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At Issue ezine

Vol. 14 (January - April 2012)

GOVERNANCE AND ETHNICITY IN AFRICA

Young South Sudanese celebrate on the eve of their country's independence.
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No. 4 - April 2012
Kenya: Ethnic Agendas and Patronage Impede the Formation of a Coherent Kenyan Identity

By Timothy Gachanga It is clear that much healing is still required to address the deep trauma caused by injustice, ethnic violence and forced displacement in the wake of Kenya's disputed 2007 general elections. Timothy Gachanga here traces the roots of this trauma in a perceptive analysis of decades of corrupt, ethno-centric governance and patronage. He also identifies three encouraging processes of change—since the searing experiences of the last elections—towards greater democracy and unity.

No. 3 - March 2012
Ethno-Regionalism and the Governance Challenge in Africa:
Lessons (Again!) from Ivory Coast

By Teke Ngomba Once the "poster child" for successful development, Côte d'Ivoire is now seen as an example of what to avoid, a lesson on how not to do things. Among the numerous causes of this country's recent conflicts, Teke Ngomba finds the instrumentalization of ethnicity and regionalism by different political elites to be at the very centre. While the involvement of the International Criminal Court, the creation of the Dialogue, Truth and Reconciliation Commission, and other measures can provide a way forward for Côte d'Ivoire—and, by example, for other countries—in this writer's assessment, it will not happen without real political will and a commitment to real justice.

No. 2 - February 2012
Governance and the Prospects of Unity and Equality in Nigeria

By Ukoha Ukiwo No one can deny the tremendous potential of Nigeria, with its very large population, great oil wealth and rich diversity. Yet, wracked by ethnic and religious conflict, rampant corruption, and ruthless competition for power, it has had a tumultuous history thus far, and has become one of the most challenging countries in Africa to govern. In this article, Ukoha Ukiwo provides real insight into the prospects for unity and equality under the Fourth Republic. Though created through a "forced marriage" almost 100 years ago, the partners that make up this great federation are still together after 50 years of independence. The potential is still there.

No. 1 - January 2012
South Sudan: A Beacon of Hope?

By Wendy Gichuru In 2011, Africa's largest country, the Republic of Sudan, was divided into two sovereign states—Sudan and South Sudan. This marks the first time since the colonial era that state partition as a resolution to deep-rooted conflict has been tried. Although the creation of South Sudan was achieved with overwhelming popular support in a referendum, it nevertheless sets a precedent, raising many questions regarding the new country's own future as well as that of other African states. With the benefit of recent, first-hand exposure, Wendy Gichuru here considers the challenges of ethnicity and governance in the new Republic of South Sudan.

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by Timothy Gachanga

Introduction

Election fever grips youth hanging on to a vehicle in Nairobi during the 2007 campaign: later hundreds were killed and thousands displaced.
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Kenya is a nation in mourning. In December 2007 and into 2008, the country experienced unprecedented ethnic violence that erupted after the disputed general election. The elections sparked chaos that escalated into ethnic violence pitting supporters of incumbent President Mwai Kibaki (a Kikuyu), against those of challenger Raila Odinga (a Luo), who was later named prime minister in a power-sharing agreement. Over 1,800 people lost their lives and more than 340,000 were displaced from their homes. The violence not only shattered the foundations of Kenya as a nation but also painted a picture of a country severely fractured by ethnic cleavages. Many scholars (Lotte 2011; Branch et al. 2010; Otieno 2009) and journalists have tried to explain how we arrived at this low point in our history. They conclude that the crisis revealed a fundamental failure of the nation-building project in Kenya. While Kenya had been perceived as a strong democratizing country, its institutions of governance remained in fact weak, fragmented, corrupt, and unable to deal with underlying causes of conflict and the emerging violence. Successive Kenyan regimes politicized and "ethnicized" state institutions and used the various offices as political tools for maintaining a system of ethnic patronage. The corruption at the highest level of governance created a political, economic, and social barrier between the citizens and their rulers. As a consequence, a profound level of distrust and fear exist between some of the 42 ethnic groups that make up the Kenyan population. Many citizens are therefore deeply ignorant of one another's histories and cultures, and have erected imaginary walls between ethnic communities, failing to appreciate the shared histories, narratives, memories, cultural practices and values that unite them.

Ethnic agendas

Kenya attained independence in 1963 from the British government and Jomo Kenyatta, a Kikuyu, became the first president of Kenya. Kenyatta inherited a colonial legacy of authoritarianism and ethnic divisions which he and his successor Daniel arap Moi maintained and perfected. As many scholars (Elkins 2008; Berman 1998) have noted, the British government had instituted legislative measures that ensured that Kenyans would not unite and rebel against the colonialists. The short-lived Luo-Kikuyu alliance in the late 1950s attests to this. It hastened Britain's retreat from Kenya and forced the release of Kenyatta from a colonial detention camp. But three years after independence in 1963, the Luo-Kikuyu alliance fell apart and Kenyatta and his Kikuyu elite took over the state. The Kikuyu then enjoyed many of the country's spoils throughout Kenyatta's reign. A similar alliance in 2002, led to the defeat of the dictatorial Moi regime.

Ethnic cleavages were also manifested in the struggle for independence ... The political parties that championed the nationalist struggle were basically distinct "ethnic unions".

Ethnic cleavages were also manifested in the struggle for independence. The struggle, which took various forms—intellectual, political, trade unionist, active non-violence and armed struggle—was marked by ethnic activism (Atieno-Odhiambo 1996). The political parties that championed the nationalist struggle were basically distinct "ethnic unions". The most consistent movement was the Kikuyu Central Association (KCA) which had set its agenda in the 1924–1932 period (Atieno-Odhiambo 1966). This was a period ridden with culture conflicts, political tensions and strenuous socio-economic upheavals. In 1920, for instance, the country had officially become a British colony and Kenyans had started experiencing the effects of colonialism, which included land alienation, forced labour requirements, carrying of *kipande* (identity documents), paying taxes and cultural impositions. At the same time the KCA started organizing the disaffected Kikuyu and administered oaths so as to galvanize their unity. The entire community became dissatisfied with the colonial regime and saw the birth of many anti-mission and anti-government movements that focused on liberating the country from their colonial

masters. This was given impetus by the return of soldiers from World War One who told the people what violence meant (Gachanga 2010).

The KCA agenda for recruitment at that time was articulated around the twin issues of ancestral land and continued validation of a historic sense of Kikuyu nationhood. Jomo Kenyatta embraced this agenda and internationalized it. When he became the president in 1963, he embarked on implementing the content of his Kenyan nationalism which was dedicated to his people the Kikuyu. His awareness and knowledge of rural Kenya was limited to those areas where the Kikuyu lived (Atieno-Odhiambo 1996).

The Land Issue

On the eve of independence, Kenyans had great expectations that poverty, illiteracy and disease would be things of the past. They also hoped that the land would revert back to them and that there would be greater cohesion and integration. This was never to be. On the contrary, Kenyatta used ethnic patronage to maintain power and to distribute resources. He blatantly showed bias in

Statue of Kenya's first president, Mzee Jomo Kenyatta: a version of Kenyan nationalism dedicated to his own ethnic group.
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the distribution of land by favouring Kikuyus at the expense of other ethnic groups. He also appointed members of his own ethnic group to key government positions and excluded other communities. For instance, 31 percent of all the permanent secretaries were from his Kikuyu community. There was no Kalenjin PS during this time, not to mention many of the other smaller ethnic groups. Most of the directors of the many financial institutions were Kikuyu. This created a highly ethnically imbalanced society.

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On the issue of land, subsequent hopes that the land would revert back to the Africans were never fully realized. Under the independence agreement with Britain, the Kenya government was to buy the land from the settlers. The British government advanced a loan to Kenya to facilitate this purchase. This in turn meant that there was no free land for distribution. The price-tag made land very scarce and the majority of landless people were unable to raise even the basic sum needed as a down payment for the purchase of "their land". They had no option other than to let go of the land which they regarded as their mother or the umbilical cord through which their spiritual and mental contentment could be realized (Harold 1984; Gachanga 2006). The largest beneficiaries of this land distribution programme, however, were the Kikuyu and their allies, i.e. the Embu and Meru. The Kikuyu with their allies quickly formed land buying companies and cooperatives with the blessing of Mzee Jomo Kenyatta. They were also given preferential treatment in the award of loans for buying land. As a consequence, Kikuyus bought much of the land even in non-Kikuyu regions. This resulted in Kikuyu families holding land in the midst of other ethnic groups, especially in the Rift Valley, the main region of turmoil in every election that Kenya has seen since a multiparty system was introduced in 1992. Land-tenure therefore became a factor of ethnicity and this created a sense of animosity between the Kikuyu and "original" occupants of the land in these areas.

One of the strongest critics of Kenyatta's style of governance was Jaramogi Oginga Odinga, a Luo leader and the then Vice President of Kenya and the ruling party, the Kenya African National Union (KANU). Odinga wanted to nationalize foreign-owned corporations, to seize settler farms in the former "white highlands" without compensation, and for Kenya to follow a non-aligned foreign policy (Throup 1993), in contrast to Kenyatta, who sought to reassure European settlers, telling them they were welcome to stay and farm, without fear of the bogeyman and that his government would protect them (Lotte 2011). Their ideological differences took an ethnic turn and became a struggle for domination between the Kikuyu and the Luo. Odinga was seen as a threat to Kenyatta's government and had to be removed. In 1966, he was maneuvered out of his post and sidelined. He responded by forming his own political party—the Kenya Peoples Union (KPU). Shortly after, in 1969, Tom Mboya, a Luo leader and key trade unionist, was assassinated. A few months later Argwings Kodhek, another prominent Luo politician, was also assassinated. Other nationalist leaders who are believed to

Farming in the highlands near Mount Kenya: ethnicity became a major factor in the distribution and purchase of land and access to credit.

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have been assassinated by the government included Pio Gama Pinto and J.M. Kariuki who were viewed as threats to the regime and potential contenders for political power. Those who refused to support the status quo experienced various types of repression and even detention without trial. At the same time, individual members of the opposition were weaned back to the fold through appointments to government positions and allocations of land as well as the provision of other perks.

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Three months later in 1969, ethnic animosity between the Kikuyu and Luo was manifested when Kenyatta visited Kisumu to officially open the New Nyanza Provincial Hospital. The town residents went into an anti-Kenyatta frenzy, pelting the presidential motorcade with stones after a public quarrel between Kenyatta and Odinga at the opening ceremony. Kenyatta's security responded by firing on the crowd killing hundreds of people in what is referred to as the "Kisumu massacre". Odinga was imprisoned and his party was banned, effectively introducing the single party state (Oloo 2011). The government accused the KPU of being subversive, intentionally stirring up inter-ethnic strife, and accepting foreign money to promote anti-national activities. According to Korwa and Munyae (2001), Moi explained that the KPU leaders were detained because "any government worth its salt must put the preservation of public security above the convenience of a handful of persons who are doing their utmost to undermine it." Following these incidents, Nyanza Province, like other non-Kikuyu areas, was virtually written off with regard to "national" development plans. This heightened ethnic animosity between the Kikuyu and the Luo.

By 1978, when President Kenyatta died, the Kikuyu had amassed a lot of wealth, far more than all other ethnic groups put together. They had bought the bulk of the so-called "white highlands" and were the main beneficiaries of the government's settlement plan for the landless, at no cost or at minimal rates. They thus expanded their land ownership and settlement beyond their traditional home—Central Province—into the Rift Valley Province, and into the Coast Province, apart from their widespread networks in urban centres within Kenya. They also enjoyed good modern roads, abundant school and education facilities, expanded health services, piped water, electricity and other forms of infrastructure. They visibly outdistanced other ethnic groups at a pace that posed immediate political risks to their newly acquired positions in government structures. The Kikuyu regions were envied by other ethnic groups. It was perceived as unfair and heighted ethnic hatred between the Kikuyu and other communities.

A One-Party State

Kenyatta was succeeded in 1978 by Daniel arap Moi, who had been vice-president for ten years. Since Moi was a Kalenjin, this marked a new era in which political and economic power shifted to the Kalenjin. Moi's first move was to centralize and personalize power. This he did by amending Section 2(a) of the Constitution which transformed the country in to a single party state. He then reinstated the detention laws that had been suspended since 1978. This was followed by withdrawal of the parliamentary privilege that gave representatives the right to obtain information from the

Office of the President. It meant that members of parliament, and by extension their constituents, surrendered their constitutional rights to the president. Parliamentary supremacy became subordinate to the president and the ruling KANU party (Korwa and Munyae 2001).

Having taken control of power, President Moi started restructuring Kenya's political economy by diverting resources and patronage from the Kikuyu to his own ethnic group in Rift Valley and to his political allies, the Abaluhya of Western Kenya and various groups from Coast Province. He began to "de-Kikuyunize" the civil service and the state-owned enterprises previously dominated by the Kikuyu ethnic group during Kenyatta's regime. He appointed Kalenjins to key posts in, among others, the military, the Agricultural Development Corporation (ADC), Kenya Commercial Bank (KCB), Kenya Posts and Telecommunications (KPT), Central Bank of Kenya (CBK), Kenya Industrial Estates (KIE), National Cereals and Produce Board (NCPB), and the Kenya Grain Growers Cooperative Union (KGGCU). He created Nyayo Tea Zones (NTZ), Nyayo Bus Company (NBC) and Nyayo Tea Zones Development Corporation (NTZDC) (Korwa and Munyae 2001). Road maintenance in the formerly flourishing Kikuyu areas was also abandoned. As a result business and financial institutions owned by Kikuyu inexplicably deteriorated and begun to have problems. As a consequence, their access to development was diminished.

President Moi started restructuring Kenya's political economy by diverting resources and patronage from the Kikuyu to his own ethnic group ... It became the norm to call any politician who complained of economic and political problems a "tribalist".

With the economy collapsing, disenchantment with the government among the Kikuyu intensified. Moi exploited this and it became the norm to call any politician who complained of economic and political problems a "tribalist". Politicians had no right to complain of atrocities committed in their constituencies, lest they be called tribalists and lose their jobs (Macharia-Munene 1992; Throup 1993). Detentions and political trials, torture, arbitrary arrests and police brutality reminiscent of the colonial era became common. Kenyans began advocating for political pluralism.

As demands for competitive elections and an end to detention without trial continued, Kenya's Foreign Affairs Minister, Dr. Robert Ouko, was assassinated in February 1990. Demands to reveal his real murderers amplified those for pluralism and respect for human rights. To save his regime from collapse, Moi adopted even greater authoritarian tactics, arguing on a number of occasions that multipartism would cause chaos in the country because Kenya was not "cohesive enough". This heightened ethnic hatred between the Kalenjin and other communities in Kenya (Korwa and Munyae 2001).

President Daniel arap Moi greets UN Secretary-General Boutros Boutros-Ghali at State House, Nairobi: widespread disillusionment over abuses of power and pressure to embrace pluralism.
© UN Photo/Milton Grant

By early 1990 disillusionment with the Moi government was widespread. This was exacerbated by increasing pressure from the international community for Kenya to embrace political pluralism. Moi reluctantly gave in to the pressure amidst a warning that a multiparty system was not suitable for Kenya. In December 1991, Section 2(a) of the constitution which banned multipartism was repealed and multiparty politics were re-introduced. This created new opportunities for ethnic "power barons" to profile themselves as defenders of their ethnic groups. It also led to ethnic suspicions, hostility and witch-hunting which culminated in massacres, destruction of property, socio-economic uncertainties and insecurity. In addition, it generated a vicious struggle for political power, capital accumulation and unseen cutthroat rivalry for domination and control of strategic resources across the nation (Osamba 2001, 39).

Multipartism and ethnic violence

On 29 December 1992, the first multiparty elections (both presidential and parliamentary) since 1966 were held. To prove that a multiparty system was not fit for Kenya, the KANU government went as far as instigating ethnic violence in the Rift Valley which spread to other districts within a few days. The government also hired militia

groups to instigate violence and attack opposition groups. This was repeated in the 1997 general elections. According to Osamba (2001), the motives for the violence were three fold: to prove the government's often stated assertion that political pluralism was synonymous with ethnic chaos, to terrorize ethnic groups allegedly supporting the opposition, and to intimidate non-indigenous people to vacate Rift Valley. Under this ethnic cleansing policy, the province was supposed to be the preserve of the Kalenjin, Maasai, Turkana and Samburu (KAMATUSA).

In 2002, Mwai Kibaki (a Kikuyu) became the president after defeating Uhuru Kenyatta, Jomo Kenyatta's son and Moi's chosen successor in KANU. He succeeded after joining forces with Raila Odinga (a Luo) and forming the National Rainbow Coalition (NARC). This was heralded as a great milestone in the democratization process for Kenya. His government introduced free primary school education, making education accessible to all Kenyan children. School enrolment levels also increased greatly and senior citizens even got an opportunity to enroll to increase their literacy. Mzee Maruge was one of Kenya's seniors to begin primary school at the age of 84, becoming the oldest person to begin primary school, according to the Guinness World Records. Kibaki's government also started providing free drugs for treatment and management of HIV/AIDS and tuberculosis (TB). It has also improved the standard of health services in all public hospitals. Kenya's economic growth rose from less than one percent in 2002 to 6.1 percent in 2006. Efforts were also made to revive many local public industries that had collapsed or were on the verge of collapsing. Many rural areas were also supplied with electricity. The introduction of devolved funds, such as the constituency development funds (CDF) and local authority transfer funds (LATF), led to improved rural road infrastructure and better social services. The government has also worked to provide clean piped water to many rural areas. Kenyans also enjoyed unprecedented freedoms of speech and assembly.

However, squabbles over power and the rise of an ethnic chauvinist clique around Kibaki isolated Odinga, who never rose above the post of cabinet minister during Kibaki's reign. This slight helped push him into the opposition, and he quickly drew his supporters to the cause. The fallout from the failed power-sharing government was acrimonious. Leaders on both sides reverted to base ethnic stereotyping as the political row developed. This went on up to the 2007 general elections.

Orange Democratic Movement (ODM) leader Raila Odinga (later Prime Minister) addresses a mass protest in Nairobi in 2006: political opposition and ethnic stereotyping after failed power-sharing.
© Felix Masi, Courtesy of Photoshare

As the campaign heated up for the 2007 presidential and parliamentary elections in Kenya, animosity persisted and ethnic slurs and hate speeches intensified. Kikuyu politicians who supported Kibaki ran on his record of economic growth, provision of free primary and secondary education for all and reform. They consolidated their base on a platform of continued reform but also appealed to Kikuyu nationalism. They portrayed Odinga as a dangerous man, playing on the fear of the unknown. They argued that Odinga had been involved in a failed coup in 1982 and alleged that he had communist leanings because he had studied in Eastern Europe. In addition, they drew on the negative cultural stereotype that Luos are irrational and impulsive. They also claimed that Odinga would take revenge on certain ethnic groups if elected.

As the campaign heated up for the 2007 elections in Kenya ... ethnic slurs and hate speeches intensified. Kikuyu politicians ... appealed to Kikuyu nationalism ... For their part, some opposition politicians both openly and covertly stoked ethnic hatred against the Kikuyu.

For their part, some opposition politicians both openly and covertly stoked ethnic hatred against the Kikuyu, citing the political behavior of Kibaki and his clique as arrogant and greedy. Odinga explicitly challenged the balance of power between the country's ethnic groups. As a member of the Luo tribe, he charged that the Kikuyus, whose members include both Mr. Kibaki and the country's founder, Jomo Kenyatta, have long gotten more than their fair share of government benefits. He promised to end ethnic favoritism and spread the country's wealth more equitably. These actions degenerated into the 2007–2008 ethnic clashes whereby members of President Kibaki's Kikuyu community were targeted following the announcement of his victory.

Hope out of violence

Kenya can succeed in forming a coherent Kenyan identity. The post-election violence generated some positive change as well as processes that can facilitate such change. First, it led to a negotiated power-sharing deal that was signed in March 2008. It included the appointment of a President and a Prime Minister from the two main parties that had been in contention and involved in the post-election violence. The agreement was designed to create an environment enabling Kenya's political leaders to look beyond partisan considerations to the greater interests of the nation, and so far it has contributed to some degree of stability. On one hand, it led to the cessation of most inter-communal violence and to greater peace in Kenya. Many, though not all, of the people displaced by the post-election clashes have been able to return home. On the other hand, the two principals, the President and the Prime Minister, have projected the image of a "unified executive" and have helped to create conditions conducive for a more coherent Kenyan identity.

Peace graffiti adorns a water tank in the Kibera slum of Nairobi after violence erupted in the wake of the last general elections: consciousness-raising and some positive change.
© David Snyder, Courtesy of Photoshare

Secondly, the post-election violence heightened Kenyans' consciousness of the need to deal with historical issues and injustices. This led to importing national reconciliation as a strategy for governance. A Truth, Justice, and Reconciliation Commission (TJRC) was instituted in 2009 to address historical injustices and the culture of impunity in Kenya.

Thirdly, it increased momentum for reviewing and renewing the country's Constitution, which Kenyans accepted in a landmark referendum on 4 August 2010. To begin with, the new Constitution exalts equity and diversity, including cultural diversity. It also provides for a broadly popular President who must have an absolute majority of votes cast and at least 25 percent of the votes cast in more than half of the 47 counties. And it provides checks and balances over key public appointments which cease to be the exclusive prerogative of the President. On the issue of land, the new Constitution establishes the Kenya Land Commission which is supposed to investigate present or historical land injustices and recommend redress. Under the Bill of Rights, it provides for equality and freedom from discrimination. In addition, it guarantees the basic economic and social rights of all, while encouraging respect for diversity and fostering a sense of belonging. It also obliges the state to provide for the representation of minorities and marginalized groups in governance, and to provide access to employment and special opportunities in educational and economic fields. Finally, on the issue of elections, the new Constitution overhauled the electoral system and provides for a new electoral body—the Independent Electoral and Boundaries Commission (IEBC). Unlike the former Electoral Commission of Kenya (ECK), the IEBC has built-in safeguards to help insulate commissioners from political manipulation.

The post-election violence generated some positive change ... Kenyans are hoping for peace.

As another general election approaches in less than a year, Kenyans are hoping for peace. This election will be a kind of a referendum. It will be time to choose between the rule of law and impunity, between reform and a reversal of recent gains, between order and anarchy. One positive sign is that the new Constitution has evidently empowered Kenyans, and it will not be possible to ignore the document's key provisions. Another positive sign is that people are becoming more tolerant as far as political differences are concerned. This should be encouraged. Kenyans must start looking at each other as brothers and sisters sharing the same resources but having different political preferences when elections are called. And such differences must not be allowed to lead to violent conflict.

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Ethno-Regionalism and the Governance Challenge in Africa: Lessons (Again!) from Ivory Coast

by Teke Ngomba

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In the early hours of Wednesday, 30 November 2011, Laurent Koudou Gbagbo, erstwhile president of Ivory Coast, was locked up inside a cell at the International Criminal Court (ICC) in The Hague. He was flown to The Hague from Korhogo, a town in northern Ivory Coast, where he had been in detention since April 2011—after he was forced to stop clinging to power following fiercely disputed presidential elections. According to a statement issued on 30 November 2011 by the Office of the ICC Prosecutor, Laurent Gbagbo, "presumed innocent until proven guilty," was brought to the ICC to "account for his individual responsibility in the attacks against civilians committed by forces acting on his behalf." Laurent Gbagbo, according to the ICC, allegedly bears "individual criminal responsibility" as "indirect co-perpetrator" of four counts of crimes against humanity: "murder; rape and other sexual violence; persecution; and other inhuman acts" committed in the context of post-electoral violence in Ivory Coast between 16 December 2010 and 12 April 2011. With his transfer to and detention in The Hague, Laurent Gbagbo has become the first elected former head of state to face trial at the ICC. With his trial, according to the 30 November statement from the Office of the ICC Prosecutor, there will be assurance that "Ivorian victims will see justice for massive crimes" committed during the post-electoral violence. Human Rights Watch has also contended that the transfer of Laurent Gbagbo to the ICC constitutes a "major step toward ensuring justice" in Ivory Coast. Elise Keppler, a senior international

Forced to stop clinging to power: former Ivorian President Gbagbo appears before the ICC at The Hague.
© UN Photo/ICC/AP Pool/Peter Dejong

justice counsel at Human Rights Watch hailed Gbagbo's transfer to The Hague as a "big day" for the victims in Ivory Coast's "horrific post-election violence" and said his trial by the ICC "sends a strong message to Ivorian political and military leaders that no one should be above the law."

While Gbagbo's transfer to The Hague is being hailed by international human rights groups, there are fears expressed that the move might re-open what Patrick Meehan (2011) has termed "ill-healed wounds" in Ivory Coast. The country is yet to fully heal from the effects of more than a decade of serious political stalemate and armed conflict which culminated in the 2010–2011 post-election violence that left an estimated 3,000 people dead and more than 500,000 displaced. This particular violence was the "most serious humanitarian and human rights crisis" in Ivory Coast since 2002 (Amnesty International 2011, 8) and, according to Human Rights Watch, it "capped decades of human rights violations and impunity" in Ivory Coast.

The country is yet to fully heal from the effects of more than a decade of serious political stalemate and armed conflict ... (including) more than 500,000 displaced.

Whatever the interpretations given to Gbagbo's transfer to and subsequent trial in The Hague, the move clearly marks a significantly new development in the unfolding story of post-1990 Ivory Coast. This story has been marked by political and armed conflicts which have "old and wide-reaching roots" (Kohler 2003, 45). The causes of the political stalemate which Ivory Coast is currently struggling to overcome are indeed multidimensional. These causes include, but are not limited to, the country's colonial past and its relations with its former colonial master, France; the lack of strong institutions; the nature of the country's economic structure and state-society relations; the patterns of the distribution and exercise of political power since 1960; and the effects of Bretton Woods-imposed structural adjustment programmes in worsening the precariousness of the socio-economic life of Ivorians (for a detailed discussion of these and other causes of the stalemate in Ivory Coast, see for instance Amnesty International 2011, 13–14; Bovcon 2009, 2; Cornwell 2000, 86; Human Rights Watch 2011, 120; and Toungara 2001, 64).

The plethora of causes for the Ivorian political stalemate notwithstanding, one somber characteristic of the Ivorian crisis on which almost all scholars agree is that, since the early 1990s in particular, a central factor that has triggered political and armed crises in Ivory Coast has been the political instrumentalization of ethnicity and regionalism by different political elites. This instrumentalization has been both a cause and a factor in the direction of the conflict in post-1990 Ivory Coast.

Ethnicity and regionalism triggering armed crises: an Ivorian stands ready with his AK-47.
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Ethno-Regional Causes of the Ivorian Conflict

Like most, if not all, countries in sub-Saharan Africa, Ivory Coast is a multiethnic and multi-religious country. With a predominantly Muslim population in the north and Christian population in the South, Ivory Coast has over 60 different ethnic groups which are "classified into five cultural clusters": Akan, Krou, Northern Mandé, Southern Mandé and Gur (Bah 2010, 601; see also Bassett 2011, 476; Chirot 2006, 66; Kohler 2003, 25; and Toungara 2001, 66).

Since the death of Ivory Coast's first president, Felix Houphouet-Boigny, in 1993, members of the main ethnic elites who have contested the leadership of the country (Henri Konan Bédié, Alassane Ouattara, Laurent Gbagbo and General Robert Guei)

have all tended to "play the ethnic card" in their efforts to mobilize support and, in the process, the country's "underlying ethnic and religious heterogeneity became a major site of political contestation" (Meehan 2011; see Kirwin 2006, 44; and also Marshall-Fratani 2006, 9).

Members of the main ethnic elites ... have all tended to "play the ethnic card" in their efforts to mobilize support.

This contestation reached epic levels when, in the 1990s, some intellectuals close to Henri Konan Bédié, who had succeeded Felix Houphouet-Boigny as president, developed the concept of *Ivoirité* . Literally meaning "Ivorianness," *Ivoirité* became the "major political discourse of the 1990s" positing contentiously that the country's problems are rooted in decades of "excessive immigration" and its attendant consequences on the "pollution of true Ivorian identity" (Meehan 2011).

As an "ultra-nationalist discourse that defined what it meant to be an Ivorian," *Ivoirité* was subsequently used by Bédié, Guei and Gbagbo to marginalize northern Ivorians and accuse immigrants of "trying to control the economy" (Human Rights Watch 2011, 17; see also Bah 2010, 602; and Klass 2008, 117). As this xenophobic *Ivoirité* discourse became conflated with patriotism (Ngomba 2004), the result was the systematic discrimination against northerners and migrants and the controversial disenfranchisement of several northerners—and prominent among them was Alassane Ouattara, a former prime minister (currently president) who had been barred from contesting presidential elections on grounds that he was not Ivorian.

Like Bédié and Guei before him, Gbagbo, as president, showed "systematic favoritism" to ethnic groups in the south ensuring that these groups got preferential positioning in the political system, the economy and army, while northern ethnic groups experienced "growing political exclusion to add to the socio-economic inequality" they were already suffering from (Meehan 2011; see also Human Rights Watch 2011, 5). Such blatant ethno-regional favoritism dismantled the "carefully crafted ethnic balancing act" which Houphouet-Boigny instituted (Toungara 2001, 64), notably his logic of ensuring the "proportional representation" of different ethno-regional groups in the country's main administrative divisions (Boone 2007, 70; see also Human Rights Watch 2011, 16).

Such discriminatory moves "further aggravated the north-south divisions in the country" and led to "disgruntled elements in the army, predominantly of northern composition, to attempt an unsuccessful coup in 2001" (Ogwang 2011, 5; see also Bah 2010, 603). As we now know, this was a further trigger to the events leading up to the 2010–2011 post-election violence.

"Deep-seated cleavages revolving around ethnicity, nationality and religion" ... were encapsulated in the xenophobic *Ivoirité* discourse.

So, looked at through this ethno-regional prism, the conflict in Ivory Coast can be seen as a "by-product of deep-seated cleavages revolving around ethnicity, nationality and religion" (Ogwang 2011, 1). These "cleavages" were encapsulated in the xenophobic *Ivoirité* discourse. The periodic repetition of this discourse by some media "close to those in power over the last 15 years" (Amnesty International 2011, 13) merely further infused and heightened a "divisive form of ethnicity into Ivorian politics"—a divisiveness which "inadvertently sowed the seeds of war" (Bah 2010, 602).

Post-Election Violence

After Alassane Ouattara was proclaimed winner of the 2010 presidential elections, the incumbent president, Laurent Gbagbo, refused to cede his place and what ensued was six months of intense armed conflict that only ended when Gbagbo was captured by pro-Ouattara forces and forced to leave power in April 2011. Since the genesis of the 2010–2011 post-election violence could arguably be traced to the ethno-regional tensions discussed above, although horrific, it was not entirely surprising that the course of the six months' violence took an ethno-regional and religious bent.

According to the ICC, the attacks in Ivory Coast, for which Gbagbo is now being held to account, were "widespread and systematic; were committed over an extended period of time and over large geographic areas and followed a similar pattern." This pattern, according to the ICC, included attacking "specific ethnic or religious communities." Several human rights groups have also indicated the same.

Six months of violence took an ethno-regional and
religious bent: forces loyal to former Ivorian
President Laurent Gbagbo set fire to roadside
shops in Abidjan.

© UN Photo/Basile Zoma

The conflict, according to Human Rights
Watch (2011, 4) was "often waged along
political, ethnic and religious lines" and as
Amnesty International (2011, 37–38)
pointed out, before some victims were
killed, they were asked to "give their names
or show their identity card." For detailed
reports on the systematic ethno-regional
and religious bent of the killings in the
2010–2011 post-election violence as
allegedly carried out by both pro-Gbagbo
and pro-Ouattara forces, see for instance
Strauss (2011), Amnesty International
(2011) and Human Rights Watch (2011).

In several respects, the post-1990 crises in
Ivory Coast are reflective of the "resurgence of local identities" and "vernacular forms of
autochthonous exclusions" that has followed the reintroduction of multi-partyism in most
countries in sub-Sahara since the early 1990s (Zenker 2011, 64). As one of the latest
manifestations of this phenomenon and in the context of the continuous confirmation of
the enormous challenges of governance in sub-Saharan Africa (see for instance page
10 of the 2011 Mo Ibrahim Index of African Governance), the Ivorian crisis also forces to
the fore a reconsideration of the problematic link between ethnic diversification and
governance—understood broadly as "the manner by which government power is
exercised" especially with a focus on spheres like accountability, participation,
transparency and rule of law (McFerson 2009, 253–54).

Ethnic-fractionalization as in the case of Ivory Coast negatively affects overall quality of governance ... ethnically diverse societies are more "prone to ... conflict and slow economic growth."

Research has shown that ethnic-fractionalization as in the case of Ivory Coast
negatively affects overall quality of governance in a country and that ethnically diverse
societies are more "prone to corruption and poor governance, conflict and slow
economic growth" (see Kimenyi 2006, 65; see also Bossuroy 2006, 1; and Opalo 2011,
1). According to Kimenyi (2006, 64), the high degree of ethnic fractionalization in sub-
Saharan Africa (over 2,000 distinct ethnic groups) could thus be "one of the reasons for
poor governance in the continent" since in sub-Saharan Africa's multi-ethnic countries,
resource allocation—as in the case of Kenya—is determined "more by political and
ethnic considerations rather than established criteria of economic efficiency" and
appointment of senior civil servants is "largely influenced by ethnicity" (Kimenyi 2006,
88).

As discussed earlier, the successive past
presidents of Ivory Coast have all acted in
similar ways to the situation in Kenya which
Kimenyi describes and the results are there
for all to see. Will Alassane Ouattara be any
different? After more than a decade of
serious and bloody political unrest, Ivorians
(slightly over 20 million of them) look
forward to and deserve a better future. The
challenge to deliver this is undoubtedly
tough and past experiences can easily lead
one to be cautiously optimistic at best and
pessimistically dismissive at worse.

Will Alassane Ouattara be any different? The
President of Ivory Coasts speaks to journalists at
the United Nations in New York.

© UN Photo/Mark Garten

Challenges for the New President

President Alassane Ouattara has the hard task (and urgent one too) to address at least
three key issues facing Ivory Coast today: reconcile the divided country; ensure that all
perpetrators of past and future violence face justice; build stronger institutions and work
towards an inclusive and participatory political and development process.

With regards to the first challenge—reconciling a divided country—as Marshall-Fratani
(2006, 37) aptly noted, the manner in which the different armed conflicts in Ivory Coast
have taken place have "multiplied by a hundredfold the climate of suspicion, paranoia
and hatred already in gestation before the crisis." The challenge now is for Ivorians to
overcome these divisions and fears. Conscious of this challenge and in a bid to tackle it,

Alassane Ouattara has created an eleven-member Dialogue, Truth and Reconciliation Commission which is headed by Charles Konan Banny, a former prime minister. This is a first step in the right direction and if given the means and latitude to do their job freely, the commission will play a major role to forge unity and reconciliation in the divided country.

However, as Amnesty International (2011, 58) has pointed out, to ensure that the rule of law is re-established in Ivory Coast and that justice and reparations are meted out, "much more is needed than just a process of truth and reconciliation." In other words, Alassane Ouattara needs to ensure that perpetrators of past and future violence face justice. For instance, human rights groups and even the ICC have pointed out that both pro-Ouattara and pro-Gbagbo forces committed crimes under international law, including war crimes and crimes against humanity, during the 2010–2011 post-election violence. In a statement following the detention at The Hague of Laurent Gbagbo, the ICC Prosecutor reiterated: "Let me make it clear: investigations continue. We will collect evidence impartially and independently and bring further cases before the judges irrespective of political affiliation… Mr. Gbagbo is the first to be brought to account, there is more to come."

... both pro-Ouattara and pro-Gbagbo forces committed crimes under international law ... (but) no member of the pro-Ouattara forces has been "arrested on charges for crimes committed during the conflict."

Human rights organizations have welcomed this statement and both Alassane Ouattara and his prime minister, Guillaume Soro (formerly a rebel leader), have publicly pledged that they will collaborate with the ICC and hand over to the ICC anybody, irrespective of affiliation, who is wanted by the ICC in connection with the crises in Ivory Coast. While laudable, these assurances need to be taken with the proverbial pinch of salt because the on-going local dynamics in terms of rendering justice necessitate the questioning of such commitments. For instance, Human Rights Watch recently pointed out and warned that since Gbagbo was arrested on 11 April 2011, Ivorian civilian and military prosecutors have charged "more than 120 people linked to the Gbagbo camp with post-election crimes" and, in "stark contrast," no member of the pro-Ouattara forces has been "arrested on charges for crimes committed during the conflict even though several human rights organizations have all documented grave crimes" committed by these forces (Human Rights Watch 2011, 7). If this tendency continues, the risks that it could lead to further instability are real and President Ouattara needs to match words with actions on this issue.

Cautious optimism: a woman in Bondoukou signs a document certifying her vote in Ivory Coast's legislative elections.
© UN Photo/Hien Macline

With regards to the last major challenge—to build stronger institutions and work towards an inclusive and participatory political and development process—emerging tendencies and past experiences both in and out of Ivory Coast also necessitate cautious optimism. For instance, on 11 December 2011 legislative elections (the first since 2000) took place in Ivory Coast. Coming on the heels of the contentions presidential elections, it was hoped that the elections would lead to the constitution of a truly representative parliament that would further the political healing process of the country.

Unfortunately, Gbagbo's party, the Front Populaire Ivorien boycotted the polls, citing a pro-Ouattara bias in the Independent Electoral Commission as one of the main reasons. On 16 December 2011, the Independent Electoral Commission published the results of the legislative elections and Ouattara's Rassemblement des Republicains (RDR) emerged largely victorious, obtaining 127 of the 255 seats in the national assembly. It was followed by the Parti Democratique de Côte d'Ivoire (PDCI) which obtained 77 seats. Since the RDR, headed by Alassane Ouattara, and the PDCI, headed by Henri Konan Bédié, are now allies (the latter supported the former during the second round of the 2010 presidential elections), arguably Ouattara's party now has the lee-way to pass legislation without much resistance.

How Ouattara will use the executive and legislative powers he has now is yet to be clearly seen but the emerging tendencies at least, as shown in the events leading up to the legislative elections and the results, are indicating that Ivory Coast is entering yet

another potentially dangerous cycle of political exclusion of significant segments of the population. While Ouattara's strategic alliance with Bédié may allay the fears that the northerners will totally sideline southerners, it is obvious that after years of political marginalization, the northerners will want to "taste" different spheres of power in Ivory Coast and it is possible that in an attempt to secure his power and "redress" a de facto legacy of marginalization of northerners, Alassane Ouattara may significantly turn to his northern ethnic groups to achieve these.

Kimenyi (2006, 71) has aptly noted that often forced to choose between "efficiency and stability" in order to maximize their tenure in office, rulers from sub-Saharan Africa "almost always recruit disproportionately from their ethnic groups in order to maintain the supporting coalition intact." So it is very likely (and should not be surprising) that politics and public administration in Ivory Coast will continue to "fall straight along ethnic lines" (Kohler 2003, 24) and the political institutionalization of regional divisions and ethnicization of constituencies (Boone 2007, 70) will continue to be manifested especially during electoral contests—with all the known risks that these involve. Such tendencies and practices, which are paradoxically shared and contested by elites and the general population alike, significantly curtail prospects of entrenching good governance and are, in particular, "profoundly unfavorable to the prospect of development" (Chabal 2002, 460–61). In several respects therefore, the challenges to be surmounted by Alassane Ouattara are enormous and there is a great need to be cautious about his prospects of success.

Conclusion

Once hailed for its political stability and economic development, Ivory Coast is now the "poster child for successful development gone awry" (Klass 2008, 117). On the surface of things, the ethno-regional causes and the course of the conflict in Ivory Coast that have made it to go "awry" leave room for "primordialists" to point to Ivory Coast as yet another vindication of the thesis that there is a "supposedly immutable propensity for violence inherent in tribalism within countries displaying a high degree of ethnic heterogeneity" (Meehan 2011; see also Bah 2010; Mousseau 2001; and Shaw-Taylor 2008). While it is undeniable that this

Forging ahead for peace: staff members of the UN Operation in Côte d'Ivoire in a "football match for peace" against a local team from Agboville.
© UN Photo/Patricia Esteve

has been the case in Ivory Coast, the challenge is for Ivory Coast to forge ahead in peaceful ethno-regional cohabitation.

Some observers have noted that instituting a federal system (or even a South Sudan-like partitioning), can cure the problem posed by ethnic heterogeneity in relation to good governance (see for instance Mbaku et al. 2001 for a general discussion of these; and for specific discussion on Ivory Coast, see for instance Chirot 2006, 75). While this could be an appealing solution, in practice it will not solve Ivory Coast's problems, as the experience of Nigeria has eloquently shown. This is because even if the different regions were to be given some autonomy in a federation based for instance on their main ethnic composition, as Kohler (2003, 25) has argued, there would still be substantial diversity even within the main ethnic groups in Ivory Coast where there exist "numerous smaller ethnicities." So federation will not eliminate the ethnicity problem since the reality in Ivory Coast—as it is in the rest of sub-Saharan Africa—is that "ethnic heterogeneity is a given and cannot be wished away" (Kimenyi 2006, 95).

Ethnic heterogeneity cannot be "wished away" ... when particular groups of citizens ... are constantly marginalized, these form the "bedrock of political protests and civil war."

Since ethnic heterogeneity cannot be "wished away" how can it be "managed" in a way that positively fosters good governance in sub-Saharan Africa? The descent into chaos in Ivory Coast shows sadly that African political leaders rarely learn from history. From Nigeria through Kenya to Madagascar, it has been shown over and over that when sections of a country are treated as second-class regions, when particular groups of citizens are deprived of their right to participate in the running of the country, and when their voices are constantly marginalized, these form the "bedrock of political protests and civil war" (Bah 2010, 603). To avert these situations, African countries need to "better manage" their ethnic diversities, notably by developing "inclusive, non-factional"

democracies (Bodea and Elbadawi 2008, 50–51). In line with this contention, Elliott Skinner, in a 1998 essay entitled "African Political Cultures and the Problems of Government," opined, and rightfully so, that:

African countries will continue to be racked by conflicts unless leaders agree about how to govern their multi-faceted nation-states and how to distribute their economic resources equitably… Without a compromise that would ensure "ethnic justice", neither so-called "liberal democracy" nor any other species of government will succeed in Africa.

Ivory Coast did not learn this lesson. It has provided a lesson (again!) on this issue for other countries in sub-Saharan Africa to learn from—if only they will.

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Governance and the Prospects of Unity and Equality in Nigeria

by Ukoha Ukiwo

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Introduction

From independence, there were many who were skeptical that the new country of Nigeria could last. How could such an amalgam of three large territories with three major ethnic groups, conflicting religions, and distinct histories stay together as one state? The five decades since then have witnessed much struggle, outbreaks of violence, and little real prosperity—despite tremendous oil wealth. Would the situation be any better if there were a division into two or even three smaller states where there is now one larger one whose presidency must alternate between a Northerner and a Southerner? Or would things be worse?

Despite the danger and past accidents, Nigerians in Lagos scoop up petrol from a burst oil pipe: much struggle despite tremendous oil wealth.
© *Akintunde Akinleye, Courtesy of Photoshare*

Interestingly, both Nigerian and external actors started expressing concerns about the survival of Nigeria as one indivisible, united country as early as 1914. This was a sequel to the amalgamation of the largely autonomous Protectorate of Southern Nigeria and Protectorate of Northern Nigeria by the British colonial authorities. The feasibility of a united Nigeria was *ab initio* a cause for concern because of the top-down, non-participatory process of amalgamation. Since the decision to amalgamate hinged on the fiscal expediency of averting a subvention to the administration of the Northern Protectorate by British tax payers,

amalgamation was consummated through administrative fiat rather than consultations and negotiations with and among the colonized peoples. Consequently, as is common with victims of forced marriages, the parties coupled as Nigeria only had the option of checking their compatibility and complementarity while in cohabitation. Consent was given after marriage in the various constitutional conferences convened by the British colonial authorities cum "marriage counsellors" to address the crises of forced marriage.

As is common with victims of forced marriages, the parties coupled as Nigeria only had the option of checking their compatibility and complementarity while in cohabitation... Federalism became the emergent consensus arrangement for continued cohabitation.

The constitutional conferences were inadvertently empowering to the Nigeria marriage partners. The debates and negotiations during such conferences rejuvenated and reinvigorated the partners. The partners easily began to conceptualize their relationship as courtship when the prospects for independence brightened in the context of post-Second World War United States foreign policy support for decolonization. The constitutional conferences offered the partners the opportunities either to opt out of the relationship or to give conditions for continued cohabitation. Federalism became the emergent consensus arrangement for continued cohabitation as it was considered the best political institution to address the perennial assertive nationalism and fears of domination haunting the marriage.

As the Union Jack was replaced by the Nigerian flag on 1 October 1960, to signify independence, the euphoria of Nigerians was not so much born out of a celebration of wedlock as of a decision to experiment with a marriage of convenience. This is because addressing assertive nationalism and fears of domination was a work in progress.

The challenge of disunity and inequality

Central to the discussions at the constitutional conferences was how to deal with disunity and inequality. Disunity, to a large extent, was the product of differential incorporation—the piecemeal fashion of colonization. The colonial construction of Nigeria occurred through random encounters with the disparate groups co-existing in the geographical space allotted to the British government at the 1884 Berlin Conference. Whether annexed through conquest or consent, most of the groups entered into a covenant with the colonizing power. A fundamental clause of the agreement, euphemistically referred to as a "Treaty of Protection", was the undertaking of the colonizing power to preserve the autonomy of the colonized and protect them from external aggression. Since the Berlin Conference had mitigated conflicts over spheres of influence among European powers, external aggression practically implied aggression from neighboring and proximate groups. The promise to protect colonized peoples from each other inevitably bred mutual suspicion and mistrust.

Since constituency delimitation and representation hinged on cultural differentiation, the colonial state created conditions salubrious for ethnogenesis and the politicization of ethnicity.

Such suspicion and mistrust among the colonized communities was aggravated by the policy of indirect rule. This policy, which was born out of administrative expediency, contributed to the politicization of difference. Since constituency delimitation and representation hinged on cultural differentiation, the colonial state created conditions salubrious for ethnogenesis and the politicization of ethnicity. The colonial state was therefore an historical enigma as it wittingly or unwittingly embarked upon nation-state building by incentivizing assertive micro-nationalism among the constituent units of the proto-nation-state.

The challenges of unity and equality became more pronounced following the partitioning of the amalgamated state into three regions. This is because regionalization contributed to the emergence of major and minority ethnic groups. The major ethnic groups (Hausa cum Fulani, Igbo and Yoruba) are groups that dominated the regional governments while the minorities are other ethnic groups that opposed the dominance of the major ethnic group in their region. Regionalization provided the incentive for political elites to establish parties overtly aimed at mobilizing ethnic votes and purporting to support ethnic or ethno-regional interests. The electoral successes of parties with overt ethnic and regional agendas led to the eclipse of fledging national and pan-Africanist parties.

The three parties that controlled the governments of the regions emerged as the dominant parties which competed for supremacy in the central government.

Independence

Against the backdrop of the jostling for so-called ethnic and regional interests, it is not surprising that it was challenging to forge national consensus on any issue. For instance, even the advocacy for independence, which should have been a rallying point for unity, was divisive as party positions were jaundiced by ethnic and regional interests. The northern parliamentarians elected under the platform

Women line up to vote outside a polling centre in the northern Nigerian state of Kano: parties with overt ethnic and regional agendas.
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of the Northern Peoples' Congress (NPC) opposed the motion for independence sponsored by southern parliamentarians of the Action Group (AG) and National Council for Nigeria and Cameroun (NCNC) in 1953. The NPC wanted the motion for "independence in 1956" to be amended to "independence as soon as practicable." The northern parliamentarians' preference for a later date for independence was based on the imperative of the north bridging the inequality gaps with the south before independence. As Mallam Ahmadu Bello, Sarduana of Sokoto and Leader of the NPC, opined in the parliamentary debate on the motion for independence:

> We in the North are working very hard towards self-government although we were late in assimilating Western education, yet within a short time we will catch up with the other Regions and share their lot. We have embarked upon so many plans of reform and development that we must have time to see how this works in practice. We want to be realistic and consolidate our gains (Sklar 2004, 128ff).

In response to allegations by some southern parliamentarians that NPC leaders had connived with British officials to perpetuate colonial rule, Bello said: "the mistake of 1914 has come to light and I should like to go no further." The regret expressed regarding Nigerian unity by the NPC leader was followed up by the adoption of an eight point program by the NPC which if implemented, according to Coleman (1958), would have led to "the virtual secession of the Northern region from Nigeria." The independence date palaver culminated in riots in Kano which claimed 36 lives, mostly southerners living in this northern city.

Although leading southern politicians that championed an early date for independence emphasized nationalist and pan-Africanist motivations, their credentials as nationalists had been tainted by their antecedents. Chief Obafemi Awolowo, who described Nigeria "as a mere geographical expression," had established the AG to checkmate the NCNC whose leader, Dr. Nnamdi Azikiwe, had openly expressed the belief that his Igbo ethnic group had the manifest destiny to lead Africa. Moreover, it was evident that a political context, where the Northern Region was larger than the two southern regions put together, provided incentives for southern political parties to develop a national orientation. The national outlook of the AG and NCNC was necessitated by the fact that winning votes outside their spheres of influence was critical to their success. The NPC for its part stood to benefit from a regionalist outlook because it could win a majority of seats in the central legislature by winning a majority of seats in its own domain.

Military intervention and civil war

The challenge of addressing disunity and horizontal inequalities was not helped by the class character of the emergent political elite. Without a strong economic base, most of the aspirant political elites instrumentalized political power for private accumulation. The result was that politics became a zero-sum game in which the end justified the means. It is therefore not surprising that the political elites manipulated and mobilized ethnic and religious identities for political purposes. The extant inequalities between North and South and between the major ethnic groups and minorities in the regions were harnessed by politicians to mobilize sympathetic captive communities. In these circumstances, the fortunes of ethnic groups became inextricably linked to the fortunes of the political parties they were associated with. In practical terms this meant that an ethnic group floated or sunk with the political party it was deemed to have supported. Ruling parties used political power to reward loyal and friendly ethnic communities and to punish and deprive unfriendly ethnic communities.

The challenge of addressing disunity and horizontal inequalities was not helped by the class character of the emergent political elite... The extant inequalities ... were harnessed by politicians to mobilize sympathetic captive communities.

With "flag independence" the Nigerian state became "indiscreetly enmeshed in class and ethnic conflicts."

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This became the norm at the attainment of flag independence, as the departure of the British colonial administrators eroded all semblance of state neutrality. The state and its apparatuses became indiscreetly enmeshed in class and ethnic conflicts. In the emerging scenario, which Nigerian political economist Claude Ake aptly described as "political anxiety" (Ake 1996), the post-colonial Nigerian state could not conduct any credible election and population census. Political alliances were very fluid due to shifting interests. Ethnic arithmetic coloured virtually all major public policies such as budgets, infrastructural development, etc. For instance, although minorities in all regions had been agitating for the creation of states since 1952, the NPC-NCNC coalition government only acceded to the agitation of minorities in the Western Region, which was controlled by the opposition AG.

The country drifted from one political crisis to another, culminating in a military coup on 15 January 1966. Although most Nigerians welcomed the coup as a relief from the corrupt and divisive political class, the legitimacy of the first military regime was rapidly corroded by its ethnic bias. While it was able to crush a feeble secessionist rebellion in the Niger Delta area of the Eastern Region, the regime could not survive the insurrection from civil society that greeted its controversial unification policy. The intent of the policy was the transformation of Nigeria from a federal to a unitary state. Given the atmosphere of pervasive ethnic suspicion, the policy was ill-advised. Granted that federalism was divisive in practice, it moderated the winner-takes-all logic of politics as it allowed a sphere of influence to the major political stakeholders. The unification policy appeared to reverse the gains of Nigeria's marriage partners who, driven by fear of domination, desired a balance of powers between the central and regional governments. It was particularly anathema to the northern political class and intelligentsia who sponsored a counter-coup that toppled the Igbo-centric regime and fanned the embers of hatred and recrimination that led to the killing of Eastern Nigerian (mostly Igbo) civilian residents in some Northern Nigerian towns.

Challenges to the authority of the second military regime and angst over the killings of thousands of Igbo civilians in the North led to the declaration of the Republic of Biafra by the Eastern Region government. The secessionist attempt was crushed after three years of bloody civil war.

Post-civil war responses to disunity and inequality: Producing the president

Central to the end of the Biafran secession was the creation of twelve states on the eve of the commencement of the civil war. Deprived of its coastal sections, which had been carved into two states that satisfied the longstanding aspirations of eastern minorities, the Biafran territory lacked access to supplies and lost expected revenue from oil and gas. The creation of states not only contributed to the defeat of Biafran secession but also to the stabilization of the federation. This is because the decomposition of the all-powerful regions into relatively Lilliputian states indirectly strengthened the federal centre. It created a situation where no state had the resources to challenge the authority of the federal government. Federal power was also fortified by the rising boom in the sale of crude oil that made the states fiscally dependent on, and *ipso facto* subservient to, the federal government.

Oil wealth enabled the federal government to implement several policies aimed at promoting unity and reducing inequality. The government initiated the National Youth Service Corps (NYSC) program where graduates from tertiary institutions were sponsored to serve the country for a one-year period outside their state of origin. Government sought to transfer allegiance from religious and communal groups to the state by taking over all schools and hospitals established by religious and communal organizations. The federal government took over universities established by regional

governments and established new universities to meet its one state one university policy. The objective of the establishment of universities and ancillary admission policies was to improve access to education to all sections of the country, especially among the so-called educationally less advantaged states. The federal government also subsidized petroleum products to ensure that the pump price of petroleum products were not variable across the country. Many of the redistributive policies aimed at reducing horizontal inequalities were also expected to promote unity by giving all groups a sense of belonging. A "federal character

Nigerian NYSC members fill out a questionnaire on democracy and governance during orientation camp: promoting unity and reducing inequality.
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principle" was also enshrined in the constitution to ensure that all constituent states or local councils are represented in the federal or state executive councils.

Many of the redistributive policies aimed at reducing horizontal inequalities were also expected to promote unity... However, some of the policies have generated several unintended consequences... (including) another vicious form of communalism at the state level.

Vendors crowd a busy street in Nigeria: motivated by a different logic than equity and redistribution.
® Liz Gilbert, Courtesy of Photoshare

On balance, post-civil war national integration policies have been largely successful. This is especially the case if the yardstick for evaluation is the termination of secessionist conflicts. The country has not experienced any secessionist conflict since the end of the civil war. However, some of the policies have generated several unintended consequences. For instance, while the "federal character principle" has promoted a fairer distribution of political offices, it has engendered another vicious form of communalism at the state level. Many parts of the country, notably Plateau State, are rocked by bloody conflicts arising from exclusion of so-called non-indigenes. Moreover, it is important to acknowledge the limitations of the integrationist and redistributive politics and policies. A fundamental limitation is the inherent incapacity of such policies to affect civil society and market dynamics. The latter forces, which are driven by a different logic, have made the dreams of disadvantaged groups catching up a mirage. Market forces are naturally motivated by profit rather than equity. The ideology of progress that inspires civil society entails that each group continues to strive for improvement but has no incentive to wait for others, especially competing groups, to catch up.

Finally, post-civil war policies to strengthen the federation have dialectically sown the seeds for perennial instability and crises in the federation. Like Thomas Hobbes, who was afraid of insecurity, the architects of post-civil war Nigeria created a virtual omnipotent presidency to guarantee the security of the federation. Not surprisingly, the Nigerian Leviathan generates insecurity rather than security among Nigeria's disparate civil society. Fear derives largely from the incapacity of Nigerians to control what a clairvoyant presidential adviser aptly called the "imperial presidency" (Maduekwe 2003). Incapacity to control the leviathan engenders an endless striving to produce the leviathan from among competing groups. Filial bonding with the leviathan has a therapeutic effect on fear.

Post-civil war policies to strengthen the federation have dialectically sown the seeds for perennial instability and crises in the federation ... an endless striving to produce the leviathan from among competing groups.

In lieu of a conclusion: united we stand, divided we fall

My argument is that many of the crises and conflicts that have debilitated the Nigerian state since the early 1990s, as economic crises and corruption undermined the gains of redistributive integrative policies, are either directly or indirectly linked to the struggle to be president or to "produce" the president and to the fear that this struggle generates. The annulment of the 12 June 1993 elections triggered almost a decade's long political crisis that was only resolved by the decision of the dominant political class to allow the Yoruba to "produce" the president. The Movement for the Actualization of the Sovereign State of Biafra (MASSOB) adopted a secessionist rhetoric. However, it failed to mobilize the type of support that the Odua Peoples' Congress (OPC) earned among the Yoruba because what the Igbo people wanted was the actualization of an Igbo presidency, not secession. In any case, advocacy for an Igbo presidency was farfetched as power had to shift back to the North having stayed in the South for eight years. Meanwhile, the Niger Delta militancy over resource control was inspired by the desire of the people of the region to ultimately produce the president of the country. Not a few Niger Deltans believe that the expropriation of oil and gas from their land to "develop other regions," is symptomatic of their not having produced the president. No small wonder then that the unexpected emergence of a "Niger Delta" president (Goodluck Jonathan) as well as the implementation of an amnesty program for the Niger Delta have had a sedative effect on militancy. Again, as devastating as the attacks were on oil installations (the lifeblood of the Nigerian state), the militants were not seeking secession from the central state. Even the suicidal Boko Haram sect, the current headache of the Nigerian state, is not seeking dissolution of the Nigerian state. Their attacks on state agencies and destabilization campaigns are rather driven by their sense of alienation and hopelessness regarding Nigeria's version of modernity and democracy (see Mustapha 2009). The demand for rule under a theocratic Sharia state really implies a desire to produce the president. The sect has clearly harnessed widespread discontent in the North, evidenced by post-election violence in April 2011, over the return of power to the South after the short-lived Yar'Adua presidency.

President Goodluck Jonathan holding a press conference: together with an amnesty, a sedative effect on Niger Delta militancy.
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**Attacks on state agencies and destabilization campaigns
are driven by their sense of alienation and hopelessness...
What Nigerians seek is a government that is responsive
and accountable.**

All told, the division of Nigeria is not yet on the agenda. What Nigerians seek is a government that is responsive and accountable. Remaking the presidency and the devolution of powers and resources to the people would likely contribute to good governance.

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South Sudan: A Beacon of Hope?

by Wendy Gichuru

The new Republic of South Sudan celebrating its independence on 9 July 2011.
© UN Photo/Eskinder Debebe

In January 2011, over 98 percent of Sudanese in South Sudan and in the diaspora voted in favour of secession from Sudan. Six months later, the media were filled with images of joyous celebrations from around the world that marked the birth of world's newest country, the Republic of South Sudan. It was an historic moment with powerfully moving scenes of people hugging each other and jubilation in the streets of Juba, capital city of the new republic. After decades of a brutal civil war that left millions of people dead and millions more displaced, this was truly an occasion for rejoicing. For many South Sudanese (and indeed for many Africans as well), South Sudan represents a golden opportunity: a blank slate, a chance to "get it right" by learning from the myriad of post-independence mistakes made by other African countries.

Building the Republic of South Sudan (also referred to as RoSS or RSS) will require significant resources and hard work. Imagine for a moment everything that currently exists in established, functioning societies in the 21st century: from village markets to merchant banks, from rural clinics to specialized hospital complexes, from nursery schools to universities, and the list goes on. Today's societies depend on structures that require ever more skills. Every type of labour and entrepreneurship imaginable is needed in order for them to thrive: teachers, doctors, engineers, manufacturers, agriculturalists, plumbers, electricians, lawyers, nurses, judges, and civil service technocrats, to name only a few. South Sudanese themselves will need to determine what the priority issues are, and play an active role in addressing them if all are to benefit from the hard-won dividends of peace and sovereignty.

History has many lessons to offer the people of South Sudan and its leaders, and much can be done now to set South Sudan on the path toward creating a just, peaceful, democratic, economically viable and self-sustaining country that could be a beacon of hope and an example to Africa and the world. But six years after the signing of the Comprehensive Peace Agreement, the two Sudans are still embroiled in conflict, wrestling over issues of border demarcation and the sharing of oil revenues. This article will point out a few of the possibilities and dangers ahead for the new country of South Sudan. It will look at the evolving relationship between the "new" and the "old" Sudan—including border issues and whether or not the new entity will be economically viable.

Questions of governance

The current transitional government has to secure and allocate the resources required to meet the demands of a restive society that has endured huge suffering and that now seeks to enjoy the fruits of peace and build a sustainable and successful nation state. The international community has pledged support for the development of the Republic of South Sudan. Similar past promises fell far short of expectations, however, including several made after the signing of the 2005 Comprehensive Peace Agreement (or CPA) that ended the 21-year civil war between north and south Sudan. Will the international community now live up to pledges it has made to this new member state? With what conditions will the RSS have to comply, and at what price? Might the price of development assistance from donor states mean only nominal sovereignty for the Republic of South Sudan? What processes must be put in place immediately in order to ensure that decisions made in these early days are genuinely arrived at in the best interests of the South Sudanese themselves? How can they involve all sectors of RSS civil society—particularly women—in all areas of decision-making, and be sustainable and equitable for the longer term?

The South Sudanese government needs to tap into the potential and the indomitable sense of purpose within the civil society of South Sudan and the diaspora for the task of nation-building. A diverse range of voices representing the different sectors of society should have input into determining the content of a governing Constitution for South Sudan. However, there are concerns about how effectively and equitably or democratically this will be done. At Independence, Salva Kiir Mayardit of the Sudan People's Liberation Movement (SPLM) became the first elected president of South Sudan. There is a strong historical link between the SPLM and the Dinka people of South Sudan. Of course, this raises questions regarding the SPLM's capacity to govern such a diverse society as South Sudan, which has over 60 ethnic groups (Verjee 2010, 23). Lessons can be learned from conflicts experienced in neighbouring countries like Kenya. Even as an interim document, the current Transitional Constitution of South Sudan must address the powers and limitations of government, the roles and responsibilities

of other governance institutions, and the rights and obligations of citizens regardless of ethnicity. Representation at all levels of governance and in state institutions must take into account the ethnic diversity of South Sudan, even as the country works to firmly establish a rights-based culture to eradicate the dangerous divisiveness that results from a focus on ethnicity. Cattle-grazing on other people's land and land-grabbing are major sources of conflict among communities. Lessons from Sudan's history demonstrate that unequal access to resources, marginalization, and neglect are often at the root of so-called ethnic conflicts.

Salva Kiir Mayardit, first president of the Republic of South Sudan.

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Representation at all levels of governance and in state institutions must take into account the ethnic diversity of South Sudan.... Lessons from Sudan's history demonstrate that unequal access to resources, marginalization, and neglect are often at the root of so-called ethnic conflicts.

Infrastructure, oil and security

Workers repair a hand pump for water in South Sudan: infrastructure should be a top priority.

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Development of socio-economic infrastructure should be a top priority for South Sudan. The provision of social services in a country the size of South Sudan requires large capital investments. From all indications, South Sudan will rely on oil revenues to underwrite much of its economic development. The sharing of oil revenues between South Sudan and Sudan continues to be contentious. In November 2011, the African Union High-Level Implementation Panel (AUHIP) hosted delegates from the Republic of Sudan and the Republic of South Sudan in Addis Ababa. This was a resumption of negotiations on post-Referendum issues including border demarcation, transitional financial arrangements, oil, trade, and assets and liabilities. It is evident from a press release issued by the South Sudanese delegation on November 30th that these issues are far from being resolved. Among other things, the RSS offered:

- $2.6 billion over a period of four years to the Government of Sudan (GoS) in the north, as part of transitional financial arrangements;
- forgiveness of $2.8 of the $5.8 billion in arrears and outstanding debts that Sudan owes the RSS and its people;
- a wealth transfer to the north of $5.4 billion—70 percent of the International Monetary Fund calculated fiscal gap of Sudan of $7.7 billion. (The GoS apparently rejected this, stating that its fiscal gap is $10.4 billion, $3 billion of which it can cover itself, requiring the RSS to transfer $7.4 billion); and
- major concessions on its prior position regarding Abyei and North/South borders, beginning with financial transfer arrangements if "the SAF [Sudan Armed Forces] fully withdraws from Abyei and timebound processes are established to i) secure the final status resolutions on Abyei, ii) complete the demarcation of the defined borders of the area, and iii) settle the six disputed areas by arbitration" (African Union 2011).

At this time, armed conflicts continue to rage between the forces of the Sudan and South Sudan in Abyei, South Kordofan and Blue Nile regions. Unless the border issues can be justly and peacefully resolved in the immediate future, progress on sustainable economic development in South Sudan remains precarious. This might work to the advantage of foreign oil companies who may try to justify high oil prices (and record profits) as the cost (and benefit) of doing business in "dangerous places" but it will do nothing to support development in South Sudan. The insecurity will make engaging in long-term sustainable economic development risky.

Church and civil society

The Sudanese Christian churches, Catholic and Protestant, have been among the most dedicated institutions working for peace and justice in South Sudan. During the decades of civil war, the church accompanied those affected by the conflict, ministering to those who stayed behind, the internally displaced and refugees. Together with the All Africa Conference of Churches and the World Council of Churches, it worked tirelessly to bring the Khartoum government and the Sudan People's Liberation Army/Movement to the negotiating table. Now, the church is a key part of civil society's efforts to build the new nation from the ground up. The church, writ large, has arguably the largest grassroots network in South Sudan, connecting with every socio-economic sector of the community, and it has the opportunity to hear directly from the people about their hopes and concerns. This author had an opportunity to visit with the Sudan Council of Churches in Juba in March of 2011. Staff working for the Council spoke frankly about the colossal challenges ahead. I was privileged also to sit in on meetings with various communities, and heard first-hand from those I met about their hopes, dreams and fears. The unanimous sentiments expressed were hope for the future and anxiety about the vulnerability of their sovereignty and the very real possibility of a return to war with Sudan.

Like much of the new country, the Sudan Council of Churches headquarters in Juba is also undergoing reconstruction.
© Dan Benson

The unanimous sentiments expressed were hope for the future and anxiety about the vulnerability of their sovereignty.... Developing a representative and inclusive framework of decision-making processes ... is a key first step.

These are also the challenges and mixed feelings about the future with which South Sudanese civil society as a whole is wrestling. To succeed in nation-building, it is first of all clear that women's participation is essential at all levels and needs to be prioritized and effectively supported by the RSS government and the international community. Currently, gender-based violence and cultural barriers hinder women's effective participation as citizens and agents of change. Developing a representative and inclusive framework of decision-making processes based on just and equitable rules and laws is a key first step. Equally crucial is the building of societal structures based on respect for human rights, ethnic and religious diversity, and special needs. South Sudan civil society seems eager to roll up its collective sleeves and get to work. At a convention held on July 26-29, 2011 at the Nyakuron Cultural Centre in Juba, representatives of civil society groups from all ten states of South Sudan acknowledged themselves capable of contributing to the task of nation-building and social transformation. This event marked the birth of the South Sudan Civil Society Alliance, which declared:

> [We] bestow upon ourselves the responsibility to facilitate the improvement of the lives of our people, kick start socio-economic development, promote democracy/good governance, raise issues of concern to the Government, promote the rule of law, peace, stability, development as well as to influence transitional processes in the country. (South Sudan Civil Society Alliance 2011)

Convention participants declared that they "look forward to a people-driven constitution making process, a sustainable democratization process, the consolidation of peace, community security and meaningful beginning of socio-economic development." It made important recommendations to citizens of South Sudan, civil society, government, donors and parties to the CPA. All of these people must work closely and constructively together to ensure that democracy and development become realities.

Returning, rebuilding and the ethnic reality

Eager to access educational opportunities: meeting of a parents' committee for school governance in South Sudan.
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South Sudan is not a completely blank slate. There is existing infrastructure on which to build. However, over two decades of war between the north and south destroyed much of what existed, so reconstruction and rehabilitation are urgently needed. More importantly, lives were destroyed, people were traumatized and many displaced from their homes and communities. In those two lost decades, the opportunities for many South Sudanese to develop their potentials were non-existent. While many became highly skilled and educated in a range of vital professions, particularly among the diaspora, many more were unable to complete their education and training. Some never had any opportunity for schooling. During my visit, I heard from young and old people alike that they are eager to access educational opportunities and training in technical skills. They lamented that all they have known is war, and that many have never had the

opportunity to learn to read and write. They were now facing the daunting task of building their country without many of the basic skills. However, they expressed readiness to take up the challenge of engaging in the hard work ahead.

It would be dangerous ... to ignore or discount the role and impact of strong ethnic loyalties... the tribe offers acceptance, socio-economic safety and security, and a sense of belonging.

Where and how to begin? South Sudanese society, culture, history and politics are complex enough that it would be a mistake to think the answer is either obvious or simple. There are, however, many lessons from recent history about what not to do (both from within Africa and beyond). It would be dangerous, for example, to ignore or discount the role and impact of strong ethnic loyalties. For many societies, the tribe offers acceptance, socio-economic safety and security, and a sense of belonging. These are vital for any society, but most particularly for people who have experienced the trauma and dislocation of violent conflict. Ethnic groups are often also connected to particular geographic locations and ways of life. People feel connected, "rooted" to a particular place. I met with a group of returnees to a region south of Juba, close to the Ugandan border. They spoke of their concerns with regard to one particular ethnic group, saying that the government had resettled members of this other group "on our land". One man who had returned from exile told me:

> Before repatriation, the information we were given was, "come back home; there is peace." So we came back, assuming this was true from what was told to us. But we found it was not so. We found others here. We were told we had to look for another place; we were told we have no place in our own home. We have no voice. Our original home has been taken by IDPs [internally displaced persons]. We have nowhere else to go.

I asked why the different ethnic groups resettled here could not share the land and develop peaceful ways to live together. I heard that, for those finally able to return to land they had been forced to flee (land which has been held by their community before anyone could remember), this is yet one more forced displacement. To an outsider, their attitude might seem discriminatory and exclusionary. After all, both communities were forced to flee; both are looking to return home to South Sudan. However, they perceived it as yet another decision imposed upon them without consultation or due consideration for differences in culture, livelihood and language.

Some of the people who remained during the war years harbour resentment toward those returning from exile even though, when pressed on it, they can relate to the need to seek refuge from war. Some South Sudanese in the diaspora in Europe, North America and Australia are eager to return to South Sudan and contribute their skills in development. The international community needs to facilitate their return, and the RSS government should put mechanisms in place and prepare local communities to receive them.

In order to try and resolve problems before they erupt into violent conflicts, the churches have come together to create peace committees made up of local people trained in what they call people-to-people peace building. Some of the peace committees I met with said that, in addition to the issue of tribal tensions, the problem is that there are no roads, hospitals, schools or running water in the home areas from which some re-settled IDPs originally fled. So it is understandable that returnees are reluctant to return to their home communities. The situation results in tension between them and the host communities in which they now live, with many of the latter feeling that they themselves are being forced out of their own homes to make way for "others". The host community has to share or compete for already limited resources with re-settled IDPs

Reluctance to return to a lack of basics: a man transports several containers of water from the Nile River in South Sudan.
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and returnees. A real and present danger in the new South Sudan is that community-based conflicts will become the focus. Citizens' attention will be diverted away from the important tasks of monitoring regional and national governments to ensure accountability.

The hard but necessary work that needs to happen now is ... to determine the distribution and allocation of resources, including land and water.

I was told by a variety of people from different sectors, including NGO groups, that these so-called "low-level" conflicts are manipulated by those at the "higher" level. It was implied that those in governance positions may be involved and responsible, if not for instigating the conflicts, then for exacerbating them. The insecurity destabilises communities and retards sustainable development. The lack of basic social services and abuses of human rights increases people's frustrations and anger, intensifying and escalating conflicts. The inter-tribal dynamics are manipulated to turn communities against each other. When communities are displaced because of on-going conflicts, a vacuum of authority is created,

allowing for resources to be plundered at will. At the community level in many areas, there is little or no law enforcement. Small arms and light weapons are readily available for use in inter-tribal conflicts and by gangs who exploit people. The insecurity is heightened by attacks on South Sudanese soil from the neighbouring Ugandan rebel group, the Lord's Resistance Army.

The hard but necessary work that needs to happen now is to ensure that all stakeholders are part of decision-making processes to determine the distribution and allocation of resources, including land and water. Peaceful mechanisms to resolve disputes must be put in place to avoid violent conflict. The government of South Sudan must work with communities at the local level to establish community-based systems of governance, and law and order, as well as with neighbouring states to prevent violence from crossing into South Sudan and further destabilising the country.

Stakeholders and peaceful mechanisms: women learn to use hand-crank radios as a means to get information in rural South Sudan.
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Conclusion

While the issues affecting the viability and future of South Sudan are certainly not limited to the ones raised in this article, these are at least among the most crucial requiring immediate and careful attention. Civil society actors play a key role in their just resolution and in creating a just, participatory democracy founded on respect for human rights and the rule of law. The failures and successes from Africa and other regions of the world offer South Sudan a map with which to chart its course ahead. The possibility for an economically viable, peaceful, democratic South Sudan awaits only the wisdom to heed the lessons, and the courage to walk a different path—and perhaps this different path can be what the creation of South Sudan offers Africa and the world in return.

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Governance and Ethnicity in Africa

by the Ezine editors

The idea for this series on ethnicity and governance first arose at the end of 2010. We heard a paper on the problems of governance in Rwanda. Though the country was everywhere praised for its order, security and progress, the tensions involved in keeping a lid on discussions of ethnicity and politics made it a difficult place to understand or work in. The possibility of a series on Rwanda and Burundi into the second decade of the twenty-first century was suggested since we had never focused on the inter-lakes region before.

One more star on the African Union flag: challenges of governance and ethnicity.
Source: Wikimedia Commons

However, given all that was happening to ethnicity and governance everywhere else in Africa, a focus on that one region seemed too narrow. Sudan was on the verge of a referendum to decide whether or not South Sudan would become a country on its own. The Ivory Coast, once a model of peace and prosperity, was into its tenth year of an ethno-religious war. Nigeria, Africa's most populous country, was from its beginnings troubled by ethnic and religious tensions that made good governance a difficult and infrequent occurrence. Violence in that country continues to increase in intensity and frequency. In 2007, Kenya held a disputed

presidential election that led to such unbelievable violence between its two largest ethnic groups that it is still a concern as preparations begin for the next election in December 2012. Even in Libya, the third North African country to experience the "Arab spring," the liberation war against Colonel Gadhafi is said to have a subtext of ethnic tension that may complicate governance in the new country.

What is the attitude of the African Union (AU) to all of this? Its predecessor, the Organization of African Unity (OAU), resolutely discouraged changes to colonial borders in the pursuit of ethnic and religious peace and good governance. Will the AU continue this policy or will it be more flexible and encourage such changes as a possibility for which a successful border change in Sudan might be seen as a precedent? The following passage from a press release (February 8, 2011) entitled "The African Union Applauds the Referendum in South Sudan" isn't entirely clear.

> The Chairperson, recalling the solemn declaration on the Sudan adopted by the AU Summit of January 2011, expresses his conviction that with the completion of this referendum, Sudan has decisively overcome its tragic history of division and its exceptional legacy inherited from its past. In recognition of the Sudan's unique political circumstances, Africa recognized the right of self-determination for the people of southern Sudan, and supported the free and fair exercise of this right. Indeed, the AU will be keen, at the end of the interim period, on 9 July 2011, to welcome into its ranks the 54th member state of the Union.

There is praise for the events in Sudan; however, the words "exceptional" and "unique" seem to suggest that such a process would not be encouraged elsewhere in Africa. Anyway, we took it upon ourselves to pose some questions about Sudan's border change as a precedent which other African nations in similar circumstances might follow:

- What are the Republic of South Sudan's prospects for peace and prosperity?
- Would similar changes in other countries with ethnic and religious differences make things better or worse?

The articles that follow by people with knowledge of the countries and regions involved will address these questions.