in the neighbouring Republic of Somalia. This conflict between rival militias further deteriorated Kenyan security.

The clearest indicator of how times were changing was the frequency of attacks on tourists in the internationally renowned Kenyan game parks. Tourists were violently robbed, injured and killed in some cases. Worthy of special mention is the Maasai Mara Game Reserve, the most popular game park in the country and a high spot in the itineraries of most foreign tourists.

On September 6, 1988, a young British woman, Julie Ward, was murdered in this Park. Her body was found dismembered (*Weekly Review* April 10, 1992). The case has been in court for over a decade. John Ward is still struggling to see that the murderers of his daughter are brought to justice (*Daily Nation* April 07, 1999). Miss Ward's death arising from criminal violence marked the beginning of a

drastic decline in the fortunes of the tourist industry as the international press advised tourists to keep away from Kenya.

There was a spate of criminal incidents against tourists between November 1991 and February 1992. Of particular note was the robbery of tourists at the 'Intrepid Camp' in Maasai Mara. This led the British, United States, German and Italian governments to warn their nationals to avoid Kenya, because they '....found the Kenya authorities unable to ensure security' *(Weekly Review* April 10, 1992*).*

The ramifications of violent crime against tourists have been devastating. Tourism was the 'goose that laid the golden egg', the leading money-making industry from independence until the 1990s. Yet it is an extremely fragile industry, depending not simply on beautiful scenery but just as much on the guarantee of security.

Because of increasing insecurity, there has been a steady decline in the number of tourists and in foreign exchange earnings. By 1996, tourism was offering Kenya a paltry 13% of total revenue. This was a far cry from the preceding decades when it was such an important plank in the Kenyan economy. Because of the violence and insecurity that characterised the 1990s, Kenya has lost tourist traffic to new destinations, especially to post-apartheid South Africa.

Nairoberry: The Place of Nairobi in Criminal Violence and Insecurity in Kenya

In Africa, Nairobi appears to come close behind Cairo, Lagos and Johannesburg as a capital of violent crime and insecurity. The endemic insecurity in Nairobi has made the whole country feature so negatively in the international mass media.

In 1991, Caroline Blair, a visitor who had been in Nairobi for three years (1989 - 1991), said she would not discourage tourists willing to visit Kenya, but she would 'nevertheless encourage them to exercise extreme caution when circulating in Nairobi' *(East African*

Standard April 26 1991). She pointed out that she had been in Nairobi two and a half years and had been robbed twice. She added: 'If my personal experience and knowledge of such cases include such samples of crime, one can imagine how high the overall rates must be in the city of Nairobi" (*Ibid*). For Blair, Nairobi had a serious crime problem as the acts of aggression 'had become increasingly violent'.

By 1973, visitors coming to Kenya were advised 'to travel light in Nairobi'. They were 'not to wear shiny watches, necklaces or earrings' and to avoid dark and deserted alleys (*Daily Nation* September 15, 1993). It was at this time that United States papers were quoted as describing Nairobi as '...a troubled, dangerous metropolis in which foreign investors are likely to encounter child beggars and even deadly violence' (*Ibid*). *Newsweek* was quoted as stating: 'Nairobi has always had a reputation for crime. Many expatriates call it Nairoberry - but nobody can remember a time when the city's non-indigenous community felt so insecure' (*Ibid*). There was no doubt that Nairobi had become the hub of crime in the country. The Nairobi Provincial Police Officer (PPO), Geoffrey Kinoti, acknowledged this in 1992. He attributed the situation to a high population growth rate and lack of employment (*Daily Nation* October 29, 1992*)*.

The main crimes in the city were house-breaking and violent car robbery, which left victims badly injured or even dead. One paper stated that crime and insecurity had almost become a routine and '....Kenyans lived in fear of merciless gangsters who struck in the house and on the roads' (*Weekly Review* September 2, 1994).

This trend continued throughout the 1990s. As recently as April 1999, the Government admitted that the security situation in the city was very bad. An Assistant Minister in the Office of the President attributed this to a 'proliferation of firearms' (*Kenya Times* April 21, 1999).

Criminal Violence on Embassy Staff and Expatriates

In the early 1990s, criminal violence in Nairobi seemed to be targeted on foreigners - especially on staff members of foreign embassies and United Nations Agencies. By 1993, the tide of violence had greatly risen and it has generally remained high.

On September 21, 1993, armed gangsters gunned down a top United Nations Official, Rietzel Nielson, in cold blood *(Daily Nation* September 15, 1993). International outrage followed. The United Nations threatened to relocate the headquarters of its Agencies, HABITAT and UNEP, from Nairobi.

There was alarm as to the future of foreigners in a country characterised by criminal violence and insecurity. The Belgian Ambassador to Kenya, Christian Fellens, commented that '.... the alarming increase in crime and the worrying erosion of public security in Kenya is a matter of great concern' *(Ibid)*.

Following the outcry, the government beefed up security at embassies and in the areas where diplomats lived. 1994 saw some respite in these attacks. Only a few isolated cases were reported. Then from August 1995, the tide of attacks resumed and went on till the end of the year. Armed gangs raided the residences of diplomats and foreigners with near impunity and with contempt for the security forces.

In August 1995, the Principal of the Japanese School in Nairobi was shot dead by armed robbers, who drove away from his Karen suburb in his car *(Weekly Review* December 22, 1995). In the same month, the wife of a British diplomat was shot and injured in Nairobi and her vehicle stolen.

In September, a group of thugs broke into the Argentine Embassy and stole cash and other valuables *(Ibid)*. In November, they raided the residence of the Indian High Commissioner, Thetalil

Screenivasan. They stole property and cash, leaving the High Commissioner and his wife badly hurt. *(Weekly Review* November 17, 1995*)*.

Shortly afterwards, they raided the Pakistan High Commissioner's residence, before doing the same to that of the Malawi High Commissioner. Also in November, armed thugs shot and seriously injured a British diplomat, Graeme Gibson. He had to be flown to Britain for specialised treatment after becoming paralysed *(Weekly Review* December 1995*)*. In December, an American woman was robbed of her car, beaten and raped *(Ibid)*.

The result of this series of criminal violence was another international hue and cry. The image of Moi's Government was in tatters because of its inability to provide basic security for its citizens and foreigners. Potential investors were told to avoid Kenya and look elsewhere.

Moi responded to this stinging indictment of his tenure at Harambee House in an extraordinary manner. He claimed that the escalation of violent crime and insecurity in Kenya was politically motivated: it was sponsored by foreign governments that sought to discredit him and bring down his government in favour of the Opposition. Nonetheless, his government took some measures to protect diplomats by beefing up security at their residences.

There was some respite, but only for a time. Attacks continued in 1996 and 1997. The Police Commissioner's Report of 1997 alluded to the outcry from the diplomatic corps in Nairobi on the 'increased robbery, car-jacking and murders' *(The Kenya Police 1997:16)*. The number of attacks on foreigners in the first quarter of 1998 justified this outcry.

On February 20, 1998, a retired British policeman, Roy Chivers, was stabbed to death on the grounds of Aberdare's Country Club in Nyeri, some 100 kilometres from Nairobi *(People* February 26, 1998*)*.

On March 8, 1998, a Russian teacher, Svetlana Kovalsky, was shot dead outside the Hilton Hotel in the city centre *(Daily Nation April 3, 1998)* On March 13, 1998, a German aid worker, Stohr, was shot dead outside his house in Nairobi. The German ambassador, Gerdts, was incensed and decried the state of insecurity in the country as a whole but especially for foreigners.

In April 1998, the Ethiopian First Secretary was gunned down in his car as he drove to his residence in Hurlingham Estate in the south-east of Nairobi. His companion was bundled into the boot of the car and dropped in Eastleigh Estate (a haven of criminals to the north-east end of the city). Today, (1999), security for foreigners in Nairobi is no better or worse than for Kenyan citizens.

Main Categories of Crime and Criminals in Nairobi

The main criminal activities in Nairobi are bank robbing, car-jacking, house-breaking in residential estates, street muggings and snatchings. A distinct feature of the perpetrators is their youthfulness. They are in their teens and twenties. They operate in organised groups. The kind of crime determines the sophistication needed. For instance, bank robbery demands a high level of organisation, besides arms, while larceny on the streets or on buses merely calls for basic individual skills.

Bank and Other City Centre Robberies

Bank robberies have been an intermittently common feature in Kenya since independence. But they were mundane snatches that could be expected in any urban centre. The only exception was a wave of bank robberies in the mid-1970s .....when violent daytime money snatches from banks were common occurrences particularly in Nairobi *(Weekly Review* September 2, 1994). Concerted police attacks on robbers at that time contained the crime wave. A new era in bank robberies dawned in the 1990s. This era was characterised by

many of the robberies involving the use of sophisticated arms, elaborate organisation, and by the amounts of cash taken.

A number of bank robberies in the 1990s merit special mention. In August 1994, a group of smartly-dressed men walked into the Standard Chartered Bank on Kimathi Street. They shot in the air, ordered everyone to lie down while they proceeded to stuff money into bags *(Weekly Review* September 2, 1994). The police gunned down only one of them, while the rest escaped in a stolen car. The same month witnessed gangsters shooting their way into the strong room of the Housing Finance Company of Kenya on Kenyatta Avenue. They made away with four million Kenya shillings - a huge amount of money at that time *(Ibid)*.

These bank snatches were characterised by the amount of money involved in every successive robbery. On January 5, 1997, Kenya recorded the highest cash theft so far. One Charles Omondi Odhiambo coolly walked into the strong room of the Kenya Airfreight Handling Limited at the Jomo Kenyatta International Airport. He walked away with fifty-four million Kenya shillings (approximately one million US dollars) in an 11 kg package belonging to Citibank *(People* February 27, 1997*)*. It took one year for the police to arrest Odhiambo. The case is still before the courts today.

Odhiambo's record was shattered in less than a month. Six armed robbers strolled into the headquarters of the Standard Chartered Bank on Moi Avenue. They terrorised the clients and workers and marched away with ninety-six (96) million Kenya shillings (slightly less than 2 million US dollars).

The spate of bank robberies continued into 1998. In September that year, two bank robberies took place in Nairobi in quick succession. In the first one, eight gangsters armed with AK-47 rifles and pistols stormed the Greenland Foreign Exchange Bureau in the city centre on September 12 *(Daily Nation* September 13, 1998*)*. What

was significant here was not so much the money involved as the robbers' contemptuous behaviour. The thugs shot in the air for 10 minutes. They killed two people, one of them a policeman, and then disappeared without trace.

On the evening of September 14, gunmen were driven in a police van to Jomo Kenyatta International Airport, where they effected the biggest theft in the country's history. They reached the Cargo Service Centre strong room and took away foreign currencies and gemstones valued at one hundred and sixty (160) million Kenya Shillings (about 3 million US dollars). The package belonged to Barclays Bank and was destined for Singapore. *(Weekly Review* September 18, 1998*)*. Six police officers were arrested for complicity in abetting the crime. This spate of robberies continues in Nairobi almost on a weekly basis. All this calls into question the government's ability to guarantee security to its citizens and to the institutions housing their valuables.

One robbery stands out clearly as signifying the changed times in Nairobi. It left unanswered many questions about the capacity of the Kenyan security system. The incident took place on October 16, 1996. It was not a bank robbery, but involved the robbing of businesses on a whole street — Kirinyaga Road.

A group of ten gunmen in a pickup van took over the whole street for twenty minutes. While one redirected traffic, others shot in the air to scare the proprietors and customers, and the rest moved from one shop to another emptying cash boxes. Afterwards they went away slowly and 'did not appear to be in a hurry' *(Daily Nation* October 17, 1996*)*. This was very disturbing.

Car-jacking

Car-jacking and robbery have become one of the main occupations of armed robbers in Nairobi. Armed criminals easily impersonate police officers, mount road blocks and proceed to rob motorists of their vehicles. Resistance leads to severe injury or death.

Usually, gangs go for new vehicles, which they subsequently sell. They have godowns (some of them underground) in peri-urban areas where stolen vehicles are kept in safety or undergo adjustments. Such adjustments include changing the colour of the vehicles, changing their number plates (for forged ones), etc. Police have had some limited success in locating such godowns, smashing the syndicates involved or greatly hampering their operations.

Some of the stolen vehicles are used in robberies elsewhere and then abandoned. Commuter service vehicles have not been spared. Sometimes minibuses full of passengers are hijacked to lonely areas where the occupants are robbed, beaten and the women raped. Such hijackings are carried out in the evening, leaving the victims to stay overnight in the cold.

Car-jacking appears to have been at its peak in 1992 and 1993. In 1992, a total of 2,013 vehicles were stolen countrywide, the majority in Nairobi. Out of these, 804 were recovered. In the first nine months of 1993, about 2,748 cars were stolen and 499 were recovered. It was estimated that 10 cars were stolen daily, 4 at gunpoint *(Daily Nation* December 15, 1993*).*

Residential Area Crime and Insecurity

Another category of criminals has specialised in breaking into houses in residential estates of the city. This is the group that has caused a lot of insecurity among Kenyans themselves. Whereas burglary is a feature of any urban society, the kind that has characterised Nairobi since the close of the 1980s stands out as unique and very frightening.

By 1991, a leading daily was able to discern the changed pattern of crime and the attendant insecurity in the city. It stated that lives were lost in these break-ins, while the crime put fear in the public '.....to the extent that people feel insecure wherever they are' (*East African Standard* April 1991*)*

The *modus operandi* of the thugs has been to move in groups of between 30 - 40 and to target residential plots or blocks. The 'artillery' they carry includes huge stones with which to break doors, metal crowbars, machetes and guns. They strike in the dead of night and rob bewildered block members of cash, television sets, video machines, radio cassettes, etc. Any resistance leads to serious injury or even death.

Some of the criminals are in league with renegade police officers who lend them uniforms and guns. Once armed, they are able to harass residents and extort money from them. This common practice began in 1991 in Nairobi. They would pose '......as police officers looking for illegal aliens and searching houses' *(East African Standard* June 29, 1991).

One of the most disturbing aspects of this crime is that the perpetrators may be known to the residents, but the latter may not openly report them to the police, for fear of devastating reprisals from the gangs. In the past, many reports and subsequent arrests ended with criminals compromising the police and the judiciary and getting away free.

One of the groups mostly targeted by this category of criminals is the Asian business community in Nairobi. Two cases stand out in recent months. The first was the kidnapping of Abdulkharim Popat in May 1998. As he approached his residence in a chauffeur-driven car in Westlands suburb, Popat, a wealthy Ismaili Muslim, was kidnapped by three young men at gun point and driven to a house in Karen, another luxurious estate *(Weekly Review* May 8, 1998). The

three were Alloyse Kimani, a notorious criminal, Joseph Wamae, a Bachelor of Commerce graduate from University of Nairobi, and Kenneth Kinyanjui, an employee in Popat's Imperial Bank. All were in their twenties. After demanding ransom money and waiting for a few days, the abductors became careless and were caught by the police. What was remarkable in this case was the new trend of crime and the sophistication involved. Could it have marked the beginning of a new strain of operations?

The second case was that of Pritam Singh Sandhu, a prominent Asian businessman. He was gunned down in cold blood on March 19, 1999 at his Lavington home by six gangsters. They pumped bullets into the 69-year old man '.... in his bedroom as he pleaded for mercy' (*East African Standard* March 20, 1999).

Street Muggers

A fourth category of perpetrators of crime in Nairobi consists of the street urchins and muggers. They may not be as organised and armed as the bank robbers and burglars, but they still remain a big security menace. They are the young criminals of Nairobi, almost all teenagers. These youths specialise in mugging, purse snatching and pick-pocketing. They made the streets of Nairobi increasingly insecure during the daytime and they operated with impunity from dusk to dawn. They moved in groups of 20 - 30 and were armed with knives *(Daily Nation 1994* October 3*)*.

They stalked victims for long before pouncing on them, maiming them and running away with their purses, necklaces and earrings (*Daily Nation* December 15, 1993). After the catch, they ran away shouting 'Thief, thief !', leaving the victim and bystanders baffled. These young criminals particularly targeted foreigners, who did not seem to know their way around the city, and women, who could not resist them. In some cases, they extorted money from people in a

most bizarre manner. They threatened to 'smear their victims with
faeces if the latter refused to give them money' *(Ibid).*

Some Statistics on Crime

Statistics available from police records and from the mass media
demonstrate a steep rise in crime in Kenya in the 1990s. Table 1 - see
below - illustrates this. The rise seemed to have been most pronounced
between 1990 and 1995, a period of historic transformation in the
economics and politics of the land. But the figures have not
subsequently gone down to the level of the 1980s.

Table I: Comparative Crime Statistic Figures
From 01.01.1987 to 31.12.1997

Year	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997
Murder	1,001	981	902	999	1,071	1,536	1,517	1,603	1,565	1,167	1,642
Rape	420	465	500	515	543	590	589	650	758	1,224	1,050
Offence Against Person	1,502	1,407	1,493	1,468	400	274	1,363	326	357	2,213	2,601
Robberies	5,751	5,833	5,697	6,842	7,406	10,197	9,242	8,804	8,571	5,904	7,465
Breaking	14,415	15,539	14,920	15,231	15,421	18,445	16,867	16,067	12,952	11,204	12,619
Other Penal Codes	10,051	9,230	14,632	16,909	20,055	20,400	16,651	17,540	15,893	10,510	9.58

Source: Police Commissioner's Report, 1997: 100

The rising general trend is further confirmed by the following table.

Table 2: Further Statistics on Crime: 1991 – 1993

Crime	1991	1992	1993
Criminal Deaths	911	1,134	1,248 (Projected)
Violent Robberies	4,595	4,841	6,382 (Projected)
Car-Jackings		2,013	2,782 (1st 9 months)

Source: Compiled by Experts from *The Daily Nation,* December 31, 1993

According to police records, a total of 17,155 serious cases were recorded in Nairobi in 1997. In the previous year, 15,234 serious cases were recorded. The increase in one year was estimated at 1,921 cases (Kenya Police 1997:16).

Note:

The figures provided by the police are extremely conservative and may not reflect the full situation. Being government records, these statistics play an ideological function in not exposing the weaknesses of the system. In addition to the doctoring of reported cases, there are many unreported cases, which are noteworthy.

Self-help Measures in Containing Crime

Kenyans have had to come to grips with the fact that the government is unable to guarantee their security. Consequently, they have been taking their own steps to guarantee for themselves a measure of security from criminals.

In the residential estates of the economically well-to-do, there are characteristic high walls and electric fences to keep thugs at bay. There are also private security guards whose vans are fitted with electronic surveillance contrivances. In addition, there are alarm systems, powerful lights and dogs *(Daily Nation* December 15, 1993). Under the circumstances, private security is one of the fastest growing industries in Kenya.

Various security arrangements are contrived in the estates where residents are not in the higher income bracket but are still targeted by gangs. One example consists in pooling financial resources in a block or an estate to hire security guards. One major weakness inherent in this practice is that such guards may not be credible, compared to those of the specialised security companies. Such guards are known to take advantage of their position to study the terrain and surprise the community by arranging their own break-ins.

· A second approach entails the formation of vigilante groups by the residents themselves. The idea is to take turns in a duty roster to keep watch at night and to alert the others by blowing a whistle. This has had some measure of success. However, such a group of residents can do very little when faced with a gang of about forty armed criminals.

In another development, residents raise funds to put up police posts in their areas. When they have done this, they request the government to send police officers. Individual residents have tried to make their houses burglar-proof by fixing metal grilles on doors and by installing bright lights. A landlord who takes such measures may charge a higher rent, but he never lacks tenants.

Similar security measures have been taken for business premises in the city centre and in the suburbs. Burglar-proof shutters are the order of the day. The private security companies do a brisk business. The banks have realised that the police are not a reliable partner in security. Consequently, they are among the leading customers for private security. Turner, a South African security firm, has been marketing its wares in Nairobi since April 1999. Many banks are attracted by a gadget that is supposed to be able to detect armed individuals entering the bank *(Kenya Broadcasting Corporation Radio and Television* April 9, 1999).

All these measures speak volumes about insecurity in the land and about the state of law and order. They are an indictment of the system.

A Criminalised Judiciary System as a Factor in Crime

Mob Justice

Given the State's apparent inability to contain crime within reasonable limits, a kind of lawlessness, popularly known as 'mob justice' has evolved in Kenya since the 1990s. It finds expression in the lynching of criminals by the public.

This is a reaction to the system, as much as to criminals. The attitude behind it is that since the police and the courts have been unable to guarantee justice for citizens, the latter have decided to take the law into their own hands and to exact justice in their own style. It is a protest, a no-confidence vote, against the government.

A common complaint among citizens is that when criminals are apprehended and handed over to the police, the latter release them on the grounds of 'insufficient evidence'. When they appear before the courts, the evidence in some cases is messed up by the prosecution, so that a criminal cannot be convicted on its basis. Moreover, a powerful criminal can bribe weak magistrates, and go free. In this way, certain members of the Police Service and the Magistracy make nonsense of justice at the expense of the public.

In this wild justice, a gangster or robber or even a mere petty thief, against whom an alarm has been sounded, is pursued by the mob. When caught, he has his hands tied and is stoned to death.

A variant of this involves dousing the criminal with kerosene and setting him on fire. Alternatively, a vehicle tyre is secured around his neck and is set on fire, so as to burn him slowly to death. This is called 'necklacing'.

In the first quarter of 1993 alone, the police reported that 110 criminals had been put to death by 'mob justice'. *(Daily Nation* April 26, 1993). Victims of mob justice are usually unfortunate muggers, car-jackers, pickpockets, purse snatchers, youths attacking tourists on the streets of Nairobi, burglars in residential estates and youths accosting people in the city parks. When the police ultimately show up in the event of 'mob justice', the crowd disperses. In this way, the lack of initial justice has a multiplier effect in adding to the crimes committed.

Justice for Rich Criminals and Justice for Poor Criminals

One aspect of crime and insecurity in Kenya is the class basis of the very administration of justice and its ramifications. The rule of law is meant to establish 'equality for all citizens'. But in a class society like Kenya, laws are based on the dictates of capital and on the protection of private property. It is an instrument of class domination, driven by property considerations and not human at all (Hall *et al* 1997:191).

Consequently, the rich engage in less overt but very serious crime, such as corruption and economic criminalisation. They are able either to rationalise the absurd in the name of human rights and go free, or else to 'buy' justice. Pickpockets and muggers, who are in a hurry to guarantee their day's meal, are 'mobjusticed' or gunned down by the police. Some are real criminals who need to be brought to justice. However, most of them are 'a criminalised lot' by virtue of their poverty, their appearance and their desire to earn a living. They are driven towards 'active' crime by the social forces that do not provide them with a chance to earn a decent, gainful living.

A good example of this group can be found among the hawkers in the city of Nairobi. They were driven from the city's Central Business District (CBA) and ordered to operate from the margins, thereby giving room and opportunity to the Asian merchants. This category of persons slowly descends into crime.

The poor and the propertyless in a class society are always on the wrong side of the law, 'whether they actually transgress it or not' *(Ibid: 190)*. In 1994, Justice Gicheru of the Court of Appeal decried the double standards in the administration of criminal justice in Kenya and the gross political interference in this *(Daily Nation* November 11, 1994*)*. In challenging the Bar and the Bench to be role models in maintaining standards, Justice Gicheru decried the obvious fact that there were two sets of law in Kenya - one for the poor and one for the rich. Such criminalisation of justice does not help to stem violent crime. If anything, the poor, aware of this false neutrality of the judiciary, tend to become recalcitrant criminals, living one day at a time.

In this way, justice is a myth, couched in the lexicon of rights, equality and civility. This was well put by John Griffin when he argued:

> ... the political neutrality of the judiciary is a myth, one of the fictions our rulers delight in, because it confuses and obscures. Our political system thrives on obfuscation .....the judiciary does not of course call its prejudices political or moral or social. It calls it 'public interest' (Quoted in Hall 1978:194).

That is the situation prevailing in Kenya. Albert rightly states that it is the economically poor and politically marginalised who bear the brunt of harsh social realities and get caught, tried and sentenced. *(*Albert 1998:7*)*.

The Police Force: Law Enforcers and Criminals

The role of the Kenyan Police Force in combating crime and in fostering security can be described as a contradiction and this became more apparent in the 1990s with the rise of criminal violence in the country.

On the one hand, the Police Force has tried to plug the gap in an effort to ensure social peace and to enforce law and order. Their

efforts to combat lawlessness and to stem the slide to anarchy must be commended. The Force's motto — '*Utumishi Kwa Wote*' — Kiswahili for 'Service for All', enshrines a noble calling, which the majority have no doubt attempted to live up to.

On the other hand, a reasonable percentage of the Kenyan police force has worked to bring the profession into serious disrepute. In a number of glaring cases, the line separating the custodian of peace and security from the villain in uniform is completely blurred. The following section attempts to demonstrate this contradiction.

The Police Against Violent Criminals: Professional Hazards

The work of a policeman in Kenya in the 1990s had been dangerous. The police were almost more in danger from the criminal gangs than the public, because they represented the only counterforce to the lawlessness which they exposed. They were its nemesis. The criminals became increasingly violent, bold and contemptuous of the men in uniform. The police baton and gun no longer elicited an awed obedience.

Consequently, a major characteristic of the relationship between the two in the 1990s was an exchange of fire. The Kenyan Press is replete with cases of shootouts between the two, leading to injuries and even deaths and the recovery of dangerous weapons from thugs. In most cases, the immediate reaction of criminals was to reach for their guns and shoot whenever they were ordered to stop.

There have been cases where police posts were raided and emptied of arms and ammunition by criminals. The latest case of such a raid took place in Nairobi on April 24, 1999. A gang of robbers attacked the armed sentry of the soon retiring Criminal Investigation Department (CID) chief, Noah Arap Too, at his residence. They injured the sentry, using *pangas* (machettes), and made off with guns and ammunition (*Sunday Standard* April 25, 1999).

The peak of the encounters between the police and this kind of criminals dawned between 1992 and 1995. During this time, the police seemed to be fighting a lost battle. It was as if the city had been taken over by armed gangs who particularly sought out the police.

The most notorious gang was that of Ngugi Kanagi, Bernard Matheri and Wambugu Munyeria - all of them in their twenties. They were hunted for armed robbery and for 67 murders and injuries to 194 people. Of those murdered, five were police officers *(Weekly Review* December 22, 1995). They were ultimately checkmated.

In June 1995, criminals trailed two Criminal Investigation Department (C.I.D) officers into the Eastleigh suburb and gunned them down in broad daylight. On October 16, 1996, when criminals took over a whole street in Nairobi for twenty minutes (see details above on bank and city centre robberies), police officers were targeted and driven into hiding *(Daily Nation* October 17, 1996).

Two cases of policemen facing danger stand out for special note. On July 7, 1998, robbers in the Eastleigh suburb gunned down James Wandeto, a Superintendent of Police. Wandeto, was Deputy Head of the specially constituted crack unit called the 'Flying Squad'.

He had been responsible for bringing many of the criminals to justice. On the fateful evening, however, there was a blackout and he went downstairs to the supermarket to buy a candle. Wandeto found 4 gunmen who had ordered customers to lie down. He was dragged in but he resisted and was shot in the back and chest.

A second case was that of the Deputy Commissioner of Police, Jeremiah Matagaro. On April 2, 1999, Good Friday, Matagaro was accosted by armed criminals as he moved out of his grocery store with his wife and sister-in-law *(Daily Nation* April 3, 1999). They opened fire, killed his sister-in-law and injured him and his wife. He was hospitalised and two bullets were removed from his chest. He later said in a joke that the paper work in his breast pocket saved him

by deflecting the bullets away from his heart (*East African Standard* April 9, 1999).

The police have given as much as they have received. With the appointment of a new Police Commissioner (February 1999), Philemon Abongo, there has been a concerted effort in cracking criminal cells in Nairobi. There are weekly police swoops where many are netted and arms recovered. In a case in point on April 21, 1999, a number of gunmen and a woman wanted for murder were pursued. Ultimately, with nowhere to turn to, they dived into Dandora Sewage Dam — the main one in Nairobi — and were drowned *(Daily Nation* April 21, 1999).

Terms of Service and Logistical Problems

Apart from the dangers they face every day in Nairobi, officers operate under many constraints. These emanate from their terms of service and the logistics of their operations.

The Police Force is very poorly remunerated. Their salaries and allowances are extremely low. Yet, probably even more humiliating are their housing conditions. In most cases, the 'police lines' consist of simple cone-shaped iron sheet structures with a radius of about seven feet. They are often expected to share premises. Those with families have to work out a formula for accommodating every member in the limited space. This does not encourage them to perform their duties efficiently.

There are also critical logistical problems. One of them is the issue of vehicles. Most vehicles available for use by the police are in various stages of disrepair. There is often no diesel vehicle available for official duties. One example will suffice. In November 1989, there was a bank robbery in Thika town (40 kms north of Nairobi), only 200 metres from the police station. Although they were notified, the

police could not do much because their vehicle was too old to catch up *(Kenya Times* November 14, 1989*).*

Another major constraint on police work is the type of arms they have, compared with those used by the criminal gangs. The latter have some of the latest and most sophisticated arms on the market today. Whenever the police gun down criminals, a great assortment of arms is always recovered — Uzis, American Colts, AK-47 — with many rounds of ammunition. In contrast, the police mainly have G-3s.

Police Innovations in Combating the Crime Wave

In response to the increase in the rate of violent crime in Nairobi, the Police Department set up 'The Flying Squad' in 1993 to track down recalcitrant perpetrators, especially armed robbers and car-jackers *(Daily Nation* September 15, 1993). This special crack unit is based in the Pangani Suburb of Nairobi, where it is given specialised training and special facilities.

The Flying Squad is a special unit 'within the CID that prevents crime, by hunting down armed and seasoned criminals — especially bank robbers and car-jackers' *(Daily Nation* July 7, 1998).

Obviously, this squad has had a tremendous success in combating crime. The crime statistics show a peak between 1990 and 1995. After that, there was a certain minimum level, which remained below the figures for the first half of the 1990s, although it was still above those of the 1980s. The almost daily press reports of gangsters gunned down, arms and ammunition recovered, and stolen cars recovered, etc., resulted from the work of this squad.

The second innovation in the 1990s was the introduction of so-called 'Police Hotlines' for Nairobi and the provinces in the countryside. Kenyans were urged to assist the police to prevent crime or track down criminals by ringing the numbers advertised on radio and television and in the newspapers. This helped the police to get

quickly to the scene of crime. The tip-offs contributed to the prevention of many crimes and the arrest of many criminals.

These two innovations entailed some alarming downside in terms of implementation. The zeal with which some members of the squad went about their work left a lot to be desired. There were cases of mistaken identity, where motorists were mistaken for car-jackers and shot. In other cases, the victims of robbery were mistaken and shot by the squad.

A case in point was the shooting of Subir Alhuwalia on April 7, 1999. Armed robbers had that day broken into the house of Prakesh Alhuwalia, an Asian businessman in the Muthangari suburb, and seriously injured him. The police rushed there on a tip-off. But by then, the gangsters had already left and young Subir Alhuwalia was rushing his father to hospital. As the police got through the gate, they mistook the vehicle for that of the robbers and opened fire. Subir died instantly. Other members of the family were hurt (*Daily Nation* April 12, 1999).

There have also been cases where wanton and malicious people, even criminals, used police hotlines to cause confusion and costly mistakes. One example was the shooting of Master Odhiambo, a student of United States International University (U.S.I.U.), in July 1998. As he drove his father's Land Rover Discovery from college, he realised that the police were pursuing him and shooting. Odhiambo was shot dead as he tried to speed away through the streets of Nairobi. It emerged that the police had been contacted on a hotline to the effect that the vehicle had been stolen and was in the possession of a car-jacker.

Police Complicity in Crime

It appeared that because of the hardships under which they operated, a considerable proportion of members of the Police Department got involved in criminal activity of one kind or another against citizens they were supposed to protect. In Nairobi, there were many instances where police informed about an infringement of law invariably arrived after the perpetrators of the crime had disappeared.

Apparently, the police may have succumbed to sheer fatigue in their struggle against crime. Their inattention seemed to give the impression that it did not matter any more whether a crime was committed or not. According to a Member of Parliament from a Nairobi constituency, this lack of response could be interpreted as abetting crime *(People* April 6, 1999*)*.

The fact is that some of the crimes perpetrated in Nairobi could not have been committed without the previous knowledge of the police. They seemed to have been partners in crime. Some of the bank robberies witnessed left no doubt about police complicity. Some of those attached to banks appeared to leak secrets of security arrangements to the robbers, or those supposed to be on duty near a bank happened to be conveniently absent when a robbery took place.

Some members of the police were believed to hire out their uniforms and guns to gangs for a percentage of their proceeds. Policemen had allegedly been involved in cases of extortion and blackmail against Asian tycoons by planting drugs or arms on them, before demanding to be paid off.

In April 1999, the Flying Squad arrested Duncan Ndegwa, a CID Officer, on suspicion of complicity in crime. He was investigated for killing colleagues and 'assisting thugs by providing them with guns to commit violent crimes' (*People* April 20, 1999).

Nine police officers were arrested over the theft of 1.5 million Kenya shillings. This was allegedly part of some 6.7 million Kenya Shillings recovered by the Flying Squad from a gang that had robbed the African Banking Corporation (ABC) in late April 1999 (*People* April 27, 1999).

There were also cases of conspiracy where the police planned bank robberies and then killed some members of the gang to silence witnesses. Invariably, at least one or two gang members seemed to have survived and he carried away money, which was later shared with the police.

Another speculation is that some robberies and car-jackings could not have been carried out without proper police training. This points to the fact that, with their knowledge of the security system, former members of the Police Force themselves became violent criminals.

In the early 1990s, when the crusade for political pluralism was gaining momentum, the police were responsible for a lot of mayhem and violence in Nairobi. They were often called upon to break up democracy rallies which detractors considered illegal and dangerous to public order. On many occasions, the police actually provoked riotous violence by their mishandling of peaceful demonstrators. This generally led to the looting of shops in the Central Business District of the city.

As a result of such brutalities, the police in Kenya have increasingly come to be feared and hated. They are not citizen-friendly. They seem to treat Kenyans as a potential threat to law and order, as potential troublemakers, disturbers of peace, and as criminals.

Properly speaking, the police should not primarily perceive themselves or be perceived as crime fighters. The proper perception of a policeman, both by himself and by the citizen, should be

someone helping to preserve peace and to prevent crime, while being community-friendly (Hall, *et al* 1978:46).

Criminalisation of Politics and Insecurity: A Crisis of Governance.

To enjoy public confidence, a government should demonstrate efficiency in preventing and controlling crime. It is a basic obligation of the government to guarantee security and peace for its citizenry (Clifford 1974 XI). Where this cannot be guaranteed, because of instability, either from within or without, the legitimacy or the mandate of the regime comes into question. In such a situation, we have a crisis of governance, which is a crisis of the State.

The data adduced in this paper clearly indicate that because of the high level of criminal violence and insecurity, Kenya has suffered an internal crisis — that of governance — which put the Moi regime on the defensive.

Political stability is a big contributor to security. Where the former is absent, insecurity reigns supreme. We can say this of Kenya in the period under study. The situation is a reflection of the political undercurrents that have dominated the Kenyan public. It is rightly argued that a crisis of hegemony marks a moment of:

> profound rupture in the political and economic life of a society, an accumulation of contradictions. It is a moment when the whole basis of political leadership and cultural authority become exposed and contested (Hall *et al* 1978:217).

It is my contention that Kenyan political life experienced such a rupture during the period under study. It was a time when all that had been impressed on Kenyans was re-examined. Apart from Tanzania, Kenya is the only country in Eastern Africa that had enjoyed political stability and escaped civil wars since independence.

This stability was based on the principles of the one-party political system, which Moi inherited from Kenyatta. Its justification

was the call to build a united nation out of a mosaic of forty-two ethnic groups. Consequently, such a system was highly intolerant of any dissent. The party, and not parliament, became the supreme organ in the land.

Moi perfected the one-party system and virtually turned Kenya into an arch-autocracy in the 1980s. The laws of the land — the Constitution — existed only nominally. Moi's word was law. Political dissent was treated as treason, and dissidents were hounded out of the country or were detained without trial. The State radio was virtually the party propaganda organ that vilified anyone who questioned Moi's views. This state of affairs was fanned by party hawks, whose sycophancy sustained Moi's personal rule.

Then came the Michael Gorbachev years in the Soviet Union, and talks about *perestroika* and *glasnost* ushered in a wind that was to sweep through across Eastern Europe and Africa. With the collapse of the Communist Soviet Union in 1989, the stage was set for changes in Kenya, as in many other countries.

In Kenya, the forces of political tolerance and alternative views actually emerged in 1990. Moi's response to calls to open up public space first consisted in increasing coercion and an excessive use of the State apparatus. Such resistance only increased the Kenyan people's resolve to fight for their rights.

In reaction to the challenge to its sole exercise of political power, the government unleashed State-sponsored violence on the Kenyan people. This led to the so-called ethnic clashes and the main theatre was the Rift Valley Province, where Moi hails from.

The government-sponsored violence, which invariably involved Moi's Kalenjin community fighting to expel other Kenyan groups (Kikuyu, Luo, Kisii, Luyia) from the Rift Valley, was meant to confirm Moi's argument that Kenya was not ripe for political pluralism. He cited the clashes to justify his stand both before and after pluralism.

The political criminal violence imposed on citizens ended up with some seven hundred thousand people injured, social dislocation and economic stagnation. A hue and cry from the international community put Kenya in the spotlight.

Meanwhile, in Nairobi, where most battles for pluralism were fought, Kenyans lived in a state of fear. Most of the numerous rallies convened were violently dispersed. This in turn resulted in riots and looting in the city (*People* June 12, 1997). Whenever such a rally was called, Moi issued chilling warnings to discourage 'peace-loving Kenyans' from attending. The State propaganda machinery, which monopolised the airwaves, described pro-democracy activists as subverters and traitors giving drugs to misguide youth to break the law and cause mayhem. Their aim, Moi would argue, was to plunge the country into chaos and bloodshed at the behest of their masters in the Western world.

Moi warned that those intending to attend such rallies would be breaking the law and would meet its full force. He would say that the primary duty of his government was to ensure the security of the citizens and their property. It was paradoxical that while Moi talked of protecting citizens and their property, this was actually not the case. The country simply sank into the throes of violent crime through homicide, robberies, etc. Here was a government unable to protect its citizens. Yet the same police force was used to violently disrupt peaceful rallies and demonstrations.

When pressed on the inability of his regime to provide security, Moi would argue that violent crime was caused by political activists in collaboration with the Western countries who wished to see him displaced. The regime's legitimacy suffered from a credibility gap. The crisis of criminal violence and insecurity is a crisis of State and governance. It is the crisis of a government that cannot face up to a fair challenge. The various measures taken by the citizens to get a degree of security are testimony to this crisis of governance.

Neo-liberal Economics and Crime

Primacy of Economic Factors in Crime

To give a meaningful explanation of crime, we have to consider the historical and structural forces at work before and during the period in question. These are the 'critical forces that shaped violent crime in the form it appeared'. In my view, they were socio-economic forces and their inherent contradictions.

It has been argued that crime should be dissociated from economic determinism. The argument is that the factors contributing to one form of crime may not necessarily contribute to others. Consequently, there is supposedly '... no automatic connection between poverty or unemployment and violent crime' (David Bruce cited in *Africa Security Review* Vol. 6, No. 4, 1992).

This is contestable. In Kenya, and indeed in Africa in general, it seems that underlying economic factors contribute a good deal to crime. Any worthwhile account of crime has to consider the dialectic of work–poverty–crime, which is the defining matrix of most economically disempowered people.

In my view, economic factors explain, more than any others, a great deal of the violent crime that characterised Kenya in the period under study. This is not necessarily indulging in economic reductionism. I am only stating that other factors are more contributory, in comparison.

A False Ideology and Religion

According to Pestieu, violence recedes with the advance of liberal democracy and industrialisation. He further argues that '... individualism and the market that encourages it plays a leading role in curbing offensiveness' (1992: 200). This simply implies that liberal democracy and its ideology of individual rights, together with the neo-liberal policies of free markets, are important ingredients of security and an

antidote to violent crime. This is also highly debatable, if the events following democratisation and implementation of neo-liberal economic policies are anything to go by. These programmes were punctuated by a lot of criminal violence and insecurity in Kenya.

Following the end of the Cold War with the collapse of Communism in U.S.S.R., liberal democracy became the programme of the West for the rest of the world. This democracy, a specifically Western brand of bourgeois ideology, was intertwined with the bourgeois market economic policies. This combination, which delegitimised the sovereign State, became the core of the *New World Order.*

This is the Order that Francis Fukuyama was celebrating: the triumph of liberal democracy and the supposed *end of history,* because there was no contesting ideology. But were these ideas good for all humanity? Was liberal democracy more pertinent to the African situation than popular democracy? Was Africa ready for individualism and free market forces, against communalism and humanism?

The answers to these questions are clearly negative. Africans campaigned for liberal democracy, but whether Africa was ready for it, in exactly the form it was presented, is a different matter. It was with the agonising realisation of these bleak realities that the late Claude Ake questioned their suitability for Africa. In his own words: 'After the Cold War, there is only one power bloc whose leaders act as though might is right. There is only one ideology, liberal democracy, only one religion, market forces' (Ake 1996:5). It is to these market forces that we turn.

Structural Adjustment Programme and Implications for Crime and Insecurity

The neo-liberal economic policies involved freeing of the market as a *panacea* for the apparent economic stagnation of Africa. The World Bank and the International Monetary Fund (IMF) wanted Kenya to restructure its economy, as from the second half of the 1980s. This was the Structural Adjustment Programme (SAP) that was seriously implemented in the early 1990s.

What the implementation of this programme amounted to was an unprecedented socio-economic dislocation in the country. Manifestations of this dislocation included poverty, unemployment and the attendant wave of criminal violence and insecurity in the country as a whole, and especially in Nairobi.

Economic liberalisation, which involved unleashing market forces to determine economic trends, implied excision of the human element in development. The result was attempts to nurture capital at the expense of humanity. This was capitalism without a human face. The implementation had to take place under threats from the international donor agencies—especially the IMF and the World Bank. When the Moi government attempted to resist, there was a freeze on development loans.

The huge blind side of neo-liberal economics is not difficult to demarcate. The SAPs demanded devaluation of the Kenya Shilling and the setting up of foreign exchange bureaux. Such a provision weakened the Central Bank's control over monetary matters and the purchasing power of Kenyans — especially those in the low-income bracket and this was tantamount to criminalising the group.

The government was ordered to freeze any further employment in the civil service and the teaching field. The result was that many university graduates and those from the middle-level colleges were idle. In addition, the government was forced to undertake a big

retrenchment scheme, covering a large proportion of those in its employment. In most cases, they had no prior preparation for their redundancy. The result was a potentially large criminal army. The Karim Popat kidnap case (see above) involved an unemployed university graduate.

When commodity prices were deregulated, the prices of almost all essential commodities shot up. This hit hardest at those at the bottom of the social pyramid. People were unable to afford food in a predominantly agricultural country. The urbanites were especially badly hit. Taking to crime for survival was not an unreasonable alternative. For many, being caught or even killed was no worse an alternative than grinding poverty.

The introduction of high fees in the universities and colleges had extra effect on many youths. A poor farmer or a parent recently retrenched from employment could not afford the fees. Many youths who qualified for these colleges were unable to take up their places. For the first time in the history of independent Kenya, large numbers of students dropped out of the education system because they could not afford to remain in it. Such a trend has become normal. The whole issue of schooling has been brought into disrepute. Consequently, for many youths, it is not out of the ordinary to consider becoming a gangster. It is one way of hitting at the society that has rejected them.

Far from resuscitating Kenya's economy, the overall net effect of the Structural Adjustment Programmes was that these programmes rather pushed the economy into the abyss of real stagnation and decline. Between 1986 and 1989, the GDP growth rate was 5.8% per annum. In 1990, corresponding to serious implementation of the SAP, it fell to 4.3%. In 1991, it fell further to 2.2% and sank to the abysmal level of 0.4% in 1992 (*National Council for Population and Development* 1994:4). It did not improve throughout the rest of the 1990s.

Economic Inequality, Poverty and Insecurity

In a speech delivered on March 7, 1998, the World Bank's Country Director accredited to Kenya, Harold Wackman, attributed the escalated crime wave in Nairobi to economic factors *(People March 18 1998)*. He argued that there was economic inequality in the country, where the top 20% of the population earned 20 times as much as the bottom 20%.

Yet, this state of affairs can also be attributed to the SAP. Liberalising the market meant that the few who had capital would benefit and accumulate more, at the expense of the poor. Poverty is not a new phenomenon in Nairobi. Yet the level of poverty witnessed in the 1990s was unprecedented. Added to this were the ever-mushrooming or expanding slums, the kindergarten for criminals.

In a real sense, poverty, crime and insecurity form a self-reinforcing matrix. Poverty leads to crime and insecurity. But the latter in turn perpetuate poverty. Commenting on poverty in Kenya, Gershon Ikiara, a Professor of Economics, said that most investors, donors and *wananchi* are discouraged by the insecurity and lawlessness in the country *(Daily Nation March 29, 1999)*.

Ikiara argued that if the average Kenyan bar, restaurant and supermarket owner worked till midnight daily, without any fear of attack from gangsters, the rate of the country's economic development would treble. 'All that the Kenyan common man and business community need is security. If the government is serious in combating poverty, then it must address the issue of security' *(Ibid)*.

Other Factors in Crime and Insecurity

Large City Population

The Police Commissioner's Report for 1997 attributed the escalation of criminal violence in Nairobi to a high population (Kenya Police 1997: 16). The fact is that the population of the city has not matched the services provided. Because of a high rural-urban migration, the social amenities in the city — housing, health, transport, recreational facilities — have been inundated.

Kenyan society has been marked by the rich and powerful grabbing available public land in order to develop it. There is virtually no space for the youths to involve themselves in sports and games. They then tend to indulge in crime.

Most of those coming to the city do so hoping to get employment and a better life. In most cases, this is an illusion that leads to further disillusionment. They settle in the slums, which are an index of both poverty and crime.

Statistics indicate that the city population has kept on increasing. According to the 1989 intercensal population figures, Kenya's growth rate was 3.4%. The total population was 21.4 million, and 19% of the population lived in urban centres, a large proportion in Nairobi. The intercensal growth rate for the urban population was 4.8% per annum — which was above the national growth rate (*National Council for Population and Development* 1994:3)

In 1979, Nairobi had a population of 827,775. In 1989, it had 1,324,570. The projection for 1999 stood at 2.164 million. By the year 2000, it was projected to reach 2.243 million (Republic of Kenya, April 1996). These statistics implied continued pressure on the insufficient resources of the city, more slums, more poverty and more crime and insecurity.

Refugees and Arms Proliferation

The steep rise in violent crime and insecurity in Kenya, which began in the 1980s, is partly attributed to the large number of aliens in the country. Kenya has been acting as host to many refugees, bandits and militias from the civil wars breeding instability in the neighbouring countries.

Yet this situation has prevailed at a cost. Aliens from Somalia, Uganda, Ethiopia, Sudan, Rwanda and Burundi have engaged in armed criminal activities. Indeed, it is arguable that Kenyans learnt the unprecedented practice of violent crime from aliens.

The refugees and fleeing members of militias opened Kenya to a proliferation of many sophisticated arms at minimum cost. The long porous border with the neighbours has made it impossible for the police to control the inflow of guns. Consequently, criminals had a field-day in acquiring lethal merchandise *(Weekly Review* September 18, 1998). Gun-running reportedly reached its peak in 1992, the year of the multiparty election. Nevertheless, the number of weapons has kept increasing. There are today more guns in the country than at any other time in its history *(Ibid)* and this explains the escalating insecurity and violent crime.

Change in Lifestyles

Urbanisation has salient characteristics that tend to break down family ties and to atomise society. In Nairobi, the hard realities have not been cushioned in any way due to growing urbanisation. Youths have been enticed into criminal activities because there is no one to monitor and supervise them. Consequently, gangs have replaced the extended family for youths from economically marginalised homes *(Albert* 1998:18).

There are also violent film videos, which laud criminal exploits. These are ingrained in the psyche of the poor youths who set about practising what they watch on films.

Conclusion

This essay has attempted to examine criminal violence and insecurity in Kenya in the 1980s and 1990s in all their complexity. Focusing its inquiry on Nairobi, it has given empirical data to illustrate the trends and the types of the dreaded plague. It has examined the various fundamental perpetrators of violence and crime and their exact roles. It has also attempted to explain crime as a social phenomenon to be treated as a product of multiple causes and not as a simple fact. The essay contends that economic factors are the actual determinants of crime while other factors accentuate the phenomenon.

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Youths, Violence and the Collapse of Public Order in the Niger Delta of Nigeria

Charles Ukeje[*]

Background

An unbroken span of almost fifteen years of military rule, from December 1984 to May 1999, ended with the inauguration of Nigeria's Fourth Republic and a democratically elected civilian administration under President Olusegun Obasanjo. Even after this long overdue transition, the pervasive effects of prolonged military rule remained evident in virtually every part of the Nigerian society. Economically, the military presided over a merciless looting of public resources. The signs of this were the emergence of 'overnight millionaires', an uncontrollable inflation, huge public and external indebtedness and the near-collapse of the national economy. Politically, military rule led to the shrinking of the space for any popular expression and democratic participation in governance. The military tinkered endlessly with every transition programme so as to exclude the radical opposition elements with whom they felt so uncomfortable. There was a deep and pervasive mentality of force, as authoritarian social behaviour percolated the order that had previously characterised social transactions in the civil society.

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The present political dispensation has not improved the state of governance associated with several years of military rule. Significant aspects of this phenomenon have endured and assumed even worse forms in some cases. There has been a dangerous resurgence of violent conflicts over ethnicity, religion and resources, with the attendant insecurity. The violent conflict in the Niger Delta has been in many ways a microcosm of the wider crisis that bedeviled Nigeria in the heyday of military rule. Such conflict among the oil-producing communities in the Niger Delta reflect the widespread collapse of public order in the country. The conflict attests to the depth of social frustration and anger harboured by the oil communities, directed first against elements they consider to have sold out communal heritage; secondly, against the oil companies, whose years of exploration and production have so far yielded little positive development; and thirdly, against the 'distant' Nigerian State, more concerned over what it accumulates than caring about the proverbial goose that lays the golden egg. Like most of the violent conflicts in contemporary Nigeria, those in the oil-rich Niger Delta reveal the inherent weakness of the State institutions. These cannot effectively resolve social conflicts. The State has demonstrated strong preference for military coercion to suppress militant groups, whose activities threaten oil production in the Niger Delta, the country's main source of foreign exchange earnings.

The primary focus of this paper is on the role of youths in the violent conflicts plaguing the Niger Delta oil region of Nigeria since the early 1990s when a small but homogeneous ethnic group, the Ogonis, embarked on a mass protest against an alliance between the Nigerian State and foreign oil companies, especially Shell Petroleum Development Company (SPDC)[1]. The Ogonis accused them of polluting

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[1] Shell is *primus inter pares* among major foreign oil companies and a few indigenous establishments, such as Chevron Nigeria Limited, Exxon Mobil, National Agip Oil Company and Texaco. SPDC alone has an estimated 92 producing fields, 86 flow...

their environment, marginalising and disfranchising the local community. Around the same period, several non-Ogoni communities of the Niger Delta, such as the Ijaws, Nembe, Itsekiri, Urhobo, Okrika and Kalabari, also engaged in mass political protests and civil disobedience over similar issues. The experiences of youths in the Ogoni and other Niger Delta ethnic communities have been largely ignored in literature, even though there is evidence that they played an important role. This paper offers a critical examination of their political activities. What were the main grievances of youths in the Niger Delta oil communities? How did violent youth protests affect security and stability in the Delta? How did the State and oil multinationals respond to the challenge to security posed by youth violence there? Finally, how did the crisis in the Niger Delta influence discussion about security, violence and public order in the Delta and in Nigeria in general?

This paper first presents an overview of community strife among the oil communities in the Delta. This provides the basis for understanding the involvement of youths in grassroots politics and violence in the area. I then examine the security implications of the violent conflict in the Delta and the various reactions of government and the multinational oil companies. I conclude by putting forward some recommendations for resolving the violent youth crisis in the Delta.

Causes and Dimensions of Violent Conflicts in the Niger Delta

Opinions do not greatly differ about the factors behind the surge of violent civil conflicts in the Niger Delta area in Nigeria. Naanem, (1995:65-75) identified an acute scarcity of land, because of the ever-expanding oil production activity, degradation of land and water by oil pollution and creation of oil-related infrastructure like refineries, fertiliser and petrochemical plants, as causes of violence among oil

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stations and 6,200 kilometres of oil pipelines. See *Vanguard Newspapers* (Lagos), 2-4-98, p. 13

communities[2]. Welch (1995:635) also argued that 'communal pressures that have characterised the Niger delta and many other parts of Nigeria are not only matters of ethnic self-determination but also complex expressions of economic and political disparities'. Warning that the present situation in the Delta is 'serious, complicated and explosive', Van Dessel[3] (1995:3) suggested that 'too many promises and disappointments in the past have exhausted the patience and confidence of the people and the carrying capacity of the Niger Delta ecosystem' (p. 29). Alfred Ilenre, the General Secretary of EMIROAF, an ethnic minority rights group active in the Niger Delta, also noted that: ' ...Nigeria has not at all been fair to the people of the Niger Delta. The suffering of the people, in spite of the enormous wealth that is got from their area, is inexplicable. That is why violence has erupted all over'. According to him, youths were up in arms because of the seeming failure of non-violent action (p. 23). A prominent leader and owner of one of the few indigenous oil companies in Nigeria, Chief Itsueli, presented an alarming picture of the multiplier effect of youth militancy in the oil basin. In his opinion, boundary disputes and clashes had led to an alarming acquisition of sophisticated firearms and the creation of private militia in oil communities, where youths became well armed and violent. He warned that if the substantive issues arousing discontent in the oil delta region were not addressed, the youths might graduate to higher levels of criminality in their immediate neighbourhood or wherever they felt oil money

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[2] On the role played by scarcity of resources, especially land, in the resurgence of mass-based conflicts and revolutions, see Manus I. Midlarsky, 'Scarcity and Inequality: Prologue to the Onset of Mass Revolution', Journal of Conflict Resolution, 26: 1, March 1982, pp. 3-38.

[3] Dessel joined Shell in 1990 as a biologist. After working for two years in The Netherlands, Dessel was assigned to Shell Nigeria where he served for more than two years as environmental adviser (Head, Environmental Studies). He resigned in December 1994 because his 'professional and personal integrity was at stake', p. 5.

generated from their backyards had been invested[4]. Another community leader, Chief Mala Sasine, a lawyer and traditional ruler of Igbogere in Bayelsa State, concluded that:

> There is a gathering cloud in the oil-producing communities and the situation is getting explosive. People are suffering in the midst of so much wealth being generated. People are getting more and more enlightened. There is so much hopelessness. The communities are bitter. There are many young people, including graduates who have been unemployed for years... (*The Guardian* 3-9-97:17).

The oil companies at the centre of violent conflicts have a surprisingly firm grasp of why their host communities have tried to draw attention to their problems through violent protest and agitation. According to Deji Haastrup, Manager responsible for Community Relations at Chevron Nigeria Limited:

> In many remote areas where poverty and unemployment are more pronounced and policing is almost absent, many of the youths have turned to crime and the criminal has not had much deterrent.

Shell, the largest multinational player in Nigeria's oil industry, has identified political, social, and environmental concern as the three core factors that precipitate community disturbances in Nigeria. The political factors include lack of reasonable share of oil revenue, which is complicated by the high population growth rate putting pressure on land, thus bringing about deforestation, over-farming and soil erosion. Another factor is the emergence of a new generation of well-educated youths aware of the disparity between urban and rural centres and believing that Multinational Oil Companies (MNOC) have the wherewithal to redress this social gap. The communities have also found that the best way of extracting a greater share of oil

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[4] Cited in *The Guardian* on Sunday, 11-10-98.

wealth is by holding MNOC to ransom. At the social level, Shell noted that 'Anger is growing and increasing militancy is overthrowing traditional social order in some communities'. This, according to Shell, has led to a situation whereby 'a complex and dynamic fragmentation of communities characterised by frequent power shifts between factions' makes it difficult, if not impossible, to negotiate compensation for land acquisition damages due to oil spillage. Another social factor is the resurgence of ethnic conflicts that can affect oil operations. The main environmental factor is oil spills, which Shell says are acts of sabotage. Between 1988 and 1994, according to Shell, some 28% of spills in Shell's area of operation were due to sabotage. This is increasing and sabotage accounted for 35% of all spills in 1994[5].

The reality in the Niger Delta today is that decades of oil production have accentuated the impoverishment of the inhabitants. The period also witnessed an acute neglect by oil companies, who argue that it is beyond their corporate callings to play the role of an alternative government and provide social amenities and infrastructure to their host communities. They provide such amenities to facilitate resource extraction rather than to benefit the oil communities. This in itself is enough to inflame communal feelings and the phenomenon is even worsened by regular display of opulence among oil workers and by oil managers' indifference to community relations. Some of the most contentious irritants are delays in paying compensation for expropriating communal resources, particularly land, and for oil spills, pollution and destruction of farmlands. Apart from the oil companies' exacerbation of communal conflicts in the Niger Delta, the State and Federal Governments have also been criticised for the underdevelopment of the oil communities. The local communities claim, with justification, that the government hardly does anything beyond facilitating crude oil production. The government is considered

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[5] See www.shell.org: 'Why Community Disturbances Happen'.

culpable for abandoning its principal social mandates of providing basic social infrastructure such as good roads, clean water, electricity and educational and health care facilities, as well as adequate security for life and property.

Youths and Violent Conflicts in the Niger Delta

The deadline set by Ijaw youths, whereby all multinational oil companies were to cease operations and vacate their land and territorial waters — and indeed the entire Niger Delta — expired on December 30, 1998. An estimated 5,000 ethnic Ijaw youths took this decision two weeks earlier, on December 11, at Kaiama[6], Bayelsa State. It was the climax of persistent calls on the oil companies to pay compensation for spoiling the environment and prevent the collapse of the local social infrastructure. The youths also raised political questions about the allocation of fiscal revenue in areas other than where it was derived, and about decentralisation and the devolution of power on local communities. Finally, they called for an overhaul of Nigeria's federal system, which disadvantaged the minority oil-bearing communities in the Niger Delta, and denounced the State-sponsored repression that had turned the oil communities into garrison enclaves[7].

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[6] Kaiama is the home-town of the renegade Major Isaac Adaka Boro who created the Niger Delta Volunteer Service (NDVS) with 50 men and declared an Ijaw nation on February 23, 1966. The decision to convene at Kaiama, where the historic declaration was made, should be seen as a conscious attempt to evoke the revolutionary spirit of Adaka Boro. The new NDVS is a group that must be watched closely. It is composed of highly mobile and violent Ijaw youths.

[7] For the full text of the Kaiama Declaration, see, ERAction, January-March, 1999, pp. 24-25.

When their deadline expired, the youths, nicknamed 'Egbesu Boys', marched to Government House in Yenegoa, Bayelsa State, singing traditional Ijaw war songs[8]. In a pre-emptive strike, armed soldiers on sentry duty at the Governor's lodge shot at and killed or wounded several protesters. According to the independent magazine, *Tell*, the youths first dispersed, reconvened in the evening and systematically raided military checkpoints and police stations, seizing weapons and ammunition. The conflict spread like wildfire. Youths from the neighbouring Odi village, close to Kaiama, ransacked the police station for arms and proceeded to Yenogoa to join the Egbesu Boys. At the Mbiama junction, the youths attacked and overpowered a joint army/mobile police checkpoint. An advance party of 25 fully armed soldiers, deployed to prevent the attack by the youths, were ambushed, disarmed and taken prisoner. At about 10 kilometres to Yenagoa, nearly 700 youths engaged another military detachment and incurred losses. While pursuing them, the soldiers met reinforcements of Egbesu boys, and both sides suffered severe casualties[9].

The youth wing of the Movement for the Survival of Ogoni Peoples (MOSOP), otherwise known as the National Youth Council of Ogoni Peoples (NYCOP), had already popularised such grassroots confrontation in the early 1990s. (Welch 1995a; 1995b; UNPO 1996; Obi 1997). Other ethnic communities in the Niger Delta adapted their strategy. Oil communities which were 'traditionally' less hostile towards the oil companies and the State became more belligerent. On 20 January 1998 for instance, Eket in Akwa Ibom State saw a major youth protest by a Pan-Eket group known as *Afigh Iwaad Ekid*,

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[8]   Nnimmo Bassey, 'A Matter of Life and Death: Sustaining Civil Life and Environment', ERAction, January-March, 1999, p. 26-28.

[9]   It is impossible to know the exact number of deaths at the hands of the soldiers. According to some allegations, dead bodies were thrown into River Nun during this incident. See ERAction, 1999, p. 19; Ima Niboro, 'Blood Bath in the Delta' (Cover Story), *Tell* Magazine, January 18, 1999, pp. 20-25).

or the Supreme Council of Eket Youths – the first of such protests during the thirty years of Mobil's presence in the town. This group demanded, among other concerns, that Mobil should allocate three days production every month to local community environmental development, that Mobil should relocate its headquarters from Lagos to Eket and appoint at least three Eket citizens as directors[10]. The Isoko National Youth Movement seized five flow stations in Isoko North and South LGA, sacked the oil workers and paralysed oil activities[11]. In mid-July 1999, 64 Shell staff, including seven expatriates, were held hostage in the Ozoro and Ovrode communities by militant youths from Isokoland. The youths, allegedly armed to the teeth, reportedly seized SPDC Drilling Rig-1A, blocked all access roads, and shut down all electricity generating sets. They also impounded some buses and outboard engines belonging to Daewoo Nigeria Limited, a contractor to Shell[12]. Itsekiri youths were not to be left out of this expression of collective anger and frustration. In late October 1998, irate youths in army uniform attacked Oruigbo village, an Itsekiri enclave in Warri South LGA, and held about 100 SPDC, Westminster Dredging and Texaco workers hostage for about four hours. On December 4, 1994, Nembe youths gathered at the town's waterfront to present their demands to the government and oil companies[13].

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[10] For other demands, see The Guardian on Sunday, 2-5-98, pp. 16-17).

[11] Their demands include: a N50 billion compensation to the Isoko people for more than three decades of oil exploitation; an additional two LG councils for the area; an Isoko representative on the Board of OMPADEC; and the immediate employment of all employable Isoko youths by Shell.

[12] Cf. *The Guardian,* June 30, 1999, back page.

[13] For a detailed statement on the Nembe position, see: 'An open Letter to the Head of State and Commander-in-Chief of the Armed Forces of Nigeria' titled "The Agony of Nembe Creek Oil Field Community" in The Guardian, January 18, 1994, p. 27; see also The Punch (Lagos), 23-10-98, pp. 1 and 6.

Such incidents have become customary ways of expressing community grievances against oil and State interests in the Niger Delta [14]. There are several reasons why youths turned increasingly to violent confrontation to draw the attention of the public to their grievances and to those of their communities. The earliest community protests involved non-violent methods, such as petitions and the sending of community delegations to present complaints to oil companies and to the State and federal governments. There were also occasional demonstrations, boycotts and the picketing of government and oil company locations, but all this failed to bring any positive result. Indeed, expressing community grievances and even very legitimate social demands often produced little response from oil company executives or government officials, or occasionally evoked outright indignation and hostility. Having failed to win any concessions or developmental projects through peaceful means, militant youth groups then seized flow stations, rigs, and other oil installations, and held local and expatriate oil company staff hostage. They also damaged vehicles and other property belonging to oil companies. Easy access to sophisticated firearms and ammunition enabled militant youths to inflict severe damage on oil interests. At the same time, they were so familiar with the harsh Delta terrain that they could easily evade State security.

One cause of violence was the State's neglect of social amenities and infrastructure, such as piped water, good roads, health care facilities and schools. In addition, the oil communities had to endure the results of reckless oil exploration and production. This ushered in excruciating environmental conditions, which were often aggravated by oil spills, gas flaring, the discharge of waste into communal lands and waters, and other fallout of poor oilfield management by the multinational oil companies.

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[14] SPDC alone has 92 producing fields, 86 flow stations, 6,200 kilometres network of pipelines and flow stations. Cf. *Vanguard Newspapers* (Lagos), 3-4-98, p. 13.

Moreover, lack of opportunities for gainful employment demoralised the youth in the oil-producing communities of the Delta. Life for the mostly uneducated or semi-educated youths in a typical rural oil community is full of misery, because there is no chance for them to find employment and income-generating opportunities. The worst thing for many youths there is that they have no hope of breaking out of the prevailing cycle of poverty. These are the young men who form the militant wings of community movements. Their most viable survival strategy is to live off the oil companies, either by taking up menial, low-paid daily work, or by trying to hold oil companies to ransom for a fee. While this category of youths forms the militant wings, their better-educated counterparts, who have had the opportunity of higher education and access to the information superhighway, form the intellectual arm of ethno-community movements in the Delta. The activities of the two categories of youth are complementary.

Another factor contributing to youth violence, to which I made an allusion in the introduction, is that the revolt by youths in the Delta forms part of the ground swell of opposition to political domination by the Military. Every ethnic or sub-ethnic group in Nigeria has its grouse against the military. This explains why, during the last days of military rule, many groups were emboldened by the increasingly visible contradictions within the military to engage in armed revolt. The availability of sophisticated light weapons and ammunition accessible to youths in the Delta increases the risks of a further descent into anarchy and insecurity in the area. The hundreds of poorly mapped creeks and rivers across the Niger Delta are notorious routes for clandestine gunrunning.

Youths in different oil communities are increasingly forging alliances with their counterparts outside their immediate ethnic groups in the Delta. In this way, they learn new strategies for political activity under difficult conditions and improve their organisation.

The struggle by the Ogoni people, under the Movement for the Survival of Ogoni People (MOSOP), may have been the most visible and sophisticated action of the early 1990s, but other Niger Delta communities were following their example. On August 16, 1997, for instance, a new Pan-Delta group called the Chikoko Movement was launched at Eleibiri in the Ekeremor Municipality of Bayelsa State[15]. Participants were drawn from different communities across the Niger Delta, as well as from human and environmental rights organisations and women's and youth movements. According to Isaac Osuoko, General Secretary of the Movement, the

> Chikoko is a resistance movement. It is a representative mass organisation of the minority oil-producing areas with the mandate to enforce the Niger Delta people's right to an environmental and ecological order conducive to their survival[16].

To quote him further,

> Chikoko, the idea, is something people have been thinking about and saying. The methods of the past have not yielded results. People in the Niger Delta are conscious and have always been protesting against oppression, exploitation and environmental degradation. There is a new realisation that we have to build a new movement and adopt measures and tactics to sustain the realities of the contradictions of the movement. The new resolve has gotten expression in Chikoko.

The establishment of the Chikoko Movement gives a clear signal that if nothing is done to address their myriad complaints, youths may be committed to a higher level of trans-ethnic political mobilisation. The Pan-Ijaw ethnic alliance, drawn from Ijaw territories across six oil-producing States, later adopted the Kaiama Declaration, along the

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[15] The organisers intentionally chose this location to generate negative publicity against Shell for refusing to clean up a spillage that occurred earlier in March 1997.

[16] Cited in The Guardian 3-9-97:17.

lines of the Ogoni Bill of Rights. The Kaiama Declaration set out four strategies to harmonise the disparate positions of the micro-Ijaw oil communities in their relations with oil companies and the Nigerian State. The first was *Operation Climate Change*, which entailed shutting down oil installations and extinguishing gas flares. The second was *Operation Lunch*, under which Ijaw youths were to embark on symbolic gestures, including clanging plates with spoons, to remind the government that they were hungry and had decided to take their destiny into their own hands. The third strategy was *Operation Reach Out*, which involved reconciliation between Ijaws and their warring neighbours, such as the Itsekiris and Ilajes, and a request to their neighbours to join in the shutting down of oil installations. The last action was, *Operation Warfare*, whereby an all-out counter-reprisal by the youths was envisaged in the event of military reprisals[17].

The mass mobilisation taking place around the Delta encouraged some scholars to conclude that:

> 'For people whose lives are mired in drudgery and desperation, the offer of an exciting, risky and possibly beneficial campaign of collective action may be a gain'. According to Tarrow, violence under this condition becomes the easiest of all options available for use by a disadvantaged group, because it does not have a 'high threshold of social transaction costs' in terms of preparation. It may also be easier for 'isolated, illiterate and local groups to imitate'. (Tarrow 1996: 19, 103). This culture of violence among contemporary youths points to a broader, all-pervasive crisis of youth. This crisis has several dimensions, most of which concern the social character of youths, which makes them prone to expressing violence. For instance, youths have a weak relationship with legitimate work, because of unemployment and a weak relationship with family and community life, as well as a freewheeling social life. (UNRISD 1995). To these, we can

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[17] For details, cf. ERAction, 1998:24-25.

add the collapse of traditional mechanisms for social mobility and for resolving social conflicts. Rebellion among youths has also been described as resulting from the political culture, which predisposes them to engage in low-intensity strife, in order to draw attention to their plight. In Richard's opinion, youth violence results from the alienation of young people 'from wider civil society by failures of educational systems and employment opportunities' (Richard 1997:159).

El-Kenz's (1996) analysis of youth violence in two urban settings, Dakar and Algiers, supports these arguments. According to him, a common factor is that youths who drifted into violence had suffered acute social alienation, defined as alienation from a society they are 'so familiar with but of which they are hardly a part' (p. 43). The youths respond by becoming 'uncontrollable, aggressive and violent' and in the final analysis, 'destabilising societies, frightening the middle classes and reinforcing, if not justifying, dictatorships' (p. 46). For youths, especially those entering adolescence, the times are marked by a 'descent into hell. The spirit of rebellion normal at this age is exacerbated by such deep frustration and transformed into hatred and violence. Their nihilism is aggravated by the rapid changes their society is undergoing'. According to him, it is in this context that:

> Almost everywhere, violence is the mode of response to the problems that inadequate political institutions and outdated codes of behaviour have proved incapable of solving. In all of these countries, it is the young people who are in the forefront: youths enraged by the injustice and indignity of a situation they refuse to accept fatalistically. They are using the only means left to them — violence (El-Kenz 1996: 51-52).

This paper does not pretend to exhaust all the causes and effects of youth violence in the Niger Delta. But by considering some of their main aspects, we seek to question the popular but erroneous impression given in literature that youth revolts are ill-informed, irrelevant, unstructured and largely episodic expressions of blind

violence (Momoh 1996:158). If these patterns of youth political activism are anything to go by, it may not be appropriate to characterise their emergence in most oil communities as reflecting 'peasant environmentalism', that is less an advocacy of abstract 'nature', than a struggle by peasants in those communities to protect their means of subsistence from destruction by oil companies. (Hutchful 1998:157). The communities are protesting against more than ecological recklessness. They are angered by the obvious lack of basic social infrastructure, the lop-sided pattern of revenue allocation, as well as by their political and economic marginalisation from the mainstream of the Nigerian political system. They are disturbed by State policies, State-sponsored repression and by the high-handedness of both oil companies and State officials in responding to these perceived conditions[18] (Omoweh 1995, Obi 1997).

Important as these different perspectives are in understanding the role of youths in violent conflicts in the Delta, they offer only a partial explanation. In my opinion, *powerlessness* presents a more useful theoretical insight into the basis for violent social conflict in the region. Aina (1996:61) has defined *powerlessness* in this context as the process and condition of deprivation and exclusion from the benefits and rewards of society. Youth violence in the Niger Delta is not just a reaction to neglect by the State and oil companies, but also a reaction against the forces that have given less endowed communities an undue advantage over them. The forces at the centre of youth *powerlessness* in the Delta are therefore multi-dimensional, being based on factors that are both endogenous and exogenous to the oil-producing region (Oyerinde 1998:55-76). In a situation of *powerlessness*, violence becomes a bargaining weapon for negotiating, legitimising or violating public order. Of course, such a predisposition to youth violence in oil-producing communities raises fundamental questions

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[18] See The Ogoni Bill of Rights, 1993; the Kaiama Declaration, *op. cit.*

in the dialectics of violence, security, law and order. The State and
the Opposition alike have tested their responses to it in time. In what
ways does violent mobilisation legitimise repression? How has the
State responded to political mobilisation and the growing insecurity
among oil communities in the Niger Delta? In what significant ways
have State responses reduced or exacerbated the crisis of law, order
and security in the Niger Delta and in Nigeria in general? We will
focus on these questions in the next section.

The State and Maintenance of Public Order and Security in the Niger Delta

It is hard to believe that the scale and intensity of the violent civil
conflict that engulfed the Niger Delta could pass unnoticed in
government circles. The truth is that crude oil is so crucial to the
national economy and the fiscal survival of the Nigerian State that
government has always maintained a keen interest in events in the
Niger Delta. The resurgence of social upheavals in the oil region has
been a major source of concern and irritation to successive
governments, military or civilian, in Abuja. They are neither happy
about the causes and dynamics of the civil conflicts that have
enveloped the oil region, nor unaware of the threat they pose to
national peace and security. Indeed, an excerpt from the report of a
ministerial Fact-finding Team on the problems of the Niger Delta,
which was set up by General Sani Abacha's regime, summarised
government's perception of the gravity of the security challenges
posed by the crisis in the oil region. According to the report,

> A new and increasingly dangerous awareness and sensitivity is
> sweeping through the oil-producing communities across the
> country. It is in the interest of the oil industry and the nation
> that urgent and lasting solutions should be put in place to
> prevent the situation from getting worse[19].

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[19] Cited in ERAction, January-March, 1999, p. 8.

Similarly, in his budget statement for 1998, General Abdulsalam Abubakar lamented that his regime 'cannot allow the continued reckless expression of these (angry) feelings. Seizure of oil wells, rigs and platforms, as well as hostage taking, vehicle hijacking, all in the name of expressing grievances, are totally unacceptable to this administration'. He then spoke of 'dissent through dialogue rather than dissent through violence'[20]. In the last days of his regime, General Abubakar initiated moves that implied a genuine concern about the plight of the oil communities. At a meeting with the military administrators of oil-producing States in Port Harcourt in late October 1998, he acknowledged that 'As it is today, the agitation is not something that had come just overnight. It has been accumulating and the political trauma that we had for the past four years also exacerbated the issue...'[21].

Despite the government's awareness of the problems, the national authorities seemed to have little interest in finding less contentious solutions to the conflicts than military ones, which could only aggravate the disturbances in the oil communities. This has prompted criticism of the State as being itself an instigator of violent conflict in the oil region. As Watton (1984: 11) persuasively argued, 'perhaps the largest single factor in the promotion of revolutions and collective violence has been the great concentration of power in nation-states, *and the propensity to deploy them as and when due*'[22]. The implication of State-sponsored repression is that the State does not simply respond to violence; it is often the primary instigator of violence. The State is prepared to have recourse to repressive violence, not because it has much chance of succeeding, but because its own inherent weaknesses prevent recourse to less violent

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[20] *Ibid.*, p. 21.

[21] Cited in *The Guardian*, 29-10-98.

[22] See also Gurr, 1986; Gatner and Regan, 1996.

alternatives[23]. To put it another way, the State turns to a repressive mode, because the 'authoritarian flow of rule results not from high level of power and legitimacy, but from the tenuousness of authority and the search for it' (Callaghy 1989, 97).

The Nigerian State has consistently reacted to the violent crisis in the oil-rich Niger Delta by using force. Under successive military regimes, urgent attention was given to developing elaborate security architecture that could effectively crush militant opposition groups while ensuring the survival of the regime at the same time. Each military regime deployed armed soldiers, as·well as the notorious mobile police paramilitary branch, popularly called 'Kill-and-go', to quell community disturbances. With the active support of the Federal Government, State Governments set up special military squads of officers and men loyal to the government. This was the strategy employed by General Abacha's infamous regime when it sponsored the creation of the Rivers State Internal Security Task Force (RSISTF) to pacify Ogoniland. *Human Rights Watch/Africa* reported that a detachment of Nigerian soldiers engaged in peace-keeping operations, under the ECOWAS Monitoring Group (ECOMOG) in Liberia was ostensibly withdrawn to repel incursions by Cameroonian *gendarmes*, although in actual fact they were deployed to quell the Ogoni uprising. The RSISTF soon became a highly repressive army of occupation. The first interview with soldiers engaged in that punitive expedition was most revealing. According to their account, they were flown in under cover of darkness and only knew they had trained their guns on Nigerian citizens after the inhabitants began shouting and running into the bush. On one occasion, a female

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[23] Mason and Krane, 1989: 177; See also, Aflatooni and Allen, 1991.

victim of a soldier's brutality narrated her gruesome ordeal, after the soldiers had locked up her 10 year-old son in a room:

> The soldiers beat me with the butts of their guns, pushed me unto the ground and kicked me. They tore off my wrapper, then my underwear. Two of them raped me through the anus, three through the usual way. While the soldiers raped me, another would beat me. I tried to scream, but they held my mouth. They said if I made too much noise, they would kill me. By the time they left, I was in so much pain I couldn't move. (*Human Rights Watch/Africa* Release, March 27, 1995)

The insistence on using force to maintain security in the Niger Delta, rather than employing innovative non-military options, turned the region into perhaps the most heavily militarised part of Nigeria. At one time, Yenogoa, the capital of the newly-created Bayelsa State, predominantly populated by the Ijaw ethnic group, boasted some 10 armoured vehicles and over 500 soldiers, along with fast-attack aircraft and two warships, in addition to the Navy and Army amphibious battalions in the nearby waters. There were also several special task force units of armed forces, paramilitary police and regular policemen under various code names: 'Operation Salvage' in Bayelsa State and 'Operation Flush' in Rivers State[24].

An unwritten but widely accepted rule for such special units responsible for maintaining peace and security in the oil region is that the rank-and-file soldiers involved are mostly from outside the immediate zone. In the Ogoni campaign, for example, all the local policemen were deployed outside the community, before the commencement of military action, for which new and less emotional police were employed. This is the general pattern of troop deployment by any regime pursuing an agenda of the kind implemented by the Nigerian State in the Niger Delta. The rationale for this, according to

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[24] See *Human Rights Watch/Africa* Release, 1999:121-122.

Huntington (1991:191), is that 'Soldiers and police were less likely to obey orders to use violence if they could identify with the people they were ordered to shoot. Authoritarian regimes, consequently, ensured that there were social, ethnic, or racial differences between the users and targets of regime violence'. (Huntington 1991:199). Horowitz's extensive study of the role of the military in ethnic conflicts confirms the same point. In his view, one of the criteria for recruiting of personnel for internal security duties, is 'distance of home region from the area of likely civil disorder' - so that 'local sympathies would not interfere with the performance of duty in the event of unrest'. (1985:447). Besides the pattern of recruitment, the actual management of communal disturbances by soldiers is at issue. When communal strife simmers, it is far-fetched to suppose that the day-to-day conduct of soldiers will help to maintain peace and security. This is even more the case when the government is slow to meet the most vital logistic needs of the soldiers, thus obliging them to use predatory means to survive. (Welsh 1996:74ff)

The operational behaviour of soldiers and armed police derives from how they are recruited and trained - something well documented in the extant literature. Here, we only wish to recall that the colonial police forces were traditional instruments for subjugating restive local peoples. After the British presence was established by gunboats, it became necessary to manage the day-to-day matters of administration and enforcement of law and order. Constabularies of different shapes were set up and these included the Glover irregulars, the Royal Niger Constabulary, the Oil Rivers irregulars, mostly recruited from bandits, thugs, social miscreants, rogues and troublesome 'area boys'. Such forces were patently anti-people and anti-society. The colonial State expanded largely through interventions by the Army and the Police. At independence, the post-colonial State did not redefine the historical role of the Army or the Police. The Army inherited the role of enforcer of the will of the predatory State, not that of the people. The Army was to maintain order as defined by the State. Not

surprisingly, the Army terrorised the people, just as it did during the ruthless pacification of the Tiv community in the 1960s[25].

I do not want to give an erroneous impression in this paper that the narrow perception of security in military terms under military regimes made the Nigerian State solely responsible for the mismanagement of the crises in the oil-producing region. The paper rather argues that at each stage, the State squandered every opportunity to take the lead in addressing the myriad problems facing the oil communities. However, the State did not act alone. It was forced by the circumstances of its own existence to maintain an unholy alliance with multinational oil companies, under the guise of joint venture collaborations. The bond between the State and the foreign oil companies is very strong. One can insist that on matters pertaining to oil production, the lines between the State and the oil companies are blurred or non-existent. At different times in the past, the State had to solicit assistance from oil companies; on other occasions, oil companies requested and received assistance from the State, particularly to keep the oil-producing communities in check. Controversy often followed such interactions between the State and oil companies.

The first occasion of large-scale community strife in the Niger Delta occurred at Umuechem village in Rivers State on January 11, 1990, exactly within the framework of the alliance between the State and Shell Petroleum Development Company (SPDC). The Divisional Manager of SPDC in the eastern operational division had initiated an invitation to the notorious Mobile Police Unit, to help quell civil disturbances that were affecting oil production. During that incident, almost the whole village was burnt down in an operation that also involved gruesome killings and rape and the looting of property. In defence of this move, Shell later argued that the Mobile Police Unit

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[25] Personal Interviews, July 30, 1999.

was invited because 'Past experiences called for the presence of Mobile Police as a deterrent and the best chance of a peaceful resolution of the situation'. Shell also acknowledged that the police did not heed its advice to deploy MOPOL immediately. Rather, it deployed regular policemen, who were chased and beaten by a mob. It was then 'purely a police decision to deploy mobile police... Shell played no part in the decisions made by police as the incident unfolded...The response from police personnel is properly a matter for the police'. No wonder that law enforcement agents, who constituted themselves as an army. of occupation in militant oil communities, in turn became targets of reprisals by militant youths. In Ikpako, a village in Ovia Northeast LGA of Edo State, restive youths shot and wounded four policemen. According to the police spokesman, DSP Yomi Oladimeji, the police were not aware that the youths were armed, and by the time they knew, the youths had opened fire[26]. In the same month, the decomposing bodies of five policemen were recovered in Ugbo town, the ancestral home of the Ilaje-ugbos in Ilaje LGA of Ondo State, three weeks after they had allegedly been killed[27].

What policy options are available to President Olusegun Obasanjo in the management of youth violence and civil conflict in general in the Niger Delta? What are the prospects for the maintenance of public law and order and management of violence in the oil-rich Niger Delta in the new millennium? I have proposed answers to these important questions in the concluding section.

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[26] See *The Guardian*, 29-10-98.

[27] *The Punch*, 30-10-98, back page.

Conclusions and Recommendations

One of the most daunting challenges facing the present Obasanjo Administration is how to manage the pockets of ethnic, religious, environmental and resource-induced conflicts that are erupting in various parts of the country[28]. In the oil basin, there are three policy decisions that the government must take. All of them will form benchmark criteria for measuring the success and achievements of the new government at the expiration of its four-year tenure in 2003. The government must address and remedy the socio-economic and environmental conditions that breed underdevelopment in the Niger Delta. This clearly entails a major policy shift away from Abuja's perception of the Niger Delta as a colonial enclave, whose only true usefulness lies in its producing the proverbial golden eggs — crude oil and gas. To achieve this, the Government must quickly purge itself of the garrison mentality that oil must be extracted at all costs, even if this requires endless repression and coercion. According to the late Professor Claude Ake, such an attitude has nurtured a 'bizarre and frightening accumulation of terror', as security was restricted to the use of punitive force rather than human development. (Cited in *Tell,* 29-1-96:34). Such a shift is in progress, though at a rather slow pace, as attested by the President's frequent visits to the troubled oil region, as well as the important policy statements emanating from Abuja. As if to underline his government's prior attention to the plight of the oil communities, President Olusegun Obasanjo's first official visit outside the Federal Capital Territory, Abuja, was to Warri Township, where he assessed

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[28] It is interesting to note the historical point made by the Benin-based Environmental Rights Action (ERA) to the effect that Obasanjo himself 'prepared the shroud in which the dying Niger Delta is now about to be buried'. This is an apparent reference to the several disempowering military decrees, especially the Land Use Decree of 1978, which placed all lands in the hands of the Federal Government. See ERAction, January-March, 1999, p. 11.

the extent of damage done to the town during the hostilities between two ethnic groups, Itsekiri and Urhobo, which occurred at the same time as his swearing in on May 29, 1999[29]. On September 26 of the same year, the President also visited the troubled Bonny Island, where the protests of militant youths and indeed the entire community against the empty promises by Government and oil companies had shut down the $3.8 billion Liquefied Natural Gas (LNG) plant[30]. In both instances, the President urged peace and dialogue, instead of reading the riot act from Abuja, as had been done in the past. The Government also made good its promise to present the National Assembly with a detailed blueprint for the integrated development of the Niger Delta. Although the Bill, entitled 'Niger Delta Development Commission Bill', has passed into law, it continues to generate heated public criticism. Yet, it is certain that if implemented with sincerity, the blueprint could drastically alleviate poverty and underdevelopment in the Niger Delta. If the Government succeeds in implementing the law, it might also soothe the frail nerves of those clamouring for a radical restructuring of Nigeria's federalism, fiscal structure and revenue allocation formula.

The second policy initiative must be directed towards creating a stress-free environment for the oil companies to carry on with their exploration and production activities, but certainly not in a way that is detrimental to the interests and well-being of the host oil communities. These communities are often at loggerheads with the

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[29] In his inaugural speech, the President specifically promised that his Government would immediately present a comprehensive bill on the Niger Delta to the National Assembly.

[30] The list of demands included: the immediate employment of 50 Bonny graduates and 300 unskilled indigenes, appointment of Bonny people to top management and administrative positions, provision of electricity from the LNG grid, repatriation of an expatriate who allegedly shot at protesting youths and payment of amounts ranging from N100 million to N500 million monthly as penalty for gas flaring (See *The Guardian* 27-9-99:1-2).

oil companies over a myriad of social, economic and environmental issues. The popular perception is that the oil companies ignore such complaints and disregard their extensive consultations with the host communities, when they embark on community projects. Of course, this would be much easier to remedy if the oil companies could take a cue from the positive overtures that the Government has made to the oil communities. While oil companies can, and indeed should, benefit from the fledging democratic atmosphere, it may take some time before they can enjoy a much-desired cordial relationship with the host communities. To achieve this, the oil companies must aim to achieve the 'good oilfield practices' and standards similar to those prevailing in Europe and North America. They must see themselves as the host communities' partners-in-progress, not in the rhetorical and deceitful way that characterised the past, but with genuine interest and concern. So long as the oil companies' community relations officers see themselves as imperial colonisers, who cannot be doubted, minimal progress can be made towards peaceful coexistence with the host communities. The Government's cordial relationship with the oil companies bred a situation in which the companies could do almost anything and get an official nod. A demonstration of seriousness and sincerity of purpose in dealing with the oil communities in general, and with their youth in particular, would be an excellent sign.

The third policy would be to end, or at least reduce violent inter-communal conflicts among the many micro-communities in the Niger Delta. The conflict among the Itsekiri, Urhobo and Ijaw ethnic groups over Warri Township has become a reference point in the Delta. But there are other conflicts, such as that between the Kalabari and Okrika ethnic groups, and the migration-based ethnic conflict between the itinerant Ijaws and other ethnic groups in Ondo, Bayelsa, Delta, Rivers, and Akwa Ibom States. I have elsewhere made detailed and critical analyses of these conflicts and how to manage

them so they need not detain us now[31]. The three important steps to be taken can be briefly recalled. First, is the need to de-militarise the Niger Delta by withdrawing soldiers and replacing them with well-trained and well-equipped regular policemen. The fact that soldiers have been so active in the Niger Delta can be attributed to prolonged military rule. Under the military, especially those whose survival was thought to be under constant assault by perceived or real 'enemies', the use of brute military force became the norm rather than the exception. Now that military rule is over, it is important for the incumbent government to resist the temptation of reckless use of armed forces to quell civil disturbances. As noted earlier in this paper, it is well known that the presence of heavily-armed military forces in the Niger Delta often exacerbated civil conflict. At the same time, it is important that the Government should provide the police with suitable communication facilities, operational hardware and vehicles for effective patrol of the Delta. At present, the reach of the police is limited to a handful of poorly maintained outposts. While the police force has played a socially demeaning role in civil conflicts in the Delta, if they had the right morale, conditions of service and access to up-to-date equipment and facilities, they would still be in a better position to foster peace in the Niger Delta. In one communal clash between the Liama and Beletima communities in Bayelsa State, a police witness expressed exasperation that although the two communities on the other side of the Brass River were less than five minutes away by boat, 'we saw what happened during the attack. We saw people running in different directions as huts and houses went up in flames, but we had not a single speed boat with which we could cross to the other side of the river'[32].

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[31] See, Charles Ukeje, 'Ethnic Conflicts and Democratic Consolidation in Nigeria' (forthcoming, 2001).

[32] *The Guardian* of Sunday, August 2, 1997, p. 7.

The second requirement is to wean militant Niger Delta youths away from the psychology of violence to which they have become accustomed over the years. It is true that the culture of violence among youths is one of the aftermaths of prolonged military rule, which prevented the expression of collective opinion without the use of force. Now that military rule is terminated, the demands of the youths, especially the creation of educational and employment opportunities and an enabling social environment for human security, must be urgently addressed. In this regard, the social structures that continue to fuel youth violence and community disturbances in the Delta should be dismantled. The most pressing requirement to that effect is how to control the spread of dangerous light weapons and ammunition. The hundreds of poorly mapped creeks and rivers across the vast Niger Delta wetlands have gained notoriety for clandestine gunrunning. This access to weapons continues to encourage youths to stick to violence and to stand up to superior firepower from security forces. Urgent actions are needed to demobilise and demilitarise militant youths. Perhaps one of the most effective ways to do this would be to offer them attractive options, such as education and vocational training, scholarships and job opportunities. The government could work out scholarship-for-gun and job-for-gun schemes in collaboration with the oil companies. Both schemes would allow youths to turn in their weapons without prosecution or other forms of retribution. The huge sums of money being spent now by the State and oil companies on elaborate security personnel and structures could be diverted to this more rewarding programme. It should be accompanied by policies to give fresh ·opportunities to youths. Many of them have had to cope with a daily lifestyle of drudgery and waste, compounded by the inability to pursue traditional vocational activities such as farming and fishing. The youths' readiness to turn to the familiar crimes of the weak, such as blackmail, kidnapping, harassment, extortion and sabotage of oil installations, can be reversed if they are offered more than the

current short-term palliatives. According to an old African adage, when a bird perches on a rope, neither of them can maintain stability. Youths in oil communities are aggrieved that they have so little to show in terms of improved quality of life and social amenities after decades of oil exploration and production in the Niger Delta. The Government could achieve the domestic peace and stability lacking in the country by listening to and meeting their modest demands.

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