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Hegemonic agendas, intermesticity and conflicts in the
post-colonial state

Communal conflict, civil war, and the state:
Complexities, connections, and the case of Sudan

The challenges of preventive diplomacy: The United Nations'
post-Cold War experiences in Africa

Conflict over landownership: The case of farmers and cattle
graziers in the northwest region of Cameroon

Religious violence in Nigeria: Causal diagnoses and strategic
recommendations to the state and religious communities



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All references, according to the Harvard method, should be included. As far as possible, in-text references should include the page numbers of the sections of sources referred to. In the case of a direct quotation, the exact page number is absolutely necessary. For the purpose of adding extra details, comments or references which may distract attention from the argument in the text, footnotes may be used sparingly. For more information about the referencing system, please see the excerpt from ACCORD's Style Guide, which is available at <http://www.accord.org.za>.

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Foreword

Jannie Malan

When, twenty five years ago, I was making my first study of academic courses in the field of dealing with conflict, a professor told me that they teach their students *not* to give *advice* to any party in a conflict situation. Suggestions may of course be given, but they should not be phrased as advisory prescriptions. The reason was that in most cases the parties are adults who regard themselves as grown-up enough to be independent of the advice of others, and who would almost feel insulted when being given advice. Through the years, I have therefore passed on this suggestion to my students, and kept reminding myself to practise it from my side. And so, when writing a foreword, I usually try to refrain from advising our readers about what they should read, how they should read it and what they should learn. In my previous foreword, I was prompted by the thrust of several articles to discuss ‘a few aspects of receiving and responding to “lessons”’, but I hope I have managed to do it in a non-sermonising way.

With regard to the contents of this issue, I am once again sure that without any assistance readers will surely come across worthwhile insights, findings and recommendations in each article, and in the issue as a whole. At the same time, however, I take it for granted that an editor’s comment may be allowable in a foreword. My overall, synoptic impression is that the articles

in this issue emphasise the importance of *understanding* the complexities of conflicts in their settings, and the challenges going along with methods of dealing with conflict. We have case studies of land ownership, religious and identity conflicts, and more general discussions of intrastate, interstate and international aspects of conflict and conflict resolution.

As always, we appreciate the research undertaken by the authors of the articles. We normally also take note of the literature review part of their work, but this aspect probably deserves more attention. We may, for instance, recognise the contribution of the authors quoted or referred to. In this issue, the six authors refer to the work of just about 250 others. The contributions typically range from appropriate quotations to substantiating references, and the authors referred to vary from well-known to relatively unknown; but in each case there was someone who wrote something that shaped the thinking of our six authors.

As students and researchers, we are indeed indebted to a large body of fellow-academics who are or have been working in our own fields of study, or related fields. We may happen to know some of them – through personal acquaintance or meeting at conferences, or through reading their work – but in many or most cases they are to us only the bearers of the names we enter in our reference lists. We may find it inspiring, however, to be aware of a virtual community of academically motivated human beings who are exploring relevant topics and making their findings available. In a modest but purposeful way, this journal is trying to promote this community spirit and commitment.

This sense of fellowship may sooner or later become threatened by the information explosion we are currently experiencing. We happen to work in the time when the era of printed material, which started about five and a half centuries ago, is being overlapped by the era of electronic information. Some of us may still give preference to books, while others are understandably fascinated by the infinite variety of scholarly (as well as entertainment) material that can be called up in split seconds. What I am inclined to suggest, as an editor who sometimes feels uneasy about the quality and the ephemerality of internet material, is that we use websites but not neglect books (or use books but not

neglect websites). And with regard to books, I would add that we should by all means make use of the latest publications, but without disregarding older ones. Too often up-to-date authors try to avoid any appearance of rehashing 'old stuff', but thereby they may deprive their readers of worthwhile reminders about notable earlier insights.

I do realise, however, that such a suggestion is easier made than implemented. The amount of available material has become overwhelming, even in our relatively young (about six decades old) field. We need to be realistic, therefore, and search intelligently. We may search for key words as our computers do, but we should also remember that some lateral thinking may lead us to valuable data or perspectives that are not categorised under our pet key words. And as far as we go, we should obviously assess the quality, relevance and significance of what we come across. At this point, however, before a concluding thought on *quality*, I wish to insert two comments from the editorial desk of this journal on the *quantity* of sources.

First, we consistently use the heading 'Sources' and not 'Bibliography'. We therefore make sure that all the sources listed are indeed referred to in the article. If an author would prefer to include more than just the sources referred to, however, we will be ready to negotiate one of two possibilities: adding a second list under the heading 'For further reading', or calling the whole list 'Bibliography' (with an explanatory footnote).

Second, we include in our own statistics of articles already published (131 articles in 25 issues over 13 years) not only the number of words, but also the number of sources referred to. For all these articles, the average number of sources per article is 36,4. This is merely an interesting average, and not at all an indication of what we expect in each article. What we have sometimes done, however, was to explain to an author trying to submit an article with a relatively low number of sources that such an article may not compare favourably with others.

After this little excursion into the sources used by authors, we have to get back to the *articles* themselves, and especially to their *quality*. As said above, literary review is only *part* of academic research, and as we all know, an academic

article cannot be made up of a concatenation of quotations and references. It is the *original and/or creative contribution of the article's author* that is the crucial part of an article of good quality. The above-suggested recognition of colleagues at work in the research laboratory of our global village is therefore meant as a non-prescriptive addendum to our constant appreciation of authors submitting their work to us. We trust that the never-ending processes of research reading, thinking and writing will go on and on – in this field, related fields and other fields.

Hegemonic agendas, intermesticity and conflicts in the post-colonial state

*Ademola Araoye**

Abstract

Drawing from the literature and interpreting the evidence, this article explores the sources, factors and forces that interact to spark and drive conflict in the post-colonial state and its environment. It advances that the structure of the post-colonial state and its immediate environment is characterised by the juxtaposition of transnational groups and proto states interacting with sovereign entities. This *intermestic* (international/domestic) environment engenders a security dilemma to which constituent groups and their extra-territorial affiliates respond by seeking to appropriate the totality of the space. Simultaneously, elite systemic forces engage to impose their strategic interests. The state is thus doubly instrumental. Forces from both the first and second levels align in collaborative and confrontational engagements in pursuit of partisan interests. The objectives of the competing loci of power to appropriate the total space or carve out an autonomous Lebensraum instigate a zero-sum game. Coercion is the principal currency of this engagement. Structural factors, principally the incongruous internal construction and the intermestic location of the state, account for the proneness of whole sub-regions to implode.

* Ademola Araoye is a policy analyst and author of *Côte d'Ivoire: The conundrum of a still wretched of the earth*.

The evolved behaviour of post-colonial states in the post-Cold War period responds to the complex realities of the state and its environment.

Crises and challenges in post-colonial states

The African state and inter-state system are perpetually in crisis. Chinua Achebe (2009) posits that Africa continues to persevere under the burden of political instability and religious, social, racial and ethnic strife. Tiesse (2004:23), citing Kouassi Yao, states that since 1952 when the first coup d'état was executed against King Farouk by Abdel Gamel Nasser in Egypt, post-colonial Africa has witnessed over 85 coups d'état. The figures reach over 100 if failed attempts are taken into consideration. Of the 85 to 95 conflicts registered since 1945, over 45 were civil wars. Some of these wars had long durations, sometimes reaching up to 40 years as in the case of the fratricidal war in Chad, over 40 years in the Sudan, 30 years in Eritrea and 27 in Angola. These wars have not spared any part of the continent. Patrick J. McGowan (2006) highlights that from independence through 2004, the sixteen West African states have experienced 44 successful military-led coups, 43 often bloody failed coups, at least 82 coup plots, 7 civil wars, and many other forms of political conflict. North Africa has been marked by guerrilla wars that are raging in Algeria and Egypt.

Some post-colonial states, such as Angola, were embroiled in civil war for virtually the entire quarter century of their existence. Meredith (2005:238) observes that Equatorial Guinea enjoyed only 145 days of independence before it was pitched into a nightmare of brutality and coercion that lasted for 11 years, and George Ayitteh (1998:193) notes that in 1996 civil war raged in at least 17 African countries. By 2005, many more countries, including states hitherto considered stable oases, were engulfed in conflict. In this connection, Robert Istok and Tomas Koziak (2010:81) classify Côte d'Ivoire as a failed state.

Many of the imploding states share contiguous borders as whole sub-regions simply fall apart. Stewart Patrick (2011) asserts that beyond those living in countries in conflict, neighbouring states are impacted by violent conflict through refugee flows, arms trafficking and disease – all of which are rarely contained within national borders. He cites the devastation wrought throughout

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Africa's Great Lakes region in the decade and a half since the Rwandan genocide, with warring militias, arms flows, and epidemics crisscrossing notional national frontiers. He also observes that the risk of regional contagion is compounded when weak and vulnerable states are adjacent to other countries with similar characteristics and few defences against spillovers. In West Africa an orbit of conflict stretched from the Casamance region of Senegal through Guinea Bissau, Sierra Leone, Liberia and Côte d'Ivoire.

The propensity for conflict in the post-colonial African state and sub-region defies colonially inspired divisions. Conflicts raged across linguistic and colonial divisions: Anglophone, Arab, Francophone and Lusophone states. The proneness to conflict also defies the size of state. Guinea Bissau, with a population of 1,2 million fought a war in 1997, in 2000 and mini skirmishes in 2005, and skinned its president Bernardino Viera alive in 2010. Medium level states such as Senegal has faced an irredentist war in its Casamance province for over three decades. Large countries like Sudan, Nigeria and the Democratic Republic of the Congo are perpetually embroiled in conflict. Even the newest state, South Sudan, emerged into internal conflict.

Many explanations have been professed for this state of affairs. Olorunsola (1972) advances that conflicts in the post-colonial states have been variously attributed to the politics of cultural sub-nationalism and ethnic differences. Stephen Ellis (1999) traces conflict to deeply rooted religious thinking, while Lake and Rothchild (1996) emphasise collective fears of the future. These understandings of conflict in the post-colonial state environment, at best, capture important fragments of the complex phenomenon. But they are state-centric in explaining conflict within the confines of the post-colonial state. They miss the critical relevance of the structural complexity of the environment in which the post-colonial state is located.

The sources of conflict in the post-colonial state

It is posited here that conflict inheres in the instrumental character of the post-colonial state. At one level, the post-colonial state is a vehicle for the hegemonic agendas of internally contending forces and transnational forces in its immediate external environment. At another level, the state is a tool for the advancement

of the hegemonic agendas of powerful elite forces in the international state system. These forces align with domestic players whose strategic interests are served by this cooperation. This bloc is opposed by other domestic forces with divergent interests to determine the direction in which the post-colonial state should evolve. The interaction between these disparate forces creates conflict, determines the trajectory of the conflict as well as influences its outcome. The post-colonial state is neither an end in itself nor represents a monolithic interest in the manner of the modern classic state. Flowing from this, the processes of the post-colonial state are defined by the struggle for partisan appropriation, consolidation and hegemonic control of the state. Power transitions imply regime changes that lead to radical transformations within and outside of that state. Coercion, rather than persuasion, is the conventional rule of the game. In many of these states, proto states, constituted by alienated groups outside the margins of the state emerge and live side by side in competitive relations with the state until one or the other is able to appropriate the political space and seek to consolidate its new hegemony. Violence peaks during hegemonic transitions or consolidation of the hegemonies. Proto states form part of the internal and overlapping external environment and contribute to the mobilisation of violence to effect transitions of power.

Gerard Hagg (2008) highlights that in post-colonial African countries political power struggles generally take two forms: the state is in conflict with identity groups (state-identity conflict), and identity groups compete for 'ownership' or dominance of the state (inter-identity conflict). The two levels of conflict seldom occur or remain in isolation but are interactive and can develop in two directions: from the state to society and from society to the state. The state may actively support one identity in inter-identity conflict if this identity occupies powerful positions within the state. In reality, such states often encourage dominant identities to use state resources and institutions to suppress other identities. Therefore, strategic interaction among groups is characterised by competition for control of the state as the dominant group in the state sets the terms of competition between its rivals. Accordingly, Lake and Rothchild (1996) assert that the pursuit of particularistic objectives often becomes embodied in competing visions of just, legitimate, and appropriate political orders. The sources

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of conflict in the post-colonial state are thus found first in its peculiar internal structure and second, by implication, in the structure of its intermestic external environment. This environment is constituted by state actors in the immediate sub-region, a myriad of transnational forces that traverse the boundaries of two or more states and whose loyalties are primarily to the group rather than to the state, as well as proto states that periodically emerge to challenge the supremacy of the post-colonial state. The post-colonial state attempts to impose an order on disparate groups that are distinguished by relative cultural and value dissonances and are often traditionally hostile to each other. The existence of transnational and extraterritorial stakeholders who perceive legitimate interests to protect in the outcomes of the strategic interactions in the environment of the state has critical implications. A configuration of power may emerge that advances the interest of the international community in controlling the internal political forces in the post-colonial state and dominating the immediate and larger environment. The internal construction and the processes of the post-colonial state impact on the nature of relationships generated with the external environment of the post-colonial state. The nature of relationships elicited by the structure of the external environment, including the state system, also impact on the internal characteristic of the post-colonial state. Conflict in the post-colonial state may thus be caused or exacerbated by a clash of interests between blocs of transnational forces challenging the civil order of the post-colonial state. Conflicts in the post-colonial state are thus hardly only internal to any one post-colonial state entity. This osmotic interaction constrains the strategic choices of the many rational actors within the post-colonial state. It defines the ground rules within the external environment composed of unlike units.

Georg Sørensen (2009) asserts that in weak states the classical security dilemma has been turned on its head: instead of domestic order and international threat there are domestic threat and international order. The political process refers to intense struggles of contending groups to control resources and to dominate state policy. The struggle seeks to impose partisan agendas of the competing entities, incorporating forces outside the boundaries of the post-colonial state. This process generates security dilemmas that drive the actions of the constituent groups seeking to appropriate the state. The political process is a struggle without

safeguards for all implicated. This process leads not only to the weakening of the post-colonial state, but also undermines the state system in the immediate neighbourhood. This environment is described as *intermestic*. The structure and organising principles of the post-colonial state deviate significantly from those of the classic Westphalian modern state.

Organising principles of a conventional state system

The ordering principle of a conventional inter-state system is characterised by its decentralised and anarchic nature because the system lacks order and organisation. Waltz (1979) states that the inter-state system is formed by the co-acting of the units and maintained on a principle of self help. In this scenario, a state is conceived of as a single rational actor with undisputed control over the territory that the state claims and uncontested sovereignty and legitimacy of rule. The interactions of these states form the structure of the inter-state system. The structure is also determined by the functional differentiation and the extent of power capabilities of the respective states. The structure of the system changes with changes in the distribution of power across the system's units. These changes in structure alter expectations about how the units will behave and the outcomes that interaction between units will produce. Waltz (1979) further elaborates on this definition of structures:

- Structures are defined, first, according to the principle by which a system is ordered. Systems are transformed if one ordering principle replaces another. To move from the anarchic realm is to move from one system to another.
- Structures are defined, second, by the specification of functions of differentiated units. Hierarchic systems change if functions are differently defined and allotted. For anarchic systems, the criterion of systems change derived from the second part of the definition drops out since the system is composed of like units.
- Structures are defined, third, by the distribution of capabilities across units. Changes in this distribution are changes of system whether the system be anarchic or hierarchic.

The ordering principles of the post-colonial state system

The ordering principles of the post-colonial state are characterised by internal and external disorder. The internal and external order is maintained on the principle of self-ascendance. As a product of mechanical fiat, the post-colonial state is not constituted on the basis of any form of contract between it, its peoples as corporate entities and individuals as alleged citizens. It is not underpinned by any overarching vision that is universally acknowledged by all its constituent units. Consequently, Meredith (2005:1–14) affirms that there are no universally acknowledged sovereign national interests. The national interest is the interest of the dominant group in society. It is therefore a fleeting interest. National interests change with regime changes. As a crude variant of the Westphalian system of states, the post-colonial state is characterised by the lack of a unitary sovereign vision and an inability to develop a monistic structure entailing one locus of power. Interaction among the contending forces is driven by the search for partisan appropriation of the state in order to impose the ideas, worldview, religion, identity and material interests of a particular group as national interests. As Charles Chidi Achodo (2000:4) notes, the result is the scramble for the control of the centre and the natural resources in various countries. He adds that in such a context, complex political and ethnic issues are manipulated in order to plunder and control the mineral wealth of the countries. The state is thus in a state of permanent crisis. Violence lurks just behind the façade.

As Chabal and Daloz (1999:xv) observe, the acuteness of Africa's crisis is such as to defy the usual parameters of current political analysis. Though the post-colonial state is formally hierarchically ordered, in many instances many loci of power exist side by side with the state. There are multiple centres of rational action in the post-colonial state. James Ferguson (2006) notes that 'the state' may not necessarily refer to an actor, but it is the name of a way of tying together, multiplying, and coordinating power relations, a kind of knotting or congealing of power. The legitimacy of the state is perpetually contested by the existence of potential proto states within the post-colonial state. These proto states have demonstrated the capacity to participate in international life, including deploying substantial force to fight along with and also against armies of state actors. These set the post-colonial state apart from the classic modern state.

Importantly, these internal deviations determine the contours of the immediate external environment in which the inter-state system is located. This *intermestic* environment is thus conceptually distinct from the inter-state system. Though the inter-state system is central to the structure of the external environment, the character of the immediate environment is principally defined by the presence of proto states and the cross-border flow of transnational interest groups perceiving legitimate stakes in the affairs of the post-colonial state. These distinctions have radical implications. The formal state seeks the perpetuation of the structure of the state as presently constituted, while the goal of the proto state is either to transform the structure of the state or to carve out a new autonomous political space from the formal state. In instances, the proto states – exemplified by greater Liberia under Charles Taylor and greater Côte d’Ivoire of the Forces Nouvelles – have demonstrated more coercive capabilities than the opposing post-colonial state. Their objectives were achieved through war.

Hegemonic transnational forces in the intermestic environment

The constraints posed by the intermestic immediate environment of the post-colonial state are different from those posed to the modern state by the structure of the inter-state system. The structure of their respective states and state systems are different. The interplay of the incongruous structure of the post-colonial state and the intrusion of transnational (transmestic) forces in its internal processes give conflicts in the post-colonial state their intermestic character. This attribute challenges the traditional notion of conflicts in post-colonial states as purely domestic, for transnational forces directly stake their claims in the crisis. The outcome of the conflict also has implications for developments in neighbouring states. Conflicts in post-colonial states express internal structural deficiencies and problematic structures within the immediate sub-system of the post-colonial states. What many analysts have perceived as spillover effects are indeed expressions of the intrinsic sub-systemic linkages to the violent conflicts that flare up in the various post-colonial states. J. Andrew Grant (2010:244) demonstrated that in the cases of Sierra Leone and Côte d’Ivoire, when fragile states begin to fail, order within the wider region begins to

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change and transforms order in contiguous states. Both the post-colonial state and its inter-state system are at once anarchic and hierarchically ordered.

Intermesticity thus refers to two qualitative attributes of the environment of the post-colonial state. It alludes first to the character of the immediate external environment that is created by the close juxtaposition of transnational forces, proto states and the post-colonial state within the same geo-political space. Secondly, it captures the implication of the character of the external environment on the rules or governing principles of the post-colonial state system. It draws attention to the fact that while conflict in the post-colonial state may play out within a discernible political space or the territory of one state, legitimate stakeholders and parties to the conflict can be found just across the immediate frontiers of the state. These extra-territorial (transmestic) stakeholders are often, but to differing degrees, direct participants in the ensuing armed hostilities of the conflict. The degree of direct engagement would depend on a host of factors including the configuration of power and other structural considerations pertinent to the conflict. In extreme situations, hostilities may cross into the territory of a neighbouring state and the armed hostilities fought outside the territorial confines of the post-colonial state objectively at war. These are illustrated in Charles Krause's (1998) interview of major actors on the conflict in the Congo-Rwanda-Burundi-Uganda axis.

A domino effect is set off when any one state in the sub-region implodes as the violence, in time, spreads across adjacent borders. The complex linkages between the contending domestic forces and their transnational allies across international borders and the perceived legitimacy of the stakes of these transnational forces in the affairs of the various states in which they are represented imply that there are no affairs strictly internal to and limited to each of the formally demarcated sovereign states whose communities are inextricably linked. The transitional affinities of groups in the region render all states vulnerable as conflict in one state escalates. The conflicts in Sierra Leone, Liberia and Côte d'Ivoire, Guinea Bissau and instability in Guinea were all linked, forming an orbit of instability in the sub-region. The linkages reflect the sub-regional flow of sociological affinities across state boundaries. The alliances of the diverse peoples in the various states may not necessarily mesh with the formal policy of the various states in which

the transnational community is represented, as their group interest may be distinct from the interest of the various states. These diverse interests are sources of tensions throughout all the states and entities in that sub-system.

Post-colonial states do not just implode; whole sub-regions are ultimately engulfed in violent political hostilities. The conflict which began in Liberia in December 1989 eventually engulfed Sierra Leone with the rise of Foday Sankor's Revolutionary United Front (RUF) in 1991, war in Guinea Bissau in 1997 and an insurrection of the Patriotic Movement of Côte d'Ivoire (MPCI) led by Ibrahim Coulibaly in September 2002.

Neo-colonial and religious hegemony

At the second level, the post-colonial state remains an instrument for the articulation of interests that are secondary to its own interests. The internal weaknesses of the state make it perpetually vulnerable to be used as an instrument of the interests of elite state actors. The interests of its super-ordinate ally in the global system are imposed on it. Alain Rouvez (1994:17) points out that the relations between the sub-Saharan state in Africa and its metropolitan centre do not depend only on the latter's strength and motives but also, by definition, on the former's weakness. He cites the success of medium powers like France and Britain, or even a small power like Belgium, to invest parts of Africa either because the subjugated nations are willing to cooperate or because they are too weak.

The interests of the metropolitan elite state actors in relation to the post-colonial state are predicated on many factors. They may revolve around historical rivalry with competing elite actors, strategic factors, a sense of a global mission, a need for the validation of a national sense of worth and relevance in world affairs or ideological considerations. Economic exploitation is a powerful motive, which may motivate the creation of spheres of interest in the post-colonial states system by neo-colonial forces. Smock (1993) cites Rouvez (1993) as observing that of all the former colonial powers, France undoubtedly has been able to preserve the largest influence in its African colonies. Smock (1993:5) further highlights that in the early 1960s, France usually intervened to protect newly established

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post-colonial regimes against domestic uprisings; later it would engage in both open and covert operations in defence of these regimes or to undermine the influence of rival European and African powers (Biafra, 1969), or to reinstate an established head of state (Gabon, 1964), or to remove one as in the Central African Republic in 1979. The peddling of influence by predatory states in Africa has continued in the post-Cold War era, with slight changes in tactics involving more subtlety than hitherto. In effect, the competition to build spheres of influence also entailed a process of appropriation of the post-colonial state. The external force may also be expressed in the promotion of a certain idea, such as a religious force seeking to expand its global reach.

Whether the external hegemonic force is expressed in a state or by a religious idea, to articulate its interests, these forces require local allies. These allies have oftentimes already been put in place by the colonial force or have already been well entrenched as in the case of a religious idea. New domestic friends may also be cultivated following radical restructuring in the post-colonial state that may have altered the balance of forces in the state – as exemplified by the rise of Ivorian nationalists in 2000. The internal politics of these proxies must coincide with or advance the perceived interests of the intruding external forces. The post-colonial space is largely perceived as areas where the dissemination of new ideas and philosophy is relatively cheap.

The instrumentality of the post-colonial state is enfeebled by structural weaknesses at two levels – the micro, internal one and the macro one of the inter-state system. The dominant force in the post-colonial state is thus embroiled at one and the same time in two concrete projects. It seeks to consolidate its control over domestic contending forces and their allied forces in the environment on the one hand, while on the other hand it tries to protect perceptions of its international legal sovereignty within the context of its subjugation.

Post-colonial relations between the former colonial metropolises and post-colonial states had three dimensions. These were the sustenance of linguistic and cultural affinities built over years of unrivalled domination, geo-strategic interests, and economic exploitation of the post-colonial state. These three elements constitute the trinity of interests that underpin relations between the

metropole and its post-colonial dependencies. On the part of the post-colonial state, the state, with its contending domestic forces, must submit itself to this subjugation. In return it is assured of protection and legitimacy. The metropole plays the role of an assurance broker and the guarantor of last resort for its allies. The substance of French policy in post-colonial Africa, even in the post-Cold War period, remains unchanged, despite the altered environment of the post-colonial states. This policy is exemplified in French struggles in the conflict in Côte d'Ivoire.

Johann Hari (2007) asserts that for 40 years the French government has been fighting a secret war in Africa, hidden not only from its people, but from the world. It has led the French to slaughter democrats, install dictator after dictator – and to fund and fuel the most vicious genocide since the Nazis. The war reflects the imperative for a metropolitan power to perpetuate regimes that are amenable to control in its various post-colonial holdings. This control has become critical in the post-Cold War era when traditional ideological rationalisations for maintaining hegemonic control of the post-colonial state have dissipated. The end of the Cold War delegitimised the social, political and economic strangle-hold of post-colonial states by their metropolises. The post-Cold War democratic wave in post-colonial Africa was predicated on this transformation at the global level and thus has led to a radical opening of the political space. This new opening has translated into regime transitions underpinned by democratic values in the post-sovereign national conference era, which came in the wake of the end of the Cold War.

Against the changing political landscape in post-colonial states in Africa, the strategies of neo-colonial control have been altered. Osuolale Alalade (2012) argues that national processes in post-colonial states, including democratic processes, are ultimately mediated by self-appointed powerful external forces that have determinant influences over outcomes. The new strategies respond to the reality that regime changes are inevitable and imply power transitions from old to new allies. The policy appears to undermine regimes with radical orientations and install forces who assure the continued domination of the ex-colonial power. The preferred option would be to stick to old allies as in Cameroon and Congo Brazzaville, in Togo following the death of Gbasingbe

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Eyadema, and lately in Côte d'Ivoire with the ascendance of Alassane Ouattara as president with French help. Lucy Ash (1998:1) cites French President Jacques Chirac's emphasis at the Franco-African summit on the permanent presence of France in post-colonial and post-Cold War Africa:

France is not one of those countries which from time to time rediscovers Africa. We just don't pop in for a visit or when there's a disaster. France – for a very long time – has been your friend. We have a common history and we're always there, day in day out... Make no mistake about it: France will not abandon Africa, we are in for the long run.

In post-sovereign conference Congo Brazzaville, France had earlier abandoned its long time ally, Denis Sassou Nguesso in favour of Pascal Lissouba, justified by France's adoption of new moral and ethical standards espoused by Mitterrand in La Baule in 1990. In spite of this, the culture of patrimonialism and cronyism in its post-colonial dependencies remains the essential policy instrument of control of France. Whitney (1997:3) draws attention to this character of relations between France and its post-colonial dependencies when he observes that:

... democracy and human rights were not the main standard by which French presidents measured their African policies, however. Instead, it was loyalty, a word that crops up often in French histories of the post-colonial era. What it meant was that French governments would support African leaders who remained loyal to France, which depended on French Africa for much of its oil and \$10 billion a year in trade.

A second force is constituted by disparate religious affiliations and contrapulling world-views which seek to consolidate their influence in society and their unrelenting expansionism in society and in the post-colonial state. Christianity and Islam, per se, pose no problem. The disruptive potential lies in the close juxtapositioning of the so-called major religions within the same political space vying for dominance. The world-views that derive from foreign religions that have been bequeathed to the post-colonial societies create value dissonance that exacerbates cleavages. Indeed, in West Africa the broad line of ethno-religious cleavage runs horizontally from East to West roughly 150 to 200

kilometres north of the Atlantic coast. North of this line, the population are mainly Muslims who see the Arab way of life as a model. South of this line, the people are mainly Christian. Although in the face of the assault of western influences due to the propagation of Christianity and westernisation their world-view has been heavily impacted by the West, the ethnic groups south of this line have managed to protect their traditional outlooks. Among the Yoruba, with a significant proportion of Muslims, the world-view is basically western. Colonial policies tended to reinforce a perception of differences among the various groups, such as the indirect rule of Lord Lugard in northern Nigeria, reinforcing emerging value dissonance with the Christian south. Later the two groups became amalgamated into one political entity. The salafist Boko Haram, seeking to Islamise the whole country, has exacerbated the problem.

Thus, the Islamic and Arab world-views and values that are intrinsic to them predominate in the north of the country. This has led to sharp divisions in the country that generated a lot of tensions and impacted on national processes. The declaration of the Sharia as the legal code for nineteen states in the north that share contiguous borders has posed serious problems as many have dubbed the declaration an act of secession from the Nigerian federation. The value dissonance arising from the close juxtaposing of differing world-views has proven to be a major source of violence in the post-colonial state. This close proximity, especially when religious differences coincide with ethnic identities, reinforces the sense of unity of communities across international frontiers and their sense of separateness from compatriots with whom they are trapped in the political space of the post-colonial state. The question arises as to from which of the competing religious traditions the vision and a philosophy to underpin the *raison d'être* of the state is to derive. Both traditions seek the appropriation of the state and hegemonic influence in its affairs. Behind each of these foreign forces are identifiable external actors.

Internally ascending rebels and proto states

The interaction of the myriad of internal and external forces driving the internal process of the post-colonial state revolves around one question. Whitney (1997:189) posits that the central question is who the real owners of the country

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are and who would rule over whom. The post-colonial state is an arena for the continuous struggle for ascendancy of often irreconcilable opposing interests. These interests include value-systems, attitudes, and overall world-views that are associated with the diverse constituent units that occupy the political space. Horowitz (1985:188) affirms that evidence abounds that control of the state is a central ethnic conflict objective. Meredith (2005:8) advances that the conflicting interests form the permanent undercurrents of the internal dynamic of the state. Violence, in one form or the other, lurks in the interaction between the groups that constitute the national process. It is often directed by the group in control of the state against competitor groups. However, the dominant regime often fails to subdue those who continue to challenge the legitimacy of the status quo. Each group retains some capacity for violence within the state apparatus or outside of it. Violence may also be initiated by one of the subordinated groups against the state, which, in any case, represents only the repressive and dominant part of the contending forces in the state. At given opportunities, massive violence is triggered and accentuated by all parties. Soon, violence becomes the main currency for political intercourse between contending forces in the state. This is directed at achieving regime change. At other times, violence is deployed with the broader goal of creating a new and permanent political space in the form of secession. Each group perceives its ultimate vision as the possession of a sovereign state to rid itself of the perceived constraints to the entrenchment of its values, including world-views, and developmental aspirations in the anachronistic post-colonial state.

The main articulators of vision in the post-colonial state are groups and peoples. Accordingly, Bruce J. Berman (1998:306) proposes that even as African politicians ritually denounce 'tribalism', in the open secret of African politics, they sedulously attend to the maintenance of the ethnic networks of patronage that are the basis of their power. The main units in the drive for power in this state are therefore competing groups. Individuals act in the name of the group. These individual actors embody group political goals and spear-head the drive for power for the group. Their actions and policy choices are legitimated by their fit into the goals of the group. These individual political actors have some latitude in choosing particular tactics or approaches to achieve clearly defined goals of its

natural constituency. They may act in unison within a formal institution such as a political party, which must be under its control. But their tactics must pass the litmus test of advancing the ultimate political goal of the group. The group constitutes a natural constituency of unquestioning allegiance and support for the actors in the arena of the state. The individual and party embodying the group interests are validated by assured landslide victories in elections.

This arena includes the political, the economic and the social. Power is, of course, often an instrument to secure other tangible goods and benefits, including benefits for members of an ethnic group. Horowitz (1985:186) notes that power may also be the benefit. In the post-colonial state, the pervasive systemic material and ideological dissonance and the search for domination lead to mutual insecurity for all. This results in incessant competition for power. Power is equated with political control. The resulting politics is a politics of exclusion. Horowitz (1985:199) explains that short of eliminating competition in the physical sense, groups seek to impose a homogenous identity on the state and to compel the acknowledgement of their prominence. As a result, the integrity of every group is threatened by each and every constituent unit. The strategic choices of each group are informed by the security dilemma confronting all contending units in that political space.

As absolute control is the end goal of the political process for all groups, the political system in the post-colonial state environment is most prone to violence when one constituent group perceives an opportunity to bring to an end the domination of another group. This is often the case at the dissolution of the one-party state system, or through death of a charismatic leader or at the imposition by external forces of a mechanism leading to sudden democratisation of the political process. The process of regime change has often sparked the start of violent conflicts as contending forces see the process as a unique opportunity to wrest power from those who were in control. These changes may be ushered in through revolutionary means such as a coup d'état designed to dislodge the dominant group from power. It may also be through democratic means in which case elections legitimise the consolidation of the rule of the dominant forces or the transition to another potential hegemony. In the nominally democratic scenario in a post-colonial political process which is marked by the absence of

commitment to any social or ideological principles, the population structure becomes a critical indicator of the potential configuration of power in the post-colonial state. The political power of groups is determined by demography, the resources available to each group, and their capacity to organise effectively. Lake and Rothchild propose that more powerful groups have a larger say in setting the terms of the contract. The conflict in Côte d'Ivoire ultimately was about legitimising evolved demographic structures. The calculus of insurrection must reckon with the engagement of transnational allies in the immediate environment and the response of the dominant external force.

The emergence and ascendance of proto states

One critical element of differentiation in the post-colonial state is based on degrees of access to the centre of power in the state. At the core of the state is the group that has consolidated its appropriation and instituted its hegemony. Various groups are located on concentric rings around the core to indicate their relative proximity to or distance from access to the state. Groups located even further than the rings that delineate the margins of the state are in a zone of alienation where the beginnings of rebellions may be expected. When a rebellion is proclaimed and a rebel movement seizes control and begins to establish some semblance of administration in areas within national territories under its control, it has transformed itself into a proto state. Such rebel movements often enjoy overt or covert support or complicity from sympathetic state actors in the inter-state system as well as the transnational allies in the intermestic environment. Through such support, proto states such as in Southern Sudan, greater Côte d'Ivoire with capital at Bouake and greater Liberia with capital at Gbarnga survived for considerable periods of time. South Sudan survived for more than 30 years and eventually gained statehood. Greater Liberia and greater Côte d'Ivoire eventually seized control of the respective states.

In the post-Cold War period, proto states have been overtly engaged as allies of post-colonial regimes in conflict. Jérôme Tubiana (2008) illuminates that Khartoum and N'Djamena have been engaged in an on-again, off-again proxy conflict using one another's rebel movements since the Darfur conflict began in 2003, most intensively since 2005. Also, Khartoum has attempted on multiple

occasions to unify the Chadian rebel groups to destabilise or even overthrow the Déby regime. John Garang's Sudan People's Liberation Army/Movement (SPLA/SPLM) in south Sudan, Jonas Savimbi's UNITA within Angola, and Charles Taylor's National Patriotic Front of Liberia with its capital at Gbarnga are celebrated proto states. Before the overthrow of Mobutu Sese Seko for Zaire, Howard W. French (1997) reported that the people of East Kasai province stood confidently on the verge of independence. The province managed its own currency, promoted its own development projects and had just opened its own university. These proto states all managed to enter into the diplomatic mainstream within and outside their sub-regions. In the case of the SPLA, as with UNITA in Angola, it is inconceivable to think of it in any way other than as a government perpetually at war with the state of Northern Sudan.

Proto states are therefore non-state actors who, to varying degrees, have attributes of states, even if they do not possess formal recognition as sovereign states. These actors have territories under their control, with populations, informal economies in their zones and enjoy a monopoly of coercive apparatus in their enclaves. Sometimes they can project force outside the territorial confines of states in which they are embedded. Above all, they conduct foreign relations to a limited extent and challenge the supremacy of the states in which they operate as a parallel state. In terms of capabilities, the state actors are not necessarily superior. These proto states are very much a part of the overall structure of the environment of the post-colonial state. Their activities impact on the policy options available to state actors, either as allies or as impediments to the articulation of policy preferences of state actors.

The nature of constraints on the behaviour of a post-colonial state posed by such an environment is qualitatively different from those imposed on the modern state by the inter-state system of modern and post-modern states. In this environment, the dominant contending units in the respective post-colonial states are quite keen that their legitimate interests, implying the interests of the residual or major segment of their communities of power in the neighbouring state are taken care of. These elements, who are autonomous actors in the adjacent state, are transnational allies in the post-colonial states. In crisis, they uninhibitedly intervene in the affairs of the post-colonial state.

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For the structure of the inter-state system, the post-colonial state system is constituted by functionally unlike units. A second implication is that the constituent unit of this system, the post-colonial state, is not hierarchically ordered all the way, since the supremacy of the central power, the formal state, is contested by embryonic states. These proto states are effectively power-based non-state actors in the external environment of the post-colonial state. There exist multiple centres of power engaged in a rational calculus based on differently set or even diametrically opposed political goals. Due to the informality of engagements defining relations between proto states and post-colonial states in this external environment, the ground rules of the inter-state system and the external environment are not formally codified. Proto states foster interactions that have critical importance for conflict in the post-colonial state and the inter-state system constituted by it. Joseph Sany (2010:6) identifies key international parties in the Ivorian conflict to include France and Burkina Faso. He adds that France, the former colonial power, was accused of being partial and adds that Burkina Faso, whose citizens constitute the majority of foreigners in Côte d'Ivoire, has been accused by the government of supporting the rebels.

Following a failed coup d'état in September 2002, two thirds of the territory of Côte d'Ivoire, on the northern frontiers with Mali and Burkina Faso and on the western border with Liberia, were under the control of the Forces Nouvelles. The rebel movement – now known as the Forces Nouvelles (FN), or 'New Forces' – Daniel Balint Kurti (2007:2) observed gradually began to look more like a government with an increasingly well-organised bureaucracy. The Secretary-General, Guillaume Soro, acted as the political head. He led the rebellion in all negotiations including the conduct of external relations with sympathetic or conniving neighbouring states. The Chief of Defence Staff, Colonel Bakayoko, was the military head. He was accountable to the Secretary-General, who was the head of the military akin to the Commander in Chief. In January 2004, the Forces Nouvelles created a Political Directorate of 8 Secretaries. The members of the directorate included Louis Andre Dacoury-Tabley, Deputy Secretary-General of the movement, in charge of relations with institutions of state and political parties, Dosso Moussa for Economy and Finance, Konate Sidiki spokesperson

and secretary for Mobilisation, Coulibaly Gnenema for Legislation and Human Rights, Amadou Kone for Elections, Alain Lobognon for Communication, Guie Guillaume for Identification, and Togba Mamadou for Social Affairs. Only the Secretary-General and the Chief of Staff could make public policy pronouncements.

The policy-making organ of the Forces Nouvelles included the Secretary-General, the Chief of Defence Staff, the deputy Secretary-General, the Spokesman of the Forces Nouvelles, the zonal Commanders, and the 9 ministers of the Force Nouvelles, who also served as delegates to the central government. Administration in the Forces Nouvelles-controlled regions was structured on a military command system. The command zones included Bouna, which housed the strategic rear operational base only a few kilometres away from the Burkinabe border. Bouna was under the command of Mourou Ouattara. Korhogo military command was under Fofie Kouakou, Vavoua under Kone Zakaria and the South Zonal Command was controlled by Cherif Ousmane, who also controlled Ferkessedougou which was placed under the direction of Soumaila Drabo. Before the schisms that led to the formation of the Front de Libération Nationale (FLN), the Northern Zonal Command was led by Isiaka Ouattara, also known as Wattao.

Each of the zonal commanders had a military formation under his charge. The Anaconda formation was under Wattao while Cherif Ousmane commanded the Guepard. These zonal commands set up their sub-administrative headquarters in the former departmental offices under the watch of sector commanders. Direct administration was undertaken by the department officials. Many Conseillers Généraux, holdovers from the central administration, still function, under the watch of sector commanders deployed from the Zonal Commands. Sergeant Sylla Inza was the sector commander of Tiermigboue. The sector commander of Ouangolodougou was Daouda Diamanche, also known as Jordan. Chef Vetcho was responsible for the North Central sector command. The Chief of Security for Bouake was Corporal Kolo.

In April 2004, the Secretary-General created institutions to facilitate governmental functions. He reopened the prisons and started competitive recruitment into

the law enforcement agencies. In July 2005, the Secretary-General promoted the Chief of Staff to a General. He stressed that it was unacceptable for officers in the Forces Armées Nationales du Côte d'Ivoire (FANCI) to advance while their counterparts in the Forces Nouvelles remained stagnant.¹

The administration of the proto state is sited in Bouake. Revenues are drawn from four sources. The first includes subventions received from states and transnational communities in the sub-region as well as further abroad who have declared a vested interest in the outcome of the crisis in Côte d'Ivoire. Secondly, enterprises engaged in the exploitation of resources under license from the Forces Nouvelles pay levies to the authorities. A third source is individual Ivorians who donate funds. Fourthly, significant funds initially came from periodic breaks into the vaults of the large branches of the Central Bank of West African States (BCEAO) that were left unguarded. These were complimented with monies extorted from the population under various guises.²

Conclusion

The structural construction of the post-colonial African state and the peculiar historicity of that genre of state constitute a challenging contemporaneous Hobbesian environment in which inheres the potential for conflict and instability. This potential is expressed in a security dilemma that drives the reflexes of competing constituent groups and their extraterritorial affiliates in their interactions with the state and outside of it. Transnational affinities are critical in formulating group responses to threats perceived by state group actors within the intermestic environment. Such affinities are the source of the informal solidary codes that define invisible relations of groups in the immediate environment of conflict. In the search for local ascendancy, the dominant internal force is transformed into an instrument for the advancement of the strategic objectives of elite forces. The goals of the external ally may be at variance with the objective

1 Statement of Guillaume Soro, Secretary-General of the Forces Nouvelles on 20 April 2004 to end his official tour of the Savanne province.

2 Road blocks are set up by the respective commanders of the rebellion. Markets are raided for all sorts of levies. Revenues extorted from the population often end up in the private pockets of the officials of the proto state.

interests of the subordinated post-colonial state. The post-colonial state is weak without any credible organic glue in terms of common worldview, value system, national or a predominant religious identification to hold its fractious society together. There is a lack of national civic theology. Against this backdrop, the national process is pervasively and permanently contentious, with violence as the main currency to sustain the tenuous control that the ascendant group in the state enjoys. Violence is exacerbated when an opportunity for regime change to dislodge the current ascendant group opens up, for instance through the ballot box. Attempts to institute national value distribution through democratic channels in the post-colonial state are played out in the context of the struggle for total partisan appropriation of the post-colonial state. This gives rise to a paradox as democratic openings and elections become immediate triggers of violence.

The challenges identified above, especially the lack of credible organic glue in terms of common worldview and value systems in African post-colonial states, reflect the potential role of credible, ethical and moral leadership in preventing conflict. This is exemplified in Nelson Mandela of South Africa and the 'Mwalimu', Julius Nyerere of Tanzania. The concepts of the African Renaissance and the Ujaama enunciated respectively by the two statesmen provided critical groundings to cement a vision for each of the two countries. The exemplary lifestyles of the two also provided the moral barometer to guide the future leadership of the country. The lack of such credible, ethical and moral leadership would seem to be the most critical deficit across the spectrum of African post-colonial states.

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Communal conflict, civil war, and the state: Complexities, connections, and the case of Sudan

*Johan Brosché and Emma Elfverson**

Abstract

This article analyses communal conflict, which we define as *violent conflict between non-state groups that are organised along a shared communal identity*, and how such conflicts relate to state-based violence. We argue that a deeper understanding of communal conflicts, the different types of dynamics and conflict issues, as well as of the complex connections between communal conflicts and other forms of organised violence, is necessary for improving academic research as well as for better informed policy and interventions. Our arguments are illustrated through a case study of Sudan. The article makes three main contributions: first, it shows that communal conflicts often have grave consequences, and illustrates several linkages between communal conflicts and state-based conflicts. Secondly, it demonstrates that a correct analysis is necessary before any party intervenes, in order to understand in what ways the communal conflict may be entangled with other types of organised violence. Thirdly, the article underlines that communal conflicts need to be taken into account both when signing a peace agreement and in the post-conflict situation, to avoid the risk that conflict and violence merely spills over from one type to another.

* Both authors are Ph.D. candidates in the Department of Peace and Conflict Research at Uppsala University, Uppsala. They have contributed equally to the article, and are listed in alphabetical order.

Introduction

Peace and conflict research arose as a field devoted to understanding the causes of war and conditions for peace by means of systematic analyses of the historical experiences of war. The concept of conflict, commonly defined as ‘a social situation in which a minimum of two actors (parties) strive to acquire at the same moment in time an available set of scarce resources’ (Wallensteen 2007:15), offers a broad general research agenda that so far has not been fully explored. As international wars are rare, the focus has shifted in the last decades towards intrastate armed conflicts. Still peace and conflict research remains firmly concerned with situations where violence is carried out by or directed against the government of a state. To nuance this state-centric view, this article focuses on communal conflicts where the state is not active as a warring party. Although yearly causing thousands of deaths, communal conflict is still an under-researched area within peace and conflict research. The ethnic violence following the 2007 Kenyan presidential election, pastoralist conflicts in the Sahel region, and the many conflicts between different ethnic groups in Nigeria, are all examples of communal conflicts. We argue that an understanding of the different types of dynamics and conflict issues, as well as of the complex connections between communal conflicts and other forms of organised violence, is necessary for improving academic research as well as for better informed policy and interventions.

The article starts with a discussion of how to define communal conflicts, and an attempt to position them in relation to other types of organised violence. After that some empirical trends are presented based on data from the Uppsala Conflict Data Program (UCDP). The particularities of communal conflicts and how they relate to state-based organised violence are explored through a case study of communal conflicts in Sudan. The article ends with some concluding remarks and makes a call for the importance of more research about communal conflict and its dynamics.

Conceptualising communal conflict

Communal conflict: A definition

In this article, we define communal conflict as *violent conflict between non-state groups that are organised along a shared communal identity*. This definition deserves some further clarification. *Violent conflict* refers to the fact that the parties use lethal violence to gain control over some disputed and perceived indivisible resource, such as a piece of land or local political power. This follows a generally accepted conceptualisation of armed conflict (Galtung 1965:348–349). The groups involved are *non-state groups*, meaning that neither actor controls the state and armed forces (although state actors may be involved as an important supporting actor in a communal conflict). Finally, the groups are *organised along a shared communal identity*, meaning that they are not formally organised rebel groups or militias but that the confrontation takes place along the line of group identities.

Some would equate the concept of *communal identity* with ethnic or religious identity, but as conceived here the definition is purposefully left more open, since group identity can be considered as socially constructed rather than a static phenomenon. Instead, communal identity is conceptualised as subjective group identification based on, for instance, a common history, a common culture or common core values (cf. Gurr 2000:4–5, 16–20). Affirming that communal identity refers to ethnic or religious identity would make the term less flexible, and unable to capture other forms of possible communal identity. For instance, in local conflicts where the dividing line is between ‘original’ inhabitants of an area (‘indigenes’) and more recent ‘settlers’, as is often the case in parts of West and Central Africa, this should be seen as a communal conflict since people very strongly identify themselves (and the ‘other’ group) along these lines. Demarcation along such lines often causes ‘sons of the soil’ conflicts where the indigenes perceive themselves as the rightful owners of the land (Fearon and Laitin 2011). Similarly, in other areas the main identification may be based on one’s livelihood, and conflict may be fought along those lines (for instance, pitting pastoralists against agriculturalists). Livelihood conflicts often parallel ethnic lines as for instance pastoralists living together are often from the same

ethnic community. However, this is not always the case. For instance, villagers often identify as inhabitants of their particular villages no matter if the village is ethnically homo- or heterogeneous. The bottom line is that what constitutes the basis for a communal identity may differ across time and space; hence, leaving the definition of this term more open allows for a broader contextual range.

Communal conflict contrasted to civil war violence

In categorising different types of collective violence and analysing how they relate to each other, the level of coordination is crucial (Tilly 2003:15). We view communal conflicts as located in the middle of the coordination spectrum since the communal actors involved lack a formal military organisation but may still feature a high level of coordination. To date, most research within peace and conflict studies has focused on collective violence with a higher level of organisation than communal conflict. A significant amount of research has focused on conflicts between states, or between a state and a rebel group. However, these conflicts may feature different dynamics than communal conflicts and therefore it makes theoretical and analytical sense to study communal conflicts separately. State-based conflicts usually feature a significantly higher degree of organisation since the government side controls the formal army while rebel groups often also have access to trained troops as well as sophisticated weapons. This higher level of organisation and material strength means that state-based conflicts usually have a higher destructive potential than communal conflicts, as well as a tendency to drag on for a longer period of time. Communal conflicts are also different from state-based conflicts in that both parties are subject to a higher, national authority which controls state funds and the national army, which implies that the development and management of the conflict is affected by the government's willingness and capacity for intervention. Furthermore, while civil wars are usually characterised by asymmetry since one conflict actor controls the state, communal conflicts are generally more symmetrical (Johansson 2011:5).

The differences pointed out above lead to the conclusion that communal conflicts represent a type of violence that needs to be separated analytically from more organised types of ethnic violence. Of course, this does not mean

that communal conflicts have no similarities with, or cannot transform into, other types of violence. However, to clearly define and demarcate communal conflicts from other forms of violence can be rewarding, both for understanding the phenomenon in itself, and for a broader understanding of collective violence, especially the interaction between different types of collective violence. Furthermore, an improved understanding of communal conflicts may help in understanding their causes and designing strategies to resolve them before they become very deadly or transform into other forms of violence.

Types of communal conflicts

Communal conflicts can take many different forms, and in order to understand the different dynamics of communal conflict, it is useful to analyse their underlying causes and the issue over which the conflict is fought. Different conflict issues may necessitate different types of interventions and conflict resolution strategies. Hence, we argue that one important imperative for future research on communal conflict is to demarcate conflict types that display different dynamics.

A first set of communal conflicts takes place in connection with local or national elections.¹ A core reason for this is that political allegiance in many countries follows ethnic lines and when one group's candidate loses, this group might seek revenge against the other group. This is often worsened by the patrimonial systems that characterise most countries where communal conflicts are common. Such systems include a strong patron-client relationship in which access to power becomes extremely important (see e.g. Fjelde 2009). One of the most severe incidents of communal conflict in recent years followed the Kenyan 2007 presidential election. When the result that the sitting President Mwai Kibaki had won over his main opponent Raila Odinga was announced, large areas of Kenya exploded in communal conflicts between different ethnic groups as most people viewed it as a stolen election. That the election included many inaccuracies was also confirmed by the international community. The violence that followed was mostly described in apolitical terms and as 'ethnic hatreds'. However, closer investigation of the violence shows multiple and clear political connections. Behind the different militias were often local politicians who

1 For a thorough investigation on this issue in the case of India, see Wilkinson 2004.

provided them with weapons and shelter and directed the violence. In addition to the national political dynamics, a crucial part of these communal conflicts concerned access to land. The clashes were located in the most densely populated areas where rivalry over land is strong. In the political process leading up to the election, many politicians had promised access to land to their constituency. When certain communities then perceived the election as stolen, they also saw it as their access to land having been taken away (Human Rights Watch 2008; International Crisis Group 2008). Communal conflicts can be an effective way of gaining access to land as the number of people displaced often is huge, even when the number of deaths is fairly limited (Horowitz 2002). Thus, ruthless political entrepreneurs, who used the local populations' grievances for land, were the key actors in the Kenyan post-election communal conflicts (Human Rights Watch 2008; International Crisis Group 2008).

Land is also often at the heart of communal conflicts that centre on groups' main livelihood. One example is pastoralist conflicts, i.e. herder-farmer conflicts and conflicts between various pastoralist groups. Pastoralists and their animals move over extensive areas, often under extremely harsh conditions, and during this movement they often come into conflict with other communities that are either also on the move or more settled. Such conflicts constitute one of the oldest forms of organised violence in the history of mankind (Butler and Gates 2010:1). The eruption of such conflicts is compounded by the extreme conditions where access to grazing land or a well is often a question of survival for both animals and humans. Most often these conflicts are solved in non-violent manner, and when they do turn violent the violence is often kept at a low-scale level. However, sometimes such conflicts cause widespread human suffering (Hussein et al. 1999; Meier et al. 2007). A region particularly prone to pastoral conflicts, due to its extremely harsh living conditions, is the Sahel belt stretching from Senegal in the west to Eritrea in the East. A typical example is the conflict between the Nigerian Peulh herders and the Touaregs from Mali. The conflict is in essence a conflict over land and in 1997 the two communities fought each other over access to a well. Herders from the Peulh who travelled through Malian territory were attacked by the Touaregs and dozens of people were killed in the following clashes (Uppsala Conflict Data Program, UCDP 2011).

Similarly related to control over land, but fought along another identity dimension, are conflicts pitting the 'original' inhabitants of a locality against more recent settlers. For instance, many of the violent communal conflicts in Plateau state, Nigeria, have centred on this division. Among these are the recurrent eruptions of conflict in Jos, the state capital. Conflict flared in Jos in 2001, 2002 and 2010 with the Hausa and Fulani on one side, and the Anagutas, Afisare and Birom on the other (UCDP 2011). The latter three groups are considered indigenous to the area, while the Hausa and Fulani are more recent settlers to the area and have become a significant minority, threatening the 'indigenous' groups' dominance (Human Rights Watch 2001:5). This has led to spiralling conflict over local political power, control over land and access to public goods, all aggravated by poverty. The conflict also has religious dimensions, as most Hausa and Fulani are Muslims while the indigenous groups are mainly Christian. This has led many observers to describe the conflict mainly or solely in religious terms. While such a description fails to capture the underlying political dynamics of the conflict, it is at the same time true that the religious dimension has contributed to the escalation of the conflict in connection with the extension of Sharia law in northern Nigeria, with protagonists using religious propaganda to incite violence against the other group (Human Rights Watch 2001; Africa Research Bulletin 2010). Communal conflict has also erupted, or escalated, along religious lines in India (notably between Hindus and Muslims) and Indonesia (Christians and Muslims) (Rabasa and Hasseman 2002:91; Varshney 2002).

Communal conflict, the state, and state-based violence

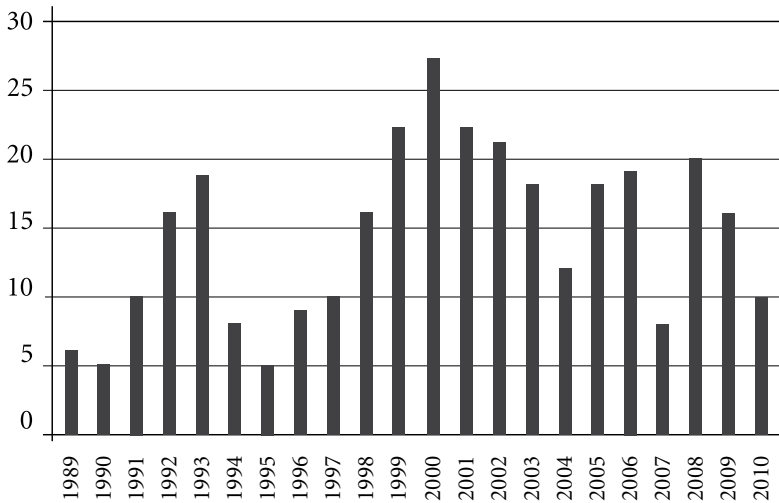
This section examines the empirical trends of communal conflicts – whether there are variations over time in number or deadliness, how they are distributed geographically, and how communal conflicts relate to civil war and other political factors at the national level. Most of the empirical information is based on data compiled by the Uppsala Conflict Data Program (UCDP).²

2 The UCDP is part of the Department of Peace and Conflict Research, Uppsala University. It compiles and maintains data on state-based, non-state and one-sided organised violence and related information such as conflict resolution and peace agreements. The data is made available through a number of datasets as well as a comprehensive database, accessible at <www.ucdp.uu.se>.

Empirical trends over time and space

The UCDP collects information about non-state conflicts, defined as ‘the use of armed force between two organised armed groups, neither of which is the government of a state, which results in at least 25 battle-related deaths in a year’ (Sundberg et al. 2012). Non-state conflicts include conflicts between formally organised groups (such as rebel groups), as well as between less formally organised groups. A subset of these non-state conflicts, corresponding to our definition of communal conflicts, is used for empirical analysis here.³

Figure 1: Active communal conflicts per year, 1989–2010

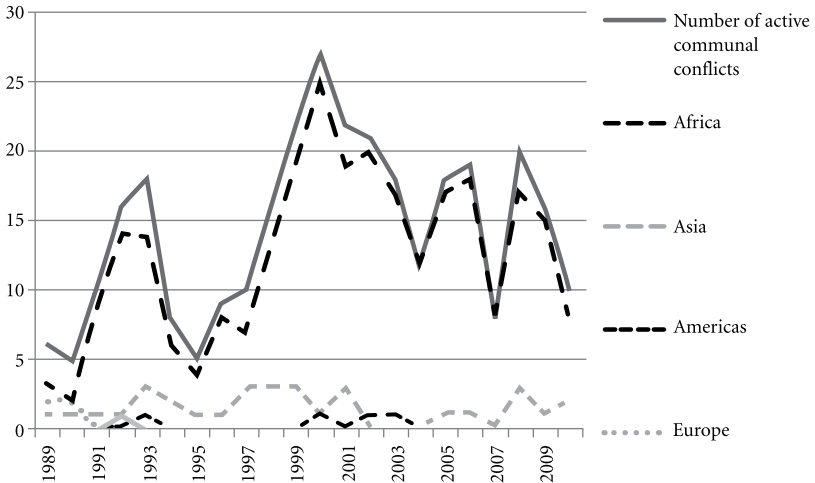


Source: UCDP Non-State Conflict Dataset v. 2.3-2011

³ This category of non-state conflict is defined by the UCDP as organised violence between ‘groups that share a common identification along ethnic, clan, religious, national or tribal lines. These are not groups that are permanently organised for combat, but who at times organise themselves along said lines to engage in fighting. This level of organisation captures aspects of what is commonly referred to as “communal conflicts”, in that conflict stands along lines of communal identity’ (Sundberg et al. 2012). The most recent version of the dataset is the UCDP Non-State Conflict Dataset v. 2.3-2011, available at <<http://www.pcr.uu.se/research/ucdp/datasets/>>.

Using the UCDP non-state data, we can study trends of communal conflicts over time and space. Figure 1 above displays the number of active communal conflicts per year since 1989. As the figure indicates, communal conflicts appear to be more common in recent years than in the 1990s, but the number of active conflicts may fluctuate substantially from year to year and it is difficult to distinguish any clear trends. In contrast, the number of state-based conflicts per year tends to show more clear trends. The past decades have been associated with a gradual decrease in the number of such conflicts, followed by a slight but steady increase since 2004 (Themnér and Wallenstein 2011:526).⁴

Figure 2: Active communal conflicts by year and region, 1989–2010



Source: UCDP Non-State Conflict Dataset v. 2.3-2011

If we look at regional trends (Figure 2), it is clear that the majority of communal conflicts have taken place in Africa. However, this type of conflict should not be viewed as an exclusively African phenomenon since most years have also seen a number of conflicts in other regions, most notably in Asia. Out of the

⁴ The number of conflicts peaked in 1992 at 53, decreasing steadily to 30 active conflicts in 2003. The number then climbed to 37 active conflicts in 2008. However, in 2010 the number was again down to 30 active conflicts.

total of 316 conflict years,⁵ 275 were located in Africa and 32 in Asia. Europe and the Americas saw four active conflict years each, and the Middle East only one. Looking at unique conflicts rather than active conflict years (since some of the conflicts recur in more than one year), Africa saw 193 conflicts, Asia 19, the Americas 4, Europe 3, and the Middle East 1. Further research is needed to explain why Africa has been so particularly hit by communal conflict. However, it has been proposed that a few factors which generally augment the risk of communal conflict are environmental scarcity in combination with weak state structures (Barnett and Adger 2007; Kahl 2006; Raleigh 2010), patronage systems (Berenschot 2011) and politicised ethnic identity (Pettersson 2010). The potential causes of the high prevalence of communal conflict in some African countries are discussed further below.

As can be gleaned from the number of conflict years in comparison to the number of unique conflicts, in most cases the violent phases of communal conflicts do not extend over several years. This is in sharp contrast to state-based conflicts, which usually span several years or even decades. Rather, communal conflicts tend to be brief and sporadic with a few days of intense clashes (Pettersson 2010:190–191). However, in some cases communal conflicts have taken the form of protracted violent struggles spanning several years, one example being the conflict between Hema and Lendu in the eastern part of the Democratic Republic of the Congo (DRC) in the late 1990s and early 2000s. Over the course of five years, thousands of people were killed in the fighting, which initially broke out due to competition over land and valuable natural resources, but worsened as regional power actors tried to change the political balance of power between the groups (Sundberg et al. 2012; International Crisis Group 2003). Conflicts may also stretch over several years at a much lower intensity level. In India, a communal conflict between the Kuki and Naga ethnic groups was active

5 The UCDP codes an active conflict when there is fighting leading to 25 battle-related deaths in a year. Hence, each year when a conflict is active is termed a 'conflict year', although there may have been only a few clashes in only a part of the year. To exemplify, if two communal groups clash in March 2002, causing over 25 deaths, and again in May and June 2004, again causing at least 25 deaths, this means the conflict has seen two active conflict years.

most years between 1993 and 1998, resulting in some 400 deaths (Sundberg et al. 2012).

The UCDP also collects information on the number of people killed in communal conflicts.⁶ In most cases, communal conflicts result in significantly fewer deaths than civil wars, but there are exceptions. Figures 3 and 4 below show the total and the average number of people killed in active communal conflicts during the 1989–2010 period, according to UCDP best estimates (Sundberg et al. 2012).⁷ These two graphs display a slightly more optimistic picture: it appears that communal conflicts have become less deadly – both the total and average number of deaths have decreased since the 1990s.⁸ To understand the causes of this development, much in-depth research is needed. The pattern appears somewhat contradictory, since numerous reports have concluded that an increasing availability of small arms and light weapons (SALW) has led to an increasing lethality of communal conflicts (Eavis 2002; Bevan 2008; Mkutu 2008a). Presently, there are no data supporting the notion that such availability has decreased since the start of the new millennium (see e.g. Small Arms Survey 2010). This underscores the argument that the dynamics affecting the deadliness of conflicts are more complex than the mere availability of weapons, and that strategies to decrease communal violence must entail broader policies than merely disarming groups (Bevan 2008: 21–23). The decreased lethality of communal conflicts could also be interpreted as a sign that interventions to halt violence have become more effective. Interestingly, the apparent decrease in lethality of communal conflicts coincides with a similar trend regarding state-based conflicts (Themnér and Wallensteen 2011:528).

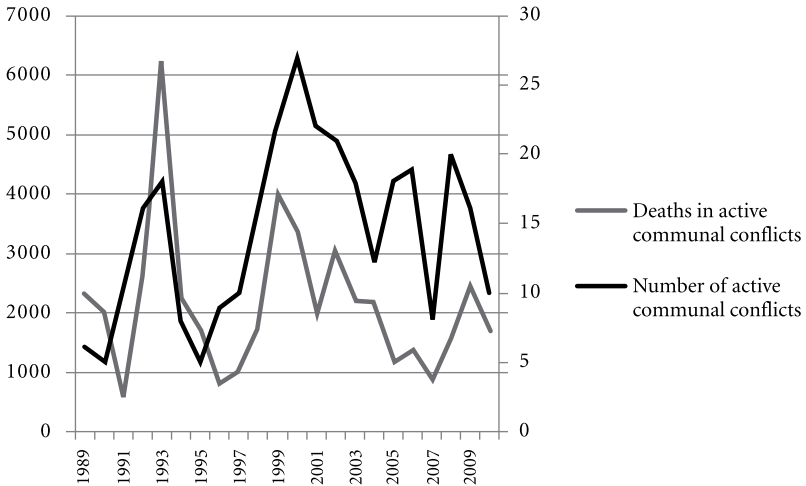
6 Indirect deaths, such as those resulting from starvation or illness, and deaths from one-sided violence, are not included in these figures; nor are deaths caused by security forces deployed to halt the violence. Rather, the UCDP codes battle-related deaths, i.e. ‘deaths directly related to combat between the warring groups’ (Sundberg et al. 2012).

7 The UCDP best estimates are based on the accounts that are seen as most credible and best confirmed; however, due to the often limited reporting on communal conflict, in many cases the real number of deaths is likely higher.

8 The same pattern emerges, in fact even more strongly, when using the high estimates reported by UCDP.

Again, however, any trends should be taken with a note of caution given the often large fluctuations in the number and deadliness of communal conflicts. For instance, as illustrated in Figure 3, there was a notable peak in the number of deaths in 1993. In particular, it was the conflict in DRC between the Hunde and Nyaga on one side and the Banyarwanda on the other that caused a very high number of deaths this year. Another extreme year was 2000, which saw the highest number of active conflicts (27) – the bulk of these in Africa, with the highest numbers in Uganda (7 active conflicts), Ethiopia (5) and Nigeria (4).

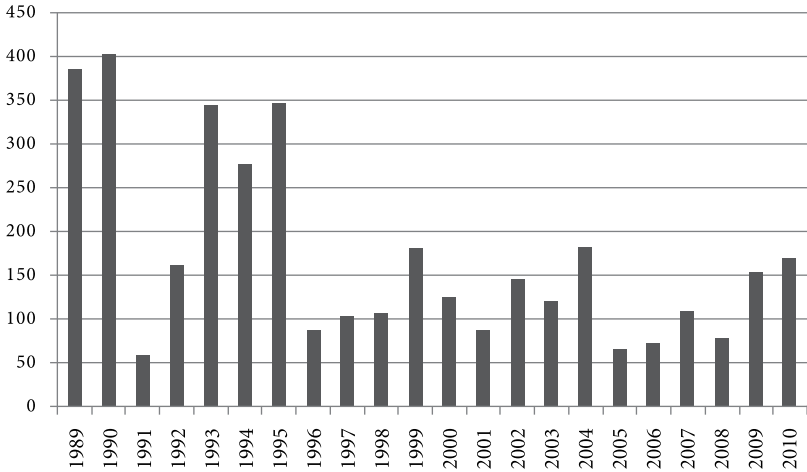
Figure 3: Number of deaths in active communal conflicts, 1989–2010



Source: UCDP Non-State Conflict Dataset v. 2.3-2011

Some countries seem particularly plagued by communal conflicts (see Table 1 below). The six worst-hit countries in 1989–2010, in terms of the number of communal conflicts, were Nigeria, Ethiopia, Somalia, Sudan, Kenya and Uganda. Interestingly, while some of these countries were plagued by civil war during the same period, two – Nigeria and Kenya – were relatively free of state-based conflict. Nigeria, which saw the highest number of conflicts, experienced 37 unique communal conflicts (totalling 49 active conflict years) during the period.

Figure 4: Average number of deaths in active communal conflicts, 1989–2010



Source: UCDP Non-State Conflict Dataset v. 2.3-2011

A number of factors has been suggested in explaining the high number of communal conflicts in these countries. Regarding Nigeria, analysts point to tensions created during colonialisation and at independence; divide-and-rule strategies under military rule; poverty, unemployment and exploitation; political manipulation of religious and ethnic dividing lines; and the increased salience of ethnic identity and indigeneity as a consequence of the federal system (Akinwale 2010; Leith and Solomon 2001; Nolte 2002; Quaker-Dokubo 2000). Federalism and political representation based on ethnicity, together with the undermining of traditional conflict resolution mechanisms, have also been argued to be one of the main reasons for the high number of communal conflicts in Ethiopia (Abbink 2006; Adeghe 2009; Pettersson 2010:196). In Kenya, political exploitation of ethnic divisions has been highlighted (Kahl 2006). The border regions between Kenya, Ethiopia and Uganda have also seen numerous pastoral conflicts, some of which have become more severe in recent years with the increased availability of small arms (Bevan 2008:20). At times these conflicts have been aggravated by uneven disarmament of involved groups by the governments of the affected states (Bevan 2008:20; Eaton 2008; Mkutu 2008b; Pettersson 2010:198; Weiss

2004). In Sudan, communal conflict has to a large extent been connected to the civil war (see further the Sudan case study below), whereas the conflicts in Somalia have often taken the form of clans and sub-clans vying for local control in the absence of a strong national government (Pettersson 2010:194–195).

Table 1: Number of communal conflicts and deaths, 1989–2010, worst-hit countries

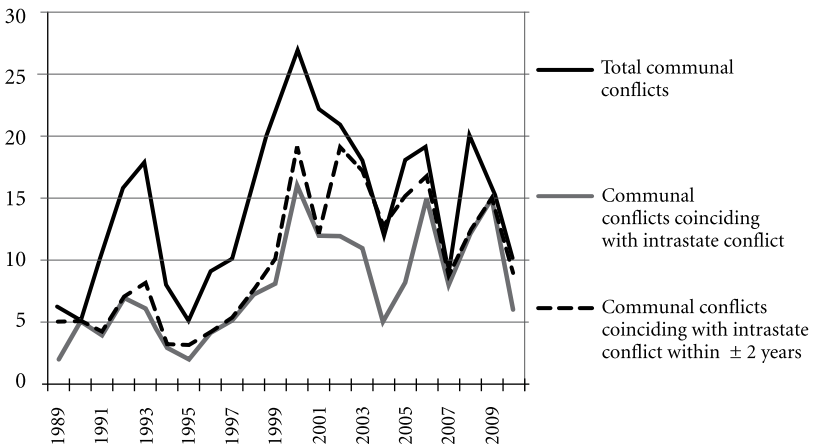
| <i>Number of conflicts</i> | | <i>Deaths in communal conflicts</i> | |
|----------------------------|------------------------|-------------------------------------|------|
| Nigeria | 37 (49 conflict years) | DRC | 8131 |
| Ethiopia | 34 (49 conflict years) | Sudan | 7962 |
| Somalia | 29 (33 conflict years) | Nigeria | 7504 |
| Sudan | 28 (38 conflict years) | Ethiopia | 5767 |
| Kenya | 25 (43 conflict years) | India | 3941 |
| Uganda | 15 (21 conflict years) | Ghana | 2407 |

Nigeria, Ethiopia and Sudan were also among the six countries that experienced the highest number of fatalities in communal conflicts. Nigeria, with the highest number of communal conflicts, saw the third highest number of deaths according to UCDP best estimates. In the DRC, relatively few conflicts have resulted in a very high number of deaths. The very deadly conflicts took place in the Ituri and Kivu regions in the east. These conflicts over local control have often pitted groups considered as indigenes against more recent immigrants, a situation aggravated by the huge number of Rwandan refugees settling in the area following the genocide (Pettersson 2010:198). The only non-African country among the six worst hit in terms of fatalities, India, has seen very deadly clashes particularly along religious lines, pitting Hindu and Muslim communities against each other. Ghana’s high number of fatalities is mainly due to the ‘Guinea Fowl War’, a conflict between the Nanumba and Konkomba (also involving the Dagomba and Gonja) which took place in the Northern Region in the mid-1990s (Kusimi et al. 2006).

Communal conflict and state-based violence

Oftentimes, communal conflicts are connected to conflicts and power struggles at the national level. Conflict at various levels may be directly connected, for instance national elites may manipulate local conflicts in order to gain strategic advantages and to weaken opponents (Allen 1999:371; Kalyvas 2003:471). In addition, state-based conflict may fuel communal conflict indirectly, through, for instance, general destabilisation of the country, changing balances of power, or destruction resulting in aggravated scarcity of resources (Horowitz 2002:331–334; Pettersson 2010:191).

Figure 5: Communal conflict and state-based conflict, 1989–2010



Sources: UCDP Non-State Conflict Dataset v. 2.3-2011 and UCDP/PRIO (Peace Research Institute Oslo) Armed Conflict Dataset v.4-2011

Combining the non-state data with UCDP’s data on state-based conflict (Gleditsch et al. 2002; Themnér and Wallensteen 2011), we see that more than half (55%) of all active communal conflicts in 1989–2010 coincided with an ongoing state-based conflict⁹ in the country during the same year (Figure 5 above illustrates

9 The UCDP dataset includes both conflicts between a state and a rebel group, and conflicts between states, but for the purpose of comparison here, only the former are included. Conflicts between states have become very rare after the Cold War, and feature different dynamics than intrastate conflicts.

the pattern over time). 68% of all communal conflicts took place in a country that experienced state-based conflict within two years before or after the communal conflict, and a full 81% of all communal conflicts took place in a country which experienced state-based conflict at some point during the 1989–2010 period. Of course, it is not possible to tell from these numbers whether communal and state-based conflicts were causally related or whether another set of factors led to both; however, the case of Sudan will be used below to illustrate some of the ways in which communal conflict and intrastate conflict may feed into each other.

The UCDP disaggregates state-based conflicts according to the incompatibility, or the conflict issue: this is coded as concerning either territory or government power. In total, 173 active communal conflict years coincided with active state-based conflict in the country; out of these, 50% coincided with a conflict over government power, 35% with one or more conflicts concerning territory, and 15% coincided with both types of state-based conflicts (Figure 6 below). As a point of comparison, during the same time period, 58% of active intrastate conflict-country years experienced conflict over government, 31,5% conflict over territory, and 10,5% saw both. Hence, it appears that states with an ongoing conflict over territory are slightly more at risk of also experiencing communal conflict than are states with a conflict over government. This is interesting in light of the fact that land is often at the core of communal conflicts, and in relation to the recent interest devoted to ‘sons-of-the-soil’ conflicts in the literature on civil war. Such ‘sons-of-the-soil’ dynamics often fuel state-based conflicts (see e.g. Fearon and Laitin 2011) and it is feasible to believe that in many cases, the indigenes and the newcomers were involved in communal conflicts before they turned into state-based conflicts.

Previous research has shown that strong democracies and strong autocracies experience a lower risk of intrastate conflict, whereas intermediate regimes (also called anocracies) tend to be at higher risk (Hegre et al. 2001:33). Using Polity IV data (Marshall et al. 2010) we find a similar relationship between the level of democracy and communal conflicts.¹⁰

10 Within the civil war literature, it is argued that the relative balance between grievances on the one hand, and state capacity and stability on the other, lies behind this finding (Hegre et al. 2001:33).

Sudan – Communal and state-based conflicts intertwined¹¹

This section of the article illustrates how communal conflict may be linked to national politics by investigating the relation between state-based and communal conflicts in Sudan.¹² Since independence in 1956, Sudan has witnessed two civil wars primarily located in the South (1963–1972 and 1983–2005), and one civil war taking place foremost in the far western region of Darfur (2003–). In all these wars communal conflicts and state-based conflicts were intertwined. Thus, Sudan offers interesting opportunities to examine linkages between communal conflicts and state-based violence.

Patterns of communal conflict in Sudan

For the 1989–2010 period, the UCDP has recorded 27 communal conflicts in Sudan: 14 in Southern Sudan, 12 in Darfur, and one in Kordofan (UCDP 2011; Sundberg et al. 2012). Other areas of Sudan have also witnessed communal conflicts, but in these areas they have been much lower in intensity and have not reached the 25 fatalities threshold. The centre of attention here will be on the ones taking place in Darfur and the South as they constitute 97% of the conflicts and it is in these areas that connections between state-based and communal conflicts are most apparent.

The 27 conflicts that took place in 1989 to 2010 have in total been active for 39 years: 20 in Darfur, 18 in South Sudan, and one in Kordofan. The average length of a communal conflict in Sudan was 1,4 years and 20 of the conflicts had just been active for one year, seven for two years and two for three years (Sundberg et al. 2012). These findings are in line with the global trend that this type of non-state conflict is usually short in duration. Scrutinising the duration of the communal conflicts further shows that many of them are very brief, even during the year that they are active, i.e. the actual clashes often

11 This section builds on more than four and a half months of fieldwork conducted by Johan Brosché in Khartoum, Juba, Malakal, Bor (South Sudan), Nyala (Darfur) and Gedarif (Eastern Sudan).

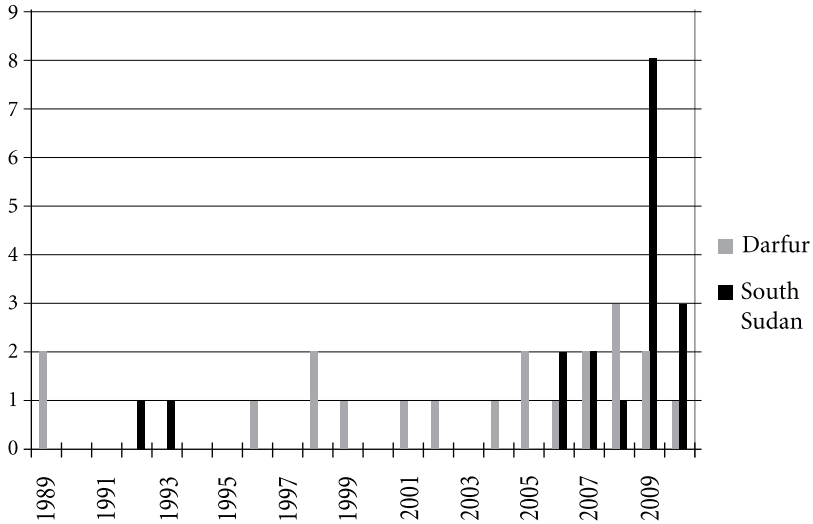
12 On 9 July 2011 Sudan was split into two countries – Republic of Sudan and Republic of South Sudan. However, this article deals with the 1989–2010 time period and therefore the entire Sudan is referred to when not stated otherwise.

last just for a few days. An example of this is the Misseriya-Reizegat Baggara fighting in 2008. All the fighting took place in one day and resulted in 67 casualties (UCDP 2011). This is the actual fighting period, but grievances and conflict issues might spread over a much longer period (sometimes even decades). Despite such conflicts having devastating effects, it is important to stress that Sudan has hundreds of ethnic groups and thus most ethnic groups in Sudan (and in the world, cf. Fearon and Laitin 1996) live in peace.

At the heart of many communal conflicts is land, and much research about communal conflicts focuses on farmer versus herder conflicts (Hussein et al. 1999; Turner 1999). In line with these trends, the crisis in Darfur has similarly been described as originating from conflicts over land (Tubiana 2007). Land is also an important aspect of the conflicts in South Sudan. As a consequence, an interesting aspect of analysing communal conflicts in Sudan is to investigate the main livelihood of the groups involved. These conflicts are often assumed to be between sedentary farmers and nomadic herders. In Sudan, however, 22 out of 27 communal conflicts have been between different pastoralist groups and only five between farmers and pastoralists. This pattern is similar in both Darfur and South Sudan. Significantly, none of the communal conflicts in Sudan recorded by the UCDP pits farmers versus farmers, indicating that in Sudan more settled groups are less prone to end up in conflicts. At the centre of many of these communal conflicts are cattle, especially in Southern Sudan. For many ethnic groups, cattle are at the centre of life. The cattle are sacred and wealth is measured in cattle. In addition, in many communities dowry is paid in cattle and for this reason cattle-rustling is for some young men their only chance of getting married. Also, cattle-rustling is a way to prove your manhood within some societies (UCDP 2011; interview with Dr Eltayeb Hag Ateya, 8 July 2009, Khartoum).

As illustrated by Figure 6, the number of communal conflicts in Sudan has varied fairly moderately between zero and four for all years except 2009 when a full ten communal conflicts took place. The preceding years also had high numbers of communal conflicts compared with the whole period.

Figure 6: Active communal conflicts in Darfur and Southern Sudan, 1989–2010



Source: UCDP Non-State Conflict Dataset v. 2.3-2011

Out of 39 communal conflict years, 25 have taken place during the last five years, and thus, the period after the signing of the Comprehensive Peace Agreement (CPA) has witnessed a higher ratio of communal conflicts than the preceding period. When it comes to assessing the linkages between communal conflict and state-based violence, the start of the rebellion in Darfur in 2003 and the signing of the CPA that brought an end to the war between the government and the Sudan Peoples’ Liberation Army/Movement (SPLA/M) constitute interesting points of comparison. Until 2005, Darfur suffered to a larger extent from communal conflicts than the South (eleven in Darfur and two in the South). However, after 2005, Southern Sudan has had 15 communal conflicts compared to 8 in Darfur. Before the signing of the CPA, Southern Sudan had 0,125 active conflicts per year but after the CPA the number has sharply increased to 2,6 conflicts per year. Thus, the CPA brought an end to fighting between the government and SPLM/A but was associated with an increase in the number of communal conflicts in Southern Sudan (Brosché 2009:27–29). Despite this, the number of people being

killed in organised conflicts in South Sudan is much lower in the period after the signing of the CPA than during the war. In Darfur, however, the start of the rebellion in 2003 has coincided with an increase in the communal conflicts from 0,6 per year to 1,5 per year. Hence, the post-agreement period has witnessed an increased number of communal conflicts in the South, whilst in Darfur the start of a rebellion has seen an increased number of communal conflicts taking place there. One explanation for the increased number of communal conflicts in South Sudan since the end of the war with the North is that the end of the major South-North cleavage has unleashed local grievances. With the end of the war, the uniting factor of facing a common enemy was gone, and different communities and in particular their leaders positioned themselves against each other. This political struggle on who should control South Sudan sometimes led to communal conflicts. Also, after the signing of the CPA many refugees and internally displaced persons have returned to the South and this creates severe problems in relevance to who has the right to certain lands (International Crisis Group 2009). As noted in the overview of communal conflicts in Africa, there is some indication that the average number of deaths from such conflicts has been decreasing. However, the average number of deaths in Sudan fluctuates extensively from year to year so no clear trends can be seen.

Darfur – communal and state-based conflicts tangled

To examine the linkages between communal conflicts and state-based conflicts, a further look at this relation in Darfur is warranted. The continuing crisis in Darfur is sometimes characterised as being a conflict between ‘Africans’ and ‘Arabs’. This is a simplistic viewpoint and a confusing label as all of the groups involved live in Africa and almost all of them speak Arabic. Jérôme Tubiana explores the puzzling persistence of the Arab-African division in Darfur:

The divide is not based on skin colour. It is not based on religion... all Darfur's ethnic groups are Muslim. It's not based on culture... it's not based on language... Nor does the cleavage really represent a difference in way of life... Rather the basis for the cleavage is the claim to an Arab identity that has less to do with the above criteria than it does with often-fictional patrilineal lineages that lead back to mythical Arab forbearers. There may

be little, if any, historical accuracy to these constructs. But to those who invoke them, they are fact and truth (Tubiana 2007:67).

In spite of these nuances that characterise the Arab/African distinction, and in line with the emphasis in our definition of communal identity as self-ascriptive, we will use this designation as it currently is politically significant. In Darfur half of the communal conflicts pit 'African' against 'Arabs', whilst the other half are between 'Arabs' and 'Arabs'. When investigating this dimension over time, an interesting picture emerges. Between 1989 and 2002, all communal conflicts that took place were 'Africans versus Arabs' conflicts, whilst after 2002 six out of seven conflicts can be categorised as 'Arabs versus Arabs' (UCDP 2011). The change in who is fighting who coincides with the emergence of state-based violence in Darfur.

In early 2003, SLA/M (Sudan Liberation Army/Movement) and JEM (Justice and Equality Movement) attacked government positions and stated their political goals to overturn the government. Partly, the rebellion can be seen as a continuation of the preceding communal conflicts that pitted different 'Arab' groups against three different ethnic groups with a more African identity: Fur, Zaghawa and Masalit. The SLM/A emerged as a rebel group with their main support base in these three groups, and the leadership was taken from self-defence groups that were involved in fighting against different 'Arab' groups. The importance of tribal affiliation is shown in that the SLM/A manifesto states that the top positions should be divided on a tribal basis. The chairman should be a Fur, the military commander a Zaghawa and the vice-chairman a Masalit (De Waal and Flint 2008:95). The onset of the state-based conflict was connected to the government supporting the 'Arabs' in the preceding communal conflicts. As this support became more and more evident, the non-Arab groups started to see the government as their real enemy and as the root of their problems. The link between the communal conflicts and the start of the rebellion can be seen in the conflict between Awlad Zeid 'Arabs' and Zaghawa:

Clashes with Arab nomads – most seriously the Awlad Zeid – were escalating in Dar Gala, especially around the Bir Taweel wells near Abu

Gamra, the most important water source in the area for all tribes. In May 2001, Awlad Zeid killed more than 70 Zaghawa at the wells.... After the clash the army deployed in the area and kept the Zaghawa away. Weapons captured at Bir Taweel included some that were made in Government factories in Khartoum. 'After Bir Taweel we knew for sure that the government was against us' says one of the first Zaghawa to join SLM/A. 'All the people in the area knew that they had to do something to respond' (De Waal and Flint 2008:80).

Apart from the Khartoum regime's support to various 'Arab' groups, this view also stemmed from the severe neglect and marginalisation that Darfur had suffered from the government for a long time. As part of its counterinsurgency, the government of Sudan armed the infamous Janjaweed militia. Recruitment to this militia was primarily done from 'Arab' groups that did not have their own land. As land is of such importance in the region, many joined the Janjaweed because government promised access to land to those who joined the militia. In 2004 and 2005 the government and Janjaweed carried out ethnic cleansing that primarily targeted the Fur, Masalit and Zaghawa ethnic groups. Especially targeted were fertile areas and this campaign led to many areas being deserted by the 'Africans'. Thus, the Arab-African conflicts transformed into state-based conflicts and one-sided violence. As a result, the period after the rebellion saw a decrease in communal conflicts between 'Africans' and 'Arabs'. However, communal conflicts between ethnic groups both having an 'Arab' identity increased after the start of the rebellion. These have mainly concerned control over the land abandoned after the ethnic cleansing. The government's promises of access to land in return for joining the Janjaweed were unfulfilled and left many groups still without land holdings of their own. Thus, the abandoned land became a valuable asset and different groups fought over control over the land. Hence, the rebellion transformed one type of communal conflict into other forms of organised violence at the same time as it increased another category of communal conflict (Brosché and Rothbart 2013, forthcoming: chapter 3).

As illustrated by the case of Darfur, communal conflicts, state-based violence and one-sided violence can all be interlinked in complex manners. Communal conflicts are clearly connected to the outbreak of the civil war, and the civil war has led to the emergence of another type of communal conflict. Thus, communal conflicts are one out of many important factors that have created one of the worst humanitarian crises in the world, in which the UN estimates that 300 000 people have been killed (Reuters 2010). This indicates the importance for further studies of communal conflicts and their connections to other types of organised violence.

Conclusions

This article has conceptualised communal conflicts and positioned these conflicts in relation to other forms of organised violence, making a first attempt to investigate the complex interlinkages between communal and state-based violence. Using UCDP data, global empirical trends of communal conflicts have been outlined – and the interaction of communal conflicts, state characteristics and civil war has been investigated both globally and in the case of Sudan. A number of important conclusions arise that can act as guidelines for policymakers and researchers alike.

First and foremost, this article seeks to increase the focus devoted to communal conflicts, which has so far been very low in comparison with intra- and interstate wars. Communal conflicts can directly cause enormous human insecurity in the form of deaths, injuries, displacement, and lost livelihood. Moreover, communal conflicts can lead to further suffering as they can pave the way to other forms of organised violence. In Darfur, communal conflicts preceded the rebellion and the ethnic cleansing that followed. If the communal conflicts could have been addressed and resolved at an early stage, hundreds of thousands of lives might have been saved. Of course this is easily said with the disastrous result in our hand, but there were warnings about this scenario years before the rebellion in 2003 (Interview with Sudanese academic, 20 March 2011, Khartoum). This shows that communal conflicts are often an important aspect of wider conflicts and an understanding of these complexities is often a necessity in order to bring

about peace. A correct analysis of the conflict is therefore needed before any party intervenes. Understanding that a conflict often consists of several conflict types combined into one can be useful in properly apprehending any particular situation. An example of a situation being misread by the international community was the Darfur Peace Agreement Process, where the negotiations did not address all the types of conflict going on (Mohamed 2009).

Moreover, and relatedly, the findings suggest that communal conflict may arise when other conflicts are resolved. Hence, communal conflicts need to be taken into account both when signing a peace agreement and in the post-conflict situation. The Sudanese CPA led to an end of the state-based conflict in Sudan but unleashed several communal conflicts (Brosché 2009:27–29). These grievous conflicts currently endanger the peace both within South Sudan and between South and North Sudan. Could these have been prevented if addressed in the CPA? Could the international community have been more prepared for the upcoming problems? This is not the place to scrutinise these issues, but again the propensity of a certain type of organised violence affecting another is clear. In this case, the end of state-based conflict saw an upsurge in communal conflicts.

To conclude, the arguments outlined above suggest that understanding communal conflicts is extremely important and we therefore make a call for further research into the field of communal conflicts. Core dynamics of communal conflicts are still not understood by the research community. Numerous anthropological studies have revealed detailed knowledge about some cases of communal conflict. Insights from such studies should be used to carry out comparative studies as well as large-N studies within the field of peace and conflict research. Furthermore, this article underlines the fact that theoretical knowledge benefits from disaggregating conflict types. Research based on a clear understanding of the different types and causes of conflict will be better able to provide theoretically coherent and policy relevant results. Finally, it is important to allocate resources to attempts to prevent or limit the scale of communal conflicts, and much more policy-oriented research in how to do this in the best manner is needed.

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The challenges of preventive diplomacy: The United Nations' post-Cold War experiences in Africa

*J. Ododa Opiyo**

Abstract

The United Nations Organisation (UN) is best endowed to conduct preventive diplomacy (PD) by preventing disputes and conflicts arising from interstate and intrastate relationships. The UN has the means to prevent such conflicts and disputes from emerging and escalating into armed confrontation. This article examines the challenges faced by the United Nations as it practises PD with specific reference to Africa. The Charter of the UN sets out the legal basis of PD for the UN, and for regional and sub-regional organisations. Contributions of four UN Secretary-Generals on matters of PD are examined, and special note is taken of the way in which the current Secretary-General, Mr. Ban Ki-moon, uses a four-pronged approach to matters of PD in Africa. The UN has performed well in PD in Africa, especially in collaboration with sub-regional organisations. While the UN derives its mandate to conduct PD from Articles in its Charter, its options are limited to peaceful settlement of disputes, and its action is restricted by rules of international law on intervention, especially with regard to the prohibition of the use of force. The UN is challenged by its inherent problems

* Dr J. Ododa Opiyo has a Ph.D. in International Studies and is a retired Lieutenant-Colonel of the Kenyan Army. He was formerly a researcher at the Kenya National Defence College and is currently the Senior Civil Affairs Officer in the African Union Mission in Somalia (AMISOM) at Mogadishu, Somalia.

such as its structures, and its lack of early warning systems and finances. Challenges arising from the principle of state sovereignty also limit the UN in preventing internal problems, especially at the pre-conflict stages. This article concludes by proposing that strengthening the Secretary-General's good offices, enhancing conflict early warning systems and encouraging the international community to work together could give legitimacy to UN preventive diplomacy endeavours. Fundamentally, the realisation that violent political problems require political solutions is instrumental in order for the UN to play its PD role.

Abbreviations

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| AU | African Union |
| AMISOM | African Union Mission in Somalia |
| ASEAN | Association of Southeast Asian Nations |
| DPA | Department of Political Affairs |
| DRC | Democratic Republic of the Congo |
| ECOMOG | ECOWAS Monitoring Group |
| ECOWAS | Economic Community of West African States |
| IGAD | Inter-Governmental Authority on Development |
| MSOEWG | Mediation Support Office and Early Warning Capacity |
| NGOs | Non-Governmental Organisations |
| ONUB | United Nations Operations in Burundi |
| PD | Preventive diplomacy |
| POLISARIO | Popular Front for the Liberation of Saguia el-Hamra and Río de Oro |
| RUF | Revolutionary United Front |
| SADC | Southern African Development Community |
| UN | United Nations |
| UNHCR | United Nations High Commissioner for Human Rights |
| UNMISS | United Nations Mission in the Republic of South Sudan |
| UNOMSIL | United Nations Observer Mission in Sierra Leone |

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| UNPOS | United Nations Political Office for Somalia |
| UNPREDEP | United Nations Preventive Deployment Force |
| US | United States |

Introduction

With the end of the Cold War era, it was expected that both interstate and intrastate conflicts would decline. The end of the Cold War reduced the typical East-West ideological competitions that often instigated both intrastate and interstate disputes. Surprisingly though, these crises and conflicts are not disappearing as much as multiplying, and evolving in different forms. Immediately after the end of the Cold War, in the 1990s, there was an upsurge in United Nations (UN) involvement in peacekeeping, peacebuilding, peacemaking, and even reconstruction of war-ravaged states. These activities placed constraints on the UN budget and resources. The UN burden of trying to contain conflicts is made heavier by global financial crises, a sense of international fatigue and the massive cost of activities around the aftermath of conflicts.

At the UN, there is always the need for better-tailored cost-effective options for dealing with crises. The increase in conflicts and the post-Cold War demands on the UN resources call for a changed approach in dealing with crises. This requires a review of practices and a need to consider preventive measures and identify the most appropriate entry point in the conflict cycle. This is the point at which preventive diplomacy (PD) and mediation can begin to play a critical role. In this role, the UN is rebalancing its capabilities so that diplomats and mediators can be mobilised as the first responders.

This article, therefore, examines the efforts the UN has taken in averting conflicts through PD, and the challenges that arose. It concentrates more on post-Cold War PD experiences with regard to conflicts in Africa. This objective is achieved by considering the basis of PD in the UN system and an overview of it during the tenure of four Secretary-Generals. The article further examines the options the UN has relating to PD, and its cooperation with regional organisations with regard to their arrangements and their involvement in PD in Africa. The

challenges to the UN in fulfilling its PD role, the way forward and conclusions make up the final sections.

The basis of preventive diplomacy in the United Nations system

The concept of preventive diplomacy has proven to be controversial (Lund 1996). However, there appears to be consensus that PD is preventive diplomatic and political action taken by sovereign states with the consent of the involved parties. It helps to prevent disputes and conflicts, which could potentially pose a threat to regional peace and stability, from arising between states. PD also helps prevent such disputes and conflicts from escalating into armed confrontation; and can therefore help to minimise their impact (Seventh ASEAN Regional Forum 2000). A great deal of academic work has been done within this broad definition of PD, and various concepts have been suggested.

Since the creation of the UN in 1945, over 112 major conflicts around the world have left more than 25 million people dead. The UN was rendered powerless in preventing many of these crises because of the vetoes cast during the Cold War by the Security Council, which represented a vivid expression of the divisions of that period (Barnett et al. 2007). After the end of the Cold War, there have been fewer vetoes, and the demands on the United Nations for averting conflicts have surged. The UN Security Council has emerged as a central instrument for the prevention and resolution of conflicts and the preservation of peace and security. In practising PD, the UN seeks to identify, at the earliest possible stage, situations that could lead to conflict, and thereafter tries through diplomacy to remove the sources of danger before the outbreak of violence. Where conflict erupts, the UN engages in activities aimed at resolving the issues causing disagreement and works to restore peace. However fragile the conflict situation is, where fighting has been halted, the UN assists in implementing agreements achieved by the peacemakers.

The UN stands ready to assist in peacebuilding in its differing contexts, including rebuilding the institutions and infrastructures of nations torn by civil war and strife, as well as building bonds of peaceful mutual benefit among nations

formerly at war. Largely, it addresses the deepest causes of conflict, especially economic despair, social injustice and political oppression. It is possible to discern an increasingly common moral perspective that spans the world's nations and peoples, and which is finding expression in international law, with many attributing its genesis to the work of the UN (Barnett et al. 2007).

Between the tasks of seeking to prevent conflict and keeping peace lies the responsibility of bringing hostile parties to agreement by peaceful means. Chapter VI of the UN Charter sets forth a comprehensive list of such means for the resolution of conflict (United Nations 1945). The processes of peacemaking have also been the subject of various resolutions and declarations of the General Assembly, including resolution A/RES/47/120 on *An Agenda for Peace: Preventive diplomacy and related matters* (Boutros-Ghali 1995a). The United Nations has had wide experience in the application of these peaceful means. If conflicts have gone unresolved, it is not because techniques for peaceful settlement were unknown or inadequate. The fault lies in the lack of political will of the parties to seek a solution to their differences through such means as suggested in Chapter VI of the Charter, and the lack of leverage at the disposal of a third party, if this is the procedure chosen. The indifference of the international community to a problem, or the marginalisation of it, can also thwart the possibilities of solution.

Peacemaking at times is facilitated by international action to ameliorate circumstances that have contributed to the dispute or conflict. If, for instance, assistance to displaced persons within a country is of priority, then the United Nations draws upon the resources of all agencies and programmes concerned (Luard 1994). The main challenge lies in the diversity of the UN agencies and the time required to activate the implementation of the principles concerned. The bureaucracy at the UN often delays the possibility of responding appropriately and on time. In circumstances when peacemaking requires the imposition of sanctions under Article 41 of the Charter, it is important that states confronted with special economic problems do not only have the right to consult the Security Council regarding such problems, as Article 50 provides, but also have a realistic possibility of having their difficulties addressed.

In Africa, however, where international borders are porous and state organs are sometimes not in control, enforcing sanctions is extremely difficult (Opiyo 2010a). The use of military force is the essence of the concept of collective security. According to the UN Charter, if peaceful means fail, the measures provided in Chapter VII should be used, on the decision of the Security Council, to maintain or restore international peace and security in the face of 'any threat to the peace, breach of the peace, or act of aggression' (United Nations 1945: Art 39). So far, the Security Council has not made use of the most coercive of these measures in Africa,¹ that is, the action by military force foreseen in Article 42. The Charter, however, provides a detailed approach on how this can be done.

An overview of preventive diplomacy at the United Nations

Various UN Secretary-Generals have had constructive and focused agendas for preventive diplomacy. The following are samples of the positions taken by UN Secretary-Generals Dag Hammarskjöld, Boutros Boutros-Ghali, Kofi Annan and Ban Ki-moon on preventive diplomacy.

During the leadership of Dag Hammarskjöld as UN Secretary-General, the United Nations was expected to be a dynamic instrument enabling member state governments to develop forms of anticipatory action before a crisis boiled over, that is, through 'preventive diplomacy'. For Hammarskjöld, the purpose of the UN was to create conditions where each main military block could have adequate space to work with others. Hammarskjöld performed preventive diplomacy personally or through senior staff of specialised agencies and programmes, through the Security Council or the General Assembly, or through regional organisations in cooperation with the United Nations. Preventive diplomacy was regarded as requiring specific measures to create confidence, early warnings based on information gathering and informal or formal fact-finding; and, in some situations, also preventive deployment (Djibom 2008:4).

Just like Hammarskjöld, Secretary-General Boutros Boutros-Ghali positively considered PD. Boutros-Ghali regarded PD as 'the most desirable and efficient

1 In other continents, the UN has used the option in Iraq and the Kuwait border dispute case.

employment of diplomacy to ease tensions before they result in conflict or if conflict breaks out, to act swiftly to contain it and resolve its underlying causes' (Boutros-Ghali 1995a: para 23). Like Hammarskjöld, Boutros-Ghali performed preventive diplomacy personally or through senior staff of specialised agencies and programmes, the Security Council or the General Assembly, or regional organisations in cooperation with the United Nations (Boutros-Ghali 1995a).

As UN Secretary-General, Kofi Annan too had a special place for PD. In 2001, he proposed renaming 'preventive diplomacy' as 'preventive action'. For him, preventive diplomacy was particularly favoured by member states as a means of preventing human suffering and as an alternative to costly political-military operations to resolve conflicts after they have occurred. Although diplomacy is a well-tried means of preventing conflict, the United Nations' experience in recent years has shown that there are several other forms of action that could have useful preventive results. For instance, preventive deployment, preventive disarmament, preventive humanitarian action, and preventive peacebuilding, which involve the consent of the government or governments concerned, as well as a wide range of actions in the fields of good governance, human rights, and economic and social development. For this reason, Annan decided to rename the activity 'preventive diplomacy' as 'preventive action'. It is of interest to note that he emphasised that 'preventive action' should be limited mostly to measures stated under Chapter VI of the Charter, but also noted that enforcement action as provided under Chapter VII must remain a legitimate means of last resort in order to prevent massive violations of fundamental human rights or other serious threats to peace (Annan 2002).

Ban Ki-moon as the eighth UN Secretary-General, has gone even further in presenting preventive diplomacy, specifically for Africa, in the form of a four-pronged approach. First, the strengthening of UN partnerships with all stakeholders should be continued. Successful peace processes require the contributions of a range of actors, at both the regional and international levels. The UN has, for example, a political office in Dakar, serving West Africa to forge innovative working relations with the African Union and ECOWAS – helping to address political crises throughout the sub-region with a model that could usefully be replicated elsewhere.

Second, it should be ensured that developments include the increasing use of international contact groups and elders' structures. Recent engagements in Guinea, Niger, the Comoros and Kenya have shown what the UN political affairs sector can do. Progress can only be achieved through partnerships that yield a combination of influence, impartiality, capacity and capability. Effective preventive action depends critically on the willingness of the parties in the conflict to engage. The UN understands motives, calculations and incentives used to prevent violence between parties in dispute, thus improving the targeting actors that it is in their own interest to accept diplomatic assistance to avert conflict. Neighbouring countries and sub-regional organisations could exercise a unique influence, and perhaps serve as key allies.

Third, the international community is to continue to invest in prevention. The global economic crisis put new pressures on resources, and there is an overall trend towards doing more with less. Diplomatic approaches and responses, when successful, are highly cost-effective. And fourth, the UN ought to support and encourage the role of women in preventive diplomacy. Repeatedly, women in Africa and elsewhere have demonstrated a strong commitment in working to achieve sustainable peace (Migiro 2010; United Nations News Service 2010:5). The Security Council Resolution 1325 reaffirms the important role of women in the prevention and resolution of conflicts and in peacebuilding, yet women are still underrepresented in the formal stages of conflict prevention (United Nations Security Council 2000).

The role of the UN in preventive diplomacy

Within the confines of the UN Charter, the role of the UN in preventive diplomacy includes political action through the Department of Political Affairs, peacekeeping operations in the deployment of the United Nations Preventive Deployment Force (UNPREDEP),² disarmament, especially of nuclear weapons, and human rights action focused on the strengthening of respect for human rights while addressing the issues of human rights violations

2 This has taken place about three times in the last three decades: UNPREDEP in the former Republic of Macedonia, the United Nations Mission in the Central African Republic (MINURCA) and succession operations in Haiti. See, for example, Ackermann 1999.

whenever they occur. In addition, development assistance, humanitarian action, the media, and information dissemination form part of the options available to the United Nations. Finally, gender equality has its focus on constitutional, legislative, judicial, and electoral reforms. Very important also is the drug and crime prevention sector through which the UN addresses illegal business activities that are likely to fuel conflict.

The UN engagement in PD is underpinned by intervention. It is therefore paramount to reaffirm two fundamental principles of international law concerning preventive diplomacy which if not followed would negate the efforts. First, is the prohibition of the use of force. A central feature of the modern international legal system is the normative attempt to control the use of force (Brownlie 1998:105–108). Article 2(4) of the UN Charter (United Nations 1945) prohibits 'the threat or use of force'. The Charter elaborates a system of economic, political, and military enforcement measures against aggression in Chapter VII, that is, the collective security system. The monopoly in enforcement power was made subject only to two exceptions: the individual or collective right of self-defence in Article 51 and enforcement measures by regional organisations authorised by the Security Council under Article 53.

Second, is the peaceful settlement of disputes. Disputes between states arising from claims and counter-claims concerning a matter of fact, law or policy are an inevitable part of international relations and have frequently led to armed conflict. In modern international law, Article 2(3) of the UN Charter obliges member states to 'settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered'; and Chapter VI of the Charter is entirely devoted to this purpose. However, peaceful means cannot be limited to those of Chapter VI.

Preventive diplomacy also needs to be understood in terms of the methods and organs or actors. With regard to methods, Boutros-Ghali (1995a) reiterated that preventive diplomacy requires measures to create confidence, that it needs early warning based on information gathering and informal or formal fact finding, and that it may also involve preventive deployment as well as, in some situations, demilitarised zones. In a supplement to Boutros-Ghali 1995b there

is a striking reference to the ‘need for hard decisions’ which include sanctions and enforcement actions under Chapter VII of the UN Charter (Boutros-Ghali 1995b: section 104). Various, organs or actors have actively played an important role in the preventive diplomacy, not only through the United Nations organs, but also aided by regional organisations, governments, non-governmental organisations (NGOs), mass media and individuals. In fact, the role of other actors other than the United Nations has become increasingly important.

The United Nations’ cooperation with regional arrangements

The UN Charter devotes Chapter VIII to cooperation with regional arrangements or agencies that are ‘dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action’ and are existing and acting ‘consistent with the Purposes and Principles of the United Nations’ (United Nations 1945: Art 52(1)). The Cold War impaired the proper use of UN Chapter VIII and indeed, in that era, regional arrangements worked against resolving disputes in the manner foreseen in the UN Charter. The UN Charter deliberately provides no precise definition of regional arrangements and agencies, thus allowing useful flexibility for any action taken by a group of states to deal with a matter appropriate for regional action that could contribute to the maintenance of international peace and security. Such associations or entities could include treaty-based organisations, whether created before or after the founding of the United Nations, regional organisations for mutual security and defence, organisations for general regional development or for cooperation on a particular economic topic or function, and groups created to deal with a specific political, economic, or social issue of current concern.³

In Africa, regional and sub-regional arrangements such as the African Union (AU), Inter-Governmental Authority on Development (IGAD), Economic Community of West African States (ECOWAS) and Southern African Development Community (SADC) have jointly participated with the United Nations regarding different conflict situations. In the past, regional arrangements

3 See United Nations 1945: Chapter VIII for details and specific Articles.

often were created because of the absence of a universal system for collective security; thus, their activities could on occasion work at cross-purposes with the sense of solidarity required for the UN to be effective. However, in the post-Cold War era, regional arrangements or agencies render great services if the activities they undertake are consistent with the purposes and principles of the UN Charter, and if Chapter VIII governs their relationship with the United Nations, particularly with the Security Council.

It is not the purpose of this article to set forth any formal pattern of relationship between regional organisations and the United Nations, or to call for any specific division of labour. What is clear, however, is that regional arrangements or agencies in many cases possess potentials that could be utilised in serving the functions covering preventive diplomacy, peacekeeping, peacemaking, and post-conflict peacebuilding. Under the UN Charter, the Security Council has and will continue to have primary responsibility for maintaining international peace and security. Regional action as a matter of decentralisation, delegation, and cooperation with United Nations efforts could not only lighten the burden of the Council but also contribute to a deeper sense of participation, consensus, and democratisation in international affairs.

The UN in preventive diplomacy in Africa

The sources of conflict and war are pervasive and deep. To effectively deal with them requires utmost effort to enhance respect for human rights and fundamental freedoms, and also to promote sustainable economic and social development for wider prosperity. In the past few years, even with the collapse of the east-west divide and the end of the Cold War which for decades had given rise to distrust and hostility, numerous issues are still growing between states of the north and the south. This calls for attention at the highest levels of government and for improvement in relations between east and west in order to afford new possibilities, some already realised, for successfully meeting threats to common security.

In Africa, authoritarian regimes have given way to more democratic forces and responsive governments. The form, scope, and intensity of these processes differ

in Eastern Africa, West Africa and Southern Africa, but they are sufficiently similar to indicate a continental phenomenon. Parallel to these political changes, many states are seeking more open forms of economic policy, which may create a continent-wide sense of dynamism and movement towards less confrontational relationships. Regional and continental associations of states are evolving ways to deepen cooperation and ease some of the contentious characteristics of sovereign and nationalistic rivalries. National boundaries are blurred by advanced types of communications and global commerce, and by the decisions of states to yield some sovereign prerogatives to larger, common political associations such as the AU and sub-regional organisations as IGAD.

At the same time, fierce new assertions of nationalism and sovereignty are springing up, and the cohesion of states is threatened by brutal ethnic, religious, social, cultural or linguistic strife. Social peace is challenged on the one hand by new assertions of discrimination and exclusion, and on the other by acts of terrorism seeking to undermine democratic growth and change. This new dimension of insecurity obscures the continuing and devastating problems of unchecked population growth, crushing debt burdens, barriers to trade, availability of drugs, and the growing disparity between rich and poor. Poverty, disease, famine, oppression and despair abound, combining to produce globally 17 million refugees, 20 million displaced persons and massive migrations of peoples within and beyond national borders. These are both sources and consequences of conflict that require the continuous attention of the United Nations.

Security developments in Africa continue to cause concern not only to African states but also the United Nations. In West and Central Africa in particular, the threat that internal conflicts will spread and lead to armed confrontations between sovereign African states is a worrying development. For instance, several African countries are involved in the ongoing hostilities in the Democratic Republic of the Congo (DRC). In the same sub-region, the UN successfully participated in the ONUB mission in Burundi, which culminated in elections.

In Sierra Leone, whose people were victims of one of the most brutal conflicts in recent times, the United Nations Observer Mission in Sierra Leone (UNOMSIL)

worked assiduously to help facilitate a negotiated solution. In close cooperation with ECOWAS, its Monitoring Group (ECOMOG) and other interested member states, UNOMSIL actively supported the process of negotiations between the Government and the Revolutionary United Front (RUF), which led to the signing on 7 July 1999 of the Lomé Peace Agreement. Following the signing of the Peace Agreement, the Security Council authorised an expansion of UNOMSIL. Recognising the close relationship between the promotion of human rights and sustainable peace, UNOMSIL, in collaboration with the Office of the United Nations High Commissioner for Human Rights (UNHCR), continues to monitor and report on human rights abuses in Sierra Leone with a view to ending further violations (Kabia 2009). At the time of writing this article, Sierra Leone is relatively peaceful and in November 2012, Sierra Leone will conduct the second elections after the end of UN peacekeeping. These elections, which have often been 'free and fair', are a reflection that the UN effort towards peacebuilding in Africa is bearing fruits.

The outbreak of war between Eritrea and Ethiopia in May 1998 was a cause of profound disquiet. The conflict between Eritrea and Ethiopia also had a tragic regional impact, particularly with regard to the conflict in Somalia. The United Nations Political Office for Somalia (UNPOS) continues to assist regional efforts at peacemaking led by AMISOM. However, a lack of consensus on the mode of power-sharing among the various factions in Somalia has precluded settlement of the conflict. There is optimism that the Transitional Federal Government in Somalia will conduct free and fair presidential and parliamentary elections in August 2012 in order to actualise peace in Somalia. The main challenge is to strengthen international peacemaking efforts and identify initiatives that can be supported by all the relevant actors (Tegegn and Zegeye 2007).

Following several internal and external consultations, the UN supported a successful referendum in South Sudan. The South Sudan situation that culminated in the referendum is a classic case where the UN, in collaboration with regional and sub-regional organisations, worked to prevent the possibility of sliding back into conflict. The common effort was evident as on 9 July 2011 the Republic of South Sudan became the newest country in the world. In order to

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prevent the possibility of conflict in Southern Sudan, the UN adopted resolution 1996 (2011) on 8 July 2011.

Here, the Security Council determined that the situation faced by South Sudan continued to constitute a threat to international peace and security in the region. The Security Council established the United Nations Mission in the Republic of South Sudan (UNMISS) starting from 9 July 2011. UNMISS has an elaborate three-pronged mandate. Firstly, to support peace consolidation and thereby foster longer-term state building and economic development. Secondly, to support the Government of the Republic of South Sudan in exercising its responsibilities for conflict prevention, mitigation and resolution, and for the protection of civilians. And thirdly, to support the Government of the Republic of South Sudan in developing its capacity to provide security, to establish rule of law, and to strengthen the security and justice sectors (S/RES/1996 (2011)). Besides the above cases, the United Nations has been involved for many years in Western Sahara, where recent consultations with the Government of Morocco and the French POLISARIO have finally resolved a longstanding impasse over a referendum for self-determination (Thompson and Adloff 1980). While these efforts stand out, Africa is not, of course, the only area of security concern for the United Nations.

The UN aims to become better, not only at stabilising countries in conflict and easing the suffering such conflicts cause, but at preventing and resolving them through political means. Progress towards this end is in the interest of all member states, not least, of the United States (US) which has renewed its own commitment to diplomacy as an instrument for solving problems in the world (Opiyo 2010b). The way the UN managed the Kenyan post-election violence of 2007/8 is an outstanding example of the UN taking immediate action. Of course, it was the African Union led by Kofi Annan that was at the forefront of the mediation effort, but the UN was present earlier on and actively working behind the scenes. The UN quickly deployed political officers, and electoral, constitutional and security experts who became the main support staff for the mediator as Annan helped the parties forge the agreements to end the crisis. Few would contest that the prompt international mediation in Kenya helped prevent an even larger catastrophe.

Another key to success is being on the spot, close to the action and the players' pulse. Anyone who has worked in conflict resolution knows that close proximity to the countries and a deep knowledge of the actors are some of the most important assets. In Sierra Leone in 2009, for example, the head of the UN political mission literally scampered to the roof of a building in Freetown to defuse a situation that could have triggered a relapse into conflict. He brokered a political agreement that helped to keep the country's hard-fought peace process on track. The Sierra Leone mission is actually called a peacebuilding mission, as are those in Guinea-Bissau, Burundi and the Central African Republic. They were deployed to help guide the peace after internal violent conflicts. The West Africa-focused envoy based in Dakar has played a very helpful role along with ECOWAS and AU mediators and governments, including the United States and France, in responding to coups and electoral crises throughout the region. At the latest count, the UN principal staff officer in Dakar has travelled to Guinea 38 times in the past two years, working to keep the political transition on track. The UN is not very successful yet, but Guinea could still become a prime example of preventive diplomacy, saving the UN from another terrible and costly conflict.

Challenges to the United Nations preventive diplomacy role

This section presents general challenges and specifically those related to UN intervention in disputes and conflicts. There is a chasm between the tasks entrusted to the UN and the financial means provided. The truth of the matter is that the UN vision cannot really extend to prospective opportunities as long as financing remains myopic. There are two main areas of concern: the ability to function over the longer term and the immediate requirements to respond to a crisis. The United Nations is currently facing chronic underfunding and understaffing, especially in the Department of Political Affairs (DPA), which manages UN peacemaking activities globally.

Closely related to this is the issue of logistics. In the case of peacekeeping, for example, not all governments can provide their battalions with the equipment they need for service in conflict environments. While some equipment is provided by troop-contributing countries during peacekeeping, a great deal has to come from the United Nations, including kits to fill gaps in under-equipped

national battalions. The United Nations has no standing stock of such equipment. They must be procured from manufacturers, which create several difficulties. This is a major challenge. It is essential, therefore, for the UN to consider a pre-positioned stock of basic peacekeeping equipment so that at least some vehicles, communications equipment, and generators, would be immediately available at the start of an operation (Cuny 1991). In the recent past, a conviction has grown, among nations large and small, that the UN can achieve the great objectives of the Charter, and be a United Nations capable of maintaining international peace and security, of securing justice and human rights and of promoting, in the words of the Charter 'social progress and better standards of life in larger freedom' (United Nations 1945: Preamble).

The UN also faces other obstacles in the way of increasing the scope and effectiveness of its action in preventive diplomacy. First, governments and leaders engaged in conflict sometimes do not want UN help. Early involvement is often essential to the success of PD, but parties to conflicts often are not willing to admit they have a problem until the conflict has escalated beyond their control. They may contemplate avoiding legitimatising an adversary or 'internationalising' their problem by keeping the UN away or wrongly believing that UN involvement will quickly lead to the unwelcome presence of a large peacekeeping force or to Security Council sanctions. Second, there is the challenge relating to UN personnel professionalism, for effective preventive diplomacy and mediation is not only about being there and being fast, it is also about being good at what the UN does. Success requires more than simply naming a top envoy and starting up the process. On the contrary, mediation is a complex and increasingly professionalised field. Envoys need more than their own wisdom to guide them. What is lacking in the UN system is a means of developing standard guidance and training for mediators and their staff, distilling the best lessons from others' experience and debriefing UN envoys at the completion of their assignments to find out more about what works and what does not (Bercovitch and Houston 1996).

Modesty and patience are paramount in any discussion of the success of preventive diplomacy. Progress aside, the United Nations and the international community as a whole have a long way to go before they can reliably predict

conflict, prevent it, and respond effectively. Some drivers of conflict, including the existence of economic and social disparities, and the unpredictable whims of ineffective leaders, are beyond the immediate reach of preventive diplomacy.

In particular, there are certain challenges associated with the pre-conflict situation that are worth discussing. The key challenges to the United Nations, more so in the initial stages of conflict, include the fact that attention to pending or emerging problems is usually side-tracked by highly visible emergencies, actual war and violence. It always attracts much greater attention and a bigger share of the available resources. Normally, domestic support for measures addressing pending or emerging problems at home or abroad take a back seat to those that address highly visible emergencies (Adams 1994:48). The principle of state sovereignty limits external involvement in the prevention or resolution of internal problems, especially at the pre-conflict stages. Although it might already be known that the impending outbreak of war in a state is imminent and that certain things can be done to reverse the situation and correct the problems that may eventually lead to violence, states are protected from external interventions by the principle of sovereignty. The relatively limited access to intelligence and fact-finding missions impedes early warning and analysis of risk assessment, hence the delay in timely intervention. There may be lots of early warning, but such warnings are often not matched with proposals for feasible and promising preventive measures.

Another challenge is the definite lack of coherence and coordination between and within relevant non-state, state, and interstate actors who could implement preventive measures. Even if limited cooperation takes place, it does so in the context of a poor understanding of the situation, and poor coordination based on the comparative advantage of cooperating actors. Nevertheless, there is also the difficulty in cooperating with and assisting local communities (Kennan 1996). Similarly, there is no commonly accepted legal definition of intervention in a pre-conflict situation. There is simply no agreement on when, how, why and by whom intervention should be undertaken. The International Commission on Intervention and State Sovereignty (2001) has a comprehensive and impressive study on 'the responsibility to protect'. The problem with intervention is its acceptance. Most states believe that intervention must be the exception to the rule

of non-interference, and can only to be applied if there is a clear international consensus on the necessity for external involvement in the solution of domestic crises.

Strengthening UN preventive diplomacy

The presence of the UN and the Secretary-General's good offices continue to play an important role in preventive diplomacy efforts. A vital option in this regard is the strengthening of the Mediation Support Office and Early Warning Capacity (MSOEW) within the Department of Political Affairs which has the ability to provide better coordination, communication, support, and guidance. With this in mind, the African Union has always striven to deepen its partnership with the United Nations on matters relating to the maintenance of international peace and security. The UN efforts towards a strategic partnership with the African Union in the maintenance of peace and security in the continent is informed by the reality that regional organisations have a comparative advantage in confronting such challenges within their regions.

The success of preventive diplomacy depends not only on an effective early warning mechanism, but also on the involvement of non-state actors. For instance, community-based organisations have demonstrated time and again that they can partner with governments and the international community in providing early warning support and in acting proactively and decisively to prevent potential conflict situations (Krasno 2005). Preventive diplomacy is a good example of the international community working together for lasting peace and sustainable development. The most desirable and efficient employment of preventive diplomacy is to ease tensions before they result in conflict or, if conflict does break out, to act swiftly to contain it and resolve its underlying causes.

In addition, mutual confidence and good faith are essential to reducing the likelihood of conflict between states and communities. Many such measures are available to governments that have the will to employ them. Examples of important measures of preventive diplomacy are: the systematic exchange of military missions; formation of regional or sub-regional risk reduction centres;

and arrangements for the free flow of information, including the monitoring of regional arms agreements.

Preventive steps must be based upon timely and accurate knowledge of the facts. Beyond this, an understanding of developments and continental trends, based on sound analysis, is required and the willingness to take appropriate preventive action is essential. Given the economic and social roots of many potential conflicts, the information needed by the United Nations must encompass economic and social trends as well as political developments that may lead to dangerous tensions. An increased resort to fact-finding is needed, in accordance with the UN Charter, initiated either by the Secretary-General, to enable him to meet his responsibilities under the Charter, including Article 99, or by the Security Council or the General Assembly. Various forms may be employed selectively as the situation requires. A request by a state to send a United Nations fact-finding mission to its territory should be considered without undue delay. Formal fact-finding can be mandated by the Security Council or by the General Assembly, either of which may elect to send a mission under its immediate authority or may invite the Secretary-General to take the necessary steps, including the designation of a special envoy.

Conclusion

The employment of PD is critical for international peace and security. However, its functionality has to take cognisance of the fact that at the root of most conflicts that may turn violent, or perhaps already have, are political problems requiring political solutions. Preventive diplomacy interventions can provide breathing space from the bloodshed, but they rarely settle the underlying differences that drive conflict, such as ethnic and religious questions or disparities of wealth and power. Is there any doubt, for example, that security gains alone will not put Sudan and Somalia on a stable footing for the future? Alternatively, that the challenges to peace in Somalia are largely political in nature? Distrust among national actors in conflict often runs so deep that they are unable to arrive at necessary compromises without help in the form of international mediation, facilitation or diplomatic encouragement. To those problems, the UN, as the universal organisation, brings a special legitimacy, impartiality and real competence to

the table. Nevertheless, more importantly, there is a place for political action before, during, and after a conflict. Ideally, the UN needs to prevent violence from erupting in the first place. However, if that fails, robust diplomacy and mediation is still required to end the fighting through negotiations and then to help countries navigate the difficult politics of reconciliation and rebuilding. Therefore, even though the practice of preventive diplomacy is challenged in Africa, it still stands out as the best option the international community can give to address instability arising from conflicts and disputes in Africa.

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Conflict over landownership: The case of farmers and cattle graziers in the northwest region of Cameroon

*Patience Munge Sone**

Abstract

This article examines the general underlying principles of landownership in Cameroon and the northwest region in particular. It argues that the recurrent conflicts involving farmers and cattle graziers over landownership in the northwest region of Cameroon have their roots in scarcity of land, climate change and the 'poor' application of statutory laws guaranteeing landownership. Although some farmers have struggled to enjoy their right to use land, a culture of acknowledging their right to control land during land contention is yet to take hold. In some instances, the laws continue to be disregarded in favour of wealthy cattle graziers against farmers' right to own land. This study argues that there cannot be peace, tenure, security and stability in the region without some attempt at resolving this perennial phenomenon of land conflict between farmers and cattle graziers. Resolving this problem will require the institution of land reform and some proactive measures to address the region's land-related conflicts.

* Dr Patience Munge Sone is lecturer in Law at the University of Buea, Cameroon.

Introduction

Competition over landownership can be found in almost every country in sub-Saharan Africa. Where it occurs, power, wealth, and survival are measured by ownership and control of land as a vital resource needed for sustenance (Kaberry 1959).¹ Conflict between farmers and cattle graziers over landownership has been a contentious and perennial problem in the northwest region, making legal protection against conflict over landownership imperative (Fisiy 1992:1).

Landownership is often the primary cause of conflict, and, given that the survival of most Cameroonians depends on land, struggle for its control engages people at all rungs of society (Havnevik et al. 2007:33). Bearing in mind the socio-economic significance of land, it is not surprising that social or ethnic conflicts over land are occasioned by inequitable control over land (Moyo 2008:26). In the northwest region of Cameroon, such as Bui, Wum and Mezam to name a few, indigenous elites, bureaucrats, and cattle graziers use their positions and wealth to amass large tracts of land, on which they establish cattle ranches and plantations. In many cases, their activities deprive the rural population of parcels of land on which their subsistence hinges (Rhoda 1991:59).

The farmers affected by the above dynamics must often walk long distances in search of farmland or risk encroaching on grazing lands, which may lead to conflict with pastoralists. It is on this basis that this study seeks to situate the protracted farmer-grazier conflicts in the northwest region of Cameroon within a class differential analysis framework, ultimately interrogating questions of power – who benefits and whose rights are proscribed. The study will analyse a historical evolution of land conflict between farmers and the cattle graziers as well as identify some of the causes and effects of conflict over landownership between the farmers and cattle graziers in the northwest region. It will also examine if the existing laws are sources of the conflict. Finally, it will analyse the existing adaptation measures of the conflict and assess the coping strategies of such conflict.

1 For example, land is needed for farming, home building, collateral security, leasing, and other purposes. See Logo and Bikie 2003; Sakah 2009:171.

A history of land conflict between farmers and cattle graziers

The contention between farmers and cattle graziers over the control of land has resulted in perennial conflict in the northwest region. When Fulani cattle rearing was introduced in the Anglophone region in 1919 (Njeuma and Awasom 1989:459), the local chiefs immediately welcomed the Fulani nomadic graziers. They saw them as useful clients who were very willing to pay taxes in cows and cash, which was beneficial to the local economy. However, some anthropologists² who studied this phenomenon in the northwest region discovered that those who paid the toll of cattle grazing were the food crop cultivators who were largely subsistence farmers (Fisiy 1992). The farmers had to compete with graziers for the same fertile lands that had abundant pastures for the feeding of cattle.³ This situation placed the farmers in a difficult situation because as they were tilling the soil and planting crops for family sustenance, the cattle were pasturing and feeding on their crops without compensation.

The potential of this situation to create conflict was immense. Farmers who could not rely on their local chiefs, who in the first place offered the land to the graziers on the basis of self-aggrandizement, were compelled to adopt confrontational tactics against the graziers. Often supported by their children and relatives, the farmers resorted to violence whenever cattle destroyed their crops. In 1951, inhabitants of Mezam, Wum and Bui Divisions who experienced serious farmer-grazier disputes (Buea Archives 1951) resulting from the above had to rely on the cattle control officers in Bamenda to pacify a crowd of angry farmers.⁴ The cattle control clerk who was dispatched by the administration to assess the damage caused by the cattle caused an outrage when he lightly assessed the massive damage by cattle and loss of lives in the region. The attitude

2 Here, Kaberry reported that when she visited the northwest province between the periods 1945–1948 and 1958–1959, she actually saw, felt and understood the plight that women were experiencing with the cattle graziers in the region.

3 Kaberry was not a scaremonger; she identified genuine problems suffered by women in the area, such as the financial (taxes) and economic considerations that militated against the women.

4 The women, about 200 in number, were ready to confront the cattle graziers.

of these officers must be situated, however, within a context of a civil service dominated by elites committed to the idea that farmers should not access land on equal terms with cattle graziers (Fisiy 1992:249). It was no surprise that the farmers felt that the administration was colluding with the Fulani graziers to chase them (the farmers) away from their fertile lands.

With such a negative assessment of the situation, the farmers had to devise alternative strategies to maintain control over their usufruct. Since they could not find speedy justice within state institutions, they took matters into their own hands and resorted to activism to further their control of land. Furthermore, to channel their energies into more purposeful action, the female farmers employed the Anlu,⁵ a powerful female association in the northwest region to protect their land interests specifically in Kom. Also in 1981, women from Wum organised themselves and attacked the Fulani graziers. The Fulanis were accused of conniving with the administration to use their wealth to amass large portions of fertile indigenous land thereby depriving the indigenous population of their right to access land for farm use. The female farmers who did not want the graziers anywhere near their land resorted to serious violence involving the burning down of Fulani huts. In response to this act, the administration sent police and gendarmes to the area and they opened fire and killed a number of the indigenes (Nkwi 1985; Chilver 1989:402). In a study carried out in the Kom area, a female party leader in the area bitterly denounced the handling of farmer-grazier disputes by the administration.⁶ The administrators were accused of discrimination and incompetence because the farmers were not satisfied with the manner in which the matters were resolved. They concluded that the cattle graziers were favoured because of their status in the society (Nkwi and Warnier 1982:474).

5 Anlu was a women's uprising in Kom formed in 1958 to forestall new farming techniques imposed by agricultural officers. Later, it championed all women's collective grievances, including farmer-grazier problems. This group remained as an appropriate female unifying factor for handling collective social issues in the northwest region. For a more detailed analysis of the Anlu group, see Nkwain 1963.

6 The cattle graziers were noted for using their wealth to buy and register land in the area at the expense of the indigenous women who merely had usufruct right over the land as indigenes. This incident brings into play conflict between the poor and the rich on landownership. See Nkwi and Warnier 1982:474.

Causes of the conflict

Conflicts between farmers and cattle graziers in Cameroon are traceable from the colonial period where colonial policies promoted mostly herding practices and cash crop production that were more revenue generating. The conquering of space by Fulani herders, uncoordinated grazing practices, and farmers' constant search for but tenuous access to fertile farmlands are increasingly putting both partners at loggerheads. Hence for over 40 years now, as farmers' agricultural productivity and livelihoods are threatened, they have continued to blame the graziers and local authorities who have been dithering over the issue (Ufon 2004). While the search for a lasting solution still looms, the past two decades have ushered in another problem: which is the potential impact of climate change on the fertility of land.

Climate change is no good news in Cameroon. Of recent, climate change has been a thorny issue in the lives of most Cameroonians. For instance, the tussle between farmers and graziers is on the increase due to the onset of climate change that has hit Cameroon and the northwest region in particular (Takam 2005). The experience in most parts of Cameroon, and particularly the northwest parts, is that there is great movement of cattle graziers and farmers in search of greener pastures to sustain the livelihood of cattle and human beings (Sumelong 2008).

The onset of climate change has motivated conflict between cattle and crop farmers in the region since farmer-grazier activities are predominant in the region. Most socio-economic activities in Cameroon hinge on farming activities. In order to sustain these socio-economic activities in the African region, there often exist encounters between the farmer-graziers and the non-graziers, in which each group emphasises the need to secure and control much land and production of crops. It is worth remarking that the agricultural sector is a critical mainstay of local livelihoods. The sector is particularly sensitive to climate, including periods of climate variability such as periods of prolonged droughts, pests, crop diseases etc (Takam 2005). This phenomenon affects the fertility of land thus causing farmers and the graziers to struggle over the parcel of fertile land left at their disposal.

In recent years, the struggle to control large portions of land is eminent because of the influence of and increased commercialisation of land, which has led to problems of land scarcity in the society. Here, the rich (cattle graziers) use their wealth to amass large and fertile land, thus depriving the poor (more especially the rural population) of their right to use or own land for agricultural activities. It is worth noting that about 40% of Cameroonians live below the poverty level defined as US\$ 2.00 a day. With a population of about 17 million, about 70% live in the rural areas, and 60% are employed in the agricultural sector (Sone 2011). The fact that Cameroon is a country that experiences a lot of dryness, accounts for about 45% of the factors causing the vulnerability of farmers, and therefore also their adaptability (Ufon 2004).

This increased commercialisation coupled with land scarcity, has increased pressure on the local leaders who have the task of protecting the communal land system. This pressure on the leaders has caused them to place greater constraints on the farmers' capacity to own land – to the advantage of the rich elites. The high economic value presently placed on land has invariably increased the attraction of the resource and the propensity of the rich to grab land (Gray and Kevane 1999). According to Gray and Kevane, the poor are increasingly being driven out of family land they acquired for farm use and family sustenance. This problem has stirred up a perennial family and community struggle over land, with devastating effect on the poor in the region.⁷

Land is a very strategic socio-economic asset. Competition over its acquisition is often vigorous almost everywhere in Cameroon and particularly in the northwest region (Wanyeki 2003:48). This is so because wealth and survival are measured by ownership of land (Sakah 2009:171). Since land is a resource of limited quantity and one of the most basic aspects of subsistence for the people in the region, rules regulating ownership of it are a focal point of attention as well as the basis for conflict both at individual and community levels (Sakah 2009:172). The vulnerable groups in society (farmers and the poor) contest

7 See the case of *Ndobol v Ndobol*, HCF/11 MC/1990, where the husband constantly beat and urinated on the wife. Also in *Theresia Ngosong Alemkeng v Bezankeng Alemkeng John*, HCK/8/94/28M/1994, the husband was stopped from evicting the wife from the matrimonial home for the building of which she had contributed money.

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the rules for owning land, challenging their lopsidedness in favour of the elites. Studies carried out in this region⁸ have shown that certain major disruptions of peace in the region have been land-related. Land is a source of survival for the indigenes and so its restriction often results in conflict, and disruption of peace, at both the family and the community levels.

The contemporary land tenure systems in Cameroon, founded as they are on customary systems of regulation (in law or administration) and statutory formal systems, are embedded in the above unequal and discriminatory power structures and procedures. These land tenure systems tend to allocate land unequally on the basis of class, gender and other forms of social hierarchy. This unequal land allocation has been experienced for the past decades and has tended to provoke land conflicts, struggles and killing in the northwest region. For instance, the fons (chiefs or kings) traditionally control land in the community on behalf of the indigenes, but often these customary guardians misuse the land laws by monopolising the communal lands and selling it for personal gains without the consent of the community members. This misappropriation of communal land was evident in Big Babanki village, in the Ngoketunja Division in the northwest region, and led to the killing of Fon Vugah of Big Babanki in 2005 by the indigenes who were deprived of their land. This study demonstrates that the farmers' right to own land has significantly become more precarious as the protections of equal landownership traditionally ensured by the communal land system have been peeled away (Tumnde 1998).⁹

Additionally, these landownership conflicts between the farmers and the cattle graziers are further complicated by the fact that a class of local cattle breeders has emerged. These are indigenous sons of the land who use their wealth and political positions to amass land to breed cattle and are adopting Fulani grazing practices. But unlike the Fulanis, who buy land, these indigenous sons tend to

8 Some examples are the land conflicts in Oku/Mbessa and Bali/Bawok in 2007 in the northwest regions. Here, the communities experienced massive killing and destruction of food crops, animals and houses.

9 It was in the past possible for women to have better access to land. Yanou (2009) has noted that elders could not deny women property rights for fear of retribution from ancestral spirits who were regarded as co-owners of the land.

seize the best land tracts from the local farmers and assert their family claims on the lands, thereby further marginalising the farmers who are also family members by pushing them to the outskirts to look for farmland. Most often, the farmers are left with only arid land which hinders their food productivity and livelihood. As always, these groups' claim to the land is predicated on the belief that they are members of renowned families who have the priority to own family land. They are confident in making these claims because of a deep-rooted conviction that their elite colleagues who sit in the farmer-grazier commission will support them.

Effects of the conflict

Class discrimination with regard to landownership in the northwest region is identified not only as one of the main factors responsible for land conflict but also as a main constraint resulting from such conflict. Farmers have access only to family land but lack control and ownership of the land in the community. This often prohibits them from using land as a form of collateral security to have access to other resources and this often hinders their productivity and development (Cheneval 2006). Also, the absence of ownership right restricts them from accessing land certificates which by the 1974 Land Ordinance,¹⁰ is the only authentic proof of a private property. Wamai (2003) has rightly decried this state of affairs which undermines farmers and keeps them in poverty.

The importance of land for the social reproduction of peasant households (mainly female) through subsistence from land and related income generation, has led to generational implications in the region (Wamai 2003). Subsistence farmers who are the least resourced in land find it difficult to operate within the contemporary structures of political and economic power relations in the region since these relations are skewed by the status derived from the hoarding of massive tracts of land by the rich elites. The land expropriations which occurred at a large scale mainly during the colonial era further compounded these emerging contradictory property relations and struggles in the society (Wamai 2003:27).

10 See the provision of article 2 of the 1974 Land Ordinance.

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Landownership in Cameroon is a traditionally complex and problematic issue which has in a dynamic and fluctuating manner been influenced by the quest for political power and social status. The situation of the peasant has not been static and has evolved as the country evolves socio-economically (Logo and Bikie 2003:35). Although the Cameroonian peasants have not yet acquired the same socio-economic status as the rich, they are considered as the heart of development in spite of their marginalised status in the society (Logo and Bikie 2003:35). They are considered to be the backbone of agricultural activity and family well-being in Cameroon.

In the course of making an enormous contribution to the development of the region, the farmers are engaged in activities (farming) which invariably expose them to landownership crises that stir up class animosity. Back in the 1950s, Anlu, the women peasant group in the northwest region, mounted pressure on the administration, traditional leaders and cattle graziers over deprivation of landownership rights, and encroachment and crop destruction by graziers. Subsequently, a similar conflict led to the loss of life of some indigenes in Wum in Menchum, and in Big Babanki in Ngoketunja Division where the pastoralists trespassed into farm lands owned by farmers and destroyed their crops (Fisiy 1992:250). This has led to perpetual tension and animosity in the region.

Theoretical frameworks on landownership

Proceeding from the premise that the whole purpose of landownership is the protection of the dignity of the individual, this researcher reviews the critical issue of landownership to ascertain if the rules governing landownership are a cause of the persistent land conflict in the northwest region of Cameroon irrespective of the socio-economic status of the individuals.

In doing this, the study describes the framework of landownership and situates it within the parameters of issues of conflict between farmers and cattle graziers in Cameroon. Land is a vital resource and ownership of it is for this reason a source of world-wide controversy – which has made a thorough analysis of the concept of conflict over landownership very important. This study covers

the important frameworks of human rights, justice, negotiating power, and the instrumentalist model.

The human rights theory of libertarianism

Although Coke, Voltaire, Locke, Aristotle and Rousseau assert that human rights are derived from natural rights, this study is limited to a review of the analyses of John Locke and Aristotle. John Locke (1680) argues that equality is a right given to all human beings by nature and that this right should be respected by all. However, Locke admits that in practice once a man enters the society, this natural right of equality is given up by man and passed over to the society. Applying this analysis to land, Locke argues that although land is a natural resource in the state of nature, its ownership is conventional in any given society.

From the Lockean theoretical perspective, society takes precedence such that human beings are treated not as nature dictates but as society prescribes because society has powers to protect the basic rights of man. Based on this, Locke argues for equal treatment of human beings by society or government because the right to equality is an inalienable right that everyone has to enjoy. It is from Locke's conception of the equality of man that the idea of human rights can rightly be said to have been taken (Locke 1680).¹¹

The Lockean view stresses the duty of the state to defend the rights of the citizens. This duty is discharged when the state sets up laws that may safeguard the principle of equality in the society. The study also analyses Aristotle's idea that 'likes should be treated alike' in all domains of life. This means that all human beings are to be treated equally in land ownership. Hence, this study helps to determine whether the Government has instituted legal mechanisms that could safeguard equal landownership in the region.

11 Locke (1680:4–6) stated that 'all men are naturally in a state of perfect freedom to order their actions and dispose of their possessions ... as they think fit within the bounds of the law of nature without asking leave or depending on the will of any other man'. He attributes this equality and right to possession to the rule of common reason and equity 'which is that measure God has set to the actions of men'.

The egalitarian theory of justice

This research also examines the theory of egalitarianism which proceeds on the illuminating idea that all human persons are equal in fundamental worth or moral status and should be treated as equals in all circumstances (Dworkin 2000:65). Rawls argued that equal access to resources (land) should be based on the theory of distributive justice.¹² That is, no individual in the relevant group (be it at the level of families, community or society) should have more or less than others in that group (Rawls 1999:3; Van der Vyver 1985). To Rawls, equal opportunity, coupled with enabling conditions, should be created by the state to allow everyone to fairly have what he or she deserves. According to the egalitarian theory, the rights and status of the vulnerable (women, poor etc) should always be taken into account when enacting land legislations. Using this principle for evaluation, this study helps to determine whether the country has created an enabling environment conducive enough for rich and poor to enjoy equality of landownership in the society.

The negotiating power theory on ownership of land

This theory holds that ownership of land depends on people's capability to negotiate their right to land, manipulate the existing land rules, and straddle different institutions relating to land acquisition (Izumi 1999:11). Izumi further notes that the ability to negotiate depends mostly on people's socio-economic and political power in any given society be it in the gender, class or tribal domains. According to this view, power relations between the rich and the poor help to shape the forms and terms in which negotiation over landownership can be effected (Izumi 1999:11).

Furthermore, the struggle over property in most African states is essentially related to a struggle over power relations (Lund 2001:11). In such struggles, some benefit more than others because of their status in the society; and more often than not, these are the chiefs, the men, the rich etc. These struggles usually

12 Distributive justice was founded on equality based on things, which though subjective may be truly relevant. For instance, where there is to be a distribution of flutes, the best flute should be given to the best flute player.

involve the processes of exclusion, deepening social divisions and class formation in the society, thereby acting as a root cause for societal conflicts (Peters 2004:269). Also, power relations can be examined through the different ways in which the rich and poor are inequitably treated in terms of landownership, land use relations and the benefits derived from the productive use of land (Moyo 2008:86). Thus, this study analyses land use in order to demonstrate how it plays a role in the wider subordination of the poor in a society dominated by broader social and production relations.

The instrumentalist model of law on access to land

The research also examines the issue of unequal access to land by rural women from the theoretical perspective of the instrumentalist model of law – that perceives law as a tool for development. It investigates the criticism of legal instrumentalism for creating a ‘gap problem’ (Starr and Collier 1989; Benda-Beckmann 1989:129) which arises because the outcomes of most legislative enactments are usually different from the intentions of the law maker (Nelkon 1981:35). The intention of the law maker, which is the standard by which the law is judged, is often merely imagined or assumed by the law enforcers (Nelkon 1981:35). Furthermore, the variance between the intention and the outcomes which the law produces in social interactions can only indicate whether or not the law is effective. Since establishing that the law is ineffective, without knowing why it is ineffective, does not conduce to a better knowledge of the working of the law, the research reviews the Cameroonian situation with the view to ensuring adequate knowledge of the dynamics responsible for the inequality of land holdings between the rich and the poor. This approach puts the researcher in a good position to make appropriate recommendations for the reform of Cameroon’s land model.

Landownership under the Cameroonian legal system

Customary law is, in fact, the customs and practices which the indigenes have lived with for past generations. Such practices are embedded in the indigenes, and respect for the traditions is usually handed down from generation to generation (Elias 1971:16). As a result, any other law instituted alongside the

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customary law on land, for example, is considered alien and is hardly respected by the indigenes (Elias 1971:115). Customary laws on land vary from region to region in Cameroon. Among most tribes in the northwest region of Cameroon, land is considered a communally owned property (Cobbah 1987:309). Property rights are vested in the hands of heads of families who are answerable only to the chiefs, who control and own the land for the benefit of the entire community. Individuals in the community have only occupancy rights to land (Kameri-Mbote 2005). Under the customary system, land is highly valued because it is an important source of wealth and power (Moyo et al. 2000:190). As earlier noted, however, the customary rule on the control of land was not respected when the village heads took advantage of their position as leaders of the community to commercialise communal land for their personal interest (Sone 2011:207). They collaborated with the elites and bourgeoisies to amass community land, thereby depriving the local farmers of land to live on. This experience of deprivation on the one side and personal aggrandizement on the other led to perpetual tension between the local farmers and the cattle graziers (Sone 2011:231).

However, the statutory law charted a new course for customary land law even though the customary law is still influential.¹³ With the arrival of the colonial masters,¹⁴ new land laws were introduced in Cameroon and the surrounding region. They instituted land policies which favoured total penetration, control and management using western right to property principles. The colonial spirit of instituting land laws that could manage landownership in the interest of the law makers, influenced the Cameroonian law makers when instituting the statutory land laws after the colonial rule. Presently, the statutory land laws are

13 *Zamcho Florence Lum v. Chibikom Peter Fru*, appeal no. BCA/9/90. Also, see the decisions in *Fomara Regina A. v. Fomara Henry N.*, appeal no. BCA/11CC/97, and *Kang Sume David v. Aboh Lucy*, suit no. CASWP/1/2003, in which it was ruled that upon divorce, women as well as men have a right to own and control landed property, contrary to the previous decisions by lower courts.

14 The Germans ruled from 1884 to 1916 and applied the German Crown Lands Act of 1896; the British ruled the English-speaking regions from 1916 to 1960 and they applied the Land and Native Right Ordinance of 1927; and the French ruled the French-speaking regions from 1916 to 1960 and used the 1932 Decree on Land Management. Cameroon achieved independence in 1960.

the Cameroon Constitution of 2008, the 1974 Land Ordinance and the ratified international treaties on land issues.

The current statutory laws were instituted with the intention of overturning the customary rule that denied the majority of the community the right to own land as a constitutional right. The preamble of the Cameroon Constitution for instance, prohibits discrimination in all forms, stating that, ‘the human person without distinction as to race, religion, sex or belief, possesses inalienable and sacred rights.... All persons shall have equal rights and obligations. The state shall provide all its citizens with the conditions necessary for their development’. This protection propagated by the law applies to all Cameroonians void of any forms of distinction. The preamble of the constitution defines ownership of land as ‘the right guaranteed every person by law to use, enjoy and dispose of his or her property’.¹⁵ This means that with ownership, one’s security over land is guaranteed, and the authority of the owner over the land cannot be challenged.

Also, the 1974 Land Ordinance which is the main governing law on land stipulates equal landownership rights in Cameroon.¹⁶ One of the primary aims of the 1974 land reform was to enhance development and self-empowerment by facilitating ownership under state protection. In theory, everyone would be able to acquire and exploit tracts in any part of the country free from local customary norms and interpersonal conflicts, thus providing for greater security of title.

The spirit of the statutory laws demands that everyone is entitled to the guarantee of ownership, but this guarantee is contradicted by what obtains in the northwest region of Cameroon, where statistics reveal that less than 10 percent of peasant farmers have access to land ownership (Awason 2006:44; Sone 2011:158). This statistic challenges the intention of the relevant statutory provisions, including the non-discriminatory laws safeguarding equal ownership of land. It is apparent that laws alone are not enough to solve the problems of unequal landownership in the region.

15 See the preamble of the constitution of 1996. Article 65 incorporates the preamble into the constitution.

16 Cameroon Constitution, law no. 2008/001 of 14 April 2008, to amend and supplement provisions of law no. 96/6 of 18 January 1996; Ordinance No. 74-1 of 6 July 1974 on Land Tenure, Article 1.

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Section 1(1) of the 1974 Land Ordinance for example states that, 'the State guarantees to all natural persons and corporate bodies having landed property, the right to use, enjoy and dispose of such land'. This provision perpetuates, to an extent, the unequal distribution of land between the rich cattle graziers and the farmers created by socio-economic factors. Although the provision appears to be non-discriminatory, it is in practice pro-rich because the rich dominated landholding before and after the enactment of the law. Inequality, which is to all intents and purposes strongly entrenched in the land rights model in the country, is expressed in different ways. It is for this reason that this researcher argues for a revision of the 1974 Land Ordinance to introduce a specific provision allowing farmers to register in their names the farmland on which they have already enjoyed usufruct rights for long. The way in which the 1974 Ordinance is silent on the cultural setting in the region that grants the local farmers only land use rights is strongly opposed by this researcher since it offers clear support for discrimination on the basis of class status.

The foregoing analysis indicates that female farmers have been caught between cultural restrictions that do not allow women to own land and the inability to own land under the expensive and prolonged procedure stated by the 1974 Land Ordinance. This situation helps to illustrate the gap that exists between the rules of the customary and the statutory laws. There is, for instance, the gap between the restrictive customary rules on women's rights to own land and the statutory land laws that propagate equal rights to own land for all in the country (Nzalie 2011:100). It is clear that this gap encourages land conflicts in the region.

This is because the inequitable application of the law is the foundation for intermittent class conflict involving land ownership in the region. As in other areas, the institution of laws alone is not adequate to safeguard land ownership and therefore peace, justice, and sustainable development can hardly be sustainable in the region.

Concluding recommendations

In conclusion, the intermittent conflict over landownership between farmers and cattle graziers has been a major issue in this region because of the prevalence

of class difference, lack of respect for the equal land rights of all human beings and the ineffective implementation of the land laws that regulate landownership in the country. These have greatly affected peace, justice and sustainable development that are needed in the region in particular and the country in general.

It is on the above basis that this researcher argues that the government of Cameroon needs to establish structures that ensure the equitable management and ownership of this vital resource, including, if necessary, further amendment of its laws. Gaps in the law and between legal institutions should be filled through reforms that will lead to the rational allocation of land. In addition, the adoption of dialogue, mediation, and conciliation by all stakeholders in landownership disputes is vital for conflict resolution, prevention, and management in the short term, and in the long term for building a culture of sustainable peace within families and the community. Education on the importance of respecting and enforcing the land laws as they ought to be by all relevant stakeholders including the traditional rulers is a vital prerequisite.

The government should also institute a land fund to assist farmers in acquiring needed land. This can be done using lands surrendered to the communities by the government. This approach is cheaper and more cost-effective than procuring land through the private market. Also, the government could encourage financial institutions such as a farmers' bank to issue loans to farmers at reduced interest rates. This would enable them to secure land on their own and reinforce their dignity and sense of empowerment. Education of farmers about land rights and sensitisation of all the stakeholders on the constitutional right to own land should also be encouraged. Such measures could ameliorate the current inequitable patterns of ownership between the rich and the poor and will help foster justice, peace, and sustainable development in their region.

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Religious violence in Nigeria: Causal diagnoses and strategic recommendations to the state and religious communities

*Isaac Terwase Sampson**

Abstract

The literature on religious violence in Nigeria largely implicates socio-economic, political and governance deficits as the major causes of such violence. This article, however, departing from the underlying causes approach, undertakes an analytical inquiry into the immediate and visible factors that trigger religious conflicts in the country. It also evaluates the nature of state management of religious conflicts in Nigeria and posits that government's haphazard approach to these conflicts as well as the absence of a long-term strategy for its management account for their persistent manifestation. Drawing from the findings made, recommendations on the appropriate approach to curbing religious violence in the country are proffered.

* Isaac Terwase Sampson is a Research Fellow at the African Centre for Strategic Research and Studies, National Defence College, Abuja, Nigeria, and a doctoral candidate with the Faculty of Law, University of Jos, Nigeria.

Introduction

Religion could serve, and has indeed served as an instrument of social harmony in many civilisations. Paradoxically, however, it has also served as a motivation for violence, hence its indication in some literature as a ‘double-edged sword’ (Maregere 2011:17–23; Obasi 2009). From time immemorial, religious bigots have attempted to legitimise violence in the name of God. Contemporary acts of extreme violence such as terrorist attacks are often justified as ‘holy warfare’. In the past two decades, religion has been at the centre of most violent conflicts around the world, thereby gaining notoriety as one of the prime security challenges confronting the world in the wake of the Cold War (Juergensmeyer 2000:6; Abu-Nimer 2000). A study conducted in Spain has found that societies that are divided along religious lines are more prone to intense and prolonged conflict than those divided by political, territorial and ethnic differences (Reynal-Querol 2002). Perhaps this reality explains the prime position that religious violence occupies on Nigeria’s security pyramid. As we shall see in this article, religiously motivated violence has plagued the country more than any other security challenge.

There are several causal diagnoses of religious conflicts in Nigeria, but much of the literature in this area pay premium attention to the underlying socio-political, economic and governance factors that precipitate, not only religious, but violent conflicts generally. This article presents, as a point of departure, an analytical inquiry into the immediate and visible factors that have triggered religious conflicts in the country. Primarily, this article identifies the immediate and visible drivers of religious violence in Nigeria and evaluates the management strategies that the Nigerian state had adopted for its containment over the years. It concludes by making recommendations to the various religious communities in Nigeria as well as the Nigerian state on appropriate strategies for managing religious violence. As noted earlier, religion sometimes plays significant roles in communal harmony; yet it is often instrumentalised for political and other established interests to the detriment of peace and social harmony. This article is therefore intent on objectively critiquing the negative deployment of religion as an instrument for social disharmony. Attempt is therefore made to

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dispassionately analyse these conflict-inducing elements of religious practice by both religious communities, without any intent to undermine the integrity of their principles or create a sense of bias.

Background to religious violence in Nigeria: 1999–2011

With a population of over 150 million inhabitants, the major religious groups in Nigeria are Christianity and Islam. There is neither a scientific representation of the numerical strength of these religious groups nor of their geographical distribution.¹ None the less, the Islamic faith preponderates in the northwestern and northeastern parts of the country (comprising Sokoto, Zamfara, Borno, Yobe, Katsina, Kano, Kebbi, Jigawa, Bauchi, Taraba,² Gombe and Adamawa states). On the other hand, Christianity is more prominent in the South-East and South-South geographical zones (comprising Imo, Enugu, Anambra, Abia, Ebonyi, Delta, Edo,³ Bayelsa, Rivers, Cross River and Akwa Ibom states).

The South-West and North-Central zones (comprising Lagos, Oyo, Ogun, Ondo, Ekiti, Osun, Kaduna, Niger, Plateau, Nassarawa, Benue, Kogi states and the Federal Capital Territory respectively) have a reasonably balanced number of Muslims and Christians. Although often marginalised, traditional religion has a fair degree of followership and is not by any means insulated from religious violence. For instance, in parts of Kogi, Kwara, and Nassarawa states, masquerade activities associated with traditional religion have been a major source of conflicts (Osaghae and Suberu 2005:11). As seen in table 1 below, the foremost incidence of religious violence since Nigeria's return to democracy in 1999 was

1 Most claims about Nigeria's Christian-Muslim population distribution are anecdotal and based on assumptions, since 'religious distribution' is not an index in Nigeria's National Population Commission's population head-counts. Some Western-based population resource services like Index Mundi.com, CIA World Fact Sheet, Population Resource Centre – which are commonly relied upon – put Nigeria's population ratio at 50% Muslims, 40% Christians and 10% indigenous believers. For evidence of this presumptive population distribution, see Nigeria Demographics Profile 2011; CIA World Population Factsheet 2011. These approximations are not based on Nigeria's official estimates and therefore lack statistical integrity.

2 Taraba state, however, having an almost equal distribution of Christians and Muslims.

3 Edo state arguably having an equal distribution of Muslims and Christians.

triggered by an alleged violation of a traditional religious rite. Although lack of adequate statistical data has made it extremely difficult to estimate the exact number of religious conflicts in Nigeria and their resultant fatalities (Salawu 2010:345), the general assumption is that the incidence of religious violence has grown exponentially since the return to democratic rule in 1999.⁴ Statistics on religious crises across the country however show that at least 95 per cent of them occurred in the northern part of the country (Ezeanokwasa 2009).

In view of the perennial religious tensions between the two dominant religious groups in Nigeria, there is a sustained culture of mutual suspicion and unhealthy rivalry between them. The introduction of sections 38(1) and 10 into the Nigerian Constitution, which have guaranteed freedom of religion and prohibited the declaration of state religion respectively, has done little to attenuate the frequency of religious conflicts, as state patronage and veneration of the two dominant religious groups has helped in heightening the underlying tensions and rivalry. Thus conflicts between Nigerian Christians and Muslims have often manifested in violent inter-religious violence.

4 Though not exhaustive, Table 1 below is a demonstration of the persistence of religious violence in Nigeria and its consequences.

Table 1: Some cases of religious violence in Nigeria, 1999–2012

| No | Date | State(s) | Nature | Remarks |
|-----------|-----------------|-----------------|--|--|
| 1 | 1 Jul. 1999 | Ogun | Violent clashes between Yoruba traditional worshippers and Hausa groups in Sagamu, Ondo state. | The crisis originated from the killing of a Hausa woman by the Oro Masqueraders for violating traditional rites. |
| 2 | 22 Jul. 1999 | Kano | Reprisal to the Sagamu crisis above. | The casualty figure was not reported. |
| 3 | 20 Dec. 1999 | Kwara | Muslim fundamentalists attacked and destroyed over 14 churches in Ilorin. | Properties worth several millions of naira were destroyed and an unspecified casualty reported. |
| 4 | 21–22 Feb. 2000 | Kaduna | Riots over the introduction of Sharia. | An estimated 3 000 people died. |
| 5 | 28 Feb. 2000 | Abia | Religious riots in Aba, and minor disturbances in Umuahia. | Over 450 persons killed in Aba, Abia state, as reprisal for the Kaduna crisis. |
| 6 | 8 Sept. 2000 | Gombe | The Kaltungo religious crisis. | The crisis erupted over the implementation of Sharia in the state. |
| 7 | 12 Oct. 2001 | Kano | Religious riot in Kano. | In protest to US invasion of Afghanistan over Osama bin Laden. Over 150 persons were killed. |

| No | Date | State(s) | Nature | Remarks |
|----|-----------------------|----------|---|---|
| 8 | 7–17 Sept. 2001 | Jos | A religious riot between Muslims and Christians in Jos. Mosques, churches and several properties were damaged or torched. The clashes started on September 7 and lasted nearly two weeks, ending on September 17. | The riot broke out when the Islamic Brigade attacked a Christian woman who attempted to cross a public high-way barricaded by Muslim worshippers on Friday. Over 300 people were killed. |
| 9 | 16 Nov. 2002 | Kaduna | The <i>Miss World</i> crisis in which Muslims attacked Christians and churches. | The crisis was triggered by an article authored by Isioma Daniel in <i>This Day</i> newspaper, alleging that Prophet Mohammed would have loved to have the girls. Over 250 people were killed and several churches destroyed. |
| 10 | 8 Jun. 2004 | Adamawa | Religious conflict between Christians and Muslims in Numan town. | Caused by the location of the town's Central Mosque close to Bachama paramount ruler's palace. Over 17 persons killed. |
| 11 | 18 Feb. 2006 | Borno | Religious conflict between Christians and Muslims in Maiduguri. | The riot was caused by the Danish cartoon on Prophet Mohammed, in <i>Jyllands-Posten</i> newspaper. Over 50 persons killed and 30 churches destroyed; over 200 shops, 50 houses and 100 vehicles vandalised. |

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| No | Date | State(s) | Nature | Remarks |
|----|-----------------|---------------------------|---|--|
| 12 | 22 Mar. 2007 | Gombe | Muslim pupils killed their Christian teacher, Mrs Oluwatoyin Olusesan. | The pupils claimed that their teacher desecrated the Qur'an while attempting to stop a student from cheating in an examination hall. |
| 13 | 28 Nov. 2008 | Plateau | Religious violence between Muslims and Christians in the city of Jos. | The crisis which was triggered by the controversial results of a local election later turned religious. Over 700 people killed and thousands internally displaced. |
| 14 | 21 Feb. 2009 | Bauchi | Ethno-religious conflict at the Makama New Extension. | Over 11 people were killed, more than 400 houses burnt, and over 1 600 families displaced. |
| 15 | 26–30 Jul. 2009 | Bauchi, Borno, Kano, Yobe | Religious violence unleashed by the radical <i>Boko Haram</i> sect on Christians. | Over 700 persons killed, 3 500 persons internally displaced, 1 264 children orphaned, over 392 women widowed, and several properties destroyed. |
| 16 | 29 Dec. 2009 | Bauchi | Religious violence unleashed by the <i>Kala-Kato</i> sect on Christians. | Over 38 persons killed; about 20 suspected members of the sect arrested; and over 1000 people internally displaced. |

| No | Date | State(s) | Nature | Remarks |
|----|-----------------|----------|--|---|
| 17 | 17–20 Jan. 2009 | Plateau | Resurgence of religious crisis in Jos. | Police announced at least 320 killed, but aid workers and local leaders place death toll at over 550. Over 40 000 persons displaced. |
| 18 | 7 Mar. 2010 | Plateau | Attacks by Fulani Moslems on Christian-dominated villages of Dogo Nahawa, Shen and Fan in Jos. | Over 500 people – mainly women and children – were killed. |
| 19 | 17 Mar. 2010 | Plateau | Suspected Fulani militia men attacked residents of Biye and Batem in Jos. | 13 persons killed. |
| 20 | 11 Apr. 2010 | Plateau | Attack on a Christian village of Berom stock, some 30 kilometres south of Jos, by suspected Fulani herdsmen. | The attackers targeted the homes of some officials in Kura Jenta, in reprisal to the killing of about 150 Fulani Muslims, who were allegedly killed and dumped in wells on 19 January 2010. No life was lost but 3 houses and 6 vehicles were torched. This violence was ethno-religious. |
| 21 | 22 May 2010 | Plateau | Murder of three (Muslim) Fulani herdsmen at Tusung Village in Barkin Ladi Local Government, Plateau state. | The attackers were alleged to be Berom Christian youths. It was ethno-religious. |

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| No | Date | State(s) | Nature | Remarks |
|----|--------------|-----------------------------|--|---|
| 22 | 22 May 2010 | Plateau | Attack on some Christians, who were returning from their place of worship along Bauchi road in Jos. | Reprisal attack by Muslims over the killing of 3 Fulani Muslims. At least 1 person died while many were injured. |
| 23 | 17 Jul. 2010 | Plateau | Muslim Fulani herdsmen launched an overnight attack on a Christian village, Mazah, north of the city of Jos. | About eight people were reportedly killed, including the wife, two children and a grandson of a Pastor. Seven houses and a church were also burned during the attack. |
| 24 | 29 Aug. 2011 | Plateau | Clashes between Muslims and Christians at Rukuba road and Farin Gada in Jos during the Ramadan prayers. | No less than 20 persons were killed, 50 injured, over 50 motor vehicles and 100 motor cycles were torched. |
| 25 | 16 Jun. 2011 | Police Head-quarters, Abuja | Suicide bomb attack at the Police Headquarters, Abuja by suspected <i>Boko Haram</i> Islamists whose ideology is framed around religion (<i>Wahabism</i>). | Authorities said 6 persons were killed and 73 vehicles destroyed. |
| 26 | 26 Aug. 2011 | UN House, Abuja | Suicide bombing at the UN House, Abuja by suspected <i>Boko Haram</i> Islamists. | 23 persons (11 UN personnel and 12 non-UN personnel) were killed. |

| No | Date | State(s) | Nature | Remarks |
|----|---------------|-----------------------------------|--|---|
| 27 | 5 Nov. 2011 | Potiskum, Damaturu and Maiduguri | Coordinated attacks on churches and police stations by suspected <i>Boko Haram</i> Islamists. | More than 90 persons were reportedly killed, several churches and police stations torched. |
| 28 | 25 Dec. 2011 | Madala, Niger state, near the FCT | The bombs were alleged to have been planted at the Church's parking lot. | At the last count, 45 persons were killed. Some died instantly, others from injuries sustained from the explosion. Over 80 others were receiving treatment for various degrees of injuries. |
| 29 | 5–6 Jan. 2012 | Gombe, Gombe state | Gunmen stormed a Deeper life church in Gombe, shooting indiscriminately at worshippers. The <i>Boko Haram</i> Islamist sect claimed responsibility for the shooting. | 6 persons were reportedly killed while many others were injured. |
| 30 | 5–6 Jan. 2012 | Mubi, Adamawa state | Suspected <i>Boko Haram</i> militants stormed a gathering of Igbo Christians and shot sporadically, killing over a dozen and injuring others in apparent execution of an ultimatum given by the <i>Boko Haram</i> Islamist sect to Southern Christians living in the North to leave. | 22 persons were reportedly killed; a dozen others were injured. |

Source: Adapted from Onuoha 2010 with additions and modifications by the author. The data are by no means exhaustive.

The visible causes of religious violence in Nigeria

Several causes of religious violence in Nigeria have been identified in the literature (Agwu 2009; Gofwen 2004; Salawu 2010; Iwara 2006; Kwaja 2009; Omotosho 2003; Sanusi 2009; Sani no date). Whereas most of these causes conflate, emphasis in the literature is on the underlying socio-political, economic and governance factors that gestate not only religious conflicts, but violent conflicts in Nigeria generally. In this article however, the focus is on the immediate and visible factors that generate religious violence rather than the remote precipitating and other social factors that animate it.

A cursory perusal of extant literature on the remote socio-political, economic and governance factors that drive religious violence in Nigeria does show, however, that government neglect, oppression, domination, exploitation, victimisation, discrimination, marginalisation, nepotism and bigotry are some of the predisposing factors (Salawu 2010:348). In his treatise, Kwaja (2009:107) also identifies fragility of the institutions of the state in terms of their ability and capacity to manage diversity, corruption, rising inequality between the rich and poor, gross violation of human rights, environmental degradation, contestations over land, among others, as the underlying causes of violent conflicts in Nigeria since the enthronement of democratic rule in 1999. In his view, Danjibo (no date:3) believes the failure of governance is responsible for the recurring sectarian violence in Nigeria; while Omotosho (2003) recognises disparaging literature/publications by both Christian and Muslim elites as the major cause of religious violence in the country. Contributing to the debate, Achunike (2008: 287) opined that the wrong perception of other people's religion or faith, wrong religious orientation, the low literacy level of religious adherents, selfishness on the part of religious personalities, pervasive poverty, government involvement in religious matters, among others, are responsible for inter-religious conflicts in Nigeria.

Sani (no date) has made a comprehensive but unelaborated list of 70 causes of religious conflicts in Nigeria. While identifying both the remote socio-political and economic drivers as well as the immediate factors that generate religious violence in Nigeria, he has failed to critically analyse how these factors

generate religious disturbances. Nonetheless, it suffices to state that he identified poverty, corruption, non-implementation of previous probe panel reports, impunity of past perpetrators of the violence, proliferation of preachers and worship centres, provocative and inciting utterances, sensational journalism, political manipulation of religion, incitement in the social media and mobile telephony, among others, as key causes of religious violence in northern Nigeria. These causes are quite comprehensive and indeed cover most of the factors discussed in this article. However, I shall take a step further to demonstrate how some of these issues generate religious violence and further suggest an approach to state management.

1. Religious intolerance, fundamentalism and extremism

Religious intolerance, fundamentalism and extremism are deliberately chosen to kick-start discussions on the drivers of religious violence in Nigeria because they form the base (sub-structure) upon which other sources of religious violence (super-structure) rest. Religious intolerance has been defined as 'hostility towards other religions, as well as the inability of religious adherents to harmonize between the theories and the practical aspect of religion' (Balogun 1988:166). It encompasses bigotry, which is the obstinate and intolerant devotion to one's opinions and prejudices, especially the exhibition of intolerance and animosity toward persons of differing beliefs (Baird and Rosenbaum 1999). Religious intolerance has been identified as the major source of religious conflict/violence in all societies existing as long as the history of mankind, and permeating all forms of human civilisations, with attendant destructive tendencies (Gofwen 2004:50).

Religious fundamentalism and extremism are similar to, and indeed, manifestations of religious intolerance. Komonchak, Collins and Lane (1996:411) view religious fundamentalism from three perspectives: from a cognitive understanding where the word is associated with a closed personality type that expresses exclusivity, particularity, literality and moral rigour; from a cultural theological viewpoint, where the word expresses opposition to religious and cultural liberalism in defence of orthodoxy and religious traditions; and from a social movement perspective, where it denotes organisational and

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ideological uniqueness from other types of religious movements. Ultimately therefore, religious fundamentalism is a religious movement that promotes the literal interpretation of, and strict adherence to religious doctrine, especially as a return to orthodox scriptural prescriptions and doctrinal originality. It seeks strict adherence to the orthodox principles of particular faiths – in the case of Nigeria, Christianity and Islam – and abhors modernism with its propensity to adulterating or diminishing original doctrinal principles. Religious fundamentalists, therefore, place great emphasis ‘on right doctrine and the necessity of organized warfare against the forces of modernism’ (Komonchak, Collins and Lane 1996:411). Religious intolerance and fundamentalism may not necessarily entail violence; however, it is the extreme manifestation of intolerance and fundamentalist ideals that embraces violence. Religious extremists are therefore religious fundamentalists, who take religious conservatism and intolerance to an unreasonable extent, by manifesting violence against those who hold contrary religious views. Religious extremists take the position that if others do not follow their ways, they will be damned (Religious extremism 2011). They abhor the preaching of other faiths and resort to violence to stop it. They insist that their religious doctrines must be universally entrenched by brute force, while the political, social and economic systems must conform to their religious tenets. Religious extremism does not admit of any compromise with social change, particularly that which contradicts religious orthodoxy. In terms of hierarchy, therefore, religious extremism is the farthest and most lethal form of religious intolerance.

How do these factors activate religious violence in Nigeria?

In order to understand why these religious ills – if one considers them as such – often precipitate violence in Nigeria, one must necessarily understand the degree to which the two major religions in the country are amenable to compromise on religious issues. To what extent would Christianity or Islam compromise or give up some religious or doctrinal rights for the sake of societal change? How liberal or dogmatic could they be? For Christianity, the basis of respect for political authority is Jesus’ directive to his followers to give to Caesar and to God what respectively belongs to them. Christian teaching on subjection to temporal

authority pervades the new testamentary dispensation of the holy Bible.⁵ The basis for executive authority is laid in Romans 13:1 and 2, where Paul said: ‘Let every soul be subject unto the higher powers. For there is no power but of God: the powers that be are ordained by God. Whosoever therefore, resisteth the power, resisteth the ordinance of God: and they that resist shall receive to themselves damnation.’ Similarly, in 1 Peter 2:13–14, Peter directed Christians to ‘Be subject to every kind of human order, whether it be to the king as the foremost, or governors as sent by him, as a vengeance on the wicked and a reward to the just’.

Liberal leaning towards authority in the Christendom will therefore cause a Christian to gain respect for the privacy of others, realising that certain aspects of other people’s lives do not fall under his jurisdiction (Doud no date). Hence he would not attempt to take over the power of the state to sanction deviant behaviour, nor would he try to abate certain conduct, which though it offends Christian doctrine, is absolutely within the regulatory purview of temporal authority. By virtue of this doctrine of compliance to temporal authority, Christianity endorses compliance with the economic, political and social order sanctioned by temporal authority, provided that does not interfere with its worship.

Islam, on the other hand, is not just a religion, but a way of life that encompasses the entire gamut of the economic, judicial, political and cultural lives of its *Umma* (faithful); hence its definition as ‘total submission to the will of Allah (God) as revealed by the prophetic message of Muhammad’ (Danjibo no date). The totality of Islamic regulation of the lives of Muslims is comprehensibly captured by Olayiwola (1988:227), who notes that:

Islam does not admit a narrow view of religion by restricting it within the limits of worship, specific rituals and spiritual beliefs. In its precise meaning, Islam is not only a religion; it is also a way of life that regulates all the aspects of life on the scale of the individual and the nation. Islam is a

5 See among others, Mathew 22:19–21; 17:25–27; 1 Peter 2:18; 1 Cor. 7:21–24; Ephesians 6:5–9; 1 Timothy 6:1–2; 1 Peter 2:13–17; Deuteronomy 17:12–13; Romans 13:1–2.

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social order, philosophy of life, a system of economic rules and government. Islam clearly establishes man's duties and rights in all relationships – a clear system of worship, civil rights, laws of marriage and divorce, inheritance, code of behaviour, laws of economy, laws of governance, laws of war and peace, of buying and selling and laws of relations and co-existence with one another, parents, children, relatives, neighbours, guests, Muslims, non-Muslims and brethren.

An apt distinction on the perception of these two religions to temporal and religious authority is captured by Abikan (2009), who posited that:

A Christian for instance may be prepared, in the notion of giving to Caesar and God what respectively belong to them, to limit his right to religious freedom to matters of faith and worship only. A person from the West may also be contented with the western compartmentalization of life into religious and temporal. ...A Muslim on the other hand would view religion as covering all the facets of life. This is because his spiritual and moral worth is tested against his daily interaction with others at the congregational prayers, in marital union, in the pursuit of his legitimate livelihood and in the holding of public responsibilities, amongst others. To him, right to freedom of religion would encompass *aqĒdahwa al-ibĒdah* (freedom of belief and worship), right to live by Allah's commandments (*SharĒah*) and (*'amr bi al-ma'rĒfwa 'an al-munkar*) right to encourage good and forbid evil.

With this rigid representation of Islam as a comprehensive tool for the regulation of the entire lifestyle of its faithful, there is no room for separation between spiritual and temporal affairs for those who choose to be pious Muslims. This absolutist characterisation of Islam is held by adherents of the Wahhabi Islam, who privilege Jihad as an instrument for purging Islam of modernisation with its perceived adulteration of orthodox principles. This explains the predominance of religious violence in the Muslim dominated northern part of Nigeria where inflexible adherence to Islamic orthodoxy or Wahhabism continues to grow steadily. In apparent compliance with this inflexible religious commandment, Islamic fundamentalists of the Wahhabi extraction react violently to any act

or omission considered as a violation of the sharia; notwithstanding the fact that other religious groups have a corresponding legal right to the same act(s). Thus the extremists' attempt to maintain a pure state of Islam has knowingly or unknowingly violated the rights of other people thereby igniting religious violence (Achunike 2008:288).

The 1980 Maitatsine disturbances and the current Boko Haram sectarian violence are both products of dogmatic adherence to sharia jurisprudence, which inspires Islamic Jihad and the obliteration of Western civilisation (Danjibo no date; Onuoha 2012). Similarly, the 1991 religious crisis which engulfed Tafawa Balewa in Bauchi state was generated by Muslims' desire to maintain religious purity in a multi-cultural and multi-religious environment. This led to attacks on Christian pork-vendors at the only public abattoir in the Tafawa Balewa market (Adebayo 2010:216); pork meat being Haram (prohibited) under Islamic sharia. The 2002 Miss World riot in Kaduna was also sparked by Muslim opposition, the Muslims contending that the spectacle of girls parading themselves in semi-nude attires and prancing to an ogling audience violated the tenets of Islam (Adetokunbo 2002). The Secretary-General of the Nigerian Supreme Council of Islamic Affairs (SCIA), Alhaji Lateef Adegbite, had earlier protested that staging the event in the month of Ramadan was an affront to Nigerian Muslims (Adetokunbo 2002).

Whereas nudity is strongly abhorred by moderate Muslims and Christians, their disposition to accommodating changing societal values under temporal authority, in spite of their offensive characteristics, restrained them from actively protesting against the event, while choosing to condemn it in their Mosques, Churches and other gatherings. On the other hand, it was the exhibition of Islamic fundamentalism that resulted in the violent attacks on Christians by Muslim extremists, who associated the event with Christianity. This also demonstrates the pervasive ignorance amongst some Islamic faithful, who often associate Christianity with profanity, on account of its accommodation of social, economic and cultural activities that are seemingly immoral or perverse. In reality, this liberal accommodation of temporal values is anchored on the Biblical teaching of giving to Caesar and God what respectively belongs to them; as well as the general embrace of secularity which pervaded Western civilisation

at the turn of the 17th and 18th centuries. Christians and moderate Muslims therefore tend to accommodate and respect the temporal legal order in spite of its incompatibility with the dictates of their faiths.

2. Obstructive and disruptive modes of worship

One other trigger of religious violence in Nigeria is the obstructive, disruptive and annoying modes of worship employed by the two dominant religions. There is a notorious Christian tradition of organising mass crusades and revivals on public high ways or properties adjoining the high ways. Most of these crusades and revivals have the disrepute of obstructing vehicular and human movement for long periods of time (Daily Champion 2006; Ehigiator and Akinbaani 2002) in absolute disregard to tortious and criminal liabilities.⁶ Many road users of other faiths – and even those of the same faith – see this practice as an affront to their legal rights to the use of public roads as well as a demonstration of religious arrogance and insensitivity. In the same vein, it has become an unwritten law for all public roads in Muslim-dominated areas to be blocked during *Juma'at* (Friday) prayers. Accordingly, all intending road users needing access through these roads on Fridays have often had the misfortune of abating their movements and waiting for the completion of *Juma'at* prayers. This tradition has triggered religious disturbances, particularly in places with evenly distributed numbers of Christians and Muslims. The 2001 Jos religious violence was caused by a mêlée that erupted after a Christian woman insisted on having her right of way through a public highway which was barricaded by Muslim worshippers on a Friday.

In addition to the above, both Churches and Mosques have a tradition of erecting large and extremely noisy loud-speakers within and outside their worship places. This sound-magnifying equipment generates serious noise pollution to the annoyance of neighbours. In most cases, the worshippers engage the use of these instruments throughout the nights, in religious rituals commonly known as 'night vigils' in the Christendom and Tafsir among Muslims during the period of Ramadan. Muslim worshippers also engage the use of these instruments every

6 Public Nuisance is a *tortious* wrong that may attract civil remedies in damages and injunctions. It is also a criminal offence, prohibited under section 234 of the Criminal Code Act as well as sections 183 and 194 of the Penal Code Act.

morning between the hours of 4 and 5 am, thereby constituting nuisance to neighbours. With the indiscriminate location of Churches and Mosques in residential areas, the annoyance inherent in this tradition has triggered religious conflicts in the country, and would indeed remain a potential trigger of religious violence in the future. The erection of worship places in public offices has also served the purpose of politicising religion in work places, as both religious groups often compete for public spaces for worship purposes.

3. Disparaging preaching and stereotyping

Disparaging or critical preaching is one of the most common causes of religious violence in Nigeria. First, both religions claim monopoly of religious truths as well as the absolute prerogative to eternity in heaven. This religious cliché is contemptuously imbued in the public preaching of both religious groups, as religious sermons are often laden with messages signifying the monopoly of salvation and truth. In extreme cases, the messages transcend the traditional monopolisation of essence, thereby delving into the arena of judgemental and scornful delegitimisation of opposing religions and their prophetic symbols. The March 1987 religious violence in Kafanchan, Kaduna state was allegedly caused by a Christian preacher, who allegedly used verses from the Qur'an to delegitimise Islam, while justifying the exclusive existence of salvation within the ambience of Christianity (Gofwen 2004:101). Muslims in Kaduna had also alleged that one Revd. Abubakar Bako, publicly sought to interpret the Qur'an in a manner that disparaged Islam, in addition to making some uncomplimentary comments about Prophet Mohammad (Omotosho 2003). The proliferation of Churches and Mosques in the country and the pervasive electronic media coverage of religious preaching have helped in reinforcing these disparaging sermons. With little or no censorship of the critical content of these sermons, some religious fundamentalists have used these media opportunities to cause serious religious disharmony and subsequent violence. The use of audio and video preaching in public places is not less provocative. The two religious groups often use audio-taped preaching even in conflict-prone areas like Jos city, in defiance of the standing security embargo placed on them. These acts have

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helped to intensify the recrimination from both sides, Christian and Muslim, and sustain the cycle of violence.

A dangerous dimension to inter-faith ridiculing and provocation in Nigeria is manifested in the publication of critical literature by religious intellectuals. In his treatise, Omotosho (2003) chronicled the following hate-influenced publications by both Christian and Muslim intellectuals: Odetayo 1993; Mohammad 1990:20; Moshay 1994:46; Sanni and Amoo 1987:3; and Suleiman 1997:1, among others. These publications have all made disparaging remarks against opposing religions and their prophetic essences. The mockery of opposing faiths is also compounded by the pervasive stereotyping of religious adherents. For instance, Muslims, especially those from the northern part of Nigeria, are in the habit of referring to all non-Muslims as *Arna* or *Kafir*; Arabic words for 'heathen' or unbelievers; while it is fashionable for Christians to refer to all Muslims as terrorists and violence-mongers. This attitude of religious stigmatisation has generated religious violence in the past and has the potential to do more.

4. Proselytising

One of the major causes of religious violence in Nigeria is the methods of proselytising used by the two dominant religions. Although Islam and Christianity deprecate the use of threat and coercion as a means of proselytising (Omotosho 2003),⁷ their approaches to preaching have remained mentally and sometimes physically coercive. Unfortunately, the most visible approach to Islamic conversion campaigns, particularly in northern Nigeria, is that of Jihad. This is epitomised by the Boko Haram declaration that Western culture, as represented by Christianity, is polluting and worthy of spiritual purging. Muslim fundamentalists view adherents of other faiths, and sometimes moderate Muslims, as corrupted stock worthy of Islamic conversion or regeneration as

7 Amongst other references used are: Qur'an 16:125 which says 'Invite (all) to the way of thy Lord with wisdom and beautiful preaching; and argue with them in ways that are best and most gracious...' and Qur'an 9:15 'Say: ye that reject faith, I worship not that which ye worship. Nor will ye worship that which I worship. And I will not worship that which ye worship. Nor will ye worship that which I worship. To you be your way and to me mine'.

the case may be. Thus the extremist disposition to enlisting conformity by brute force has created serious religious tensions in Nigeria.

Furthermore, the ubiquitous cassette and video culture that now pervades the landscape of Nigeria's religious preaching has done a lot in exacerbating religious violence (Larkin 1997). These emergent forms of 'small media' are perhaps even more instrumental in circulating religious propaganda than the independent media institutions (Hackett no date). The uninhibited playing of these cassettes in public places, particularly the transmission of disparaging messages or accounts of conversion by new converts, have often attracted the outrage of opposing religious groups. Similarly, the Christians' approach of 'evangelism' – a conversion campaign that favours house to house preaching as well as preaching in public places such as hospitals, prisons, public transport avenues – has often outraged non-Christians, who find the common message of 'I am the way, the truth and the light; no one goes to the Father except through me' as provocative and denigrating their own faiths. On the campuses of many institutions of learning in Nigeria, this tendency has resulted in low intensity conflicts between adherents of the two religions, as the evangelisers often invade the privacies, and therefore, sensibilities of rival religious adherents. The deliberate targeting of non-Christian homes for such evangelisation campaigns has been responsible for religious conflicts in the past and remains a potent trigger to religious violence.

5. Government patronage, religious preferentialism and marginalisation

In spite of the constitutional prohibition of disqualifications or disabilities inflicted on persons on account of their religious leanings, religious patronage has been entrenched in the public realm, depending on the predominance of particular religious adherents in positions of authority. Thus at the federal and state government levels, public officials manifestly patronise particular religions at the expense of others. In many states of northern Nigeria, public funds are used in the purchase and distribution of food items and other valuables for Muslim faithful during the Ramadan fast; however, government does not extend the same gesture to Christians during Christmas or traditional religious

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worshippers during their traditional ceremonies. This attitude is reversed in some Christian dominated states. Furthermore, whereas the federal government has established both Christian and Muslim Pilgrims Commissions with state funding, some states, especially in the north, have single pilgrims' commissions for particular religions at the exclusion of others.

Depending on which religious group has the superior numerical strength in a state, the clergy is given prominent roles and privileges at state functions, while marginalising the others. In most states, the dominant religion denies the other religious groups access to certain privileges like land for locating worship houses or air time for transmitting religious messages. This attitude translates into political and economic preferentialism towards the favoured religious group(s), while marginalising the others. Registering his complaint over this discriminatory practice, Yusuf (1995:84) argued that:

Christians have been denied access to electronic media in 16 Northern states, while Islam monopolizes 24 hours for its broadcast in the same area. ... Every hour the Muslims broadcast provocative statements about Christianity. It means nothing, they proclaim, that people attend church on Sunday only to dance and to listen to songs. Authorities merely wink...

It is, therefore, not out of place to hear religious groups complain of marginalisation in respect of political and economic privileges, public employment and political benefits. These attitudes do not only cause inter-religious upheavals, they precipitate religious sentiments in political and economic policy making. The present debacle over the institutionalisation of Islamic banking in the country is based on this apprehension that the religious affiliation of the product could be used as an instrument for the exclusion of Christians.

6. Sensationalism in media reportage

The media's penchant for exaggerating details of religious violence and thereby fuelling their intensity is well known and documented (Kukah 1993; Kukah 1996). This media character constituted the gravamen in the 1987 Kafanchan religious disturbances. News reports monitored on Radio Kaduna, immediately after the commencement of the violence, alleged that Christians were killing

Muslims indiscriminately, burning their Mosques and copies of the Holy Qur'an, and banishing them from the town. The broadcast further alleged that an itinerant preacher had misquoted the Qur'an and blasphemed the name of Prophet Mohammed, urging Christians to kill Muslims and burn their Mosques (Newswatch 1987:10). These reports ignited reprisal attacks by Muslims all over Kaduna state, causing an invaluable loss of lives and property (Gofwen 2004:91–93). Most religious leaders in the country have therefore, accused the media of fanning the embers of religious violence by their provocative and emotive reports (Kukah 1993; Spero 2010; Etaghene 2010). News headlines such as 'Islamic Assailants Kill Hundreds of Christians near Jos', 'Muslims slaughter Christians in central Nigeria', 'Muslims slaughter 400–500 Christians in latest Jos crisis' (Creeping Sharia 2010) are very common during religious disturbances. Such alarming headlines, coupled with gory images of victims often trigger reprisal attacks.

The proliferation of media technology has made it easy for some of these emotive reports and images of slain persons to be transported far and wide, generating intense hatred between belligerents and reprisal attacks in a cycle of violence. The ethno-religious violence that has engulfed Jos, central Nigeria, in recent years has generated an unimaginable level of hatred between the locals and the alleged settlers (who are generally divided along religious lines) as a result of the dissemination of gory images of victims on the internet.⁸ This has helped to sustain recrimination and reprisal attacks from both groups.

7. The use of religious symbols

The use of religious symbols is increasingly becoming a source of religious conflict and violence in Nigeria. Most Muslim women insist on the use of the *Hijab*, and in extreme cases, *Niqab* and *Burka*,⁹ even where the regulatory regime prohibit their use. In 2005, following the prohibition of the use of head scarves

8 See evidence of these images on Creeping Sharia 2010.

9 Hijab refers to covering everything except the hands and face. Niqab is the term used to refer to the piece of cloth which covers the face and women who wear it usually cover their hands also. The burka is the most concealing of all Islamic veils. It covers the entire face and body, leaving just a mesh screen to see through. See BBC Religions 2011.

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by female law students in the faculty of law, Ahmadu Bello University (ABU), Zaria; a Christian lecturer, Dr Andrew Akume, turned back a female student who wore the Hijab from attending his lecture. This action drew the ire of the Muslim Students Society (MSS), who mobilised their collectives and issued a *fatwa* (Islamic death sentence) on the said lecturer, thereby forcing him into hiding (Madugba 2005:4). This act did not only cause serious religious tension on the campus, but ignited a diplomatic strain between the governments of Kaduna and Benue states (the state in which the university is located and the lecturer's home state, respectively) over Akume's safety. The inscription of Arabic symbols on Nigerian currency denominations has also been vehemently opposed by Nigerian Christians, who associate it with Islam and an overarching Islamisation agenda by northern Muslims. On the other hand, Muslims have continuously opposed the use of the 'cross' as a symbol on public hospitals' bill/sign boards and other hospital accessories. These situations remain potential triggers of religious violence.

State management of religious violence

Since the early 80's to date, the Nigerian state has taken a number of constitutional, legislative and policy measures to manage the incidence of religious conflict and violence. These measures include: (i) the exclusion of religion as an index in the design, conduct and reporting of national population census; (ii) the promotion of inter-faith cooperation and dialogue through the establishment of the Nigeria Inter-Religious Council (NIREC) in 2000; (iii) the constitutional establishment of the Federal Character Commission (FCC) to prevent the predominance of one religious group in all government institutions; (iv) the political application of the principle of power sharing between the north and south as well as Christians and Muslims; (v) non-registration of political parties with ethnic or religious colourations (Kwaja 2009:112); and (vi) prohibition of registration of banks with religious appellations.¹⁰

10 See section 53 (1) of the Banks and other Financial Institutions Act as well as section 52 of the Central Bank of Nigeria Act.

In spite of these measures, religious violence has remained a critical security challenge to the Nigerian state. Since the Maitatsine religious disturbances in the 80s to date, government's response to religious violence has taken a tri-pronged pattern. This includes, first, state repression or crackdown on religious groups, sects or perpetrators of the violence generally; and second, the constitution of commissions or boards of inquiry to investigate the causes of the violence, identify the perpetrators and sponsors as well as recommend appropriate sanctions and ways of forestalling future occurrences. The third official response to the management of religious violence has been the facilitation of inter-religious dialogue amongst religious groups. This strategy was given policy verve through the establishment of the Nigeria Inter-Religious Council (NIREC) in 2000 to facilitate mutual inter-religious understanding and thereby enhancing religious tolerance.

In spite of these management approaches, there is a marked absence of a long-term strategy that is targeted at addressing the remote and immediate causes of religious violence in a comprehensive manner, and a long-term strategic solution to their management. Consequently, the management responses outlined above have essentially been reactive; hence they have remained inchoate, incomprehensive, uncoordinated and ultimately ineffective. This is because government seems to favour short-term reactive measures aimed at repressing violent religious tendencies as opposed to a comprehensive conflict management approach. Since the 1980 Maitatsine riots till now, the Nigerian state approach to the management of religious violence had privileged the deployment of retaliatory violence and occasional setting up of judicial panels of inquiry which often lack the requisite political will to implement the recommendations (Onuoha 2010). These approaches characterised the Maitatsine state response; as government relaxed with some air of accomplishment and conquest, after quelling the riots in the 1980s. Consequently, the complete absence of a post-Maitatsine engagement, such as the rehabilitation of combatants or de-radicalisation programmes for the remnants of its cadres, led to the gradual but sustained incubation of its trace elements into more organised radical mass groups. The current Boko Haram movement is, therefore, unconnected with the

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leftovers of the Maitatsine sectarian tendency that was violently repressed in the 80s by the Nigerian state.

The constitution of commissions of enquiry to investigate causes of religious and other forms of violence has become a cliché in Nigeria. Oftentimes, the white papers are produced but never acted upon. Although some commentators have argued that the inherent reticence of the Nigerian state to implement the recommendations is a result of the politicisation of religion and lack of political will (Onuoha 2010), the situation is not that simplistic. Like transitional justice, the state is often in a dilemma of choosing between the prosecution of perpetrators of religious violence and the exacerbation, or even perpetuation of the violence. This is because culpability in such circumstances transcends the visible foot-soldiers overtly engaged in the mayhem. In most cases, the logistics and strategic planning behind these religious disturbances are provided by high profile individuals and groups, who may be state functionaries in the public service, the armed forces, the intelligentsia or the business community. A decision to prosecute such individuals may, therefore, end up reinforcing the entire conflict; hence no white paper on religious violence has ever been acted upon by government. On the other hand, retaliatory violence only breeds further violence. The counter-violence that has trailed the repressive state responses to the current Jos and Maiduguri religious disturbances justifies this assertion.

This state of affairs, therefore, requires a long-term comprehensive strategy that will address the causes of religious violence and evolve a consensual approach to its implementation. It is admitted that some of the causes of religious violence identified above, have been deeply entrenched in the country's constitutional, statutory and policy instruments, and therefore, attempts at reversing them would be difficult and need extreme caution. Still, a closer engagement by the leaders of the two religions and the government may forge some compromise.

Concluding recommendations

Economic development and societal wellbeing can only be achieved in an environment where multi-culturalism and multi-religiosity are guaranteed. The significant growth in human development in the Middle-Eastern states of

United Arab Emirates and Qatar, and in Malaysia, among others, eloquently testifies to this assertion. Religious diversity should not constitute a barrier to human relations and development; rather it should be a tool or resource for national development. The religious faithful in Nigeria should, therefore, realise the fact that religious tolerance and harmony are both legally sanctioned and socially inevitable, as the world can never be composed of one religion or culture. Accordingly, whereas every religious group has the right to uninhibited religious practice, this must be done with commensurate or reciprocal respect for the rights of other faithful to practise their own religious traditions; provided that such does not constitute any derogation to the right of others to observe their own rituals.

This desirable scenario of religious harmony can be achieved in Nigeria only through the establishment and sustenance of a neo-religious educational praxis that would generate a culture and orientation of multi-religiosity in our children and youth, as well as a commensurate programme of re-orientation of the adult population. Hitherto, the dominant model of religious education in Nigeria has been faith-oriented and overwhelmed by religious indoctrination and dogma. Religious education is used to get people to embrace Christianity or Islam, rather than as a process or formation for religious tolerance and dialogue. Consequently, most children and youths are educated within this framework and are thus inclined to adopting a blind faith (Nnaji no date). This religious pedagogic gives little room for inter-faith understanding and harmony; hence religious intolerance is rife even among school children. There is, therefore, the need to reform the current curriculum on religious studies – which hitherto privileged the exclusive teaching of dogmatic Christian and Islamic doctrines – to a new praxis that would build in comparative religious studies, and expose students and pupils to basic principles of Christianity, Islam and traditional religion – religious harmony and moral instructions. All religious communities must understand that there is no alternative to inter-faith dialogue, as there can never be a universal religion or an exclusive society for adherents of a particular religion.

Furthermore, all religious communities must educate their clergy on the need for religious harmony and the toleration of other faiths, while also educating

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their clergy and laity on the need to keep their sermons within the realm of moderation and modesty. There is need to strengthen inter-faith dialogue at the national, state and local levels in order to prevent future manifestations of religious violence. The Nigerian Inter-Religious Council (NIREC), together with relevant Faith-Based Organisations and Civil Society Organisations should constantly engage in dialogue with the various religious communities, while also serving as a platform for conflict analysis and early warning on religious violence.

On the part of government, there is a need for the development of a long-term strategy for the management of religious conflict/violence. First, government should convene an ad hoc 'National Summit on Religion' with the primary mandate of developing a National Policy/Strategy on Religion and the State (NPSRS). This summit should be drawn from major stakeholders, i.e. the three religious groups in the country (Christians, Muslims and Traditional Religious Practitioners) as well as state representatives. The summit could work on preliminary issues and subsequently recommend the establishment of a standing 'National Commission on Religion' (NCR) to continue a dialogue that would crystallise into the development of an NPSRS. The NPSRS would, among other things, discuss issues of secularity, thereby delineating the role of religion in state affairs and vice versa. It should also design the rules of state-religion engagement in order to establish clear, consistent and predictable standards in state-religion relations as a basis for fairness and equity in the relationship between religion and the state. It would settle issues of proselytisation (encompassing all modes and methods of preaching), mutual engagement by all religious groups (perhaps this would ensure the strengthening of NIREC), the methods, means and extent of worship (involving consensus on acceptable and unacceptable modes of worship), punishment for acts that trigger religious violence, and a comprehensive 'Religious Conflicts Early Warning System' (RCEWS) that would configure an intelligence gathering and evaluation system on religious violence, and also design the means to its timely containment through preventive dialogue.

The NPSRS should also establish a de-radicalisation programme that will gradually eliminate the ideology of terror and also conduct psychological profiling of remnants of radicalised religious cadres. This policy should also

design a strategy for the disarmament, de-radicalisation and rehabilitation (DD-RR) of religious militants who have not just been brainwashed, but have taken religious combat as a vocation. The establishment of a Saudi-type De-radicalisation Centre is recommended in this respect. Once these issues are consensually agreed on by all religious stakeholders, the delegitimisation of the drivers of religious violence by constitutional, legislative and policy reforms would become an easy endeavour. This is because there would be an informed consensus on the religious acts or omissions that constitute criminal offences and should therefore be prohibited by all religious groups.

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Book review

Mediation in political conflicts – Soft power or counter culture?

Faget, Jacques 2011

Oxford and Portland, OR, Hart Publishing, 211 pages

ISBN: 978-1-84946-078-12

*Reviewed by Leonard Suransky**

This book is essential reading for mediators employing alternative, non-conventional approaches in pursuit of peace, and containing conflict in our contracting global village. Its contributions range from historical initiatives by the likes of Pope Alexander VII in the 30 Years War, to mediators of some of the most intransigent modern geopolitical problems of our time in Africa, Central America and Northern Ireland.

Professor Jacques Faget, researcher and legal expert, aims to transcend the Realist, Western-biased, state-centred politics of a bygone age. He sets out to explore the effectiveness of a new 'soft power' mediation culture to solve global

* Dr Leonard Suransky has taught at several universities and institutions, including the University of Durban-Westville, Durban, and Webster University, Leiden and St. Louis. He is an international political development analyst and a curriculum specialist. He is the co-founder and main game designer of the Pax Ludens Foundation.

problems. He and his colleagues are declaring that their new paradigm is better placed to mediate the complex international challenges of our new century than traditional diplomatic or power politics.

Why soft power? Simply because these mediator practitioners enter the fray un-armed! The tools of their trade are persuasion rather than coercion, and expert knowledge of the conflict, to present the warring protagonists with innovative options, and with the authority of (mediator) experience and charisma, rather than economic or political fire-power.

Nevertheless Faget is very conscious that his soft mediation power may be no more than an ethnocentric wolf dressed in sheep's clothing, and he raises the question of whether this new mediation fad may only be another 'Western' cultural imposition. He quotes Hareide on the numerous Norwegian mediation initiatives, claiming that:

... the old missionaries preached God and salvation, the new missionaries preach peace and democracy. The old stayed for a long time with low pay and learnt the local languages. The young travel back and forth, have a high pay and speak English. What is similar is a well-developed sense for the macro theories about Good versus Evil ... Both have a gospel, even if they do not like to admit it, that someone from the West will save the Rest of the planet (Dag Hareide, Peace mediator – the new Norwegian missionary? 2003:19. Article published by the Norwegian Forum for Mediation and Conflict Management).

On the more positive side he suggests that international political mediation may be developing a 'new international code of ethics'. It encourages respect for the human rights and the autonomy of the 'other,' as an essential pre-requisite to building a participative, democratic outcome. The mediators must steep themselves in the cultural context they are tackling, and must also draw on local peacemaking wisdom and resources, a far cry from traditional negotiation. Then their more difficult task is to transmit their insights into the vying parties' consciousnesses. These methods aim to develop an understanding and appreciation of what it means to walk in the shoes of the 'other'. It enables the

contesting parties to air their frustrations and their sense of injustice or inequity to each other, as a precursor to seeking new common ground.

The contributors to the book are fully cognizant that the high politics of Realism is not about to evaporate, and that it must be treated with appropriate respect. Given this, Faget suggests that his two starting hypotheses are tested and somewhat validated by the ten articles in the book. He claims that:

1. Mediation initiatives and state strategies must complement one another.
2. And that the mediation initiatives from below may in time '*lead to blurring the frontiers between state and non-state actors...and the emergence of...a [viable] "industry" of democratic promotion*' (p. 198). He envisages a different order which acknowledges that '*legitimacy cannot be built on the sheer use of force*'.

This presages the emergence of a cadre of mediators, who are expert in different cultural contexts, and are independent from the ruling power mongers. They would bring their soft instruments to bear on complex conflicts with considerable success, instruments genuinely different from the traditional paternalistic, authoritarian, and arm-twisting diplomacy of yore.

I will now refer to two of the six case studies.

In chapter 8, Aurelien Colson and Alain Pekar Lempereur deal with their experiences of mediation in Burundi and the Democratic Republic of the Congo, two central African states which have seen perhaps the most unspeakable violence in recent African times. Their work resonates beautifully with the *imbizo* culture of South Africa. They talk about how their task was 'to reconcile the irreconcilable'. This is not so unlike the first South African meetings in Dakar on the road to the negotiated Codesa settlement. Those first meetings took place between enemies with flashing eyes and racing hearts, and were meetings filled with apprehension, mistrust and even hatred. Of course, it is the name of the game that representatives at the beginning of negotiations are radically opposed to each other.

The mediator's task is to get each side to have their say about their deeply felt grievances and pain, and to listen (properly) to each other. The potential for interdependence of such a dialogue creates a new platform for a 'shared experience ... a shared reference point for the future ... between former enemies' (p. 167). If this can be achieved, then during the actual negotiations, a reconciliation process should be started to enable the former antagonists to plan *together* for a joint future. They quote Uri Savir, an Israeli Oslo Accord negotiator with the Palestinians, who warns that 'in reconciliation, some will see an opportunity for salvation, others for capitulation'. This imbalance is to be avoided at all costs.

Most importantly, Colson and Lempereur's reconciliation effort demands that ALL stakeholders must be a party to the negotiations. This includes even the most radical rejectionist groups, failing which a settlement may not hold. Inclusivity would involve women, professional groups, geographic as well as ethnic representatives, older as well as younger generations of leaders, and the full spectrum of opinion groups. This is the only way to ensure a credible process.

In chapter 9, Monika M. Sommer deals with the massacre of hundreds of Anywaa men in Gambella town in Ethiopia on the border of South Sudan. Her research underlines the enormous complexity of mediation, given its openness to requiring practitioners to steep themselves in indigenous cultural realities. She discovered that there were eight different ethnic groups in the vicinity of the conflict. Each actually had their own traditional processes for dealing with conflicts, often involving final ceremonies in which animals were sacrificed. Equally common were settlement penalties ranging from fines to the death penalty, and public processes which served to educate the community to prevent future conflicts or violence. Most of this happens outside of the formal state judicial structures, although sometimes there is a hybrid process.

I will mention two ceremonies to capture this micro specific research in a small obscure corner of Africa. The Anywaa ethnic group, when faced with a murder, set up a committee to establish the 'truth' about what actually happened. The goal is to reach consensus, consensus being an almost universal African cultural imperative to settle conflicts. In the more individualistic 'Western'

modalities consensus is not at all a natural part of our 'toolbox'. Africa has something to teach the 'West' here.

Once a widely accepted resolution is reached, a ceremony is held where an animal is sacrificed (biblical connotations), and a spear is blunted and bent! Not so dissimilarly the Haddiya community organise a ceremonial feast, but here the antagonists must walk through the blood of the sacrificed animal, and a money penalty is levied. All this must be done publicly to educate others in the community.

The Tigray and the Nuer add another powerful antidote to the resumption of atrocities, requiring intermarriage to secure a settlement. This peace-ensuring joining of families is not so distant from our 'civilised' ways, and is still a practice of European royalty and other world cultures. The intermarriage of significant individuals could be used to seal a deal between the vying tribes in our supposedly more 'modern' societies, such as the Protestant and Republican Catholic Northern Irish; Greek and Turkish Cypriots; and even Israeli Jews and Palestinians, if only their churches would allow them to step over each other's lintels!

This slim but very useful collection of essays has countless nuggets of wisdom for practitioners of mediation to end war and violence on our shrinking planet. It presents us with an alternative, more peaceful scenario coming from the constructivist, pluralist school of international relations theory. Unlike their more militant and security conscious counterparts, they hold that international civil society, and ordinary individual citizens, can at least supplement more traditional peacemaking efforts, and could become the modern casters of swords into ploughshares.



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ACCORD House • 2 Golf Course Drive • Mount Edgecombe 4300 • RSA
Private Bag X018 • Umhlanga Rocks 4320 • South Africa

Tel +27 (0)31 502 3908 Fax +27 (0)31 502 4160
email info@accord.org.za Website <http://www.accord.org.za>