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EDITOR’S PREFACE

I am delighted to present the first issue of Politeja. The Journal of the Faculty of International and Political Studies of the Jagiellonian University in Kraków entirely devoted to African Studies. Although this is the first time when the whole issue discusses African topics, it is worth noting that the publication of this ‘African’ issue is related to certain traditions of the Cracovian African Studies – in the past focused mostly on linguistics and ethnology (just to mention such names as: Roman Stopa, Tadeusz Lewicki, Andrzej Waligórski, or Andrzej Zaborski), and today continued with much wider disciplinary scope by the Jagiellonian Research Center for African Studies, established in 2014. It proves the growing interest in African issues showed by scholars and students of this Faculty.

The Contributors to this volume – members of the Jagiellonian Research Center for African Studies, as well as researchers representing other Polish and Central European universities discussed various aspects of the widely understood African Studies. The range of themes and subjects comprises such disciplines as political science, international relations, security studies, cultural studies, history, development studies, economics, and law. This diversity perfectly complements the variety of research perspectives present at the Faculty of International and Political Studies of the Jagiellonian University.

The volume opens with the article of Petr Skalník who reviews the state of affairs of East-Central European African Studies, highlighting the benefits of the non-colonial approach represented by the Africanists from this region.

In the following articles diverse aspects of historical, political, developmental, economic and social issues are discussed. Arkadiusz Żukowski presents the story behind South African engagement in World War II. Robert Kłosowicz paints a picture of the current situation in the Central African Republic after the last rebellion, while Krzysztof Trzciński focuses on interethnic power-sharing models in Nigeria. Wiesław Lizak analyzes the peace operations as a form of activity of the African Union and its pre-
decessor, the Organization of the African Unity. Andrzej Polus introduces the readers to the panorama of Polish-Sub-Saharan African relations after 1989. István Tarrósy and Zoltán Vörös bring together developmental and economic contexts of mutual Sino-African relations, taking as an example the case of Tanzania and Sudan. The article of Katarzyna Kołodziejczyk is also dedicated to the development issues, trying to answer the question whether the Economic Partnership Agreements can be a tool for the development of Sub-Saharan African countries. Joanna Bar analyzes the current waves of Islamic terrorism in Kenya in the context of regional security, while Ewa Szczepankiewicz-Rudzka depicts the rapid decline of post-Gaddafi Libya. In their article Renata Czekalska and Agnieszka Kuczkiewicz-Fraś focus on the place occupied by the people of African descent in India, paying special attention to those that played an important role in Indian history. Kateřina Rudincová and Joanna Mormul analyze in their articles Ethiopia’s relations with its neighbors: Somaliland and Djibouti, respectively. Łukasz Jakubiak conducts a comparative analysis of two West African systems of government: the semi-presidential model of Senegal and the presidentialism of Ivory Coast. Klaudia Wilk-Mhagama discusses the role of faith-based organizations in meeting the challenges of development in Tanzania, while Monika Różalska explains the role of chiefs in Ghanaian development strategies and local governance. Krzysztof Tlalka, in turn, tries to assess a decade of the African Peace and Security Architecture, established within the framework of the African Union. Hubert Dudkiewicz explains the importance of African contribution to the penalization of war crimes of sexual nature, using as an example the International Criminal Tribunal for Rwanda and the Special Court for Sierra Leone. Marta Antosz depicts the situation of the Somali diaspora in the United States, while Piotr Szafruga reflects upon the necessity of a state in the case of Somali economy. Finally, in the last article in the volume, Olga Kwiatkowska analyzes the impact of the crisis in Mali on the political situation of the Sahel.

The number of articles included in this issue, as well as the wide variety of topics confirms a growing research interest in Africa among Polish and Central European scholars. As an editor of the volume I would like to express my profound gratitude to the Contributors. Thanks to their efforts and expertise this issue gained a truly interdisciplinary approach, justifying the need of an academic and intellectual dialogue concerning Africa’s past and present.

Robert Kłosowicz
AFRICAN STUDIES IN THE OTHER EUROPE: A LEGITIMATE PERSPECTIVE ON AFRICA

ABSTRACT African Studies in the countries that were under communist rule and that today are known as post-communist, have originally developed an interest in Africa based on ideological, political and economic interests of the state. There has been a gradual shift from ideology to economy while the study of African politics seems to follow the vagaries of the influence that Africa exerts on the world scene. Characteristically, until recently AEGIS did not include a single centre or association based in post-communist Europe even though in countries such as Poland, Czech Republic and Hungary African studies currently experience considerable growth. This reflects both the hegemony of Western Europe with its strong colonial and neo-colonial emphases and weak official interest that post-communist Europe shows for Africa. The article describes changing emphases of eastern European Africanist scholarship and discusses the question of legitimacy of the marginal but non-colonial approach to African studies. In contradistinction to the Western European African studies and with Eastern European approaches it shows that the latter perspective is useful for a critical look at the hitherto dominant paternalistic style of African studies in Europe.

Keywords: African studies, east-central Europe, AEGIS, a non-colonial approach
The purpose of this essay is to advocate African studies and teaching which are free of hidden agendas and colonialist hangovers, for African studies that, wherever practiced, would be considered valid and recognized by the academy in Africa and beyond. African studies have until now depended too much on the political and economic demand of the metropolitan countries which followed the neo-colonial agendas too closely. The time has come that the near monopoly for the production and dissemination of knowledge, including publication, maintained by the Africanists from former colonial powers, is overcome by a joint effort at production of knowledge by African and non-African scholars. This paper deals especially with the share and the specific position of east-central European Africanists in the world-wide research on Africa. It is not a history but rather an engaged look at the changing role of African studies in the Other Europe, i.e. the post-communist Europe which thus far was outside of scope of AEGIS.

From the outset one has to emphasize that the countries of east-central Europe, under communist rule following the World War II, did not participate in the colonial conquest. Africa was a continent whose North was somewhat familiar to the people of the former Austrian/Austro-Hungarian Empire through its adversary/ally Ottoman Empire and its geopolitical interests in Arab-Moslem North Africa. There was also awareness about Abyssinia/Ethiopia as a Christian outpost in north-eastern Africa. The so-called Black Africa was virtually absent from the consciousness of an average Czech, Slovak, Pole or Hungarian. South Africa entered the outlook of these nations due to the two Boer Wars, in particular the second one (1899-1902). Public opinion was then on the side of the national self-determination of the Boers versus the British Empire. However, Black Africans did not play a role except as a cliché known as ‘Zulikaffirs’. Another cliché was the ‘King of Madagascar’ known as Count Móric/Maurice Benyovszky, claimed at once by Hungarians, Slovaks and Poles, who was an adventurer who helped France to become colonial master of world’s fourth largest island. An Ashanti village with people exhibited as animals toured Prague, Vienna and other cities in the mid-1890s.

TRAVELLERS AND THE FIRST AFRICANISTS

The relation to Sub-Saharan Africa was also romantic. This sentiment was expressed in a traveller tradition among the landlocked Europeans of the east-centre of Europe. In the late 19th century Emil Holub, the medical doctor born in the East Bohemian town of Holice, followed in the steps of David Livingstone and reached with his party beyond the Victoria Falls. A museum-monument was recently modernized in his na-

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1 Communist-ruled East Germany, also known as the German Democratic Republic, can be seen as a successor state to imperial Germany which, of course, was a colonial power in Africa and Oceania. The German colonial archives were/are in Potsdam near Berlin, on the territory of East Germany. East German African studies enjoyed relatively strong support of the government.

tive town. The exhibition contains, among other things, his office furniture brought there from Vienna where Holub died in 1904. Hungarians had László Magyar, an explorer and map-maker of Southwest Africa who spent 17 years mostly in Angola of the mid-19th century. The early 20th century saw first instances of scientific research by east-central Europeans. Another Hungarian, Emil Torday, who was in British service, collected rare specimens in the Congo. The Polish anthropologist Jan Czekanowski joined a German expedition to the Congo in 1906-1907. The Czech-born Austrian SVD priest Pavel Šebesta (Paul Schebesta) distinguished himself as a specialist on African and Asian short growth populations. Andrzej Waligórski, one of Malinowski’s Polish students in London, did his fieldwork in East Africa in 1946-48. The traveller tradition continued after World War II. Two Czech business engineers Jiří Hanzelka and Miroslav Zikmund crossed the whole of Africa in a Tatraplan air-cooled passenger car in the late 1940s and their three-volume work, *The Africa of Dreams and Reality*, was translated into a number of languages. In Poland, Hungary and Czechoslovakia university students became seriously interested in studying Africa after they returned from travelling expeditions to various parts of Africa. Well-known Africanists such as Tymowski, Kropáček and Vorbrich started their respective careers as student travellers. The Czech student Expedition Lambaréné tried to deliver medicine to the hospital in Gabon that was founded by Albert Schweitzer.

The Year of Africa provided decisive impetus for African studies. In Prague, African studies were opened at Charles University as a separate department of study in 1961. Students were sent to study African languages to the Leningrad State University (among them Szymon Chodak, Zdeněk Poláček, Petr Skalník and Géza Füssi Nagy). By the mid-1960s the Oriental Institute of the Czechoslovak Academy of Sciences opened several research positions on Africa (well-known Africanists such as Petr Zima, Milan Kalous, Vladimír Klíma and Otakar Hulec started their careers then). As early as 1961 the ethnographer and later social anthropologist Ladislav Holý was sent by the Czechoslovak Academy of Sciences to the Sudan in order to carry out field research among the Berti of Darfur. The University of Warsaw opened the Studium afrykanistyczne as a special research and coordination centre that published a scholarly journal *Africana Bulletin*. Hungarians also opened a special institution for the study of the economy in Africa. Mihály Sárkány and Csaba Ecsedy pioneered Africanist anthropological research in Hungary. Of course, the interest behind these research and study initiatives

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was to facilitate the political and economic entrée to Africa of the Communist-rulled countries of east-central Europe. But at least initially academic research on Africa was meant to be very serious and independent. For example, the Czech Arabist Ivan Hrbek initiated the publication of a two-volume History of Africa and later participated in the UNESCO History of Africa project. After the Soviet invasion of Czechoslovakia in 1968, following the Soviet example, special emphasis was placed on the study of African socialism and especially of those countries deemed to be socialist-oriented (Ghana, Mali, Congo-Brazzaville, Benin, Angola, Mozambique, Madagascar and a number of other countries). Research on Africa in east-central Europe was to a greater or lesser extent dependent on Soviet interests. Perhaps paradoxically no formal political science existed in those years in the communist countries. The research on socialist orientation was in the hands of historians or specialists on Marxism-Leninism.

RECENT DEVELOPMENTS

The demise of communist rule in east-central Europe was considered as a new opening for African studies. African countries ostensibly embarked on the path towards democracy, thus following ex-communist countries of east-central Europe. However, post-communism in east-central European countries also meant their almost exclusive orientation on European integration, European politics and economy. Whereas African studies in the western part of continent expanded, the Afro-European Group for Interdisciplinary Studies (AEGIS) was established in 1991 and eventually its first European Conference on African Studies (ECAS) took place in London in 2005, the official interest in Africa faded in Czechoslovakia and Hungary while it stagnated in Poland. For example by 1990 the 12-people-strong department of Africa in Prague’s Oriental Institute of the Czechoslovak Academy of Sciences slowly diminished until it entirely disappeared during the first decade of 21st century. Nevertheless, the bibliography for the years 1980-2000 counts more than 1500 items. Regrettably, also the African studies teaching programme at Charles University that still in 2000 proudly celebrated 40 years of its existence by an international conference has meanwhile ceased to exist. Whereas the Polish Association for African Studies was launched in 1990 and until now has organized four well-attended national conferences, in the Czech Republic enthusiasts from the “Cultura Africa” civic association opened the first Viva Africa academic conference in 2006. From 2007, it became a yearly international conference organized first in Plzeň (Pilsen) and then since 2009 four times at Hradec Králové. The

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8th Viva Africa conference returned to Plzeň in October 2013. At Plzeň the Czech Association for African Studies was established and the 9th Viva Africa conference was organized by the association in Prague at the Metropolitan University Prague in October 2015. Several joint monographs came out of these conferences.13

A revival of African Studies in the Czech Republic was heralded in 2007 by the launching of an M.A. African studies programme in the Department of Politics at the University of Hradec Králové. Under the leadership of Vlastimil Fiala, the PhD. programme was soon added and the first doctor degree was awarded in 2014. Today Hradec political studies have established themselves as a postgraduate centre. Hradec students are being sent to Africa on the basis of special agreements (heretofore to Ghana, Cape Verde, Nigeria and South Africa) in order to study and carry out their research. Africanists from Africa attend events at Hradec and African students arrive to pursue their studies at Hradec Králové. The staff is engaged in several research projects financed nationally and internationally. The emphasis is placed on various aspects of political parties in Africa. One can say that at Hradec Králové there emerged a school on political parties in Africa that is busy to gain an international reputation. Heretofore several monographs in the Czech Republic were published.14 Another member of the Hradec Králové African studies team is Jan Klíma, a historian of Africa whose work has centered on Lusophone Africa but who recently published a history of Africa and a series of works about the history of the particular countries.15 Since 2013 the Philosophical Faculty of the University of Hradec Králové publishes the biannual journal Modern Africa: Politics, History and Society of which Petr Skalník is the editor. The latter was also responsible for the preparation of the Czech Association for African Studies (CAAS) that was established in October 2013 during the 8th International Conference on African Studies Viva Africa. The association has taken over the task of the organization of subsequent Viva Africa conferences. Meanwhile the CAAS has joined AEGIS as an associate member.

Jan Záhořík of the West Bohemian University in Plzeň (Pilsen) established a small Centre of African Studies within the Department of History. The centre was accepted as an associate member of AEGIS in 2013. His activities in the field of African studies are numerous. He organized “The 1st Central European African Studies Conference”

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15 J. Klíma, Dějiny Afriky. Vývoj kontinentů, regionů a států, Praha 2013; idem, Dějiny Namibie, Praha 2015 (Dějiny Států); idem, Dějiny Guinea-Bissau, Praha 2015 (Dějiny Států).
in 2013 and since then his ambition has been to coordinate the Central European African Studies Network (CEASN). In 2015 his centre published the first issue of an electronic Journal of African History, Politics, and Society (JAHPS). Since 2013 he also has organized biennially the “Africa Days in Pilsen”. Záhořík also engages with other Pilsen Africanists in the travel business to Africa.

Hana Horáková, who has been mostly interested in modern South Africa, is an employee of the private Metropolitan University Prague. It was in the Czech Republic that she published her PhD thesis on the national formation in post-apartheid South Africa\(^\text{16}\) and co-edited a publication comparing the Czech Republic with South Africa\(^\text{17}\).

In Hungary African studies were always concentrated in Budapest. In the 1970s through 1990s, several internationally-known Hungarian Africanists worked in different institutions. Mihály Sárkány, an economic anthropologist, was especially interested in East Africa. The Bantuist Géza Fussi Nagy (1946-2008) initiated the Hungarian Africa Society and educated a group of Africanists while Éva Sebestyén researched archives on Angola and published \textit{inter alia} the works of László Magyár. The anthropologist Csaba Ecsedy worked as a museologist and published theoretical works on African societies. Bea Vidacs, who wrote the first survey of African studies in Hungary\(^\text{18}\), returned to Hungary after a long sojourn in the United States. Her research about political aspects of football in Cameroon was well received by the international Africanist community\(^\text{19}\). Tamás Régi wrote another discussion on African studies in Hungary\(^\text{20}\), taught in Korea for some time, and continues to be interested in the promotion of African studies in his country. However, African studies of late seem to have moved from Budapest to Pécs\(^\text{21}\).

István Tarrósy founded the Africa Research Centre in the Political Science Department of Pécs University and has organized several international conferences. He also analysed the general involvement of Hungary with Africa\(^\text{22}\) (Tarrósy 2013).

In Poland after decades of Warsaw-based language and society research on Africa, the initiative was taken over by Cracow where Robert Kłosowicz has initiated the study of African politics within the Institute of Political Science which he heads and in 2014 founded the interfaculty Jagiellonian Research Center for African Studies. Three

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young specialists on Africa work at the University of Wroclaw\textsuperscript{23}. These younger scholars in fact follow the path initiated by two senior scholars who have reached the retirement age recently although they continue to be active. The historian Michał Tymowski published his summarizing monograph on pre-colonial statehood in Africa in English\textsuperscript{24} while the opus magnum of Ryszard Vorbrich, an anthropologist, who mostly worked in Cameroon and other West African countries, is accessible in Polish\textsuperscript{25}.

In Slovakia the pioneer of African studies has been since 1970s the historian Viera Pawliková-Vilhanová who drew on her early study sojourn in Uganda and published a number of studies on this country. She has a number of followers who guarantee that Africanist research in Slovakia will continue to develop.

CONCLUSION

Can African studies exist in countries without colonial tradition such as the countries of east-central Europe? The answer that is offered in this contribution is in the affirmative. Actually one can see an advantage in the situation where there is no bias for studying particular countries which were colonies “of one’s own” before. As I tried to show, the interest of Africanists from east-central Europe is not limited to any particular African country or group of countries, especially not following the division of Africa into formerly colonial territories. Is the communist past a disadvantage for these countries to become hotbeds of fertile African studies? Actually it is not a hindrance because the present phase of post-communism displays comparative moments with post-colonial Africa and thus opens a research perspective not conceived before. The unusual comparisons may eventually inspire Africans to look for a better understanding of African problems through the looking glass of east-central Europe. One can imagine that Africa will produce Europeanists in the same way as Europe produced Africanists. African studies in east-central Europe thus contribute to the equality of knowledge production between Europe and Africa, in order to balance and eventually overcome the dependence of African studies on the knowledge produced in the metropolitan countries with vested interests derived from their colonial past.

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Prof. Petr (Peter) SKALNÍK, Ph. D. – political anthropologist and Africanist specialising in the state and chiefdom studies, educated in Prague, Leningrad and Cape Town. Since 1967 he has taught African studies, social anthropology, and politics at many Czech and foreign universities. He edited and co-edited twenty books. He was Vice-President of the International Union of Anthropological and Ethnological Sciences (2003-2013). Since 2007 he is the chairperson of the IUAES Commission on Theoretical Anthropology and is the Editor of the international journal *Modern Africa: Politics, History and Society.*
At the outbreak of the Second World War the Union of South Africa was military unprepared and divided politically. The division into supporters and opponents of the war against Germany was clear, both in the Parliament, as well as in South African society, particularly among large parts of the Afrikaners it manifested itself as significant political support and public acceptance of the ideology of Adolf Hitler and the Third Reich. The moderate Afrikaners and first of all the English-speaking population supported joining the war on the side of the Allies. In the parliament, the issue has led to a government crisis. The Union of South Africa as a British Dominion finally declared war on Nazi Germany. In a relatively short time the state was able to prepare its institutions, society and economy for participation in the war. An important role in the consolidation of the political elite and society in the fight against Nazi Germany on the side of to the Allies was played J. C. Smuts.

Keywords: Union of South Africa, Second World War, the Allies, Afrikaners, Jan C. Smuts
The Union of South Africa, called in Poland, in the interwar period and during the Second World War, “the Southafrican Union” (Unia Południowoafrykańska) or the South-African Union (Unia Południowo-Afrykańska), and after 1945 the Union of South Africa (Związek Południowej Afryki) constituted on the African continent an exceptional state system with a specific history and ethno-racial, socio-economic and political structures.

The genesis of the Union of South Africa is related to the events of the late nineteenth and the turn of the twentieth century. After the Anglo-Boer War (1899-1902) and the after the signing of the Peace Treaty in Vereeniging on 31 May 1902 negotiations about the mitigation of Anglo-Boer antagonisms and legislative work on the creation of one state organism from the following entities of the British colonies: Cape Colony and Natal, and two former Boer republics (after 1902 also British colonies): the Orange Free State and the South African Republic (Transvaal) were launched.

In 1909 the British House of Commons passed a law on South Africa (South Africa Act of 1909), which was a constitutional basis for the functioning of the newly formed state. In 1910 a unification of the two British colonies and the two Boer republics seized by Great Britain was brought about. The Union of South Africa was set up and received the status of a British dominion (similar to Canada, Australia and New Zealand) 1.

According to the census of 1911, the Union of South Africa had a population of 5,973,394 people 2. Whites were about 1.3 million inhabitants, most of whom was represented by Afrikaners; Africans were about 4 million, Coloureds about 0.5 million, and Asians about 180 thousand 3.

Within the white population (Whites) people of European origin (including non-European countries, among others from the United States, Canada, Australia, New Zealand) are classified. Among Whites, as it was mentioned earlier, prevailed Afrikaners who until 1910 were called the Boers. Coloureds constituted “persons of mixed blood”, derived mainly from the sexual interactions between the white population, Africans and descendants of San people (Bushmen) and Khoikhoi (Hottentots). Asians were called “Natives coming from Asia and their descendants, mostly Hindus”. In contrast, the term “black Africans” was used to refer to all groups of Bantu peoples, while it should be mentioned that in the past Whites used to describe the group with other terms 4.


4 Since the days of the Portuguese exploration of Southern Africa, Africans were called contemptuously “Kaffirs”. In 1910, the authorities of the Union of South Africa have put in relation to them official term “Natives”, while maintaining the functioning of the deadline less official term as “black Africans”.
In the Union of South Africa full political rights belonged only to Whites, while despite the efforts of Great Britain and the moderate attitude of Afrikaners towards the British, Afrikaans isolationism and nationalism have not expired, nor ended with the Afrikaners’ struggle for independence from the British government. Although the first Prime Minister of the Union of South Africa was the Boer General Louis Botha (Prime Minister in the years 1910-1919), in fact political and especially economic power in the country was in the hands of the English-speaking citizens, particularly of British origin. The next Prime Minister of the Union who also sought a compromise with Great Britain was Gen. Jan Christiaan Smuts (Prime Minister in the years 1919-1924).

The reluctant mood among Afrikaners to the British grew, especially due to the fact that among them a rapid pauperization and social downgrade took place. This group was called “poor Whites” and in the initial period consisted of 10%, and later in the 30s more than 50% of the entire settlement community of European origin (mainly Afrikaners). The discontent of thousands of white workers in Transvaal mining centers turned into an armed uprising, the so-called “Red Revolt”, in March 1922, which was supported by the communists. The government of Gen. J. C. Smuts used against them, outside the police, artillery, bombers and infantry.

It should be emphasized that Afrikaners were very receptive to nationalist slogans and strongly supported the National Party, which was founded by James Barry Munnik Hertzog in 1914. It only defended their interests. It supported racial segregation and was in opposition to the British rules in South Africa (British imperialism). In the future, the party would politically unite Afrikaners and lead to the establishment of a fully independent state for them.

The British authorities had to yield to the pressure of Afrikaner nationalists by expanding the autonomy of the dominion and introducing the right to satisfy their aspirations (the proper flag of South Africa, the second official language – Afrikaans, education, proper political parties and social associations). In accordance with the Balfour Declaration of 1926 the Union acquired the legal equality with Great Britain as a part of the British Commonwealth of Nations. From that moment the South African government had a formal right to advise the British King on the nomination of the Governor-General. In 1931, the British Parliament adopted the so-called “Westminster statute” under which the Union of South Africa granted full political independ-

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7 J.B.M. Hertzog led the party in the years 1914-1934. See more: C.M. van den Heever, General J.B.M. Hertzog, Johannesburg 1946.
ence. Three years later, the statute was adopted by the South African parliament. The British Government was represented in the Union by the High Commissioner. The Governor-General was already appointed by the South African government (formerly by the British King) and was representing not the British government, but the person of the British king.

Dissatisfaction of a large part of the Afrikaners caused that the parliamentary election in 1924 was won the National Party, in coalition with the Labour Party (LP). The rule of Prime Minister J. B. M. Hertzog, lasting from 1924 until 1939, recognized as a basis for its internal activities the separation of the races with preferential political, economic, social and cultural treatment of Whites. Afrikaners’ supremacy among white citizens of the Union arose.

In 1933 the National Party, under the leadership of J. B. M. Hertzog, in order to continue to rule created an alliance with the more moderate political party of J. C. Smuts – the South African Party (SAP). A year later there was a merger of the two parties and the founding of the United South African National Party (USANP), whose leader was J. B. M. Hertzog. Some members of the former National Party thought that entering into an alliance with the British and South African liberal Afrikaners was an excessive compromise which reconciled the interests of the Afrikaner nation. Therefore, under the leadership of Dr. Daniel François Malan a new political party was brought to life under the telling name the Purified National Party (PNP).

In the parliamentary election in 1938, again, the USANP achieved a sweeping victory (111 seats in the 150-seat Parliament). The remaining seats were granted to: the PNP – 27, the Dominion Party (DP) – 8, LP – 3 and the Socialist Party (SP) – 1.

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The attack of Nazi Germany on Poland on 1st September 1939, but first at all the declaration of war of Great Britain on Nazi Germany, two days later the Germans’ declaration of war against Great Britain, led to a government crisis in the Union of South Africa.

On the first day of the war the South African Foreign Ministry refrained from an official response. The Minister of Defence, Oswald Pirow behaved in the same way. Moreover, at the session of Parliament on 2 September Prime Minister James Barry

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13 ‘Grave Crisis in Union Cabinet’, *The Cape Argus*, 4 September 1939.
14 ‘Pretoria Kalm’, *Die Vaderland* (Spesiale Uitgaaf), 1 September 1939.
Munnik Hertzog did not want to speak about the war that started, and the matter was not on the agenda. On the same day, however, J. B. M. Hertzog convened a meeting of the government and appealed to its members to opt for the so-called “qualified neutrality”, also known as the so-called “semi-neutrality”. He considered the arrangements for the neutrality of the Union of South Africa, announced by his government during a visit to Neville Chamberlain in Munich in 1938, as binding. According to J. B. M. Hertzog, the actions of Adolf Hitler were nothing more than the liberation of Germany from the shackles of the Treaty of Versailles. According to gen. J. C. G. Kemp, who supported J. B. M. Hertzog, participation in the war in Europe could lead South Africa to a bloodbath. This would divide the white community of the Union into two antagonized camps.

J. B. M. Hertzog received the support from O. Pirow and N. C. Havenga and three other ministers, while J. C. Smuts, together with six ministers, demanded the entry of the Union to the war. The problem of neutrality, or active participation in the war divided the government into two parts. J. B. M. Hertzog convened the next meeting of the government on 3rd September only to announce that the proposed motion on neutrality will be submitted in the Parliament. He was convinced that he would obtain the necessary parliamentarian majority. That day the ultimatum of Great Britain urging Germany to withdraw its troops from Polish territory expired – Great Britain declared war on Germany.

On 4th September the most dramatic parliamentary debate in the history of the Union of South Africa was held, during which J. B. M. Hertzog tried to win support for the concept of neutrality. He claimed that every sovereign state has the right to remain neutral if it is required by the raison d’état, and gave the example of the Irish government’s decision. He believed that the Union of South Africa should not take part in the war that broke out in Europe. He also stated that the Union was not interested in

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16 For D.F. Malan the interpellation concerning an attitude of the Union government on started the war, Prime Minister J.B.M. Hertzog answered that this issue will be discussed by the Parliament on 4 September 1939. See: J.L. Basson, J.G. Strijdom. Sy politieke loopbaan van 1929 to 1948, Pretoria 1980, p. 259.

17 The so-called “qualified neutrality” or “semi-neutrality” formulated by the J.B.M. Hertzog government in 1938, had to rely that the Union of South Africa would remain neutral, by fulfilling a number of conditions: e.g. allowing the use of Great Britain from its base at Simonstown near Cape Town and South African seaports and the fulfillment of certain obligations resulted from the membership in the British Commonwealth of Nations and the League of Nations.


the war between Poland and Germany, and England has some obligations to Poland, contrary to the Union which did not have such obligations21. The official relations of the neutral Union with the states which entered the war would remain unchanged. He partly blamed Great Britain that before the announcement of the state of war with Germany did not request an inquiry into the Union, whether the Union is prepared to participate in it22. The concept of neutrality of J. B. M. Hertzog supported the minority group of politicians from the former National Party.

In his speech J. B. M. Hertzog, however, was not focused completely on defending the concept of neutrality, but also justified partly Adolf Hitler23. Even he showed him sympathy and understanding (“I sympathize with Hitler, I know how he feels. I, too, have been downtrodden”) 24. He interpreted the invasion of German troops into the demilitarized zone of the Rhineland, the annexation of Austria, Czechoslovakia and aggression against Poland as actions that are a compensation for the harm inflicted on Germany by the Treaty of Versailles. He compared the efforts of Adolf Hitler in the pursuit of freedom for Germany with its own struggle for freedom for the Afrikaners25. This position was supported by D. F. Malan, who even interpreted the occupation of Czechoslovakia by Germany as action related to ensure its own security (“matter of safety”) 26.

J. C. Smuts, who represented an opposite attitude, declared that Adolf Hitler wanted to dominate the world and after the demands of receipt of Gdańsk he would demand the return of former German colonies, including South-West Africa, administered by the Union of South Africa. He also pointed to the Union’s commitment to Great Britain and the British Commonwealth of Nations. He considered the breaking off of the relations with Germany to be in accordance with the interests of the South African state27. Moreover, he also warned that not opting in the war on the side of the Allies could lead in the future to the isolation of South Africa surrounded by a hostile international environment.

The South African parliament passed by a vote of 80 to 67 the entry of the Union of South Africa into the war against Germany28. The English newspapers conducive to

J. C. Smuts even wrote that the Parliament rejected the “policy of friendship with Germany of Gen. Hertzog” 29. It seems that a significant effect on Parliament’s decision had an argument about the possibility of losing South-West Africa, which was considered not only as a zone of its influence, but almost as an integral part of the state.

Prime Minister J. B. M. Hertzog, facing the lack of support from the members of the government and the Parliament, tried to push through the concept of neutrality by asking the Governor-General Patrick Duncan for the dissolution of the Parliament and a call for a new election 30. The Governor-General as an opponent of foreign policy of N. Chamberlain issued a negative decision. J. B. M. Hertzog, at that time, had to resign and the Governor-General’s task of forming a new government was entrusted to the current minister J. C. Smuts. He set up a coalition government with the USANP members and MPs from LP and DP who were loyal to him.

J. C. Smuts headed the South African Government for the entire period of the Second World War. At the same time he held the post of the Minister of Defence and the Supreme Commander of the Union Defence Force 31. Moreover, as in the case of Prime Minister J. B. M. Hertzog, he held personal sovereignty over the South African Ministry of Foreign Affairs, which meant its dominant influence on the South African foreign policy.

J. C. Smuts had a high position among the Western allies, especially among the political establishment in Great Britain. He had a very good relationship with Winston Churchill. He served as a full member of the British War Cabinet. Even during the absence of W. Churchill in London he passed chairmanship of the War Cabinet to J. C. Smuts. At the time, Edward Raczyński (Polish Ambassador in London and Minister of Foreign Affairs) wrote the following about J. C. Smuts: “This is a personage with whom everybody reckons with during imperial conferences, he is reliable and influential, surrounded by English prostration, which he indeed reciprocates” 32. In September 1941 he was appointed the Field Marshal of the British Army 33.

The Union of South Africa joined the Second World War on the side of the Allied forces on 6 September 1939 34 (On 27 January 1943 the Parliament, at the request of the South African J. C. Smuts, agreed to send troops to Europe). The Parliament at the request of J. C. Smuts did stipulate that the South African army would never be used

31 J. Liebenberg, ‘Hertzog in Power…’, p. 441.
34 Mieczysław Nurek reported that the Union of South Africa went to war after the imposed reorganization of the government [...] See: M. Nurek, Polska w polityce Wielkiej Brytanii w latach 1936-1941, Warszawa 1983, p. 251. In fact, the decision of the South African Parliament was sovereign: Great Britain had never exercised pressure on the Union to declare war. See: D. W. Krüger, The Making of a Nation..., p. 201.
outside the African continent\textsuperscript{35}. In connection with the state of war between the Union and Germany the staff of the German Embassy and consulates in the Union of South Africa had to return to Germany, and the staff of the South African Embassy in Berlin was evacuated to Sweden, where they strengthened the Embassy personnel in Stockholm\textsuperscript{36}.

In principle, the position of Government of the Union of South Africa on the entry to the war and the related subsequent diplomatic steps were no different from the attitude of other Allies, especially the British dominions\textsuperscript{37}. Severance of diplomatic relations with the allies of Germany took place simultaneously with the decisions of Great Britain or within the span of a few days or a few months\textsuperscript{38}. These activities resulted primarily from commitments to the Allies, and occasionally from other reasons. One such example was the severance of diplomatic relations with Vichy, which took place on 23 April 1942, almost two years after the decision of Great Britain (5 July 1940). The Union did not recognize the government of Free France of Charles A. de Gaulle\textsuperscript{39}. But the main determinant was the proximity of Madagascar administered by the Vichy government, and since 1942 the threat of seizure of the island by the Japanese and from there to make the invasion of South Africa.

Although the Union of South Africa, after the outbreak of the Second World War, became an ally of the Allies, it referred to the Polish case initially with reserve and distance. The South African authorities were interested mainly in the consequences of the war for the fate of Europe, and indirectly for the Union. J. C. Smuts wrote on 21 September 1939 about the spectacular and very rapid collapse of Poland, which negatively affected the situation of the Allies. Therefore he expected from the opponents who criticized the involvement of the Union of South Africa in the conflict in Europe answers to difficult questions such as why the Union should fight for the state, which was so weak and why sacrifice millions of lives and expose civilization for the risk of resurrecting Poland? \textsuperscript{40}.

The war which broke out on 1 September 1939 was treated as a war primarily against Great Britain. The Union’s entry to the war was not associated directly with


\textsuperscript{36} State Archives – Pretoria, BTS, PM 4/2/2, Vol. 1.

\textsuperscript{37} Apart from the Union of South Africa war against Germany declared the following British dominions (3 September – Australia, New Zealand; 10 September – Canada). On behalf of India, on 3 September war was declared by the British government. The only exception was Ireland, which announced neutrality on 3rd September.

\textsuperscript{38} The Union of South Africa during the Second World War broke off diplomatic relations with: Italy (11 June 1940), Finland (8 December 1941), Japan (8 December 1941), Romania (8 December 1941), Hungary (8 December 1941), Bulgaria (13 December 1941), Siam (now Thailand) (25 January 1942) and Vichy (23 April 1942).

\textsuperscript{39} The Union of South Africa recognized the government led by Charles de Gaulle (Provisional Government of the French Republic) only in June 1944. See: R. MacNab, \textit{The Story of South Africa House. South Africa in Britain, the Changing Pattern}, Johannesburg 1983, p. 128.

Poland but was more likely an attempt at maintaining one’s own independence. According to J. C. Smuts, it was not a matter of Gdańsk and Poland. The honor and freedom of South Africa was at stake.

The Union of South Africa’s entry to the war on Britain’s side resulted in a split in the heretofore ruling USANP. In protest, in 1940 the right wing of the party, together with the PNP, formed a new political party – the Re-United National Party (RNP) under the leadership of D. F. Malan. On the other hand, J. B. M. Hertzog founded the Afrikaner Party (AP).

The case for further participation of the Union of South Africa in the war was the subject of parliamentary debates and the public speeches. The newly formed South African government tried to convince the society and the opposition about the validity of the recent decision of the Parliament. The biggest propaganda effect is attributed to J. C. Smuts’s speech in Bloemfontein on 3 November 1939 in which he widely expounded the rights for participating in the fight against A. Hitler. In his opinion, if Germany won the war then not only England, but also South Africa would lose. First, the state will become a Nazi-state, and later lose its independence.

It is worth to mention that during the war J. C. Smuts favorably referred to Poland and its armed struggle. For example, during the meeting with the delegation of the Polish Armed Forces in Pretoria in September 1942 he stated: “You are the first and the best among all the Allies. I know you and love you even since the fighting shoulder to shoulder with the armed forces of South Africa, and especially with the our 1st division”. Words of support for fighting Poland J. C. Smuts were expressed particularly during the Warsaw Uprising. He also perceived the importance and complexity of the Polish case, especially in the context of Polish-Soviet relations. According to him, the Polish question was at this moment the most important but most difficult among those which absorbed the attention of the superpowers.

On the other hand, Afrikaner nationalists associated with J. B. M. Hertzog and D. F. Malan during the first years of the war, when Adolf Hitler achieved spectacular victories, submitted (four times) to the Parliament proposals for ending the war with Germany and to conclude a separate peace agreement with them. Already on 23 January 1940 J. B. M. Hertzog presented such a proposal, arguing, as it was on 4 September 1939, that the war was not a matter of the Union of South Africa and that it was drawn in connection with the decision of the Great Britain. According to him, Germany’s

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41 J.C. Smuts, Greater South Africa. Plans for a Better World; Speeches, Johannesburg 1940, p. 118.
43 Ibid., p. 107-119.
44 Ibid., p. 118.
goal was not domination over other nations, but equality by repairing the harms done to the Germans by the “shameful” Treaty of Versailles. He added that after the campaign in Poland, Adolf Hitler offered peace to the Western Powers, and its rejection he considered a mistake. He claimed that the continuation of the war against Germany is commission of a crime, that the Union of South Africa should not have anything to do with it. In sum, J. B. M. Hertzog in the South African Parliament, submitted the request three times to conclude a separate peace with Germany, and D. F. Malan made such a request once.

After the occupation of France by Germany, in June 1940, and especially after the German attack on the USSR on 22 June 1941, opposition MPs joined a strong attack on the government of J. C. Smuts. In the parliamentarian debates the opposition attacked especially J. C. Smuts for the “involvement” of the Union of South Africa in the war. In June 1940, they called for his resignation and surrender to the Germans. D. F. Malan called to form a government on the model of the government of Vidkun Quisling in Norway. He argued that Germany wants such a government in South Africa, which would have a friendly attitude towards them. “We can create such a government of the people that have already shown that they are not hostile to Germany.” Statements were expressed that the Union was fighting in the war in the name of “Jewish Imperial Capitalism.” Soon, they accused the Government of supporting communism. Jan Christiaan Smuts came to be known as a comrade of Joseph Stalin and the man who tolerates the spread of the communist propaganda. In sum, the content and conclusions of the motions of the opposition regarding the withdrawal of the Union of South Africa from the war were similar as in the first case one of these motions was rejected by the Parliament.

At the outbreak of the Second World War, the South African Parliament was a reflection of the divisions among the white population, because only white people of this state had political rights and parliamentary representation.

The English-speaking group considered its duty to support the Great Britain in the war. While the vast majority of Afrikaners had a different opinion about this issue. Many of them openly spoke out against the pro-British attitude of the authorities in Pretoria. The second half of the 30s and beginning of the 40s was a period of strengthening nationalist slogans among Afrikaners, as well as the beginning of the formation of the movements fascinated with Fascist ideology, which, because of its racial stratification, met with favourable conditions.

49 Ibid. The vote on this motion took place on 27 January 1940 (67 votes “for” and 80 votes “against”).
After the declaration of war on Germany, there was a threat of an anti-government revolt similar to that after the entry of the Union of South Africa to the First World War on the side of the Allies (the Union military effort was significant – out of 136,000 white volunteer soldiers on fronts – including France, Flanders, Tanganyika – 76,000 soldiers fought\textsuperscript{54}. Then some Afrikaners Generals openly revolted against the Great Britain\textsuperscript{55}. Gen. Solomon Maritz went with the army over to Germany in South West Africa (now Namibia). He was supported by the well-known generals who were respected due to their achievements in the Anglo-Boer War (1899-1902): Jacobus Hercules de la Rey, Jan Christoffel Greyling Kemp and Christian Frederick Beyers.

They saw the future of the Afrikaner nationalism, whose aim was to establish its own independent republic, in the victory of Germany in the war\textsuperscript{56}. In August 1941 when the total defeat of the Soviet Union seemed inevitable, future Prime Minister Hendrik Verwoerd of the South Africa Afrikaans compared the “Christian nationalism” to Nazism\textsuperscript{57}. During this time, pro-Nazi organizations gained significance\textsuperscript{58}, acting officially (including Ossewa Brandwag) or in a clandestine manner (e.g. Nuwe Orde, <New Order> and Grys Hemps <Grey Shirts>), for example, Ossewa Brandwag had in 1941 about 300-400,000 members organized paramilitary fighting squads\textsuperscript{59}. They conducted a propaganda campaign, practiced spying for Germany and engaged in numerous acts of sabotage.

The South African government decided not to outlaw them, but interned their leaders and banned the public display of Nazi symbols. Also the Government introduced the death penalty for sabotage.

Afrikaner nationalists, proponents of Adolf Hitler, celebrated every victory of the German troops, for example, the “Supporters of Malan, Pirow and van Rensburg celebrated the fall of France in 1940 as a national holiday”\textsuperscript{60}. Each of their defeats was for them a day of mourning.

Non-whites, i.e. Africans, and to a lesser extent, Coloureds and Asians or as a matter of fact their organizations cherished the hope that the anti-Nazi attitude of the authorities in September 1939 would be a beginning of a process aimed at the democratization of political, social and economic life. Overall, non-whites, especially Africans supported the participation of the Union of South Africa in the war against Germany. However, the part of the Coloureds from the Cape Province sympathized with the Japanese. Others, however, fought as soldiers of so-called “The Cape Corps” against the Axis.

\textsuperscript{56} \textit{Die Transvaler}, 6 November 1940.
\textsuperscript{59} A.W. Stadler, ‘The Period 1939 to 1948’, p. 262.
The activity and the commonness of pro-Nazi organizations was a source of political embarrassment of most local left-wing parties, which manifested a negative attitude towards the participation of the Union of South Africa in the war. In these parties there were divisions and instances of misunderstanding. At the beginning of September 1939 the Communist Party of South Africa (CPSA) released a short statement ("What is the War About"), in which, among others, it wrote about the struggle of Poland to maintain freedom. However, at the annual party conference in March 1940 they condemned this statement and called for the fight against the Union’s involvement in the war. For this purpose, even the use of the pro-Nazi Afrikaner workers was planned. In contrast, the African National Congress (ANC) in December 1939, under certain conditions, and soon unconditionally supported the government of J. C. Smuts. The change of optics, of almost all left-wing parties, concerning the relation to the participation of the Union of South Africa in the war, took place after the German invasion of the Soviet Union. Then a nationwide campaign of the “defence of South Africa” began. However, deep divisions, particularly among Whites remained. It testified, among other things, to the changes in the South African political scene and the results of parliamentary election in 1943. It is claimed that J. C. Smuts had to fight in the war on two fronts, one against the Axis, and the second against internal opposition.

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The Union of South Africa was totally unprepared for the initiation of military actions. Even before the outbreak of the Second World War, the then Minister of Defence, O. Pirow stated that the South African army would need at least six months to reach combat readiness. For J. C. Smuts, that term was too distant and he believed that the Union should be ready for combat immediately after joining the war. In September 1939 the South African army had just over 5,000 soldiers, of which only 260 were officers. The staff of the South African Armed Forces at the beginning of September 1939 was as follows: the Army – 3,548 troops, aviation – 1,837, the Navy – 432, civil defence – 11,421. At that time, the South African army had only six modern aircrafts and did not have any warships.

The South African army formed for the purpose of the war, in connection with the internal situation, was voluntary in nature. It was reported that more than 2 million volunteers, including 120,000 Africans joined the army. In a short period of time the size of the army considerably increased.

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63 Ibid., p. 145.
64 See: W. Grütter, D.J. van Zyl, *The History…*, p. 52.
65 A. Gąsowski, *RPA*, Warszawa 2006, p. 133 (*Historia Państw Świata w XX Wieku*).
66 Ibid.
The South African army took part in the fighting, *inter alia*, in East Africa (July 1940–November 1941) – the battle against Italian troops in Somalia and Abyssinia (now Ethiopia); the Battle of Britain (July–October 1940); North Africa (May 1941–November 1942) – *inter alia* the Battle of Tobruk, El Alamein; landing operation on Madagascar (June 1942–November 1942); in the liberation of Italy (April 1943–May 1945) – *inter alia* Monte Cassino, Ancona, Florence and Rome, and on supply flights over Warsaw (August 1944–September 1944). The total number of South African soldiers participating in the Second World War was: the army – 132,194 the air force – 44,569, the navy – 9,457, female units 24,975, support services (non-white citizens of the Union) 123,13168.

The production of explosives began on a large scale (near Johannesburg there operated the largest plant of explosives in the world) and military equipment (e.g. guns, howitzers, armored vehicles). Some industries greatly expanded (e.g. steel, food, textile and paper), port infrastructure likewise. South Africa was on a strategic maritime route to transport troops, military equipment and raw materials. Tens of thousands of Allied soldiers arrived there with the aim of training, hospitalization, quarantine or leave. The state was also a place of detention for prisoners of war, mostly Italians.

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In summary, at the outbreak of the Second World War, the Union of South Africa in addition to the military unpreparedness was divided politically. The division into the supporters and the opponents of the war with Germany was clear, both in the parliament as well as in the South African society. The Union was one of the few states in the world where so significant political support and public acceptance of the ideology of Adolf Hitler and the Third Reich (among a large part of the Afrikaners) was expressed. In the Parliament this option, which has significant influence, was close to declare at least the neutrality of the Union (although as a dominion of the British Union should unconditionally support the Great Britain and its side to enter the war). On the other hand, in the Afrikaner community, organized in part on the model of paramilitary units, the option enjoyed so much support that there was a real threat to destabilize the state in order to promote Nazi Germany. Nevertheless, in a relatively short time, the Union of South Africa was able to prepare its institutions, society and economy for military action. An important role in the consolidation of the political elite and society around the fight against the Germans on the side of the Allies was played by J. C. Smuts.

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Central African Republic (CAR) is one of the poorest and most unstable countries in the world and has occupied the top place in all possible rankings of failed states, instability, poverty, corruption etc. for many years. However, although the CAR has experienced almost constant instability for the last few decades it was only in recent years that it has received the media attention which was unseen before. Such an unusual interest has resulted from two successive internal conflicts: first, in 2012 the anti-government rebellion drawing together the alliance of rebel militia factions, the Séléka, and a year later the insurrection of the opposing Anti-Balaka forces. The article is an attempt to analyse the causes of the instability of the CAR and the current political and security situation in the country, taking into account, among other things, the results of the fieldwork conducted by the author in the Central African Republic, as well as his long-time research on the phenomenon of dysfunctional states.

Keywords: Central African Republic, state dysfunctionality, collapsed state, violence, development issues
In recent years, Central African Republic (République centrafricaine), CAR, has been making newspaper headlines all over the world, and has been present in the media almost on a weekly basis. This unusual interest of the international community in this small country – for African standards – and one of the poorest countries in the world has resulted from two successive civil wars: first, in 2012 the anti-government rebellion drawing together the alliance of rebel militia factions, the Séléka, and a year later the insurrection by the Anti-Balaka, which were formed as village self-defence forces in response to the acts of violence committed by the units of the Séléka, which was in power at that time. However, observers who had been following the fate of this country for the last 13 years, since President François Bozizé came to power as a result of a military coup d’état, were not surprised by such a turn of events. This is due to the fact that it was visible much earlier that the state did not function properly, and its breakdown was just a matter of time. For years, the CAR has occupying the top place in all possible rankings of failed states, instability, poverty, corruption or disastrous health status of society. Furthermore, almost all the indicators defining dysfunctional states can be applied to Central African Republic. If we follow the Fragile States Index – FSI (until 2014 known as the Failed States Index), the most important and widely quoted ranking of dysfunctional states (prepared on an annual basis since 2005 by the Washington-based think tank The Fund for Peace in cooperation with Foreign Policy magazine), it is evident that Central African Republic has been descending into the chaos of disintegration of statehood since the first ranking was announced in 2005, and over the last ten years it has not left the top ten most dysfunctional countries in the world, whereas in 2014 it joined the group of the top three failed states, classified as a state with a status of a very high alert.

Table 1. The position of the Central African Republic in the Failed States Index over the period 2005-2015.

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The article is the result of the author’s interest in the problem of dysfunctional states, developed during field research in various Sub-Saharan African states, including the Central African Republic, which formed part of the research project entitled “Failed states and their dysfunctional influence on international relations in the regional and global dimension”. The main emphasis was placed on the search for reasons behind the crisis of statehood which is being experienced in the Central African Republic, taking into account the historical and the present perspective, as well as an attempt to analyse

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3 Ibid.
the current state of affairs in the country whose situation is very dynamic and characterized by frequent outbreaks of violence. The main hypothesis of the author is an assumption that in recent years the situation of the state institutions of the CAR (understood rather broadly – in the neo-institutional perspective) has been going steadily downhill and there are no visible symptoms of its rapid improvement.

The Central African Republic is one of the least developed countries in the world, and its share in the global economy does not exceed 0.01%\(^4\). Economic development is slowed down by an unstable political situation, lack of skilled workforce, poor transport infrastructure, corruption and extensive black economy (mainly diamond smuggling). The railway network does not exist, and out of 23.8 thousand kilometres of roads only 3 per cent have hard surface, which is why during the wet season the majority of roads are impassable. Being an African landlocked country also does not help the economic development and causes additional constraints such as double isolation – because of Africa’s isolation from the European, American or Asian markets, and due to the landlocked countries’ isolation from the coast; or dependence on its own or transit countries’ weak infrastructure\(^5\). What also influences the situation apart from the poverty and low level of development is the very low standards of education and virtually non-existent public health care (most hospitals and clinics are run by missions). The average life expectancy in the CAR is 50, 3.8 per cent of the population is infected with the HIV virus, 37 per cent of Central Africans aged 15+ are unable to read and write\(^6\). The country’s poverty is confirmed by statistics, e.g. the Human Development Index for 2015 (HDI) – out of 188 countries in the world the Central African Republic ranks the 187th, and since 2011 it has consistently been ranked among the last ten countries in the HDI\(^7\). Raw materials are the country’s main resources: chiefly diamonds, uranium and timber, but trade in diamonds accounts for 50 per cent of the country’s whole export revenue. The condition of the state finances is deplorable. The latest estimates by the United Nations suggest that more than 28 per cent of the population is affected by food insecurity and 33 per cent requires humanitarian assistance\(^8\).

As in the case of health care and education, whose standards are generally speaking very low, is provided mainly by religious missions and non-governmental organizations (NGOs). Public schools often exist only on paper, because teachers do not get their salaries for months and schools do not function at all or are maintained from money paid

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by students’ parents or local communities. The only university in the Central African Republic is located in its capital – Bangui, but its level of teaching is hardly academic, even by African standards. The apostolic nuncio in Central African Republic – Archbishop Jude Thaddeus Okolo, whom I interviewed, drew my attention to the problem of the correlation between the quality of food and the education of children. Malnourished children in the areas where the main staple food is cassava are not able to properly develop intellectually.

The problem of education should be connected with the problem of childcare. In highly dysfunctional states where additionally, what makes matters worse, the armed conflict takes place, children from an early age are exposed to great danger and they often live with the trauma of flight and fight for survival. Also, the AIDS pandemic and other diseases typical for sub-Saharan Africa (e.g. malaria or yellow fever) make thousands of children reliant on care of their grandparents, or of not much older siblings. According to the report SOS Children’s Villages of 2015, 60 per cent of children in sub-Saharan Africa live in poverty, and 10 per cent have lost both parents. Only because of AIDS 15 million African children became orphans. For these children SOS Children Villages/Villas d’Enfants have been created – to take care of orphans and street children. During my stay in the Central African Republic in July 2010 I visited one of these children villages, established near the town of Bouar. Although without any doubt these institutions help the most vulnerable and often marginalized children, they are run in a “Western style”, detached from surrounding reality, what in consequence, makes the children who grow up in children villages totally unprepared for the living conditions, in which the vast majority of them will have to live in their adult life.

THE EXTENT TO WHICH THE SOCIETY IS INTERNALLY CONFLICTED

In Sub-Saharan Africa, a complex ethnic structure tends to be the norm rather than the exception, as this part of the world is still dominated by pre-national forms of ethnic awareness. The problem was exacerbated by the colonial legacy, as the European superpowers delineated boundaries of their zones of influence, but failed to take into account ethnic and cultural differences. After gaining independence, the lack of political elites and well-formed modern civil society institutions has led to the situation in

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11 The author’s lessons learned from participant observations and interviews with the personnel during his visit to the Children Village SOS in Bouar, Central African Republic, 29 July 2010.
which ethnicity-based groups of interest compete with one another as part of political systems. The Central African Republic is inhabited by over eighty ethnic groups, and not only the largest of them, Gbaja, Banda, Mandija and Sara, compete with one another for power. The situation was aggravated by the recently visible sectarian conflict, when as a result of the deposition of President Bozizé, the Séléka group, dominated by followers of Islam, came to power.

State appropriation by ethnic groups in CAR is a norm, which is proven by the country’s history since the gaining of independence. When General André Kolingba came to power after the coup d’état in 1981, he used only the ethnic and tribal principle in selection of collaborators for state and military offices. Kolingba was a member of Yakoma tribe from the south of the country, and during his presidency members of his tribe, whose population does not exceed 5% of CAR inhabitants, took over the majority of key positions in the state and army. Recruitment for armed forces was also conducted in line with the ethnic status. It had serious consequences later, when Kolingba was replaced by Ange-Félix Patassé, who came from the north of the country. Patassé, who did not trust the army, whose officer corps was dominated by Yakoma tribe, underpaid it. However, he created a well-paid presidential guard (Unité de sécurité présidentielle) and militia formations to which members of northern tribes were usually recruited. Consequently, numerous rebellions broke out against the new president in the years 1996-1997, and the president himself, being uncertain about his soldiers, asked for outside help. At that time, help was provided by Libya’s leader Muammar Gaddafi, who sent him 300 well-equipped and well-trained commandos. After quenching the rebellion, Patassé decided to deal with the Yakoma tribe, which led to an exodus of approximately 20,000 people, as well as crimes and acts of violence against civilians. During the coup d'état attempt in 2001, Patassé asked Libyans for help again, promising Gaddafi the monopoly on extraction of diamonds, and hired rebels from the Movement for the Liberation of Congo (Mouvement pour la Libération du Congo – MLC) of Jean-Pierre Bemba, infamous for their cruelty and war crimes. Prowling the southern part of the country, those units massacred, raped and robbed the CAR population. As a result of those activities, approximately 60,000 people were forced to leave their homes.

Overthrown in March 2013, Bozizé also did not trust the army; his Garde Ré-

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14 The crimes committed at that time by Patassé’s guard and the Congolese units were investigated by The International Criminal Court, which resulted in Bemba’s capture. He was then handed over to the International Criminal Court which in March 2016 found him guilty of war crimes and crimes against humanity committed in Central African Republic more than a decade ago. International Criminal Court, Situation in the Central African Republic in the Case of the Prosecutor v. Jean-
Publicaine consisted exclusively of so-called “patriots” who supported the Bozizé rebellion and the Chadians who came with them.15

A separate place in the mosaic of CAR’s ethnic groups should be given to the Muslim population, which prior to the outbreak of the 2012 conflict was estimated at approximately 15 per cent of the country’s population.16 The Muslims are generally people of immigrant origin – they come from the countries neighbouring CAR from the north, mainly from Chad. They have a big influence on the country’s economy and have dominated the majority of business undertakings, both in the field of extraction of raw materials and small trade. The tension between them and the indigenous population, mainly Christians (50%) and followers of animist religions (35%), is not only of the sectarian, but also of social and ethnic nature, and it intensified after the Séléka came to power, as part of the Chadian population living in the CAR openly supported the rebels.17

**PRIVATISATION OF POWER**

Dysfunctional states not only assume a very limited scope of duties, but additionally are not able to fulfil them effectively. As a rule, such states do not have a strong centre of power which would prevent processes of anarchisation of the public life, and they are unable to contain the most important social conflicts. The most evident sign of the state’s collapse is the fact that it has lost monopoly on using force in a part of its territory, which means that the state monopoly on coercion is taken over, in an uncontrolled way, by local leaders, clans, or ethnic groups. Usually such a situation leads to an outbreak of a civil war, which is frequently accompanied by famine, epidemics, mass migration, ethnic cleansing, slaughter and rape. The states inability to regulate the course of the public life in its own territory and the actual loss of sovereignty in the

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country provides non-state actors with extensive opportunities to develop crime activity and exploit the country’s natural resources in the conditions of chaos. During Bozizé’s rule, one third of the country (mainly northern part) was not effectively controlled by the government in Bangui, and the control of this area was exercised by three major armed rebel groups: Union des forces démocratiques pour le rassemblement – UFDR, Armée populaire pour la restauration de la république et la démocratie – APRD and Convention des patriotes pour la justice et la paix – CPJP, which, to a significant extent, financed its operation thanks to exploitation of natural resources18. On the other hand, in the south-eastern part of the country, raids were carried out by the Lord’s Resistance Army – LRA, which is still present there and, taking advantage of the weakness of the governments of Democratic Republic of Congo and Central African Republic, massacres civilians in these countries, abducts minors and incorporates them in their ranks, and crosses the borders of the weak states virtually unpunished19. Whereas the north-eastern part of the country was troubled by raids conducted by the Janjaweed from Sudan, which crossed the border with CAR to chase fleeing residents of Darfur and abduct young men from CAR in order to incorporate them into their militias20.

THE CONDITION OF THE ARMED FORCES

In dysfunctional states, armed forces are usually weak, both, in terms of training and discipline, as well as equipment. The army is dragged into political conflicts, demoralised by participation in frequent coup d’état attempts or penal expeditions against civilians opposing the government in the capital. There is a rule that the one that controls armed forces also has power, and the loss of this control is tantamount to the loss of power. The army does not protect the country’s interests, and neither is able to defend its borders and population. Sometimes the army oppresses it, and soldiers are perceived as just a lesser evil than rebels. In fact, the line here is blurred due to the fact that frequently as a result of coup d’état attempts and civil wars, rebel units become the government army after their leader takes power, and former soldiers of the government army organise rebel units. This is the case of Central African Republic. Forces armées centrafricaines (FACA) play (apart from France’s support) the key role in taking and retaining power. Historically, the army has taken part almost in all changes of the country’s president. Presidents

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Dacko, Bokassa, Kolingba, Bozizé and Djotodia came to power as a result of a coup d'état, supported either by the national army or by foreign mercenaries. Out of five Central African presidents three used to be army chiefs of staff. The country’s first president, David Dacko, was overthrown by an army chief of staff – Jean-Bédel Bokassa. In 1979, he returned to CAR as a result of another coup d'état, supported by the French commandos sent by Paris as part of Baracuda operation. In 1981, he was overthrown again by another army chief of staff – General André Kolingba. The only president who came to power through a democratic election was President Ange-Félix Patassé in 1993, who quickly became very unpopular among military men, as majority of officers and soldiers came from southern tribes which supported former President Kolingba. Over the period 1996-1997, badly paid soldiers incited a number of rebellions in the country, and in 2001 an unsuccessful coup d'état attempt took place. Unable to rely on loyalty of the national army, Patassé requested Libya and Democratic Republic of Congo for help. The CAR army is not only badly trained, but it is also unstable. Demoralised soldiers have expressed their discontent on many occasions, inciting numerous rebellions and demanding payment of overdue salaries. Participation in coup d'état attempts has, by no means, raised the morale of the armed forces. Furthermore, the army is criticised for frequent violations of human rights, crimes, rapes and widespread corruption. Consequently, when a moment of trial comes, which was the case during the latest Séléka rebellion, the army is not able to carry out military activities effectively, and usually disintegrates. This can be exemplified by the events of March 2013. On March 24th, the Séléka rebels assumed control of the capital, and a few days later had the whole country under their control. The Séléka soldiers mainly come from Chad and Sudan. They mostly use Arabic and in the vast majority of cases do not know French or Sango. When they were taking control there was over 5,000 of them, and later their number increased as much as fivefold. After a few days of training, new recruits received weapons, uniforms and were conscripted into the Central African army. Not having much idea about military discipline and soldier’s honour, they committed numerous abuses, such as theft, rapes, extortion of fees at road barriers, shops, markets and many other places. The abuses were committed with explicit or presumed consent of their army superiors. In fact, even the military ranks they assigned to themselves have been earned for participation in rebel campaigns in various African countries, and not after a long period of service and training\textsuperscript{21}.

**Wars**

Wars are the bloodiest consequence of a state’s collapse, and over the last twelve years the Central African Republic has been affected by three major internal conflicts showing features of the civil war, which have resulted not only in the suffering of the population but also in thousands of people who have been killed, wounded or deprived of the roof over their heads. In an underpopulated country such a conflict is disastrous.

\textsuperscript{21} Based on the account of missionary priest Miroslaw Gucwa, 27 November 2013.
Those who take part in the fight do not follow the code of war laws or basic principles of dealing with civilians, prisoners of war and places of worship. The lack of the sense of responsibility for the consequences of waging such wars is exacerbated further by the fact that the structure of the warring armed organisations is highly decentralised, and demoralised units act in a coordinated way only temporarily, usually during bigger military operations. Moreover, the units of the warring parties include mercenaries from other countries (mainly from Chad, Sudan, or Democratic Republic of Congo) who do not identify themselves with the local population and are focused on looting, demonstrating huge ruthlessness in their behaviour\(^22\).

The struggle for power in the Central African Republic between President Ange-\-Félix Patassé and General François Bozizé ruined the country and put it at risk of famine catastrophe, when the fighting politicians asked foreign armies for help (Patassé – Libyan and Congolese mercenaries, Bozizé – Chadian ones). Some of defeated units transformed themselves into gangs who robbed civilians or attacked them on roads. This phenomenon of road bandits was called zargina. The practice was particularly oppressive in the north of the country, near the Chadian border\(^23\).

The conduct of Séléka-related soldiers was the main cause of the Anti-Balaka movement, whose main aim was to drive out the “strangers”, i.e. Séléka rebels associated with the followers of Islam. That led to the second part of the bloody civil war full of slaughters and rapes, as a result of which thousands of Muslims were forced to leave their homes. Therefore, the latest civil war was not only an instance of a struggle for power, but a conflict with ethnic and religious background. In order to provide self-defence, militias of animistic and Christian populations, Anti-Balaka have been formed in response to the activities of the Séléka group, as it was mentioned above, consisting mainly of Muslims. As a consequence of international pressure condemning the Séléka rule, and the outbreak of an uprising (with the main force – the aforementioned Anti-Balaka militias), the leader of Séléka and his most important collaborators in January 2014 left the country. Power was taken over by the former mayor of Bangui – Catherine Samba-Panza – as a transitional president. She was to stay in office until the parliamentary and presidential elections. Although initially it was planned that they would be held one month later, the election date was continuously postponed, and, finally, they were held more than a year later (in December 2015). For the 2016 presidential elections dozens of people declared their candidacy, including three former prime ministers and three sons of former presidents\(^24\).


As it was previously mentioned, the conflict for power has escalated into an ethnic and religious one. The Muslim community living in the CAR experienced retaliation, which turned into massacres of Muslim population. The hatred for the acts committed by the Séléka coincided with the economic factor, because the Muslims were the richer part of the society, and actually they controlled most of the trade and services. Before the outbreak of the conflict in 2012, the Muslim population was estimated at 15-17% of the country’s population\(^{25}\). In the capital, their number reached 120,000, currently only little over 10,000 of them left. They used to have a big influence on the economy of the country, because, as it has been already mentioned, they controlled most business ventures, both in the sphere of extraction of raw materials, as well as small trade activities. For example, rich Arab merchants practically seized control of the gold and diamonds trade – the greatest wealth of the CAR. Moreover, the trade itself was to a large extent illegal. In their mines, they employed hundreds of local workers, who worked in very difficult conditions for minimum rates, they were ‘treated like cattle’ by hired bodyguard units, consisting mainly of Muslims. During his visit in the CAR in summer 2010 the author witnessed many times the ill-treatment of local populations (mostly Christians and animists) and ostentatious attitude of superiority toward them was demonstrated by Muslims\(^{26}\). According to many politicians and observers, the escalation of the political and religious situation has to do with involvement of external actors, e.g. oil states, headed by Saudi Arabia which supports the Séléka rebels financially, it seems to be related with far-reaching plans of Islamization of the Central Africa\(^{27}\).

After the loss of control over the greater part of the CAR experienced by the Séléka in the first months of 2014, the majority of Muslims living in the western part of the country, including the capital Bangui, had to leave their homes under the threat of losing their lives. Their property was plundered, their shops and homes looted and burnt down. Some enclaves inhabited by large concentrations of Muslim population, which decided to stay, are currently protected by international peacekeepers. But leaving these enclaves became practically impossible because of the threat of attack by the Anti-Balaka militants. It is assumed that over the period from December 2013 to October 2014 almost 190,000 people fled to neighbouring countries – mainly to Cameroon, the Democratic Republic of Congo, Congo-Brazzaville and Chad. According to the United Nations High Commissioner for Refugees (UNHCR), Cameroon received more than 135,000 refugees. In addition, over 850,000-930,000 people (around 20-25% of the country’s population) became internally displaced persons (IDPs), living in appalling conditions, without adequate food security and life safety\(^{28}\).

\(^{25}\) P. Tonino, F. Nyabenda, Islam...

\(^{26}\) The author’s observations during field research in the Central African Republic, July-September 2010.

\(^{27}\) The report of Polish secular missionary Izabela Cywa, based on the interviews with Central African politicians conducted in Autumn 2015.

It is also worth to mention an economic aspect of the current internal conflict in the Central African Republic. Many of the mining areas are now under control of rebel groups, both the Anti-Balaka and the Séléka, which thanks to the income from the illicit trade in diamonds and gold can finance their conflict. There is also evidence of forced labour and child labour in the mines, but the information is limited because of the difficult access to the sites. The newly raised question is the timber trade. According to the *Global Witness Report*, the European and Chinese timber trade companies have been funding the armed groups on both sides since 2013 (which is seen as related to the diamond trade ban imposed by the Kimberley Process). The same reports estimated that in 2013 the logging industry companies paid nearly 3.4 million euro in security and checkpoints payments to the Séléka rebels in the north of the country, and in 2014 hundreds of thousands euro to the Anti-Balaka militias.

**THE DESTABILISATION OF THE REGION**

Dysfunctional states often not only struggle with the plague of the internal war themselves, but also are the breeding ground for the conflict in the neighbouring countries, thus destabilising the whole region. Being unable to effectively control their territory and borders, they cannot prevent acts of aggression launched by armed groups from their territory against the neighbouring countries. The instability in Central African Republic influences the neighbouring states, and led to interventions from outside, including interventions of the neighbours: Chad, Sudan, Democratic Republic of Congo, as well as by the former colonial master – France, and, in addition, forces international organisations to take action, e.g. the United Nations or the European Union – The United Nations Mission in the Central African Republic and Chad – MINUCART (2007-2010), European Union Force Chad/CAR – EUFOR (2007-2009).

The relations between CAR and Chad can serve as an emblematic example. The Central African Republic and Chad have a history of mutually supporting rebel groups against the central government in these countries. For instance, in 2003 General Boz-

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izé’s rebellion against the incumbent, President Patassé, began in Chad with the official support of Chad’s President Idriss Déby. Later, Chadian president provided support to President Bozizé, who fought the rebellion in the north of the country. The aim was obvious – to prevent closer cooperation between rebel groups on both sides of the border, which would have resulted in the establishment of bases of Chadian rebels in the CAR’s territory. It was the Chadian authorities which arrested and handed over to the government of Central African Republic Charles Massi – the leader of CPJP rebel group, which operated in the north of the country. Furthermore, in November 2010 Chadian troops pushed off the rebels from the above-mentioned group from the strategically important town of Birao in the north of the country, when they were requested to do so by the government in Bangui. Sudan supported rebels from Central African Republic against Bozizé. With tacit consent of Khartoum, armed raids to the CAR’s territory were also conducted by Muslim militias – Janjaweed, which attacked refugee camps. In addition, the Sudanese government army conducted a number of armed operations against rebels hiding in the CAR territory. It was from the territory of Central African Republic, among other places, that in April 2006 Chadian rebels under Mahamat Nour’s command conducted an attack on Chad’s capital, Ndjamen. It is also known that the Chadian rebel units recruited Central African mercenaries.

In the peacekeeping mission in the Central African Republic – the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) took part around 12,000 international peacekeeping troops and 2000 French soldiers from the Military Operation Sangaris. However, these forces are not sufficient to stabilize the situation in the country and ensure safety to its population, even to its most vulnerable part – women and children, who are especially exposed to violence, forced conscription to the rebel groups, forced marriages, forced labour, and sexual slavery. In August 2014 the UN Secretary General presented a report on sexual slavery, forced marriage and the recruitment of child soldiers (including re-recruitment of the children who were previously used as child soldiers). According to the report, more than six thousand of children are being used in the armed conflict in the CAR. The problem does not apply only to the activities of the Central African rebel groups.

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33 G. Queyranne, Peace...

34 K. Campbell, Central African Republic...


Children are also abducted for forced labour and military service by the the Lord’s Resistance Army, originated from Uganda, which moved to the territory of the CAR, taking advantage of the current weakness of this state\textsuperscript{37}. Furthermore, in recent months, international outrage has been sparked over the reports of sexual abuse (including rape and accepting sex as payment) committed by the international peacekeepers\textsuperscript{38}.

**CORRUPTION**

Corruption is an inherent element of reality of countries which are weak and were thrown into a crisis. This problem concerns all officials of the state apparatus, from a rank-and-file soldier to the highest state authorities. In these countries, corruption in not only an element which is accepted by society, but, in fact, an official form of a sideline, and sometimes simply the main source of income. Due to the omnipresence of corruption, the country’s citizens are helpless against it, as there is no possibility of appealing against the decisions of officials. A state official or a soldier who guards a road barrier and tells travellers to wait for passage for a few hours due to the reasons only known to himself, but offers immediate passage for a bribe, or a customs official on the border who comes up with fees which are nowhere to be found pay money to their superiors to keep their positions, whereas the superiors pay to those above them, and this goes to the very top of the civil servant ladder. Consequently, the citizen has no possibility of being protected, and the public interest is neither important to nor respected by citizens and persons who represent the state. In the Central African Republic, corruption is visible almost everywhere, from the moment of crossing the border, when customs officials and border guards come up with fees and customs duties and do not give any confirmation of payment, through paying bribes to soldiers at rain barriers erected on roads, to licences issued for mining raw materials, mainly diamonds, or permits to log tropical forests. The corruption related to diamonds was presented in an already famous documentary by Mads Brügger entitled *Ambassador*\textsuperscript{39}. Polish missionary Robert Wieczorek describes corruption in this country in the following way: “The reform of the laws regulating mining of and trade in diamonds was conducted once again. It turned out that probably half of the precious stones are smuggled out of the country. An inspection conducted by the Ministry of Labour showed the ex-


\textsuperscript{39} *Ambassador*, directed by M. Brügger, Denmark 2011, distribution Against Gravity.
istence of 10% of fictitious civil servant positions [...]. Both in the past and today the craving for money demonstrated by employees of uniformed services of all sorts has been easy to satisfy. It is sufficient to let them out to roads to erect barriers. And there let them ask travellers to “comply with formalities”, i.e. FCFA 500 per head\textsuperscript{40}. A few years ago there was a lot of talk about Polish traveller Maciej Pastwa, who ended up arrested in the Central African Republic. The police detained him, because he refused to pay a bribe. The Pole came to Africa to build a school and a deep water well for those who urgently needed it\textsuperscript{41}. There is a principle according to which there are two ways of arranging things in such countries: either you know somebody or you have to pay. According to the \textit{Corruption Perceptions Index} published by Transparency International, out of the 168-175\textsuperscript{42} countries classified the Central African Republic has ranked the 144-154th over the last six years, being one of the most corrupt countries in the world\textsuperscript{43}.

\textbf{CONCLUSIONS AND FUTURE PROGNOSTICS}

The Central African Republic demonstrates all the features of state dysfunctionality, and there are no signs that the situation will improve significantly in the near future. The government does not control borders, the army is demoralised and completely dis-integrated, and there is an internal conflict of ethnic and sectarian nature taking place in the country’s territory. For many years the Central African Republic has been considered one of the poorest countries in the world, however, today it is completely devastated, even for the conditions of the CAR. Nearly a million people have been forced out of their homes (around 25% of the population). The country is currently paralysed by a violent internal conflict of ethnico-religious character, the warring parties mutually accuse themselves of war crimes and crimes against humanity, such as tortures, unlawful killings, rapes, lootings, use of child soldiers, sexual slavery, and forced resettlements. After the coup conducted by Séléka in 2013, the state was deprived of effective leadership. Chaos in the country is very hard for civilians, especially those most vulnerable: women and children. The current situation in the CAR can be seen as a complex humanitarian crisis. The rapidly growing number of deaths caused by epidemics and lack of access to drinking water (many drinking water reservoirs have been destroyed during the conflict). Under the conditions of protracted violence, a complete breakdown of the rule of law and the spread of impunity took place, human rights violations are being committed on a daily basis.

\textsuperscript{40} R. Wieczorek, \textit{Pęknięte serce...}, pp. 250-251.
\textsuperscript{42} It depends on the year of the ranking.
A little bit of hope was brought by the visit of Pope Francis in November 2015. The Pope, being the first pontiff in recent history to visit an actual war zone, turned to the Central African Muslims, apologizing for any acts violence committed by the Christians. This supposed to be a step towards reconciliation, peace, and inter-sectarian cooperation.

At the beginning of December 2015, there was a constitutional referendum concerning the adoption (or rejection) of a new version of the constitution. The voting went peacefully without any serious incidents. According to the observers, however, it was difficult to find written information about the actual content of the constitutional changes. One of the important presumed changes concerned the establishment of the upper house of parliament – the Senate, which in one of the poorest countries in the world will surely increase the costs of government administration. According to the official results, 93 per cent of Central Africans voted “in favour of the reforms limiting the president’s tenure to two terms, fighting institutional corruption, and reining in armed militias” – as it was presented by the state’s representatives. At the end of December 2015 presidential and parliamentary elections finally took place (They had already been postponed several times). Initially, there were 80 candidates on electorate lists, of whom 32 eventually participated in the elections. The electoral campaign was conducted in eight out of ten of prefectures, due to the presence of the armed groups in a part of the national territory. One of the presidential candidates, former prime minister, Martin Ziguélé, was widely regarded as a French candidate. The electoral campaign he ran was supported financially and militarily by Paris, what gave him quite a significant advantage (during the electoral meetings the French soldiers from the Sangaris Operation were his official escort). However, for the big part of the society this candidacy was highly controversial because of his earlier cooperation with the Séléka rebels and the government of Michel Djotodia. The former did not hide that their aim is a division of the state according to the religious affiliation.

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47 After the fighting in mid-2013 a part of the Muslim population was evacuated to neighboring countries. Since the beginning of 2015 an increasing number of Muslims is returning to the CAR, especially to Bangui. They hope that they will be able to restore their old life, but their return causes further unrest in the capital. Every day there are new incidents, including killings, on both sides of the conflict. In September 2015 another serious riot began in Bangui, which resulted in the deaths of several hundred people. The rioters also attacked international troops. The roads have again become dangerous due to the activity of numerous armed groups. One of them was the group of Miskin, who in 2014 kidnapped a Polish missionary priest Matthew Dziedzic. I. Cywa, ‘Czy nastąpi podział...’, pp. 90-92.
The results of the first round were announced in early January 2016. Former prime minister Anicet Georges Dologuélé topped the pole, having gathered 23.7 per cent of the votes, the second place was taken by Faustin-Archange Touadéra with 19.4 per cent of the votes. However, the second round was won by Touadéra (62.72% of votes cast). His defeated rival accepted the results, thus the country perhaps can avoid another internal conflict48. Despite the completion of the election process, the situation in the Central African Republic is far from a stable one. The country is destroyed after several years of civil war and the divisions in the society, both ethnic and religious, are still very strong. The efforts taken up by the international community and the regional African organisations seem to be a chance for a long-term stabilisation. However, the Central African Republic has still long way to go to achieve this goal.

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*Ambassador*, director: Mads Brügger, Denmark 2011, distribution: Against Gravity.

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The aim of this article is to demonstrate the thesis that the stabilization of Nigeria’s complicated political situation is furthered by the functioning in that country of institutions based on two models of interethnic power-sharing – consociationalism and centripetalism – and that the two are to some extent complementary in Nigerian practice, despite the fact that political theory sees the two as opposites of each other. The article begins with a short analysis of the political situation in Nigeria. This is followed by a presentation of the problem of defining the notion of political stability and an assessment of the same in the Nigerian context. The article then goes on to discuss the nature of centripetalism and consociationalism and of specific centripetal and consociational institutions involved in the stabilization of the political situation in Nigeria. The article ends with the author’s conclusions about the initial thesis.

Keywords: hybrid political system, interethnic power-sharing, consociationalism, centripetalism, Nigeria

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1. NIGERIA AND ITS POLITICAL SITUATION

Nigeria is the most important state on the African continent, given the size of its economy, and it is also the most populous one. Its population reached about 185 million in mid-2015 according to estimates, and this makes it the world’s seventh most populous state. Nigeria is also a vast country with an area of nearly 924,000 km². It is inhabited by members of about 250 ethnic groups, the largest of which are the Hausa-Fulani (about 29% of Nigeria’s population), the Yoruba (about 21%), the Igbo (about 18%) and the Ijaw (about 10%). As many as 522 languages are spoken in Nigeria, although the sole official language is English. It is estimated that about 50% of Nigeria’s inhabitants are Muslims, who live mainly in the north of the country, while Christians make up 40% of the population and live mostly in the south of the country. About 10% of Nigerians follow indigenous beliefs.

After gaining independence in 1960, Nigeria functioned as a federation of three regions: The North (dominated by the Muslim Hausa-Fulani), the West (dominated by the Christian Yoruba) and the East (dominated by the Christian Igbo). Even though in each region one ethnic group was predominant, all were inhabited by many smaller groups. The three largest groups had their own ethnic parties, which competed aggressively with each other at the central government level. As a result, the newly established...
Nigerian state with a plural, i.e., multi-ethnic and multi-religious society, became subject to serious tensions almost from the outset. At the root of such tensions lay also clear cultural differences, especially those which set Muslims and Christians apart: The question of the division of budget revenues, which to a great extent originated from the exploitation of oil fields of the Niger Delta; and the problems related to the different political traditions of the main ethnic groups and the difficulty of reconciling them for the purpose of running an independent state.

Tensions erupted in the second half of the 1960s, when the army began to play a decisive role in Nigerian politics. In January 1966, during an unsuccessful military coup conducted mainly by the Igbo, a considerable proportion of Nigeria's leading politicians, public functionaries, and high-ranking officers from the Hausa-Fulani and Yoruba ethnic groups were killed. As a result of the complicated political situation that followed the attempted coup and the ensuing persecutions of the Igbo, especially by the Hausa-Fulani, in 1967 the Igbo proclaimed the secession of the oil-rich Eastern Region and the establishment on its territory of the independent Republic of Biafra, which was then attacked by the federal forces of Nigeria, now ruled by a military junta.

From 1967 to 1970 the country was embroiled in a civil war, the so-called Biafra War, which, according to most sources, cost the lives of over one million people. The Christian Igbo were opposed by the mostly Muslim Hausa-Fulani and the Christian Yoruba. The Biafra War had the characteristics of an ethnic conflict. After the end of the war, which was won by the federal side, the political situation in Nigeria gradually stabilized, something that certain experts saw as being due mainly to the introduction in that country of the institutions of a centripetal political system. Such a system allows members of the political elite of different ethnic groups to share power, and encourage reconciliation, cooperation, and political integration across ethnic lines, while weakening the significance of such divisions in conditions of multi-ethnicity. In practice, centripetalism helps to reach these goals by the simultaneous use of a number of specific institutional arrangements, especially those related to the manner in which the territory is structured, the rules by which the head of state is chosen, and the principles governing the functioning of political parties.

11 The Biafra Republic, with its capital in Enugu, was recognized by only 5 states and existed formally until 1970.
12 This junta was established as a result of a coup in July 1966.
14 The notion of ethnic conflict (“ethnic conflict”, “interethnic conflict”) is understood by the author as defined by Errol A. Henderson, as a dispute between rival groups, which identify themselves mainly in terms of ethnic criteria (i.e., connected with such common traits as ethnicity/nationality, language, religion and race), and which raise group claims to resources on the basis of their group rights. See E.A. Henderson, ‘Ethnic Conflict and Cooperation’ in L. Kurtz (ed.), Encyclopedia of Violence, Peace, and Conflict, Vol. I, San Diego 1999, p. 751.
15 See, for example D.L. Horowitz, Ethnic Groups in Conflict, Berkeley 1985, pp. 612-613.
The emergence of centripetalism in Nigeria did not prevent the breakout of conflicts. These were, however, of a lesser scale than the Biafra War and were not strictly ethnic in character. The most serious present conflict in Nigeria is the ongoing revolt of the extremist Muslim organization Boko Haram (Jama'atu Ahlis Sunna Lidda'awati wal-Jihad), which is directed against the Nigerian authorities, against Christians, and against those Muslims who tolerate Western influences above all in education, science, administration and the political system. Another important conflict, one whose intensity has decreased recently, has been going on since the 1990s in the Niger River delta: The members of mostly two ethnic groups inhabiting this area, the Ijaw and the Ogoni, grouped in a number of armed organizations, are opposed, in the words of their leaders, to the economic exploitation by the central government. This conflict, however, has its own specific character because the direct targets of the attacks by the Niger River delta rebels are not so much the forces of the Nigerian state, but the workers and the installations of Western companies extracting oil and gas in the Niger River delta. Still, by targeting the petroleum industry, the rebels are reducing Nigeria's budget revenues, 80% of which, according to the Nigerian political scientist Rotimi T. Suberu,\(^{16}\) derive from various taxes and levies paid by entities exploiting the resources of the Niger River delta. At least 13% of those revenues should be returned to several southern states where such resources are extracted. Considering the very high degree of corruption in Nigeria however, the transfer of those funds to the authorities of the Niger River delta states does not necessarily mean they are spent rationally for the benefit of the local population.

All reports about the state of democracy in the world published thus far by The Economist Intelligence Unit (Democracy Index 2006, 2008, 2010-2014)\(^{17}\) classify Nigeria – in keeping with the extensive criteria adopted by their authors – as an authoritarian state. Even though it uses democratic electoral procedures, Nigeria is considered an undemocratic state for, among other reasons, an excessive concentration of power at the presidential level and a still insignificant degree of separation of powers (including a rather modest degree of judicial independence); a deficit of the rule of law; numerous manipulations and falsifications at election time; a very high level of corruption among politicians and state functionaries; and a long period without alternation of power,\(^{18}\) which took place in Nigeria in 2015 for the first time since the restitution of civilian government in 1999. For a period of 16 years, full power in Nigeria at the federal level was in the hands of the People’s Democratic Party (PDP) which, according to official but strongly contested election results, won successive presidential elections, which are very important given the presidential system of government in place in Nigeria, and

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elections to both houses of parliament. During this period, it also won regional elections in over half of states.

2. POLITICAL STABILITY IN NIGERIA

In the literature, Nigeria is seen as a state with little political stability. As this notion is often understood in many ways, it is worthwhile to recall its usual essence. The notion of a state’s “political stability” includes political and economic elements. Taking into consideration the many proposals put forward by scholars or research centers attempting to define or analyze this notion, one can state that it includes, first and foremost, elements such as lasting governments (i.e., not subject to too frequent changes) governments enjoying some form of legitimacy; a state where internal violence is absent; a low level of social tensions and the existence of public order; the rule of law, strong constitutional mechanisms and accountability of those in power; a competent and efficient administration that is sensitive to the needs of citizens, and other state institutions; the lack of structural changes accompanied by violence and a breakdown in the functioning of state institutions and of the rule of law; a low level of corruption; and a business climate favorable to the development of entrepreneurship and investment.

According to the Fragile State Index 2015, prepared by the influential research center Fund for Peace, Nigeria comes 14th on the scale of least to most stable countries and belongs to the so-called High Alert group of countries. The level of stability of a given state is defined in that ranking on the basis of 12 indicators: social (Demographic Pressures, Refugees and Internally Displaced Persons, Group Grievance, Human Flight and Brain Drain), economic (Uneven Economic Development, Poverty and Economic Decline) and political and military (State Legitimacy, Public Services, Human Rights and Rule of Law, Security Apparatus, Factionalized Elites, and External Intervention). Although Nigeria does not yet belong to the group of politically stable countries, its political situation is undoubtedly far more stable than at the time of the

19 And in international surroundings, if it affects internal security.
22 Fund for Peace, Fragile States Index 2015: The Indicators, at <http://fsi.fundforpeace.org/indicators>, 18 September 2015. The said index assigns 178 countries to one of the following groups: Very High Alert, High Alert, Alert, High Warning, Warning, Low Warning, Less Stable, Stable, More Stable, Sustainable, and Very Sustainable. The higher the level of political (and economic) stability of a given state, the higher the group to which it is assigned. In the Fragile State Index 2015, the world’s least stable country is Southern Sudan, which is the first on the Very High Alert group, while the most stable country is Finland, which is the only country in the Very Sustainable group.
Biafra War or after its end when, as Donald L. Horowitz points out, there was great fear of renewed ethnic conflict, but no group knew which group would be victimized next.\textsuperscript{23}

Of course, the political stability of a state does not emerge overnight, but is usually the result of a long-term political stabilization process. It would appear that the difference between the notions of “stabilization” and “stability” has to do with the fact that the first refers to the process of stabilizing a given phenomenon (such as the political situation in a given state) or to the culmination of that process, while the second refers to a settled state.\textsuperscript{24} Usually, the elements that are indispensable in order to stabilize a political situation and, in effect, to secure political stability are appropriate political institutions. In certain multi-cultural states, including Nigeria, these are institutions of interethnic power-sharing, i.e., of a political system that includes in the governing process politicians representing or simply originating from different ethnic groups and/or various religious communities. Experience has repeatedly shown that elites which are allowed to participate in government and given the possibility to defend the interests of their groups mitigate the behavior of the members of such groups in their relations with other groups, and this in turn has a positive influence on the stabilization of the political situation in a plural society.

3. CONSOCIATIONALISM AND CENTRIPETALISM

Two models of interethnic power-sharing are distinguished and opposed to each other in the abundant literature on the subject: Consociationalism and centripetalism.\textsuperscript{25} The logic of consociationalism is based on the concept of primordialism which, as Arend Lijphart explains, presupposes that ethnicity understood as ethnic identity is an inherited characteristic and, if not permanently fixed, at least very difficult to change.\textsuperscript{26} From a primordialist perspective, the idea of creating pan-ethnic societies in multi-ethnic states seems utopian. The direct opposite of primordialism is instrumentalism. According to this concept, the nature of ethnicity is fluid and plastic and this carries important political consequences. Proponents of the instrumentalist approach think that ethnicity can be roused to pursue particular aims but, on the other hand, that its significance can be reduced for the purpose of building pan-ethnic societies. The instrumentalist approach seems to be supported by those politicians and constitutionalists in multi-ethnic states who see no need to introduce in such states political systemic solutions

\textsuperscript{24} K. Trzciński, ‘Czym jest stabilność...', p. 38.
\textsuperscript{26} A. Lijphart, ‘Multiethnic Democracy’, p. 855.
that reflect existing ethnic divisions. In consequence, they usually opt either for authoritarian structures or for the uncomplicated institutions of liberal majoritarian democracy. In the middle, between primordialism and instrumentalism, lies constructivism.\(^{27}\) Admittedly, its proponents are in agreement with the primordialist view that ethnicity is something given or set in advance, but they also state that it can then be shaped for the purpose of attaining some desirable goal having to do with, for example, the political modernization of the state. Constructivist premises serve as a basis for the logic of centripetalism.

The theory of consociationalism presupposes that when society in a given state is plural in character and, especially, strongly divided ethnically, individual ethnic groups should possess their own distinct representation in state government (in the form of ethnic parties, for example) and to be able to participate in political decision-making. Such a state entrenches existing ethnic divisions.\(^{28}\) Centripetalism presupposes the opposite – the possibility of political integration of the groups’ elites above ethnic divisions, thus weakening the importance of the latter. Centripetalism, in contrast to consociationalism, by definition promotes ethnically neutral legal practices concerning the status of individuals and groups in multi-ethnic conditions – something that is supposed to strengthen the process of integration, the reaching of which is the purpose of centripetal institutions.

Empirical centripetalism (Nigerian and Indonesian)\(^{29}\) is made up of the following institutional solutions:\(^{30}\) A territorial structure within the framework of which large ethnic groups are “broken down” so their members live in distinct, preferably multi-ethnic territorial and administrative units – something that is supposed to make the elites of one and the same large group representing various regions compete with each other, for example for funds from the central budget; the constitutional requirement for candidates in presidential elections to obtain a territorial distribution of votes (the

\(^{27}\) The division into primordialism, instrumentalism and constructivism is promoted by, for example, A. Lijphart, ibid. Compare the other division proposed by I. Shapiro, Stan teorii demokracji [The State of Democratic Theory], trans. by I. Kisliowska, Warszawa 2006, pp. 125-127.


support of the electorate in a considerable number of the given state’s regions), the fulfillment of which is necessary to assume the office of president; and supra-regional and interethnic political parties required to form ethnically heterogeneous lists of candidates in different elections.

The nucleus of consociationalism is made up of four institutions: grand coalition governments (such as, for example, governments formed by ethnic parties or governments made up of politicians representing specific segments of plural society or preferably originating from all of those groups); cultural autonomy for individual linguistic groups (if they live in one specific area then the autonomy can also be of a territorial nature, for example that of ethnic federalism); proportionality in political representation and in the appointment of members of the civil service; and a limited veto right for the minorities (taking at times the form of a requirement to obtain a qualified majority for certain types of changes to the law).

The experience of states that have, at least in part, implemented consociationalism at home (especially Cyprus, Lebanon, Malaysia, Bosnia and Herzegovina, and India), shows that consociational institutions can take various forms. In particular, there can be variations of grand coalition governments, including, for example, governments led by a pan-ethnic party (in India, for example); a rotational presidency (such as in Bosnia and Herzegovina); between ethnic (and/or national) groups; or religious (and/or denominational) communities.

And so, in India, for example, especially during the governments of Jawaharlal Nehru from 1947 to 1964, the council of ministers, though usually formed by a single party (the Indian National Congress at the time, now the Congress Party), was an unusually inclusive government, for it included the representation, as described by Rajni Kothari, one of India’s leading political scientists, of all the major sections and interests of society. More specifically, the members of that government originated from various religious, linguistic and/or ethnic, and regional groups. In Lebanon in turn, in 1943 the main political forces signed an agreement (it was later modified), the so-called National Pact, as part of which religious and denominational communities were to appoint their members to the most important government positions. In consequence, a Maronite sits as president, the office of prime minister goes to a Sunni, and the position of Speaker of the one-house parliament is filled by a Shiite. This system also applies to the division between segments of plural society of parliamentary mandates, the posts in the civil service and ministerial portfolios. On account of its distribution of positions between re-

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31 See A. Lijphart, Thinking about Democracy..., p. 42.
33 See A. Lijphart, Democracy in Plural Societies..., pp. 147-150. The Lebanese National Pact de facto did not function during the civil war period from 1975 to 1990.
religious or denominational communities, Lebanese consociationalism is at times referred to as confessionalism. In Cyprus in turn, the 1960 Constitution introduced the so-called bi-communitarian state, entailing a parity of representation between the national and religious communities in the exercise of state authority. The result was a separation of the highest executive authority in the state between the president representing Cypriot Greeks, and the vice-president representing the Cypriot Turks. Moreover, this Constitution enshrined the principle of the separation of public functions, including mandates in the House of Representatives and ministerial posts, between the two communities proportionally to their numbers in the population as a whole.

Lijphart thinks that consociationalism does not always need to be a formally institutionalized system, but can be present solely in certain systemic solutions and, at the same time, be in part reflected in the political custom or practice in place. And so, for example, a government made up of political parties representing members of various ethnic, linguistic, or religious groups is the purest form of a grand coalition based on the consociational power-sharing model. There can be other consociational solutions at the level of the legislative and executive branches, such as, for example a coalition defined not in terms of a division of power between political parties formed on the basis of, for example, specific ethnic groups or religious communities, but rather on the maintenance of a measure of participatory proportion between representatives of most ethnic, linguistic, or religious groups of a plural society. Therefore, for Lijphart, the cases of, say, Lebanon, Cyprus, or India, bear out the thesis that as far as the most important consociational institution – the so-called grand coalition – is concerned, one can use the wider term of “universal participation”, or that of a “cartel of elites” to use the notion coined by Ralf Dahrendorf. In Nigeria, three centripetal institutions are complemented with consociational solutions whose traits are primarily those of universal participation or of a cartel of elites. Nigerian consociational institutions can also be treated as a variation of the consociational institution of proportionality in political representation and in the appointment of civil servants.

4. NIGERIAN CENTRIPETAL INSTITUTIONS

Most institutions of Nigerian inter-ethnic power-sharing are typical of centripetalism. These are: 1) a territorial structure that “breaks up” large ethnic groups so that they end up living in distinct territorial and administrative units (hereafter called a centripetal

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35 These arrangements were practically in force until 1963, and their implementation was ultimately suspended after the Turkish invasion of Cyprus in 1974 and after the de facto division of the island into two separately governed parts.

36 A. Lijphart, Thinking about Democracy..., p. 29. See also R. Dahrendorf, Society and Democracy in Germany, Garden City, NY 1967, p. 276.
territorial structure); 2) the requirement of a territorial distribution of votes (support) in presidential elections, the fulfillment of which is necessary to win the presidential office; and 3) supra-regional and inter-ethnic political parties.

4.1. The centripetal territorial structure

After gaining independence, Nigeria made use of two distinct models of federalism one after the other: Ethnic and centripetal. From 1960, when independence was proclaimed, to 1966, when the army seized power, this state was divided simply into several regions, initially into three (North, West and East), and from 1963 (following the separation of the Mid-Western Region from the Western one), into four. In each of the first three regions, one of the country’s largest ethnic groups (Hausa-Fulani, Yoruba or the Igbo) was predominant. Nigeria’s territorial division thus had the characteristics – admissible under consociationalism – of ethnic federalism. Until 1967 the northern region, amounting to over 2/3 of Nigeria’s area was the most important of all, because it was inhabited by over half the country’s population, and had the greatest number of electoral votes. As a result, the Hausa-Fulani consistently sought to play a dominant political role in the federation.

After the army took power in 1966, centripetal federalism began to take shape in Nigeria. In 1967, after the four regions were replaced by 12 states, the three largest ethnic groups found themselves living in as many as seven of the new territorial units. As Horowitz points out, this, along with the temporary de-legalization by the army of ethnical parties, freed the smaller ethnic groups from the control of regionally dominant groups and paved the way for new alliances. The situation changed again in 1976 when, as a result of the country’s successive reorganizations of the territorial structure and the creation of 7 new states, Nigeria now had a total of 19. Horowitz has calculated that the Hausa-Fulani then lived in about half of them, the Yoruba in five, and the Igbo in two. This led to an increase of intra-ethnic disputes as a result of inter-state competition for a share in development projects financed by the central government. What was also significant was the fact that in the new situation over half of the states were ethnically heterogenic. Within the new multi-ethnic states, inter-ethnic political coalitions emerged to defend state interests. Disputes at the intra-ethnic level and inter-state rivalry reduced the risk of conflicts at the inter-ethnic and, at the same time, federal level.

These trends became more pronounced at a later time with the introduction by the army of further changes in the territorial divisions. In 1987, two more states were established in Nigeria, followed by nine in 1991, and another six in 1996. Suberu points out

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39 Ibid., p. 604.
40 Ibid.
41 Ibid., pp. 604-605.
that Nigeria’s present territorial division into 36 states has led to a situation where the Hausa-Fulani are a majority in nine states, the Yoruba in seven, and the Igbo in five. Moreover, as many as 15 states are governed by smaller ethnic groups.

The multiple modifications of Nigeria’s territorial division after 1966 consisted in creating from the federation’s larger parts new, smaller states which, in the first years of Nigerian independence, were part of the above-mentioned three regions dominated by Nigeria’s three largest ethnic groups. In addition to “breaking up” these groups so that their members would inhabit different states and, at the same time, to creating states dominated by other groups than the Hausa-Fulani, Yoruba or the Igbo, the changes in Nigeria’s territorial structure have also led to the division of areas in the oil and natural-gas-rich Niger River delta (initially mostly a part of the Eastern Region into as many as 6 states controlled by smaller ethnic groups. In consequence, the principal area of extraction of energy resources has been effectively stripped of domination by the Igbo who, from 1960 to 1967, had administered the Eastern Region and governed, from 1967 to 1970, the secessionist Republic of Biafra which emerged in its stead, in its entirety or parts thereof, as the Biafra War unfolded.

4.2. The requirement of territorial distribution of support in presidential elections

In Nigeria’s presidential system of government, there is a centripetal requirement that candidates in presidential elections secure a territorial distribution of votes, the fulfillment of which is indispensable for the assumption of the presidential office. This requirement is meant to assist in the emergence of pan-ethnic presidents, who can play an important role in limiting conflict and, therefore, in stabilizing the political situation.

The requirement of a territorial distribution of votes in presidential elections was first introduced in Nigeria by the Constitution of the Second Republic of 1979. Its provisions about the requirement in question are in their majority identical to those presently in force pursuant to the Constitution of the Fourth Republic of 1999. In keeping with the 1999 Constitution, the Nigerian president is both Head of State and Chief Executive (art. 130 (2)). He is elected in universal elections to a four-year term (art. 135 (2)). The same person cannot hold presidential office for more than two terms (art. 137 (1) (b)).

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43 Ibid., p. 74.
44 The term “pan-ethnic president” is promoted by B. Reilly, ‘Centripetalism’, p. 292.
45 T.D. Sisk, Power Sharing..., p. 55.
The territorial vote distribution requirement refers to states, of which there are presently 36, as the basic units of territorial administration and to the Federal Capital Territory (FCT), Abuja (art. 3 (1) and (4)). In keeping with the Nigerian Constitution, when more than two candidates take part in a presidential election (a typical situation), the office of president falls to the one who won the greatest number of votes overall, and no less than 1/4 of votes cast in each of at least 2/3 of all the states of the federation (including the FCT) (art. 134 (2) (a) and (b)).

If no candidate meets both requirements necessary to assume the office of head of state in the first round, a second round of presidential elections is called (art. 134 (4)). Two of the candidates who ran in the first round take part in it: the one who won the greatest number of votes in the entire country and one of the remaining candidates (art. 134 (3) (a) and (b)). The Constitution provides that in the latter case it is not the candidate with the second largest number of votes in the entire country who passes to the second round, but the one who obtained the most votes in the greatest number of Nigerian states (art. 134 (3) (b)).

The second round of presidential elections in Nigeria can, but does not have to, determine the Head of State. In keeping with the Constitution, for one of the candidates in this round to be able to assume the office of president, in addition to obtaining a simple majority of votes he must, as in the first round, obtain no less than 1/4 of the votes cast in at least 2/3 of all the states of the federation (including the FCT) (art. 134 (4) (a) and (b)). In consequence, if the candidate who wins a simple majority of votes does not meet the territorial vote distribution requirement, a third round of elections must be held.

Both candidates from the second round of presidential elections in Nigeria take part in the third round. The one who will become president is the one who succeeds in obtaining a simple majority of votes (art. 134 (5)). It is only in the third round of elections for the head of state, therefore, that the Constitution of Nigeria forgoes the territorial vote distribution requirement.

Nigeria held presidential elections under the 1999 Constitution in 2003, 2007, 2011 and 2015. Each time, a candidate won in the first round and always obtained over 50% of votes cast, despite the fact that in Nigeria presidential elections can be won by the candidate who simply obtained the greatest number of votes, i.e., who won a relative majority, providing that the territorial vote distribution requirement is fulfilled. Earlier, under the 1979 Constitution, in the years 1979-1999 presidential elections were held four times. In 1979 and 1983, the favorite of the election won in the first round by obtaining a simple majority of votes. In 1993 and 1999 the favorite of

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the election won in the first round by obtaining an absolute majority of votes. The above data would seem to indicate that the requirement in question is meaningless in practice. In fact, quite the opposite is true: Electoral manipulations notwithstanding, this data suggests that the victors in those elections are politicians whose views and actions, especially on issues that are sensitive for inter-ethnic relations, are moderate. Their political moderation allows them to obtain wider support than that of the ethnic group from which they originate. This is precisely the effect that the centripetal territorial vote distribution requirement in presidential elections is meant, by definition, to produce.

4.3. Supra-regional and inter-ethnic political parties

After the army seized power in Nigeria in 1966, political parties were outlawed. They recovered their freedom to act when civilian rule was restored in 1978, albeit for a short period, which saw a renaissance of large ethnic parties representing mainly the interests of the Hausa-Fulani, Yoruba and the Igbo. The Constitution of 1979, however, allowed only supra-regional and, at the same time, inter-ethnic parties to operate (art. 202 (b) and (e), art. 203 (1) (b) and (2) (b)). In this manner ethnic parties were de facto outlawed. This had fundamental repercussions, especially for the Hausa-Fulani who, it will be recalled, are Nigeria’s largest ethnic group and had sought to dominate the central government during the initial period of Nigerian independence.

As a result of the introduction of the requirement of forming supra-regional and inter-ethnic parties, during the Second Republic (1979-1983), the National Party of Nigeria (NPN), whose basic electorate is in the north of Nigeria among the Hausa-Fulani, had to seek wider support, not only among smaller ethnic groups, but even among the Yoruba and the Igbo. The success of this undertaking is possibly the reason behind the victory of its candidate in the 1979 presidential elections, although the fairness of those elections was questioned. A similar situation took place during the elections to the two houses of the Nigerian parliament in 1979 and 1983, in which the NPN won. Donald L. Horowitz, the leading theoretician of centripetalism, is convinced, however, that it is mainly the specific nature of Nigerian centripetal federalism at the time that caused the need for parties to seek wider supra-regional and inter-ethnic support, while the chief NPN activists were simply the quickest and most accurate in identifying this new need and adapted their strategy accordingly. In his opinion, NPN’s success reflects the correctness of the assumption holding that federalism can create a new framework for electoral understanding on the side of both the electorate and the party leadership, because in Nigeria increasing the importance of divisions in the North, the new structure in the end decreased the more dangerous divisions at the central level. Horowitz moreover


stresses that a multi-ethnic state framework also led to the emergence of inter-ethnic political coalitions.

In 1983 the army once again took power in Nigeria. After its rule ended and the Constitution of 1999 was adopted, the requirement for supra-regional and inter-ethnic political parties returned. Presently, no association is allowed to function as a political party if membership in it is not accessible to every citizen irrespective of place of origin, ethnicity or religion (art. 222 (b)). The main seat of any Nigerian political party has to be in the Federal Capital Territory (art. 222 (f)). Moreover, neither its name, nor symbol or logo of any party can contain any ethnic or religious connotation whatsoever, or indicate that its activities are limited to some part of Nigerian territory (art. 222 (e)). In keeping with the provisions of the Nigerian Electoral Act of 2010 (art. 82 (4) (c) (iii), (iv) and (v)), which complements the Basic Law in this respect,\(^5\) the Independent National Electoral Commission (INEC), which is responsible for registering the symbols of political parties, is prohibited from allowing the use by parties of symbols associated with chiefdoms, tribes, ethnic groups, religions or religious cults in any election.

In keeping with the Constitution, the statute of each political party in Nigeria has to include a provision requiring the organization – in keeping with democratic principles and at no rarer than every 4 years – of internal elections of the party’s main activists or members of their executive council (art. 223 (1) (a) and (2) (a)). The statute must also include a guarantee that the composition of the said council will be a reflection of Nigeria’s “federal character” (art. 223 (1) (b)),\(^5\) and specifically, that it will be made up by persons originating from no less than 2/3 of all the states of the federation (including the FCT) (art. 223 (2) (b)). These provisions are important because in Nigeria only membership in a supra-regional and inter-ethnic political party gives citizens the possibility of obtaining a parliamentary mandate and to take part in the work of one of the two houses of the National Assembly, while a candidacy in parliamentary elections has to be financed by the party of which they are a member (art. 16 (2) (b)).\(^5\)

5. **NIGERIAN CONSOCIATIONAL INSTITUTIONS**

In Nigeria the three centripetal institutions discussed above are complemented by consociational arrangements, which represent above all a variant, in the wide sense, of Lijphart’s “grand coalition”, of “universal participation” or the “cartel of elites”. They are: 1) the formal requirement of multi-ethnic and/or multi-religious composition of the cabinet or of other authorities and institutions; and 2) the linkage of two informal


\(^5\) In Nigeria there is the so-called Federal Character Principle (FCP).

\(^5\) Similarly, a Nigerian citizen can run for the office of president only if he is a member of one of the political parties active in that country, and his candidacy is financed by that party (art. 131 (c) of the Constitution of 1999).
institutions: a rotational presidency between Muslims and Christians and of the vice-presidency falling to a member of the opposite religious community and other ethnic group than those from which the president comes from.

5.1. The requirement of the multi-ethnic and/or multi-religious composition of the cabinet and of other institutions

According to the Nigerian Constitution of 1999, the composition of the federal government and of all federal government agencies should reflect Nigeria’s “federal character” and there cannot be in them any preponderance of persons originating, as it was formulated, from a “few” states, ethnic groups or segments of another type (“sectional groups”) (art. 14 (3)). The above-mentioned state organs also need to perform their obligations in a manner that does not favor any specific Nigerian states, ethnic groups of segments of another type (art. 14 (3)). The Constitution further indicates that the composition of the government has to include at least one minister from each of the 36 states, and this person has to be an indigenous inhabitant of this state (art. 147 (3)). The president nominates all ministers and other important state functionaries (including ambassadors and high commissioners in countries which are members of the Commonwealth of Nations) in keeping with Nigeria’s federal character (art. 171 (2) and (5)).

The multi-ethnic and multi-religious character of Nigerian society also has to be reflected in the composition of organs of the Nigerian state and local authorities. In keeping with the Constitution, the composition of state governments and local governing councils and of all institutions subject to those authorities, as well as the manner in which they play their function, should reflect the “diversity of the people” living in the areas to the jurisdiction of those organs and to “promote a sense of belonging and loyalty” among all citizens of the Federation of Nigeria (art. 14 (4), art. 192 (2) and 197 (3)). This principle concerns even to the composition of corporate boards of management and supervisory boards in companies in which a given state has shares, and also to “councils of universities” and other institutions of higher education in each of the states (art. 197 (3)).

Those of the above-mentioned arrangements which concern the composition of the federal or state ministerial councils should be seen as a variation of Lijphart’s grand coalition. The totality of the Nigerian consociational arrangements presented in this part of the article are also reminiscent of another element of consociationalism, namely the institution of proportionality in political representation and in the nomination of members of the civil service, although in the case of Nigeria one cannot speak of the existence of any given proportions regarding ethnic groups of religious communities.  

56 For the sake of comparison, it is worthwhile to note that, in keeping with the provision of the Constitution of 1979 (art. 135 (3)), also at least one minister in the government should originate from each Nigerian state, but the Basic Law sets the number of these at 19 (art. 3 (1) and Appendix I). See the Constitution of the Federal Republic of Nigeria of 1 October 1979 (enacted on 21 September 1978), at <http://www.constitutionnet.org/files/nig_const_79.pdf>, 4 September 2015.
Nonetheless, there are regional proportions in the composition of the federal council of ministers.

Although the above-mentioned arrangements could reconcile the interests of individual ethnic groups and religious communities, Anthony Akinola, a Nigerian intellectual, thinks that there are too many ministers in Nigeria. This could reduce the effectiveness of the political decision-making process. The maintenance of the multi-ethnic and/or multi-religious composition of the cabinet or of state and local authorities and institutions of various type most certainly also generates additional operational costs for public institutions. These problems were already obvious many years ago to Arend Lijphart, the principal theoretician of consociationalism, but he is of the opinion that such costs are worth incurring for the sake of greater political stability in plural societies.

5.2. The rotational presidency and the specific nature of the vice-presidency

The formal requirement that the composition of the cabinet and of other authorities and institutions reflect the federal character of Nigeria (i.e. so that in practice they would be multi-ethnic and/or multi-religious) is accompanied by an informal institution of a rotational presidency, assumed in turn by a Muslim and a Christian, linked with the institution of the vice-presidency which falls to a member of the opposite religious community and ethnic group than the ones from of which the president is a member.

The rotation of the presidency, almost alternately between a Muslim and a Christian, has been fixed as a political custom in Nigeria during the PDP governments in 1999-2015. The institution of vice-president, which is a constitutional part of the presidential system now functioning in Nigeria, is affected in turn by an informal arrangement used in Nigeria during the period of civilian governments: Prior to the elections, a presidential candidate has to choose a running-mate (who will become vice-president in case of electoral victory) of a different ethnic and religious background than his own.

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58 A. Lijphart, Democracy in Plural Societies..., p. 51.
Such arrangements can contribute to the lowering of inter-ethnic and inter-religious tensions in Nigeria. It is worthwhile to repeat, however, that the institutions of a rotational presidency and of a vice-presidency falling to a member of the opposite religious community or ethnic group than the ones the president originates from are not constitutional arrangements, because formally speaking the president and vice-president in Nigeria are elected in a general election, and the electoral victory of specific candidates should not depend on their place of residence, the religion they practice, or their ethnic background.\(^{61}\)

It is worthwhile to note that for many years there have been discussions in Nigeria about introducing, following the proposition of some Nigerian intellectuals and part of the political class, a rotational presidency based on 6 zones defined in geographical terms: South-East, South-South, South-West, North-East, North-West, North-Central. Such a proposal was one of the subjects discussed at the conferences concerning systemic reforms organized in Nigeria in 1994-1995 and in 2005.

6. CONCLUSION

As we have seen above, Nigeria adopted a hybrid model of inter-ethnic power-sharing – one that combines institutional arrangements that, in the opinion of western political theoreticians are characteristic of two different and theoretically opposite models of inter-ethnic power-sharing: centripetalism and consociationalism. This divergence between Nigerian practice and western theory bears out the statement of the outstanding Africanist Patrick Chabal, holding that contemporary western Africanist political theory should not limit its interpretive options to those which fit the known (mainly western) categories of analysis.\(^{62}\) Although both the theory of centripetalism and that of consociationalism are empirical in character because they emerged as a result of observations of political reality in multi-ethnic (multi-national) and/or multi-religious (multi-denominational) countries and are based on an in-depth analysis of real examples of power-sharing, the conclusions that follow from such analyses are at times of an excessively abstract nature. The Nigerian example demonstrates that one should not be tightly bound by a set theoretical framework, for some institutions of the two power-sharing models need not be mutually exclusive in practice, even if the concepts they derive from are contradictory. It is worthwhile to remember that centripetalism tries to overcome differences between segments of a plural society and integrate its members – including and especially the political class – above ethnic cleavages. In contrast, the institutions of consociationalism, although also working toward building compromises in plural society, taken together entrench ethnic (national) or religious (denominational) divisions. In Nigeria there is no attempt to make use of the


totality of centripetal and consociational institutions at the same time, and the leading centripetal approach is enriched by just a few arrangements of the consociational type. These mainly have to do with one of the four institutions of consociationalism – that of the great coalition, which, as Lijphart points out, can vary extensively in practice. The example of Nigeria shows, therefore, that certain arrangements which are ideologically opposite because they are based on constructivism on the one hand and on primordialism on the other, can complement each other and serve together to stabilize the political situation in a plural society in which such a task is certainly not a simple one.

The key question, however, one that has to do with the Nigerian model of inter-ethnic power-sharing is whether or not it contributes at all to stabilize the political situation in Nigeria. Answering this question is not easy. One can conclude that in Nigeria a complex process of political stabilization – one that may one day be successful, especially in conditions of lasting economic development, reduction of poverty and leveling of social inequality – is certainly under way. The use in Nigeria of a combination of centripetal and consociational arrangements is certainly not a remedy to all ills that exist or arise in Nigeria’s multicultural environment, nor can it be. It does not eliminate religious tensions between Muslims and Christians, although it certainly contributes to their reduction and to the fact that they tend to manifest themselves at a local community level. Moreover, one should take into account the fact that Muslim and Christian religious communities are far more numerous in Nigeria than individual ethnic groups, and religious conflicts often break out unexpectedly following sudden events of only symbolic significance at times. Nigerian inter-ethnic power-sharing is also not a remedy for the Islamic extremism present in Nigeria (manifested mainly in the actions of Boko Haram) although, of course, the phenomenon of extremism in any country can be seen as extra-systemic by definition.

The success of combining arrangements proper to both models of inter-ethnic power-sharing in the stabilization of the political situation or in the future attainment of stability in multicultural conditions is, for the time being, quite uncertain. Although the intensity of ethnic conflict in Nigeria has decreased following the implementation of complementary centripetal and consociational institutions, this evolution cannot be explained solely by the existence of mixed inter-ethnic power-sharing. The reduced significance of conflict behavior in relations between ethnic groups and the building of inter-ethnic accommodation may just as well be due to many other factors, including the slow, if systematic, economic growth and increasing urbanization, which leads to greater inter-ethnic contacts and co-dependencies.

It is nonetheless worthwhile to note the fact that there has not been a civil war in Nigeria following the Biafra War, after which power-sharing arrangements were introduced, even if a number of lesser rebellions did take place. The situation is quite different in many other plural societies of Sub-Saharan Africa. Most certainly a comparative study between Nigeria and such large multi-ethnic African states as Ethiopia, Sudan, Angola or the Democratic Republic of Congo (formerly Zaire) would be a tempting proposition. Power-sharing institutions were not formally introduced in any of those
countries, at least before the 1990s, and every one of them was for many years the scene of ongoing and renewed armed conflicts on a large scale.

There is no doubt that Nigeria is a laboratory of sorts in which it is possible to study the effectiveness in multi-ethnic conditions of a specific hybrid model of inter-ethnic power-sharing, one which is capable of limiting ethnic conflict and of contributing to political stability. As the evolutionary dynamics of the world’s political systems – barring a sudden breakdown due to the revolution or war – are usually slow, it would be unwise to expect that the possible success of the political arrangements used in Nigeria could be easily emulated in other countries with plural societies. To this end, what is needed above all is political will and knowledge of institutional engineering that could help reduce conflict between different segments of society and, in consequence, bring about political stability.

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The evolution of the regional system of cooperation for peace and security in Africa led to the formation of institutionalized methods and forms of cooperation within the framework of regional international organizations (Organization of African Unity, African Union) and the creation of the African Peace and Security Architecture. One of the important forms of activity within it became peacekeeping operations. Maintenance, building and peace enforcement missions have become part of the strategy to shape the international environment in which security is a prerequisite for the smooth implementation of development goals. African international forces heretofore have participated in stabilization operations in countries such as Chad, Rwanda, Burundi, the Comoros, Sudan, Somalia and the Central African Republic.

**Keywords:** peacekeeping operations, Organisation of African Unity, African Union, African Peace and Security Architecture (APSA), international conflicts
Aft er the end of the Cold War, African countries took steps to give a new impetus to regional mechanisms of cooperation. Economic problems and a widening development gap between Africa and other regions of the world created the risk of an even deeper marginalisation of the continent, especially in the context of the increasingly dynamic processes of globalisation. When external powers limited their engagement in Africa, local contradictions were revealed, leading to exacerbation of crises and open conflicts. All this created more opportunities for the region’s countries to act towards solving these conflicts. Aware of their great responsibility for the situation in Africa (especially in the context of the economic crisis in the 1980s and 1990s that could result in the marginalisation of the continent in the global international order), leaders of African countries made efforts to develop a strategy of eliminating negative phenomena and processes and a strategy of restoring Africa’s development capabilities, eliminating poverty and social exclusion, launching measures and funding to stabilise the situation in the long-term perspective.

With the escalation of conflict-generating phenomena, one of the priorities for the countries participating in the Organisation of African Unity (OAU), established in 1963, was to act towards developing crisis management mechanisms in matters related to peace and security in Africa. While a mechanism of conflict and dispute settlement was established within OAU at its very onset (the Commission of Mediation, Conciliation, and Arbitration), it remained unused in practice and as such was suspended after a decade (1967–1977). The attempts to develop a new mechanism yielded no results. Only the end of the Cold War and the changed situation in Africa itself as well as in its international neighbourhood brought some relevant decisions. In 1993, the reform efforts resulted in the adoption of the Cairo Declaration, establishing a Mechanism for Conflict Prevention and Resolution in Africa, which introduced a new quality in terms of African countries’ responsibility for security in the region.1 Further reforms, related to the decision to replace the Organisation of African Unity with a new regional institution, resulted in the establishment of the African Union (AU), ultimately launched in July 2002. In the process of forming this new pan-African organisation, African countries decided to introduce another reform of the crisis management mechanism. A document of 2002 regulating these issues established a new body within the African Union: the Peace and Security Council (PSC), which was given broad decision-making competences in this respect.2 The PSC was launched in May 2004. The efforts to cre-


ate an effective mechanism fully addressing the needs led to the emergence of the idea of the African Peace and Security Architecture (APSA), which was intended to contribute to the establishment of a comprehensive system that would ensure the ability to rapidly react to challenges and threats to security as well as to create instruments for an effective response adequate to the scale and extent of the negative phenomena concerned. The concept of APSA comprises five parallel elements: apart from the Peace and Security Council, it includes the Continental Early Warning System, the Panel of the Wise, the Peace Fund, and the African Standby Force (ASF). Together, they form a continental mechanism of joint responsibility for security in Africa.\(^3\) Alongside the activity on the continental level, steps were also taken to establish sub-regional mechanisms, which in cooperation with the African Union could create a comprehensive and multilevel crisis response system. The extent of cooperation and the readiness to cooperate in response to the emerging challenges and threats to security are what determines the forms of activity undertaken within the framework of each of the institutional forms and mechanisms of cooperation, but the African Union is still the main body supervising and monitoring the activity of all the entities involved in peace activities in Africa. The extent of tasks is very broad, from prevention and mediation through various forms of intervention aimed at preserving peace, to possible peace enforcement operations (although the latter only upon the consent of the UN Security Council), including the possibility of deploying peacekeeping missions and operations on the list of possible reactions to crises and conflicts forced African countries to develop suitable strategies of employing personnel from different countries and the material resources necessary for the effective execution of various undertakings.\(^4\)

**PEACEKEEPING OPERATIONS IN OAU ACTIVITY – FROM THE EMERGENCE OF THE CONCEPT TO AN EFFECTIVE TOOL**

The notion of creating suitable international forces supporting peace objectives in Africa arose relatively early. As early as in 1964, during negotiations conducted under the OAU mandate by President of Mali Modibo Keïta and Emperor of Ethiopia Haile Sellassie in the conflict between Morocco and Algeria over the Tindouf Region, the notion of deploying peacekeeping forces into the disputed region emerged. A group of military observers was to monitor the process of implementing the armistice agreement, withdrawing armed forces from the disputed region and establishing a demilitarised zone at the border between the two countries. Despite the adoption of the relevant decisions, no such actions were in fact taken by any international force, but this

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\(^4\) For more on the evolution of the regional security system and the emergence of the APSA see: W. Lizak, *Afrykańskie instytucje bezpieczeństwa* [African security institutions], Warszawa 2012.
still proves that the regional community recognised the usefulness of such solutions already at the onset of the development of pan-African cooperation mechanisms.\(^5\)

Due to the ineffectiveness of the peaceful dispute and conflict resolution system in the first decade after the establishment of the OAU, alternative measures were sought, which opened the door to various forms of peacekeeping operations. While the OAU’s statute did not provide for such a form of peacekeeping activity, the positive experience of the UN encouraged steps in this direction. Furthermore, from the point of view of African countries, such activity – using their own funds and forces – had the considerable benefit of possibly eliminating the influence of non-African powers, which tried to influence Africa rather often during the Cold War, thus negatively affecting the ability of the region’s countries to effectively regulate disputes and conflicts. At the same time, such undertakings required suitable material, financial and logistical resources and organisation skills. This meant the need to meet certain conditions, which were rather questionable considering the experiences of the past and the level of socio-economic development of these countries. The potential of the regional mechanism to evolve in this direction is also proven by the fact that the United Nations recognised the OAU as a regional organisation operating in line with Chapter VIII of the UN Charter. Although no separate decision that would explicitly confirm this was never issued, the UN Security Council Resolution 199/1964 of 30 December 1964 called upon the OAU to take action – in the context of Article 52 of the UN Charter – towards peaceful resolution of the conflict in Congo, which clearly proves that its competence as a regional organisation responsible for maintaining peace and security in Africa was recognised.\(^6\)

The fact that Africa and the UN accepted the OAU in this role raised the importance of regional mechanisms of cooperation for peace and security. For years, however, the activity in this respect focused primarily on seeking political means to contain disputes and conflicts through mediation; moreover, this was done outside the framework of the Commission of Mediation, Conciliation, and Arbitration. The first attempt by African countries to use international peacekeeping forces in practice took place only at the turn of the 1970s and 1980s. The peace talks conducted at that time by the Nigerian diplomacy, backed by the OAU, with the parties to the conflict in Chad resulted in a political agreement that was to end the civil war in that country (through, for example, the establishment of the Transitional Government of National Unity, comprising representatives of the conflicted political groups). The implementation of these arrangements was to be guaranteed by military units from third countries formed into a contingent of peacekeeping forces operating under the mandate of the Organisation of African Unity. These forces (from the formal and legal point of view, they were in fact two operations), were formed in 1980 and 1981-82.


The experience drawn from this operation was not positive at all; eventually it turned out to be a failure. Problems with the interpretation of its mandate, lack of coordination between the participants, the fact that some countries who declared their participation in the operation were not ready to do so, lacking a logistical base and funds, as well as the fact that the conflicted parties were not willing to fully implement the peace agreement eventually led to the withdrawal of the peacekeeping forces from Chad in mid-1982. Other factors that significantly contributed to the fiasco of the operation was the lack of organisational experience in preparing and managing such operations by the OAU as well as the influence of external powers, especially France and Libya, on the developments in Chad. Given the decreasing interest of the latter two in cooperation, the regional community’s capability of finding a peaceful solution to the conflict was limited. In the end, this sole attempt during the Cold War to solve a conflict in a peaceful way, using international African peacekeeping forces, fully revealed the weakness of the Organisation of African Unity; at the same time, however, we should bear in mind that the organisation had considerable limitations resulting from the structure of and mechanisms governing the international order of the Cold War era. It cannot be denied that the political and military support provided by France and Libya to the competing sides of the conflict considerably limited the OAU’s options in promoting a peaceful solution. From the point of view of the regional community of states, the experience drawn from this situation discouraged any attempts to repeat it, especially given that the mechanisms governing the international system in the Cold War era led to the inclusion of local African conflicts in global rivalry, thus reducing their steerability.

Therefore, further attempts to employ African peacekeeping forces took place only in the 1990s. What is interesting is that it was not the OAU that employed its forces and resources in the first peacekeeping operation in Africa in the post-Cold War era; the initiative to take action towards peace and security came from one of the sub-regional organisations that had been emerging since the mid-1970s with the aim to support integration in Africa. The first institution that took the opportunity to act in this form was the Economic Community of West African States (ECOWAS), which sought ways to resolve the bloody civil war in Liberia. The international forces stationed there between 1990 and 1999, the ECOMOG (ECOWAS Monitoring Group) had a significant impact on the course of the conflict and the peace-restoring activity.

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8 Cf.: E.G. Berman, K.E. Sams, Peacekeeping in Africa..., p. 47.

9 At the same time, we need to remember that ECOMOG’s engagement in Liberia gives rise to controversy as well, especially given that at a certain stage of the conflict these forces took part in the fighting on the government’s side, which clearly contradicted the principle of impartiality. See: K.P. Coleman, International Organisations and Peace Enforcement. The Politics of International Legitimacy, Cambridge 2007, pp. 73-115.
In the years that followed, ECOWAS launched similar operations several times, in time becoming the institution with greatest experience and organisational capability with regard to such initiatives. Over the years, the international forces of ECOWAS were deployed to regulate conflicts in Sierra Leone (1997–2000), Guinea Bissau (1998–1999), the Ivory Coast (2002–2004), again in Liberia (2003), and in Mali (2013)\textsuperscript{10}. Most of these operations were temporary and led to the UN taking over responsibility for the situation in the crisis regions. Still, the experience gathered during these operations and the confirmed readiness of West African countries to take on shared responsibility for peace and security in the region allow us to view the ECOWAS as one of the most experienced and organisationally effective international institutions in Africa.\textsuperscript{11}

The activity of ECOWAS initiated the emergence of a certain special attribute of the African crisis management system: a hierarchic mechanism where sub-regional, regional (Africa) and global (the UN) institutions work together and complement each other, where, as a rule, measures are taken at the lowest possible level (sub-regions). Other characteristics of this system include flexibility determined by the readiness of the given institution and its members to act, supervision of sub-regional organisations by a pan-African institution, as well as clear recognition of the competences of the UN Security Council as the entity responsible for peace and security on the global scale (and retaining the Security Council’s monopoly on decisions to use force). Within the framework of this system, which was forming in the 1990s, seven other institutions apart from ECOWAS managed to achieve the status of sub-regional institutions working towards the realisation of long-term objectives aimed at creating a peaceful international environment in Africa; these were: the Economic Community of Central African States (ECCAS), the Southern African Development Community (SADC), the Common Market for Eastern and Southern Africa (COMESA), the East African Community (EAC), the Intergovernmental Authority on Development (IGAD), the Community of Sahel-Saharan States (CEN-SAD), and the Arab Maghreb Union (AMU). The scope of their activities and degree of readiness to undertake peacekeeping operations, however, are not equal and depend on the advancement of internal cooperation mechanisms, the existence of effective institutions coordinating this type of activity, the political will to do so, as well as the existence of political, economic and military capability to conduct operations in difficult areas. Effective operations in this field were conducted by the Economic Community of Central African States (in the Central African Republic, 2008–2013) and the SADC (in Lesotho, 1998–1999; and in the Democratic Republic of the Congo, 1998).\textsuperscript{12}


\textsuperscript{12} Angola, Namibia and Zimbabwe, which in 1998 deployed their forces to the Democratic Republic of
conducted by the Community of Sahel-Saharan States (in the CAR, 2002), and the IGAD made organisational and conceptual preparations for a peacekeeping mission to be deployed in Somalia, but eventually it was decided to transfer the legitimacy to the proposed operation to the pan-African level (the African Union).13

Alongside the efforts to establish African sub-regional institutions and make them operational, there were also attempts to create a crisis management mechanism on the continental scale, leading to the adoption of the Cairo Declaration of 1993. With the work on the adoption of the Mechanism for Conflict Prevention and Resolution in Africa under this Declaration there emerged an idea that the framework of the proposed solutions should include a possibility of using peacekeeping operations in response to challenges to regional security. Prevention was considered one of the most important forms of activity under the mechanism, as it entailed the lowest cost for societies torn apart by divisions and conflicts, but also because of the international efforts to stabilise the situation on the continent. At the same time, for conflicts that break out despite prevention, the Mechanism provided for the possibility of deploying international forces to both preserve and foster peace. The decision-making and supervisory competences in this regard were given to political bodies (the Assembly of the Heads of State and Government, Council of Ministers), the Central Organ being the main decision-making body within the framework of the Mechanism, and the competences of the Secretariat and the Secretary General were increased, allowing him to take measures to monitor the course of events and initiate undertakings aimed at eliminating threats to peace and security in the region.14

Aware of their limited capabilities and lack of experience in conducting peacekeeping operations, from the very beginning African countries stressed the need for close cooperation with the United Nations and other external entities in the execution of the above goals. As regards the nature and content of the modifications to the functioning of the African system of regional cooperation, it seems that the UN and its experiences were the source of inspiration for African countries whose representatives sought new solutions. Another example of reforms taking place in the post-Cold-War era that were probably closely observed in Africa is the process of transformations in Europe between 1990 and 1994, when the Conference on Security and Co-operation in Europe evolved into the Organization for Security and Co-operation in Europe, with similar broad powers. The fact that the transformation in Europe and Africa was taking place at the same time does not seem to be a coincidence, and African leaders keenly observed European ideas and experiences in the process of seeking solutions aimed at the development of an effective crisis management mechanism. After the adoption of the Cai-
ro Declaration the OAU became an entirely changed institution, with a series of new competences that potentially turned it into the main decision-making centre in matters of African security, albeit the limitations that had hampered its activity before (the lack of funds and insufficient experience) still remained a considerable obstacle on the path to the effective implementation of the new mechanism.\footnote{ Cf.: J.D. Rechner, ‘From the OAU to the AU: A Normative Shift with Implications for Peacekeeping and Conflict Management, or Just a Name Change?,* Vanderbilt Journal of Transnational Law*, Vol. 39, No. 2 (2006), pp. 543-576.}

The first attempt to initiate a peacekeeping operation in the name of the Organisation of African Unity took place already in 1991, before the adoption of the Cairo Declaration, which can be interpreted as heralding the changes in the African countries’ approach to the issue of peace and security and reflecting the growing changes in this regard and the ever more obvious lack of willingness of external entities to undertake stabilisation activities in the region. The mission – the Neutral Military Observer Group (NMOG) – was established for Rwanda, where peace talks were conducted under pressure from extra-regional powers (Belgium, France, the United States) and African countries (primarily from the African Great Lakes region). The division of power in the country – as a result of the peace negotiations – between the two conflicted ethnic groups: Hutu and Tutsi, as well as the truce that was to end the conflict between the Rwandan Patriotic Front (representing the Tutsi) and government forces (dominated by the Hutu) required the establishment of a control mechanism. African countries agreed within the OAU to organise an observer mission, which when deployed to Rwanda would allow international personnel independent of the parties to the conflict to monitor the implementation of the agreements. The mission (in fact, two subsequent missions: NMOG I and II, differing mainly in the number of people involved) was operating for more than a year, but due to its small scale and lack of experience in conducting similar operations and insufficient funds to cover the costs of such an operation, African countries, unable to fully meet the challenge, proposed that the UN take over the mandate. Eventually, the UN Security Council agreed to this, and in November 1993 NMOG observers were included in the United Nations Assistance Mission for Rwanda (UNAMIR).\footnote{ For more see: B.D. Jones, *Peacemaking in Rwanda. The Dynamics of Failure*, Boulder 2001, pp. 69-102 (*Project of the International Peace Academy*); E.G. Berman, K.E. Sams, *Peacekeeping in Africa...*, pp. 58–61.} In 1994, when the conflict in Rwanda escalated, leading even to mass genocide (according to estimates, there were approximately 800,000 dead, mainly among the Tutsis), the OAU was in fact not present, and the UN mission was unable to implement effective preventive measures. Its idleness during the genocide in Rwanda is one of the most dishonourable chapters in the history of the UN, and having passed the responsibility for the situation in Rwanda to the UN, the community of African countries did not take any action to prevent the dramatic event either.

Nonetheless, it is already through the very fact of its existence that the observer mission in Rwanda brought about significant changes in thinking about the future of the continent. The fact that it had been organised even despite insufficient means and funds
showed that Africa’s approach to security was changing, that when pooling their resources together African countries are capable of deploying a complex stabilisation mission. Initially, before the peace process in Rwanda collapsed, the opinions about the mission were very positive, which created favourable conditions for the organisation of similar undertakings in the future. These positive assessments were at the source of the decision to launch another operation of this kind; the second observer mission was sent to Burundi. With its history and ethnic structure similar to Rwanda (although here it were the Tutsi who controlled the governing elites and the Hutu who strived after political emancipation) the country became the subject of an externally inspired peace process. Observers from the OAU stayed in Burundi between December 1993 and July 1996.

Just as it had been the case with the operation in Rwanda, the tasks of the Observer Mission in Burundi (OMIB) were limited to monitoring the implementation of the peace process. Although operating in an unfavourable atmosphere (fearing they might lose their political influence, Burundi’s military leaders showed aversion to the presence of international personnel in the country), the mission managed to play a positive role in the process of mitigating local conflicts. While the number of acts of violence during the height of the conflict that were caused by political changes between 1993 and 1996 reached 200–300,000, the intensity of the conflict was still much smaller than in the neighbouring Rwanda. International personnel took efforts to mitigate the conflicts between the civilian authorities (dominated by the Hutu) and the military (mostly composed of the Tutsi). With the threat that the dramatic events taking place in the neighbouring Rwanda would spill over to Burundi, their mediation activity was of paramount importance. Another fact that had a positive impact on the image of the operation was that the OMIB forces were mostly composed of military doctors, who provided aid to those in need in many different situations (the composition of the mission was the result of concessions to the Burundian military which was initially rather unwilling to accept the idea of international forces stationing in the country). The mission was relatively small: initially it was composed of 47 observers, but in March 1995 the number was increased by 20. The presence of the international factor did not bring about the expected results – the coup d’état of July 1996 undermined the purpose of further operations. As a result, concerned that Burundi’s military authorities would not be interested in continuing the peace process, the OAU made the decision to terminate the operation. The mission, which lasted more than two and a half years, provided the opportunity to gain new experience in the organisation, logistics and international cooperation with other entities that provided organisational and material support to the Organisation of African Unity.

Another similar initiative was the Observer Mission in the Comoros (OMIC), executed between 1997 and 1999. It was established in response to the internal crisis in

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17 See: ibid., pp. 68-70.
the Comoros, that is the emergence of separatist movements on individual islands of the archipelago, which threatened the country’s unity and territorial integrity. The presence of international observers combined with mediation efforts of the OAU were to lead to an agreement turning the Comoros into a federal country with guarantees of autonomy for its constituents, and international observers were to monitor the process of implementing the agreement and rebuilding effective state administration structures. The fate of the mission was similar to the one in Burundi: the coup d’état that took place on 30 April 1999 was deemed a severe obstacle to further operations, and the international personnel was withdrawn from the country.

One should also add that in both missions legitimised under the Mechanism for Conflict Prevention and Resolution in Africa later diplomatic efforts and threats of international sanctions against state authorities resulted in the continuation of the peace process and ultimately in adequate peace agreements. Therefore, the fact that the two missions were aborted can be seen not only as the consequence of discouragement by the fruitlessness of the peace efforts but also (and perhaps primarily) as an attempt to force the military authorities of Burundi and the Comoros to make concessions to the regional community of states that did not accept the undermining of the peace process. The fairly consistent position of the OAU and its member states in the cases in question as well as the pressure later put on the governments of the two countries (including the threat of imposing international sanctions) were of considerable importance for the resumption of dialogue and negotiation of peace agreements. Thus both observer missions can be considered parts of a broader spectrum of OAU’s activities undertaken with the aim to restore peace and security in the region and it is in this context that they should be evaluated. In later years, the regional pan-African organisation will again be engaged in the issues of peace and stability in Burundi and the Comoros several times, which shows that difficulties persist but at the same time that there is consistency in striving to reach the goal.

The OAU’s experience in executing its first peacekeeping operations was encouraging enough to receive common support throughout Africa for the idea of expanding such activity, even despite the awareness of all the political limitations as well as logistical and financial deficiencies. The main aspects stressed in this context were the organisation’s preventive functions as an important factor in consolidating the process of stabilising countries trying to deal with a crisis. Speaking of the need to contain the threat of local conflicts spilling over to other countries, peacekeeping operations were treated as an element of a ‘culture of prevention’, which became considerably important after 1990.

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20 E.G. Berman, K.E. Sams, Peacekeeping in Africa..., pp. 70-72.

21 The expression was used by Rashid Draman in ‘Conflict Prevention in Africa: Establishing Conditions and Institutions Conducive to Durable Peace’ in D. Carment, A. Schnabel (eds.), Conflict Prevention: Path to Peace or Grand Illusion?, New York 2003, p. 242 (Foundations of Peace).
PEACEKEEPING OPERATIONS IN THE ACTIVITY OF THE AFRICAN UNION

When the African Union was established, there were great expectations that the new institution would be able to meet the challenges of the globalising world and to overcome – as far as possible – the weaknesses of its predecessor, which was criticised for, for example, being passive and ineffective in handling the crises emerging in Africa. But the process of developing the African Peace and Security Architecture (APSA) is not yet complete; the mechanisms of regional cooperation are still perfected within the framework of the APSA although its fundamental structure was defined already in 2000–2004 (the adoption of the Constitutive Act of the African Union – 2000, the official establishment of the African Union and the adoption of the protocol to the Constitutive Act enabling the establishment of the Peace and Security Council – 2002, the establishment of the Peace and Security Council – 2004).

Within the framework of the new institutional solutions whose purpose was to create an effective crisis management system (e.g. through expanding and perfecting the available instruments), the possibility of organising peacekeeping operations became an important sphere of activity, and its usefulness was confirmed by the experience of many other organisations, including sub-regional ones (ECOWAS). With the course of time, this form of activity became one of the most important instruments used in reaction to emerging threats and to stabilise the situation in the process of dealing with crises.

Possibilities of deploying peacekeeping operations are provided for in the provisions of the Constitutive Act of the African Union. Article 4, which comprises the fundamental principles of international law in the regional system, includes the possibility of an intervention using international forces under the mandate of the African Union. One of the provisions in this article speaks of ‘the right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity as well as a serious threat to legitimate order to restore peace and stability to the Member State of the Union upon the recommendation of the Peace and Security Council’. Such provisions indicate the possibility of intervention in a state where certain categories of international crimes are committed without asking its authorities for permission. The Assembly of the African Union, which is the Union’s most important political body, composed of the heads of states or governments, has the decision-making competences in this regard. Another option provided for by the Constitutive Act is the possibility of launching an

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intervention upon request of a member state ‘in order to restore peace and security.’

Both options allow for practical deployment of international peacekeeping forces to restore peace, security or a state’s internal stability when these values are at risk. Of course, situations that require a peace enforcement mission (active use of armed forces to achieve the preferred values) cannot be realised only under the mandate of a regional organisation – in these cases it is necessary to obtain the consent of the UN Security Council, which has the monopoly on legitimising the use of armed force. At the same time, we need to remember that the above-mentioned provisions of the Constitutive Act only provide for the possibility of intervention. The actual initiation of such an operation by making the decision to legitimise peacekeeping activity of international forces requires political will, including readiness to provide the necessary forces and funds, which (combined with the deficit of resources) makes it rather unlikely for African countries to overuse the rights derived from it.

After the emergence of the African Union in 2002, on several occasions its member states made the decision to deploy international forces on stabilisation missions in countries ravaged by civil war. The AU mission in Burundi (the African Mission in Burundi, AMIB) was the result of an attempt to find a way to end the long conflict between the Hutu and the Tutsi that destabilised the African Great Lakes region. Launched in 2003, still before the Peace and Security Council became the main body responsible for peacekeeping activity in the structure of the African Union, the mission was replaced a year later with a UN operation (the United Nations Operation in Burundi, ONUB). Its goal was to monitor the observance of the armistice between the conflicted parties, demilitarisation and disarmament of the armed forces, supporting the process of political and economic reconstruction of the countries after the crisis, protection and support for humanitarian aid, as well as preparing the UN mission that took over the responsibility for implementing the peace process in May 2004. The country that played the most important role in this operation was South Africa – its negotiators and soldiers played the key role in negotiating the peace agreement, during preparations for field operations and when the mission was finally deployed. Just as it was in the other cases, one of the main factors that determined the replacement of the African Union with the UN as the stabilising factor in Burundi were the costs of the mission (as proven, for instance, by the fact that once taken over by the UN the composition of the mission remained virtually unchanged; what changed were the principles of subordination and sources of funding). The implementation of the peace process and the rising stability in Burundi resulted in a positive evaluation of the undertaking and the role that the newly formed African Union had played in it.

The positive evaluation, in turn, supported the argument to continue with similar initiatives in the event of crises in the region. The best-known operations legitimised by the African Union were those executed in two other East African countries: Sudan

\[23\] Article 4 (j), Constitutive Act czy Protocol of Amendments.

and Somalia. The mission in Darfur (the African Union Mission in Sudan, AMIS) was launched in response to a growing internal and humanitarian crisis in the western provinces of Sudan (Darfur), where a conflict had broken out between the local communities and the authorities residing in Khartoum supported by pro-government militant groups (the Janjaweed). In this form, the mission was conducted from 2004 to 2007. The huge cost of this operation combined with the need to intensify peace efforts and increase the number of personnel engaged in the operation in Darfur and to meet logistical needs once again gave rise to the idea to transfer the responsibility for the peace process to the United Nations. After the negotiations, the two organisations decided to establish a joint mission legitimised by both of them. As a result, AMIS was replaced with the African Union/United Nations Hybrid Operation in Darfur (UNAMID) – the first hybrid mission in the history of both organisations. The involvement of the international factor brought about positive changes in Darfur, especially as regards humanitarian aid provided to the population threatened by violence and protection of civilians from aggression by the conflicted parties. At the same time, it should be noted that the barriers to full regulation of the situation in the region have not been removed. Still, because of the positive role the mission plays in humanitarian terms, both the UN and the African Union are interested in maintaining international engagement in Sudan.

The most ambitious African undertaking so far was the African Union Mission in Somalia (AMISOM). Somalia remained engulfed by a crisis (a dysfunctional state) since the government of President Mohamed Siad Barre was removed from power in January 1991. Neither the engagement of an international coalition under Operation Restore Hope on 1992 and 1993 nor the presence of UN missions (UNOSOM I and UNOSOM II from 1992 to 1995) yielded the expected results, and the country continued to be ravaged by rivalry between local political and military forces that emerged on the foundation of clan, political and ideological rivalry. The collapse of Somali statehood facilitated the activation of fundamentalist forces threatening regional security (the Islamic Courts Union and later the Al-Shabaab). Eventually, the measures taken by African countries to rebuild Somalia’s administration structures and armed forces (implemented mostly within the IGAD) received support in the form of deployment of international forces under AMISOM, which had been realising its mandate there since early 1997. It is the largest mission of this kind executed by a regional community of states. It in fact took on the form of a peace enforcement operation, and its ef-

fects include strengthening the position of the internationally recognised Transitional Federal Government of Somalia (formed as a result of mediation of the countries from the region within IGAD) as well as bringing most of the country’s territory under control or international forces and the gradually developed Somali military. The territory controlled by militant groups of the fundamentalist Al-Shabaab decreased significantly, but the price for this is the organisation’s increased terrorist activity. The aim behind the African Union’s actions in this case is to restore Somali statehood by 2016. 29 It is rather important that the attempt to transfer the responsibility for the operation to the United Nations was unsuccessful in this particular case; after what happened in the 1990s, the great powers were unwilling to once again become engaged in the Horn of Africa and instead offered only material and logistical assistance to the African Union forces.

International forces of the African Union were also present in the Comoros, where the objective was to support the democratisation and formation of a fully representative government, while at the same time maintaining the country’s territorial integrity, which was under threat from separatist trends prevailing on the island of Anjouan (Ndzuwani). After the experience of the late 1990s, which was not exactly positive, the African Union was making renewed efforts to reintegrate the country. It sent observers to the archipelago twice with the aim to support the electoral process – in 2004 (the AU Observer Mission in the Comoros, MIOC) and in 2006 (the African Union Mission for Support to the Elections in Comoros, AMISEC). Considering the lasting tensions between the central government and the separatist authorities on the island of Ndzuwani, the African Union Electoral and Security Assistance Mission (MAES) was authorised on 7 May 2007 with a broad mandate comprising, among other things, supporting federal authorities in the process of regaining control over the revolting island. When the separatists refused to cooperate, the government of the Comoros filed a request for military assistance in restoring order. This resulted in the launch of Operation Democracy in the Comoros, and an international intervention was executed on the separatist island on 11 March 2008, mainly by forces from Tanzania supported by those from Sudan. The operation brought about the expected results (the federal government regained control over the revolting island), but some countries criticised it, including South Africa, which believed that the operation was launched before exhausting all the available peaceful means of dealing with the crisis. 30

Due to a worsening internal crisis in the Central African Republic, between December 2013 and September 2014 international African forces were deployed to that country under the African-led International Support Mission to the Central African Republic (MISCA). The collapse of the government of President François Bozizé caused by an attack of rebels from the Séléka group (representing mostly the Muslim


minority from the north of the country), the ineffectual governance of the new authorities (characterised by violence and the lack of a stabilisation programme) as well as deepening chaos as a result of growing ethnic and religious conflicts (the Anti-Balaka Christian militias challenged the Séléka forces) led to the fall of the state. Growing violence, which de facto led to a civil war, induced the African Union to deploy peacekeeping forces (with the consent of the UN Security Council), which, together with intervening French forces, were to stabilise the situation in the CAR, protect the civilian population, ensure deliveries of humanitarian aid, and create the conditions for rebuilding stat structures on democratic foundations. MISCA was meant to be a temporary operation, to be eventually replaced by a UN operation. On 15 September 2014, the UN took over the personnel of the operation, launching the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA). In the case of the crisis in the Central African Republic, it were African forces (together with the French intervention forces of Operation Sangaris) that bore the burden of stabilisation activity in the most difficult period of the crisis (the chaos leading to civil war), and only later did they pass the responsibility for the peace process to the United Nations.

CONCLUSION

The evolution of the regional system of cooperation for peace and security in Africa led to the development of institutionalised methods and forms of cooperation within the framework of regional international institutions (the Organisation of African Unity, the African Union). One of the key forms of executing objectives within the so-called African Peace and Security Architecture (APSA) were peacekeeping operations. This form of activity developed particularly well in the post-Cold-War era, when African countries developed a strategy of overcoming the barriers that hampered stabilisation and modernisation in the region. Missions of preserving, building and enforcing peace became one of the factors shaping the international environment, in which security is the prerequisite for efficient realisation of development goals.

Effective use of this form of activity for peace and security required African countries to undertake a huge organisational effort. The unification of the rules of employing different national contingents, introduction of common standards of managing and


commanding units from different countries, development of the rules of engagement, ensuring logistical support for field operations of mission personnel, development of the rules of cooperation between the military, police and civilian contingents participating in missions, ensuring funds to cover their costs – these are only some of the many challenges that the countries of the region were forced to face. Both the Organisation of African Unity and its successor – the African Union – responded to the above challenges with some organisational efforts. The scope of the tasks executed by the missions was extended – starting with monitoring the observance of peace agreements, through classical peacekeeping missions, to operations that in fact enforced peace. The limited forces and resources at the disposal of African countries have also led them to seek external support for these operations in terms of both material (financial) and technical assistance (e.g. transportation).

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The main objective of this study is to examine the developments of political and economic relations between Poland and Sub-Saharan Africa. The article is written from the Polish perspective. The author is fully aware that the perception of Sub-Saharan Africa as a homogeneous region must result in multiple oversimplifications. However, an analysis of the Polish “African discourse” indicates that political and business elites are not aware of the heterogeneity of the continent and the latter is perceived as a “single unit”. The article demonstrates that after the eastward enlargement of the European Union in 2004 Poland realized its principal goal of foreign policy and did not attempt to redefine its role and place in international relations in terms of its potential and assets. Since 2013, the relations between Poland and Sub-Saharan states have been intensified, but it is everything but clear whether it will become a permanent trend.

Keywords: Poland, Sub-Saharan Africa, diplomacy, investment, trade
INTRODUCTION

The article’s title suggests that there can be parity in the relationship between Poland and Sub-Saharan Africa (SSA). Obviously, an attempt to compare the region populated with almost 1 billion people with a country with less than 40 million people in Central Europe is not justified, not only from the methodological but also commonsensical point of view. Moreover, such a comparison may suggest that we can talk about “one Africa” or “Africa is a country” in international relations, which can be compared with the European states. The Author is fully aware of the sensitive and oversimplifying nature of the paper’s title. Nevertheless, given the above, it should be noted that in the Polish political discourse Africa is being considered as a whole (only with emphasis on the differences between North and Sub-Saharan Africa), and the most recent political strategies were constructed not in terms of bilateral relations, but in terms of Poland’s relation to the entire region.

The text reflects the official Polish perspective (or the lack of such a perspective) on SSA, and its main purpose is to present the evolution of Polish diplomatic and economic engagements in this very region after the fall of communism. The Author’s second aim was to examine and evaluate the latest trends in Poland’s relations with African countries. Finally, it is intriguing that the current Polish–African relations have not yet been discussed in the literature, not even in terms of bilateral relations, and this very issue deserves to be covered.

The discussed developments are presented in the chronological order. The major research techniques implemented during the work on the article included the following: critical analyses of the Polish discourse on Africa, analyses of materials provided by the Polish Ministry of Foreign Affairs, contextualization, and direct observation.

The article is divided into four parts. The first section briefly presents Polish–African relations before 1989. The Polish People’s Republic was much more active in Sub-Saharan Africa than the Third Republic, and the communist period is the most important reference point in the current narration on the necessity of a “rediscovery” of Africa by the Polish political elite and business. The second section outlines developments of the Polish foreign policy towards Sub-Saharan Africa after 1989 and distinguishes four phases of Polish–African relations. In the third section, the Author focuses on the evolution of the trade patterns between Poland and SSA. Subsequently, the issues of development aid, scientific co-operation and unused assets in Polish–Sub-Saharan relations were taken into consideration. The last section concludes the article.

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2 The ephemerality of the concept of Africa was aptly captured by Ryszard Kapuściński, when he stated: The continent is too large to describe. It is a veritable ocean, a separate planet, a varied, immensely rich cosmos. Only with the greatest simplification, for the sake of convenience, can we say ‘Africa’. In reality, except as a geographical appellation, Africa does not exist, R. Kapuściński, The Shadow of the Sun, trans. by K. Glowaczewska, New York 2002.
I. POLISH–AFRICAN RELATIONS BEFORE 1989

Africa has never been prioritized in Poland’s foreign policy. Nevertheless, during the communist period, Polish involvement on the continent was substantially larger than after 1989. The remembrance of the relatively intensive Polish–African relations in the 1960s and 1970s is one of the main points of reference during the current debate on the need for the “rediscovery of Africa” by Polish entrepreneurs.

The Polish policy towards Africa was determined by the Cold War rivalry. In 1988, Poland had seven more diplomatic and trade missions (Embassies and Offices of Commercial Affairs) in Sub-Saharan Africa than it has today. Among many initiatives, the most prominent were Poland’s involvement in three United Nations missions, sizeable support given to the South West Africa People’s Organization (SWAPO)³ in Namibia, and the People’s Movement for the Liberation of Angola (MPLA)⁴, as well as the credit actions⁵, infrastructural investments⁶ and educational co-operation which was reflected in the relatively high number of Africans enrolled at the Polish Universities. Finally, Polish–African relations were among the most important factors related to the development of African studies in Poland⁷.

It is worth noticing that in the 1960s and 1970s over 3,000 Poles worked in Nigeria (mainly medical doctors, builders, technicians, and academics) who additionally supported Polish–Nigerian co-operation. Poland, as the only communist state, was requested by the Nigerian government to be a part (together with the United Kingdom, Canada, and Sweden) of the Observer Team Nigeria (OTN) in 1968 during the Biafran war. In reference to the Biafran war, it is worth to remark that the Biafran air forces were organized and commanded by the legendary commander of the Polish

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³ Poland provided medical assistance to over 100 SWAPO fighters. The Polish government also provided education to the SWAPO fighters and their children. Thanks to the “Africa Fund” (pol. Fundusz Africa) several dozen of Namibians were educated at Polish universities.


Fighter Squadron No. 303, lieutenant colonel Jan Zumbach, who provided detailed description of the course of the war in his autobiography\(^8\).

In 1985, during the famine and floods in the Horn of Africa, Poland sent three MI 8 helicopters and 22 pilots in order to supply food to the most inaccessible areas of Ethiopia as a part of the UN humanitarian mission. It is estimated that Polish pilots saved tens of thousands of lives\(^9\). Besides purely humanitarian reasons, the decision to send Polish soldiers to Ethiopia was also politically motivated. General Jaruzelski wanted to improve Poland’s international image which was severely damaged after the introduction of martial law in December 1981. As noted by Grzegorz Ciechanowski: “the communist government needed spectacular humanitarian action in order to improve Poland’s reputation abroad”\(^10\).

The Polish government supported anti-apartheid movements in South Africa. Paradoxically, the black workers of Congress of South African Trade Unions (COSATU) strongly supported the Solidarity trade union in Poland\(^11\). During the struggle against apartheid, Poland did not maintain diplomatic relations with the Republic of South Africa (RSA); however after 1994 the RSA became Poland’s most important African trading partner. Another, rather underexplored research field, has to do with the role of Polish advisors during the South African round table negotiations.

During the Polish Round Table negotiations, which led to the political transformations in Central Europe, Mikhail Gorbachev introduced the politics of détente which resulted in the withdrawal of Cuban forces from Angola. This paved the way to the independence of Namibia. Self-determination of Namibia was supported by Polish authorities. Polish soldiers (373 officers and soldiers responsible for logistics) and election observers (20 military officers, and 42 civilian observers) participated in the United Nations Transition Assistance Group (UNITAG) mission in Namibia\(^12\). The UNITAG mission was the largest Polish military involvement in Sub-Saharan Africa so far. This very mission is also symbolic because its purpose was to create a new state and Poland began it as a communist country, and ended it as a multiparty democracy.

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II. POLISH–AFRICAN RELATIONS AFTER 1989

After 1989 the importance of Polish political and economic interest in Africa was steadily declining. The Polish strategic interests immediately after 1989 were twofold: Tadeusz Mazowiecki’s government wanted most of all to obtain guarantees that the Oder-Neisse line would not be challenged by the reunifying Germany, and simultaneously a number of measures were taken in order to ensure independence in the creation and conduct of the foreign policy. The second aim was mainly realized by joining and initiating a number of multilateral projects (The Visegrád Group, The Central European Initiative and “the Weimar Triangle” are the most prominent examples of Polish diplomatic engagement in the early 1990s). The first period of post-communism was marked with ‘multivariate uncertainty’. On the one hand, there were many doubts about the foreign policy of reunifying Germany13, on the other hand, the collapsing Soviet Union and the deconstruction of the Eastern Block made the international position of Poland even more uncertain, but it also created a historical chance for the creation of a truly independent foreign and trade policy.

It can be argued that post-communist countries in Central and Eastern Europe (CEE) can be categorized as “peculiar” post-colonial states14 that not only had to redefine foreign policy priorities but also their international identity and parallelly deal with multiple internal challenges of political and economic transformation. However, the “dilemma of simultaneity”15, after the fall of communism, existed in CEE only to a certain extent. Among the political elites there was awareness that multiple internal and external challenges co-existed, but there was also a clear hierarchy of priorities, remembering that the political geography of the CEE has been changed three times during the 20th century. The only common feature regarding the situation in Poland and in certain African postcolonial states is the obsession with a possible future domination of a former “colonial power”. Both Central and Eastern European states in the 1990s and African states, after they regained independence, were very sensitive about their own sovereignty, and a certain political decision might be rationalized by the constant fear of the revisionist policies of the powers that used to

13 In 1989 the issue of the Polish–German border was to some extent uncertain. In West Germany the Landmannschaft was a politically influential lobby, and Chancellor Kohl did not want to lose that part of CDU/CSU electorate. K. Malinowski, Polityka Republiki Federalnej Niemiec wobec Polski w latach 1982–1991, Poznań 1997 (Studium Niemcoznawcze Instytutu Zachodniego, 74).

14 V. Kelertas (ed.), Baltic Postcolonialism, Amsterdam–New York 2006 (On the Boundary of Two Worlds, 6). Poland has been described as postcolonial state by Ewa M. Thompson. This issue was even considered by Polish daily newspapers. M. Nowicka, ‘Rzeczpospolita postkolonialna’, Gazeta Wyborcza, 24 August 2007.

15 According to the ‘dilemma of simultaneity’ concept, the post-communist states in Central Europe had to address a myriad of problems at the same time. L.R. Johnson writes about the necessity of the development of independent nation states, capitalist market economies, and democracy simultaneously. L.R. Johnson, Central Europe. Enemies, Neighbors, Friends, New York 1996, p. 287.
control them. The deconstruction of a bipolar world created a vacuum in both Central Europe and Sub-Saharan Africa. This notion may be correlated with Marc Ferro’s observation that former Soviet republics lying on the southern perimeter ‘are back in a pre-, not a post-colonial situation, with the Russian once again acting as arbiters in disputes breaking out on their borders’. Ferro’s remark was only partly adequate to Poland; nevertheless, until 1993 due to the presence of Soviet/Russian troops on the Polish territory, Moscow had the strongest possible instrument of political influence on Warsaw. The very focus on the withdrawal of Soviet soldiers was another key aspect of Polish foreign policy in the 1990s, which resulted in the further reduction of Polish involvement in Africa. The declining position of Africa in Polish foreign policy between 1989 and 1993 is best illustrated by the first wave of closures of Polish diplomatic missions. In 1989 the Polish Office of Commercial Affairs in Zambia was liquidated. In 1992 Polish Embassy in Addis Ababa operations were suspended for the subsequent 11 years. In the same year the Polish Office of Commercial Affairs in Khartoum was closed. Finally, in September 1993 the Polish Embassy in Accra ended its activities. At the same time, the beginning of the 1990s brought sharp economic decline in Sub-Saharan Africa, what did not encourage Polish investors to conduct activities in this region. Simultaneously, the newly introduced capitalist system in Poland (often called wild capitalism) meant that the new opportunities were open in Poland, and what is more, the one of the key principles of the economic transformation (the so-called Balcerowicz shock therapy or the Sachs-Lipton Plan) was the substantial reduction of the government’s unnecessary investments, and engagement in Sub-Saharan Africa was considered as such.

The process of the withdrawal of Soviet military equipment and forces was finished in September 1993, and this moment can be perceived as a symbolic point of transition to a new phase in Polish foreign policy. After 1993 Polish foreign policy focused on accession to the European Union (EU) and the North Atlantic Treaty Organization, and these two strategic objectives dominated Polish foreign policy for the next decade.

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16 A good example of an a rational (this behavior gives the impression of irrationality, however, it is perfectly rational in certain cultural, ideological, historical or religious contexts) behavior is the Polish government’s decision to host a US anti-missile defense system on Polish territory and the Warsaw’ military support to the USA-led military interventions in Afghanistan and Iraq.


18 In 1991 there were over 56,000 Soviet soldiers in Poland.


22 1993 was also the year of Parliamentary elections. The post-communist parties (Democratic Left Alliance and Polish Peasants’ Party) won the elections, and Poland, became the first country in Central Europe, where the former communists returned to power. Nevertheless, the new government has prioritized Poland’s integration with NATO and the European Union.
Among all major political parties, there was consensus that the pro-Western aspirations of Poland are a peculiar kind of “public good” and the activities of the Ministry of Foreign Affairs was not subject to the criticism of the opposition, which in turn effected in the Polish foreign policy a permanent defining merely in the Euro-Atlantic context. The narration of the “returning to Europe” became a new mantra of the political class. After the completion of the strategic political objectives (membership in the EU and NATO) a visible vacuum appeared in terms of the aims of Polish foreign policy, what was correlated with the lack of vision of how and in which direction to redefine the role of Poland in the international environment. After 2004, Poland tried to establish itself as an architect of the Eastern neighborhood Policy in the European Union and an advocate for democratic reforms, especially in Georgia, Belarus, Moldova, and Ukraine. The Polish attitude towards African states after the eastward enlargement of the European Union was diplomatically summarized by the Egyptian State Information Service:

The demise of the Soviet Union and Poland’s accession to the European Union was a turning point towards enhancing cooperation with Poland in particular fields such as tourism, though it dwindled in other fields such as trade, educational and scientific cooperation. This was due to the change in priorities on both sides, in addition to the new rules and regulations binding Poland to its new sphere of interests23.

Another factor that indicates that Africa has not been considered as a potential direction of an increased Polish diplomatic and economic activity is the number of official visits in the region. Only four out of twelve Polish Ministers of Foreign Affairs who served after 1989 visited Sub-Saharan Africa. SSA was visited by Krzysztof Skubiszewski in 1993 (he visited Republic of South Africa and Kenya), Władysław Bartoszewski in 1995 (he visited Republic of South Africa and Namibia) and Włodzimierz Cimoszewicz in 2004 (he visited Nigeria, Angola, Kenya and Namibia) and Radosław Sikorski in 2009 (he visited Kenya and Rwanda)24. However, none of the African tours of Polish Ministers of Foreign Affairs resulted in significant business contracts or agreements on strategic cooperation. A relatively low interest of the Polish political elite in the development of bilateral relations with African states was rhetorically rationalized by the claim that after the eastward enlargement of the EU, the European Union would represent the Polish interest in terms of relations with Africa by its already established diplomatic channels. However, as there is no clear Polish African policy, there is no European either, as argued by Daniela Sicurelli:

EU is far from becoming a unitary player in Africa. Lacking a clear strategy and coherent normative framework, the EU should be considered a multi-level actor, where national and supranational institutions have different interests and push forward contrasting views of what role Europe should play in Africa25.

24 K. Szczepanik, A. Herman-Łukasik, B. Janicka (eds.), Stosunki dyplomatyczne Polski...
It is extremely difficult to carry out a foreign policy towards Africa by the EU institutions, if bilateral and multilateral priorities for this very region are not clearly defined. Poland does not have a separate strategy towards Africa. Political and economic priorities towards Africa are listed in the Polish Strategy Towards non-European Developing States (Pol. Strategia RP w odniesieniu do pozaeuropejskich krajów rozwijających się). The document was published in 2004\(^26\) (sic!) and is based on data from 2002-2003. The analysis of the Strategy indicates that Poland not only perceives Sub-Saharan Africa as a homogenous region, but, moreover, it identifies the continent almost in terms of Joseph Conrad’s *Heart of Darkness*. In the Strategy’s introduction to the part devoted to Africa one can read that:

> For many decades Africa has been a symbol of a continent mired in chronic poverty and one that was unable to develop mechanisms for efficient governance. In Africa there is a concentration of the majority of serious conflict situations, which in conjunction with natural disasters create extremely strong migratory pressure, especially in the direction of Europe which is nearest geographically\(^27\).

The lack of a long-term vision and well-defined aims towards Africa was mirrored in limited engagement into Euro–African relations on the EU level. During the first three EU–Africa Summits Poland was not represented neither by the President nor by the Prime Minister. Only in 2014, during the 4\(^{th}\) EU–Africa Summit in Brussels the Polish delegation was headed by Prime Minister Donald Tusk, what was commented as “the evidence of the growing importance of Africa in Polish foreign policy”\(^28\).

The decreasing level of Polish–African relations was demonstrated again in 2008 by Minister Radosław Sikorski’s decision about the closure of additional four Polish embassies in SSA. In December 2008 Polish embassies in the Democratic Republic of Congo, Senegal, Tanzania and Zimbabwe ended their activities. The government used two-track argumentation to rationalize its decision: economical calculation\(^29\) and the changes in Polish priorities. Minister Sikorski stated that the cost of embassy operations must be in some reasonable proportions in relation to trade with this country\(^30\). The government adopted the criterion by which the costs of embassy operations should not


\(^{27}\) Ibid., p. 40.


be higher than 1% of the trade with the country where the embassy is situated. Additionally while speaking about the Embassy in Harare, Sikorski acknowledged that the priorities of Polish foreign policy have changed, and the Polish diplomatic mission in Zimbabwe was of key importance during the anti-apartheid campaign, but currently he does not see any economic perspectives in Zimbabwe.31

Bishop Wiktor Skworc, the chairman of the Episcopal Commission on the mission, Poles living in the countries where embassies were closed, and Polish academics protested against the closure of the embassies. It is striking that Poland started the reduction of its diplomatic presence in Africa when other states decided to increase it. Additionally, one must remember that it is relatively easy to close an embassy, but the restoration process can be very challenging, especially in the states where the knowledge of local conditions is crucial for the development of business relations. In 2014, Poland had embassies in: Angola, Ethiopia, Kenya, Nigeria and the Republic of South Africa. Angola, the Democratic Republic of Congo, Nigeria and RSA have diplomatic missions in Poland.33

From 2013, Poland has become more active in terms of revitalization of relations with Africa, and the symbolic sign of changes is the governmental programme “Go Africa”, which aims at the increase of Polish export to five African countries: Algeria, Nigeria, Kenya, Angola, Mozambique and Republic of South Africa. In the same year Polish Prime Minister Donald Tusk made the first official visits to Sub-Saharan Africa (he visited Zambia, Republic of South Africa and Nigeria). There were also economic missions organized by the Ministry of Foreign Affairs. Polish entrepreneurs accompanied by the vice-Minister of Foreign Affairs visited Nigeria, Angola, Congo and Ethiopia in 2013, and Ghana and Senegal next year. In 2014, the Ministry of Foreign Affairs announced that the Polish embassy in Senegal will be restored, a year before the Senegalese government declared that it would open an embassy in Warsaw, what occurred on 8th January 2015.34 However, the most important changes took place at the level of rhetoric used by the Ministry of Foreign Affairs. The narration of the “continent mired in chronic poverty” was replaced by the “continent of great opportunities” for Polish export products. Nevertheless, it is too early to say whether we are dealing with a new trend in Polish foreign policy towards Africa. Besides general statements that Africa is a continent of the future, there is a visible lack of strategic thinking in terms of Polish–

31 Ibid.
32 India already has 26 embassies in Africa, and China 49. Brazil has expanded its engagement with Africa, doubling its diplomatic presence from 17 to 37 embassies over the last few years. Turkey is catching up, with 28 embassies, and even the ostracized Iran has embassies in 20 African countries. Some European states (such as Sweden and the United Kingdom) are taking into consideration the development of micro-posts with one or two diplomats in Sub-Saharan states.
Sub-Saharan relations. Actions of various ministries are not coordinated and the strategic policy document on relations with Africa has not been updated. Poland also lacks a coherent branding strategy.

Therefore the Polish political relations with Sub-Saharan Africa after 1989 can be divided into four phases. During the first phase, 1989-1993, Poland was focused on securing and strengthening its independence. During this period four Polish African diplomatic missions were closed, but Poland established official relations with the Republic of South Africa. In the second phase, 1993-2004, Poland’s foreign policy was dominated by accession negotiations with the NATO and the European Union. After the eastward enlargement the third phase of seeking a new role in the international environment had started. Poland had no vision of how to conduct (if at all) a policy towards Sub-Saharan Africa, and it was claimed that it was conducted through the EU institutions. This period was also marked by further closures of four Polish diplomatic missions in Sub-Saharan Africa in 2008. Since 2013, one can observe a slow process of increased interest of the Ministry of Foreign Affairs and Polish business in Africa. The pursuit of new markets was to some extent forced and sustained by Russia’s foreign policy and the embargo on the Polish products.

III. POLISH–SUB-SAHARAN ECONOMIC RELATIONS AFTER 1989

As it was mentioned above, during the first years of the Polish economic transformation, there were no incentives to invest in SSA, and Poland began to restructure its foreign trade patterns moving away from the exchange with Russia in favor of Western Europe (mainly Germany). The first large Polish company that decided to enter Africa was a copper mining giant–KGHM Polish Copper, and the investment was a failure.

In 1996 KGHM decided to expand its operations into Sub-Saharan Africa as a part of the company’s resource seeking strategy. KGHM was trying to be involved in the privatization process of the Zambian copper mines. However, the company did so without any success. Finally around 40 million USD were invested in the Kimpe ore deposit in the Democratic Republic of Congo. Due to the “high political risk”, the investment was cancelled in 2006. In 2009, the KGHM applied for voluntary liquidation of its subsidiary KGHM Cong. Officially the KGHM claimed that it did not have the technology to extract copper from the Kimpe ore. Unofficially, it is said that the Congolese authorities have questioned the KGHM’s concession on copper mining and the members of the KGHM Congo board were evacuated to Poland due to “safety reasons”. The absence of the Polish Embassy in Kinshasa did not facilitate the relations between KGHM and the Congolese authorities.

35 In response to the annexation of the Crimea Peninsula by Russia, the European Union imposed economic sanctions on the Russian Federation in July 2014, in response Russia imposed an embargo on selected EU products.

36 Interview with a source close to the KGHM Management Board.
Renewed interest in Africa among Polish entrepreneurs started in 2013 and it was partly forced by the uncertain situation in the Eastern European markets and a narrative, well-established at that time, which presented SSA as the “new economic frontier”\textsuperscript{37}.

Despite the government’s declarative interest in the Polish economic expansion in SSA, Poland’s trade with Africa is less than 1% of the total Polish trade (in the 1970s Polish–African trade was rated at 1.5%). However, since 2010 there has been a steady increase in the volume of trade. In 2007 Polish trade with Africa was 3 billion USD, 3 years latter it was 3.15 billion USD. The sharpest trade growth was noted between 2012 and 2013, when the total Polish trade with Africa reached almost 4.5 billion USD.

![Figure 1. Polish total trade with Africa](image)

According to the estimates of the Polish Information and Foreign Investment Agency and the Go Africa Program, Africa’s share in Polish trade should reach 3% in 2018\textsuperscript{38}. However, as of today, trade flows mainly consist of trade with the North African countries and the Republic of South Africa. Trade exchange with Algeria, Morocco, Egypt, Tunisia and RSA constitutes two thirds of the trade value between Poland and Africa.

![Figure 2. Poland’s trade with five major African partners](chart)

<table>
<thead>
<tr>
<th>Country</th>
<th>Trade value (millions USD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Republic of South Africa</td>
<td>915,90</td>
</tr>
<tr>
<td>Algeria</td>
<td>700,69</td>
</tr>
<tr>
<td>Morocco</td>
<td>665,78</td>
</tr>
<tr>
<td>Egypt</td>
<td>380,70</td>
</tr>
<tr>
<td>Tunisia</td>
<td>291,66</td>
</tr>
</tbody>
</table>


\textsuperscript{37} D. Kopiński, A. Polus, W. Tycholiz, \textit{Europe}...

Although in 2014 there was an increase of over 47% and 44% in the trade between Poland and Nigeria and Zambia respectively, this data should be considered rather in terms of a low base effect than a steady trend. After RSA is removed from the picture, the trade ratio between Poland and SSA is just 1.5 billion USD.

As for the main Polish companies that have entered Sub-Saharan markets in recent years these are: Grupa Azoty (the company bought a 55% share in the African Investment Group and phosphorite mining license in Senegal for almost 29 million USD), Asseco (Asseco is providing IT solutions for the energy sector in Ethiopia. In 2014 this company signed a 10 million USD contract with the Ethiopian Information Network Security Agency), Ursus (the company supplies 3,000 tractors to Ethiopia), Izodom 2000 (the company signed a contract for building house elements factory in Zambia and construction of 20 pilot houses on the outskirts of Lusaka), Krezus (a mining company which holds three exploration licenses in Guinea), Lubawa (company is selling protective and special use materials/clothing in Nigeria, Ghana and Zambia) and Kulczyk Investment (KI). KI has shares in various mining projects in Sub-Saharan Africa. Among others, KI has a 40% share in Neconde Energy Limited, which in 2011 acquired a 45% stake in the OML 42 production license in the Niger Delta from Shell39. In 2014, the QKR Corporation (funded by KI and Qatar Investment Authority) acquired the Navachab Gold Mine in Namibia40. KI has also a 3% stake in the SAB Miller breweries (SAB Miller owes 38 breweries in SSA).

In March 2014, the Council of Polish Investors in Africa (CPIA) was created41. The Council is an informal platform for exchanging ideas and experiences for even better Polish-Euro-African cooperation. The task of the Council is to break ground for other Polish and European companies wishing to appear on the African continent. In the study conducted by the Polish Center for African Studies for CEED Institute42 among the companies that belong to the CPIA, major Polish investors in Africa were asked about their perception of Africa and challenges facing by their companies. On the bases of CPIA members’ answers, six general groups of challenges for doing business in SSA can be distinguished:

- infrastructural problems such as: a weak internet connection, traffic, shortages of energy;
- corruption;
- unclear legal and technical regulations;
- competition with Asian companies;
- 

41 The Council was initiated by Jan Kulczyk and the founder members of the Council were Presidents of the Management Boards of: Polpharma, Grupa Azoty Zaklady Chemiczne Police, Krezus, Asseco Poland, Ursus and Lubawa.
42 This study was part of the research work on the report on African consumer market. D. Kopiński, A. Polus, W. Tycholiz, *Unpacking the African Consumer. Spending Patterns and Investment Opportunities*, Warsaw 2015.
– security concerns;
– limited number of potential employees (in Poland) willing to work in SSA.

Based on the survey, it may be concluded that Polish companies want to internationalize their operations in SSA. The “mental Rubicon” has been crossed, and Sub-Saharan Africa is perceived as a region of business opportunities; many respondents compared the current situation in SSA to Poland in the 1990s.

African investments in Poland originate almost exclusively from the Republic of South Africa. In 2004, Pepkor investment holding created a retail chain – PEPCO. Currently PEPCO has over 500 shops in Poland. In 2009 SAB Miller bought from Kompania Piwowarska a leading Polish brewery, and Framondi invested in a pulp and paper mill in Świecie. Naspers acquired the leading Polish web portals (allegro.pl, tablica.pl, nasza-klasa.pl). According to the Polish Ministry of Economy, over 3,000 jobs were created in Poland due to the investments form RSA.

Additional levels of co-operation. Development aid and scientific co-operation

Beside very limited financing of development projects and scientific co-operation, Poland does not use soft power tools in relations with Sub-Saharan states. This situation is rooted in the above-mentioned lack of political strategy towards SSA.

Poland is among the last OECD countries in terms of the ratio of development aid to the gross national income. African countries are not among the priority states for Polish development aid and Polish bilateral development aid for eight Sub-Saharan countries in 2012 was only 5 073 000 PLN (1 600 000 USD). Despite the adoption of the Act on Development Aid in 2012, there was no co-ordination of actions between the Ministry of Foreign Affairs, the Ministry of Economy and the Ministry of Finances. Above and beyond the issue of increase in funding, the dilemma of Polish development aid (but also a rationalization of its non-coordinated character) is whether to engage in bilateral programs or to support multilateral aid agencies (especially the European Commission). Moreover, the issue of the complementarity of the Polish aid with the aid programs carried by other countries and/or international agencies is not under discussion.

Despite the fact that strengthening the links between European and African universities is among the main objectives of Joint Africa-EU Strategy, the level of scientific cooperation between the Polish and African universities is far below the potential. The scientific co-operation is relatively best developed between Polish and South African academia. In December 2014 the Polish National Centre for Research and Development and the National Research Foundation of the Republic of South Africa

44 Small grants were donated to: Burundi, Ethiopia, Kenya, Rwanda, Somalia, South Sudan, Tanzania and Uganda.
signed the Memorandum of Understanding. As a result, in 2015 Centre for Research and Development provided 2,400,000 PLN for joint Polish-South African research initiatives.  

The most important field of collaboration is the Polish engagement in the Southern Africa Large Telescope (SALT) project—the largest telescope in the southern hemisphere. Poland’s financial contribution was 11% of the costs of building, and Polish astronomers have at their disposal 11% of the telescope’s operating time. Another project is the involvement of Gdynia Maritime University, Navimor, and Remontowa Shipyard in the establishment of the Namibe Fishery Academy in Angola, which is the biggest Polish development project in Sub-Saharan Africa.  

Unused assets  

There are at least two types of assets that can be relatively quickly utilized to promote Poland in Africa. The first are “human resources”. The most valuable group for Polish business promotion consists of the Africans who studied in Poland. According to the estimates of the Polish Ministry of Foreign Affairs since the 1960s more than 4,000 Africans graduated from Polish universities. Many graduates of Polish universities form the current elite of the African states and they can be the first contact points for Polish entrepreneurs. Another “natural” source of information about local conditions are Polish missionaries. In 2014, over 840 Polish missionaries worked in Africa; most of them were in Cameroon, Zambia and Tanzania. Moreover, the Polish diaspora in the Republic of South Africa is estimated to be over 12,000 people.

The second type of assets functions at the level of rhetoric. As it was mentioned before, Poland might be presented as a specific postcolonial state, a state that never had any colonies in Africa. The experience of political transformation is shared by Poland and many African states. Polish government can also “use history” to emphasize that Africans several times helped the Poles, especially during World War II when

50 Among graduates from Polish Universities there are, among others: the President of Mali and the Chairperson of the African Union Commission Alpha Oumar Konaré and the Tanzanian Minister of State for the Planning Nassoro Malocho.  
Władysław Anders army was evacuated from the Soviet Union, it should also be remembered that South African pilots flew supplies to the Warsaw uprising in 1944, and they suffered serious losses\textsuperscript{52}.

IV. FINAL REFLECTION

Africa has never been prioritized in Poland’s foreign policy. However, during the communist period Polish involvement on the continent, although politically motivated, was much larger than after 1989. It might be argued that four subsequent phases of Poland’s relations towards Africa were marked by the closures of Polish diplomatic and trade missions on the continent.

An analysis of the Polish political discourse on Sub-Saharan Africa indicates that there is a visible lack of a long-term vision and well-defined aims towards this region. Along this line, it may be argued that this is a general feature of the Polish foreign policy towards non-European countries after the eastward enlargement of the EU, when Poland achieved its basic goal in the international environment and failed to redefine its role and priorities.

The lack of a political strategy towards Sub-Saharan Africa was mirrored in Poland’s literal lack of involvement in the Africa-EU Strategic Partnership. Despite the intensification of relations in 2014, Polish–African contacts are random and unsystematic, since the economic and political relations are not institutionalized. There is no official (at the intergovernmental level) forum of co-operation between Poland and any Sub-Saharan state, not even at the level of ministers or experts, and the channels of communication existing within the frameworks of the EU are not used effectively by Poland, what is rooted in the lack of clearly defined priorities for this region. From 2013 this gap is to some extent being filled by business and official meetings that are held during European Economic Congresses in Katowice under the name of “Africa–Central Europe Economic Cooperation Forum” and various activities organized by the African Institute in Łódź. The activities aimed at the intensification of trade between Poland and selected Sub-Saharan countries were also undertaken by the Polish Members of Parliament who were born and raised in Nigeria and Zambia – John Abraham Godson (who also is the President of the African Institute in Łódź) and Killion Munyama.

Poland’s trade with Africa is less than 1% of the total Polish trade, ironically it might be said that this number is within the limits of statistical error. However, a steady nominal increase in Polish–African trade relations has been observed since 2010. Despite multiple challenges, the “mental Rubicon” has been crossed by the Polish entrepreneurs, and Sub-Saharan Africa is perceived as a region of business opportunities; a market which is difficult, but at least worth considering. However, one cannot yet speak about a flagship Polish investment in SSA, which would attract the attention of the public and cause a snowball effect. It might be argued that due to the increased interest

\textsuperscript{52} R. Sikorski, ‘Solidarity with the ANC?’, \textit{National Review}, Vol. 42, No. 4 (1990), p. 27.
the of the emerging powers (mainly BRICS countries) in SSA, it is already too late for Poland to start economic engagement in SSA. Additionally, due to the falling prices of raw materials in 2015, the “Africa rising” narration is called into question by both international financing institutions and academics, what might have a daunting effect on Africa’s perception by Polish entrepreneurs in the short and medium term.

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EDUCATION AND DEVELOPMENT IN THE SINO-AFRICAN CONTEXT OF RELATIONS

THE CASES OF TANZANIA AND SUDAN

ABSTRACT

This study focuses on the involvement of China in the above two African states, arguing that the development of the education sector, therefore the development via education is crucial for any of the states of the continent. It gives an overview of education as a significant aspect of human development in the context of opposing policies of the international financial institutions (IFIs) and the Chinese government. In the light of the FOCAC process, China’s involvement in the development of human resources on African soil will be looked at closely, also questioning whether or not China may present an ‘alternative’ to the IFIs in the field.

Keywords: development via education, China in Africa, international financial institutions, Tanzania, Sudan
INTRODUCTION

One of the points of reference for this investigation is the concept of state failure\(^1\) elaborated upon by Rotberg (2004), who underscores that it is according to the performance of states—according to the levels of their effective delivery of the most crucial political [public] goods—that strong states may be distinguished from weak ones, and weak states from failed or collapsed states.\(^2\) The number one priority among all goods, as Rotberg also emphasizes, is human security. Among the various definitions of state failure, for our arguments we chose one of the simplest that is closely related with the ability or rather disability of managing conflicts. In addition, states in the process of weakening also show vulnerability in their ability to provide different services for their populations. Basically, weak states simply cannot provide basic services – neither the so-called regal services (i.e. ranging from coinage to war management), nor modern services such as health care or education, or security at large – for the citizens of their territories. There is a definite road to get into the phase of state failure, but the aim of this paper is not to look into that. As Putzel explains: While not all poor countries are characterised by »state fragility«, most fragile states are poor, with populations that live on the margins of survival.\(^3\) The intention of this paper is to give an overview of possible ‘ways out’ of the crises of statehood with the help of education and human capacity building. We will look into the external factors and actors of developing sub-Saharan African societies in crises, together with some better examples of the Black Continent.

"Education is the cornerstone of human development in every society. [...] For, when all is said and done, development is about people."\(^4\) Or better to say: this should be the case anywhere in the world. Today, there are even more challenges African societies must face and respond to than during the colonial era. It is easily proven that since gaining independence across the continent numerous developments in the education sector have taken shape and have been achieved. For instance, just in the case of Tanzania, one of the most politically stable countries in Africa, between 1970 and 2010, in four decades only the number of higher education institutions – including public and private –

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has grown to well over twenty. In 2012, according to the Southern African Regional University Association (SARUA) report, there were 41 higher education institutions, of which 8 were publicly-funded universities, 11 were publicly-funded technical universities or colleges, and 22 were privately-funded, accredited universities or colleges. Many scholars and analysts say there is no problem for the time being with the numbers; the real issue is ‘quality education’. Again, as Cheru argues: *Education systems are not keeping pace with changes in the economy and technology that have enormous impacts on the type of skills and the critical thinking required in the emerging world economy. Today’s low-quality education has serious implications for tomorrow’s development tasks.* A substantial number of these societies still, first of all, struggle with state weakening and shortcomings, then, they are exposed to pushes coming from the global environment. However, in real macroeconomic figures (such as the GDP) Africa at large and African states in their own forms perform very well, much better during the last global financial crisis than their “counterparts” in the technologically more developed world, and the dynamism their economies show in the last years is sometimes remarkable; integration into the world economic structures and processes reserves further hardships. Many of them still feel the failure of the forced reforms in the form of the Structural Adjustment Policies (SAPs) of the international monetary institutions, such as the International Monetary Fund (IMF) and the World Bank (WB). These economic reform programmes hit the education and health sectors the hardest. The most important task should have been and still is for countries of sub-Saharan Africa to proceed very cautiously down the path, as Joseph Stiglitz underlined in an interview in April 2000. He also pointed out that, for developing countries, capital market liberalisation is not associated with faster economic growth and is associated with greater volatility. If this is not taken into account in a proper way, also looking deep into the very local needs and circumstances, everything can go even worse. Partially as a result of sectoral cuts, coupled with the liberalisation of education (as a market) and other accompanying crises, by the early years of the new millennium, sub-Saharan Africa [became] the only region in the developing world where total educational expenditure have been declining over the past two decades. As Asad Ismi noted in his paper in which he analysed the World Bank and the IMF in Africa, 10 governments spent more on paying back international debts to these institutions than on primary education and health care combined. *Forty percent of African children are out of school and Africa is the only region where this number*

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5 The University of Dar es Salaam was established in 1970 after the split of the University of East Africa (1963), which was then shared by the three new nation-states of East Africa, i.e. Tanzania, Kenya and Uganda.


is rising. So, despite the original goals, the adjustment programmes eviscerated plenty of the African states, leaving them in poverty with demolished health and education sectors. As U.N. Secretary General Javier Perez de Cuellar noted in 1991: The various plans of structural adjustment – which undermine the middle classes; impoverish wage earners; close doors that had begun to open to the basic rights of education, food, housing, medical care; and also disastrously affect employment – often plunge societies, especially young people, into despair.

As always, fortunately, there are good examples showing sufficient confidence and self-reliance, people who could present the ‘other way’ (or the way it could work). Ugandan president Yoweri Kaguta Museveni in 2000 did not accept the reform suggested by the IMF as he wished to leave primary education free from tuition fees. This is of particular importance when we think of the enrolment of girls in societies where they are expected to stay at home to provide the necessary background for the boys to study in hope of a good/better job that would enable them to earn enough money for the entire family. As Stiglitz underlines, Museveni knew that he had to create a culture in which the expectation was that everyone went to school. And he knew he couldn’t do that so long as there were any fees charged. So he ignored the advice of the outside experts and simply abolished all school fees. Enrolments soared. As each family saw others sending all of their children to school, it too decided to send its girls to school.

Although the literature is divided on how necessary and effective these structural adjustments were in Africa, there is a fairly general view that in the African context SAPs did not fit; they were essentially not adapted to the African situation. As Logan was arguing: While this may be the case, and while there were internal factors problematising implementation—educational, political, social deficiencies—international financial institutions claimed this ‘domestic inhibition’ could be overcome through adjustment. There is a substantially wide consensus on how essential low budget deficits are for being able to achieve macroeconomic stability. However, it is always crucial to see how to properly balance the increase in taxes and the decrease or reduction of expenditure. In many SAPs, particularly the early ones, the expenditure side of the budget had to bear the main burden. There was little room for raising tax revenues, for example through import duties, without coming into conflict with the trade liberalisation objective. Because of this emphasis on expenditure cuts, public support for infrastructure, education, social services,
as well as for research and extension, suffered and rural areas, with their high proportion of poor people, were particularly hard hit.\textsuperscript{16} Learning from the failures of the 1980s, throughout the 1990s and ever since adjustments were added a ‘human face’, and increasingly more attention has been devoted to how governments and other stakeholders can respond to the local needs of the people living in poverty.

THE ALTERNATIVE WAY?

Stiglitz persuasively argues that economic development in the poorest parts of the world requires sustained aid, good governance, public infrastructure and social goods like education, as well as stock markets, privatisation and free trade.\textsuperscript{17} In this list by now a number of items have gradually been sewn into new webs of interconnectedness. As the South–South co-operation has (re)intensified, new actors have emerged as “caring” partners of African nations.

On the basis of peaceful co-existence and the heritage of Bandung 1955\textsuperscript{18}, the People’s Republic of China appears to have become a ‘master of ceremony’, and has been playing the game in a clever way, much more efficiently from many angles than other influential actors of the international scene, i.e. either the USA or the European Union. This is proven when, for example, export figures are compared: Africa’s exports to China increased at an annual rate of 48 percent between 2000 and 2005, two and half times as fast as the rate of the region’s exports to the United States and four times as fast as the rate of its exports to the European Union (EU) over the same period.\textsuperscript{19} By the year 2010 (and according some others, such as Taylor\textsuperscript{20}, already by 2008) the total volume of trade between Africa and China has exceeded the ‘dream level’ of 100 billion USD. In 2012, total trade almost hit the 200 billion USD figure and stood at 198.5 billion USD – while the U.S. could only keep it at 108.9 billion USD that year. By the year 2015, in a USITC briefing paper from October 2014, it was expected to rise to $385 billion by 2015, according to projections by Standard Chartered Research.\textsuperscript{21}

\begin{itemize}
  \item \textsuperscript{17} C. Leadbeater, ‘A Series of Mini-accidents Always in Progress’, New Statesman, 15 July 2002, p. 52.
  \item \textsuperscript{20} I. Taylor, China and Africa. Engagement and Compromise, London 2006 (Routledge Contemporary China Series, 14).
\end{itemize}
It is understandable that African leaders have favoured China’s judgement-free political approach as long as they have been fed up with the West always telling them how they can best reform their countries.²² Although the US, for instance, wants to demonstrate that it is still in Africa and remains the big, benevolent, and not necessarily bad sheriff in town, it also tries to warn China, its rival powerbroker²³ that it is capable of offering challenging sums and deals for Africans to stay engaged with US interests. As a result of ex-president George W. Bush’s visit to five African countries in February 2008, more than 5 billion USD were granted to 16 nations to carry out different projects ranging from infrastructural development to good governance. The United Republic of Tanzania alone received 700 million USD for road construction and the improvement of its power supply system, which has been facing a series of severe cuts for months since 2006. In his speech on national security on May 23, 2013, when talking about how foreign aid has been seen as one of the least popular expenditures by basically everybody in the US – even as it does not exceed 1 percent of the total federal budget – President Obama made it explicitly clear that foreign assistance cannot be viewed as charity. It is fundamental to our national security, and it’s fundamental to any sensible long-term strategy [and so] has to be part of our strategy.²⁴ Any American engagement on the continent, therefore, needs to serve national security, and at the same time, promote global values that America believes in.

Some people, including Mensah, say that China pursues “an aggressive foreign policy engagement on the African continent [...] [due to its] insatiable drive for resources to power its economic engine as it emerges as a new global economic powerhouse”.²⁵ Global South countries, including African states are in a need of partners, investors offering fair (or easy) co-operation, who do not pressurize while offering financial help (aid), and in this respect China is an ideal “friend” for them. As opposed to the sometimes harsh regulations and former SAPs of the international financial institutions, China has been implementing its policies along the lines of a different philosophy: it does not dictate and does not make aid programmes or loans dependent on whether or not a given country in need of support complies with democratic requirements or liberal market policies. On the basis of peaceful co-existence and the heritage of Bandung, China has been playing, or rather communicating the game in a different way. As Taylor says, China as a seemingly ‘refreshing alternative’ suits the ruling elites.²⁶ Preferring bilateral deals, while it wants to pursue its resource-based foreign policy (not restricted to oil

at all), neo-colonist charges may sound nonsensical, as along the Confucian doctrine, stressed upon by Chan: *Expropriation demands a return – a reciprocation. It means, in practice, substantial front-loading of benefits to an African partner within a naturally vertical and naturally reciprocal relationship.*

China has had a long involvement with the continent, with several African countries, going back to the 1960s, after breaking off connections with the Soviet Union. But the current level and intent of China’s involvement is different. In those earlier days, Beijing’s intentions were primarily motivated by ideological reasons. Their presence was noted by monumental infrastructure projects, with no or relatively small economic development aspect. An exception was the railroad going through Tanzania and Zambia in the eastern part of Africa. The Tanzania–Zambia Railway Authority (TAZARA) project was being financed with an interest-free loan from China that was set to be repaid over a period of 30 years from 1983 onwards. It was built from a joint basis connected to the Tanzanian and Zambian Governments and would be repaid in equal shares. Today, this railway has an enormous significance in infrastructure development in general terms as it provides at the same time both the route and the tool for regional transport. In the 1960s China tried to act separately from the two superpowers of the era and wanted to have independent diplomacy at the time of the Cold War. Later Beijing used the Non-Aligned Movement (NAM) for its own purposes and by pushing the so-called third way it became the undeclared leader of the movement, which helped it in building relationships with the countries of the Global South. At first, these steps were motivated by the declining connections with the Soviet Union, but later on proved to be good decisions and were strengthened in the light of the economic growth and hegemonic ambitions. It is important to reflect on these relations of China with countries of the Global South because the Asian country became a trusted partner for them and Beijing could develop connections into strategic partnerships, deeper than the western states could ever achieve. China cultivated these relations even under the US-dominated unipolar world and by learning from the failure of the western aid-policy it designed a new (or, it is better to say: continued their) way of help: in exchange for aid cargos, credits and infrastructural developments Beijing did not expect structural changes or better human rights situations, just contracts on vital raw materials it needed. Thus, its upgraded aid-policy is not driven by ideological, but principally by economic reasons. As an interview made with former Energy and Mining Minister of Sudan, Mr. Awad Ahmed Al-Jaz shows, the Africans praise their partners for sticking to trade issues and not interfering with internal affairs. *The Chinese are very nice,* he said. “They don’t have anything to do with any politics or problems. Things move smoothly, successfully. They are very hard workers looking for business, not politics.”

So, according to the economic motivations, they do not care about human rights issues

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and anti-democratic regimes, they make business with everybody, as in the case of Sudan. This way of help can be upsetting for a number of actors, but we should not forget about the failures of western aid policy, and how that caused serious structural problems. Although there are numerous negative feelings across Africa against the increasing Chinese presence, Chinese actors are not seen any more rapacious or more damaging than the traditional exploiters of Africa’s wealth i.e. Western capitalism.  

INCREASED CHINESE SUPPORT IN THE AFRICAN EDUCATION SECTOR

China handles the education sector with attention and care basically for two, very decisive reasons: first, to raise a group of people who can co-operate with China in the future and second, to connect to a “network” caused by the brain-drain invented by western countries, fully exploiting Third World actors. The Action Plans of the Forum on China–Africa Cooperation (FOCAC) so far has determined several areas of co-operation in the education sector. The Beijing Action Plan (2007–2009) contained the following details with regard to education: The Chinese government decided to help African countries set up 100 rural schools in the next three years; to increase the number of Chinese state scholarships to African students from the current 2,000 per year to 4,000 per year by 2009; to provide annual training for a number of educational officials as well as heads and leading teachers of universities, primary, secondary and vocational schools in Africa; to establish Confucius Institutes in African countries to meet their needs in the teaching of the Chinese language and encourage the teaching of African languages in relevant Chinese universities and colleges.

Later on in 2009 in Sharm el-Sheikh in the fourth Action Plan (2010–2012) the two sides expressed satisfaction with the continued progress in the China–Africa education co-operation in those years. As part of the new document the Chinese Government offered to help African countries to build 50 China–Africa friendship schools in the next three years; to propose the implementation of the 20+20 Cooperation Plan for Chinese and African Institutions of Higher Education to establish a new type of one-to-one inter-institutional co-operation model between 20 Chinese universities (or vocational colleges) and 20 African universities (or vocational colleges); to admit 200 middle and high level African administrative personnel to MPA programmes in China in the next three years; to continue to raise the number of Chinese governmental scholarships and increase the number of scholarships offered to Africa to 5,500 by 2012; to intensify efforts to train teachers for primary, secondary and vocational schools in Af-

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30 FOCAC is an official forum between the People’s Republic of China and the states in Africa. Its role is to help Beijing contact and stay in touch with all the African states on the highest level and to promote its Africa-policy.
rica, and help African countries train 1,500 school headmasters and teachers over the next three years; to continue to promote the development of Confucius Institutes, increase the number of scholarships offered to Chinese language teachers to help them study in China, and double the efforts to raise the capacity of local African teachers to teach the Chinese language.\footnote{FOCAC, \textit{Sharm el Sheikh Action Plan (2010–2012)}, 5.3 section, 12 November 2009, at <http://www.focac.org/eng/dsjbzjhy/zywj/t626387.htm>, 12 January 2016.}

When we look through these points, the intentions of Beijing are crystal-clear, yet their help is really a substantial step forward. To foster the training of teachers has been a number one need for several African states to handle the teacher-shortage in the newly-built schools. The bilateral collaboration between universities and secondary schools has given the local students the unique opportunity to study abroad.

Beijing continued to devote attention to human resource development at the 2012 Fifth Ministerial Conference of FOCAC. The Beijing Action Plan (2012–2015) reaffirmed the Chinese commitment to provide government scholarships to Africans, particularly to young people and women. The implementation of the “African Talents Programme” between 2012 and 2015 promised to offer training to 30,000 African professionals in various sectors, together with 18,000 state scholarships to enter the Chinese education system. In terms of scientific collaboration, emphasised is placed on joint research and technology projects, the invitation of Africans to China for postdoctoral research, to offer research instruments and equipment to African researchers who return to their home countries to continue working on their long-term joint research project with their fellow Chinese researchers. With all these China intends to help African countries raise their capacity in research and development innovation.\footnote{FOCAC, \textit{Beijing Action Plan (2013–2015)}, 5.2 and 5.3 sections, 23 July 2012, at <http://www.focac.org/eng/ltda/dwjbzjhy/t954620.htm>, 12 January 2016.}

The most recent documents of FOCAC, including the Johannesburg Action Plan (2016–2018) place education – as part of social development cooperation – higher on the agenda. The target numbers for the coming years include 2,000 full degree placements at Chinese universities and 30,000 government scholarships, together with the training of 200,000 local African vocational and technical personnel and other giving 40,000 training opportunities for Africans in China. With these China aims at helping the young people and women improve their employment skills to enhance the self-development ability of Africa.\footnote{FOCAC, \textit{Johannesburg Action Plan (2016–2018)}, 4.3 section, 25 December 2015, at <http://www.focac.org/eng/ltda/dwjbzjhy/t1327961.htm>, 12 January 2016.}

Government scholarships have been given to Africans since the 1950s. Since the time when the first students from Egypt received such scholarships in 1956, today the number has been well over 6,000. Although the emphasis – or rather government communication – is focused on these opportunities offered by the Chinese government, those young Africans who study at a Chinese university self-supported outnumber the scholarship- or award-holders. According to Kenneth King, \textit{China is...}
evidently an attractive destination for international study for Africans, quite apart from its scholarship provision.  

Dozens of Africans study at Hangzhou Normal University located in one of the historic regions of Mainland China. In a focus group meeting organized by the authors in early September 2015, a number of medical graduate students from Somaliland revealed their firm views about how well-recognized Chinese degrees are across the African continent. As Abditafah M. Nuh said, China offers a good ground for getting the knowledge, gaining the necessary experience to find more opportunities after graduation. I want to return home and contribute to the development of my country. I am particularly interested in working in the social relief field, for an international NGO.  

It looks good on your CV that you have your degree from China, and if you speak Mandarin, you are more competitive back home. Translators, for example, are needed to help different actors both in China and African countries make their business deals in a smooth and professional way, said Cameroonian student at Zhejiang Normal University, Danielle Carole Tangmeu Kenmoe, at another focus group meeting. Danielle is fluent in Mandarin and confirms the importance of studying abroad in order to understand different approaches to life.  

Most of the almost 130 African students at the Shanghai Institute of Technology (SIT) study civil engineering or architecture. In their first year they have to master Chinese and pass the Chinese Proficiency Test (HSK), level IV, so that they can converse in Chinese on a wide range of topics and become able to communicate fluently with native Chinese speakers. In another focus group discussion with students from Cameroon, Madagascar, Niger and the Comoros, the importance of family support was mentioned many times. In many cases it is initiated by the family of the students to study in China, and in the background of this ‘push’ we find existing links with the Asian giant, as some of the parents had studied or worked in China, or maintain some business-oriented ties with Chinese.  

As for the daily realities of interactions between young Africans and the local Chinese populations, the issue of skin color is still high on the agenda. Although interaction is possible, in particular if you speak Mandarin, says Abditafah M. Nuh, we have experienced a number of challenges because we are black. Taxis do not stop if we are alone, but rather when we are with a Chinese friend who is waving to the driver. The less well-educated think that our skin is black because we do not take a bath. They touch it so that they can check if they get painted or not. They are ignorant about us, our cultures, and I think education is the key for them, too, to learn more about Africa and the Africans.  

The so-called ‘people-to-people’ interactions are at the heart of Chinese-African linkages, as they are to increase mutual understanding and friendship between our two  

36 Recorded by I. Tarrósy on 27 August 2015. The field trip was supported by a research grant from the Pallas Athene Geopolitical Foundation of the Central Bank of Hungary (65/2015 IV.16. decision).  
37 Recorded by I. Tarrósy on 28 August 2015.
peoples and particularly between the younger generations, as former President Hu Jintao underlined in his speech delivered at the opening ceremony of the Beijing summit of African leaders, FOCAC III.38

African students studying at a Chinese university will not only learn proper Mandarin, but will also get closer to Chinese hearts and minds. This is a significant opportunity for all the parties involved as they can function as ‘bridges’ for future engagements, in particular as far as trade, business deals and investments are concerned. China is not unique in focusing on this soft power element, as basically most of the developed countries and emerging economies behave in the same way, utilizing the same tools in their foreign policies. What makes China different from them is the intensity and concentration, as well as coherent policy coordination, which can result in further gains – hopefully for all the parties involved.

All in all, it is not surprising at all that African governments in general terms tend to turn to other actors: to China, or other Asian actors such as India, Japan, and increasingly to Brazil, as one of the most competitive emerging actors, to name the most influential ones. They want alternative ways to develop, not only the former prescribed methods of the IMF and the World Bank, which in fact, upon the results of the SAPs, have also reformed its programmes towards Africa. The Enhanced Structural Adjustment Facility (ESAF) was created to allow the IMF to continue providing finance to poor countries when it became clear that their financing was too expensive for these countries to repay, admitting their faults in the past. However, as the previous programmes towards poor countries of the Bretton Woods institution showed, this one was also not a real success-story. Based on daily experience, these loans were still too expensive for the destination countries, while the repayment periods were way too short. According to a briefing from June 2000, it appeared to the fund that the ES AF will continue to be an inappropriate source of funds for the poorest countries. While it is clear that adjusting countries require more in the way of concessional finance to support their adjustment efforts, the ES AF is not an appropriate mechanism through which to do so.39 The ESAF was replaced by the Poverty Reduction and Growth Facility (PRGF) in November 1999 to mark the change in content and process for IMF concessional support.

**EXPANSION OF EDUCATION IN NORTH AFRICA**

Although the focus of the present paper is put on Chinese involvement in African development via the education sector with two Sub-Saharan African examples, the process of developments in this sector across Northern Africa cannot be neglected. Expe-


rience from the region located north of the Sahara can serve as a point of reference for our study.

There are several substantial features of countries in the northern part of the African continent, which make us turn our attention to the education–development nexus and its relation to societal change. When we are discussing education as a way out of poverty, we also need to examine this region, where the development of education was a top priority in the 1960s, leading to a short-term growth and success. But the fact is, and the events of the Arab Spring of 2011 are underpinning this, that it was not a success story at all. A World Bank report notes that even if these countries invested heavily in education, they could realise only modest economic returns. The report noted that labour market outcomes [in most north African countries] are weak, with much of the educated left unemployed or employed in low-productivity jobs.\footnote{World Bank, ‘The Road Not Traveled. Education Reform in the Middle East and North Africa’, MENA Development Report, 2008. at <http://siteresources.worldbank.org/INTMENA/Resources/EDU_Flagship_Full_ENG.pdf>, 20 November 215.} And an alarming pattern can be seen in these countries related to the educated (secondary education or greater) young people: educated youth unemployment has been steadily increasing. Also, as a structural problem in Northern Africa, acquiring more education increases the probability of unemployment.\footnote{Ibid.}

The main factors which condition this phenomenon are the following – based on country reports and studies published by the International Monetary Fund and the World Bank:

1) the expansion of higher education, promoted in this case by guaranteed employment in the public sector until [the beginning of the series of revolts];
2) a high proportion of students who major in humanities and literature\footnote{In African countries it seems to be a dead end to educate people in these disciplines, both for the education system and for the students as well. While graduate students will be unable to find a job, it is also not profitable for the government to assist this tendency. On the other hand, the profitability of these disciplines was also questioned in Europe in recent times.};
3) a slow rate of industrialization.\footnote{World Bank, ‘The Road Not Traveled...’}

In the first months of 2011 a revolutionary wave of protests, riots and demonstrations took place in North Africa (which spread out in the Arab World). Thousands of citizens of these countries marched to the main squares, government buildings, police stations to protest against their regimes – many of them were young, educated and unemployed. These states faced economic problems, and huge unemployment combined with government corruption and the lack of human rights led to these events.

Despite the expansion of the education sector, economic growth was not significant (and was mainly related to the oil-sector). As the World Bank report noted over the period 1960 to 1990, the average level of education for the adult population in the MENA region [Middle East and North Africa]\footnote{The MENA region includes: Algeria, Bahrain, Egypt, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Occupied Palestinian Territory, Oman, Qatar, Saudi Arabia, Syrian Arab Re-} rose by an average of 5 percent a year, a rate not
matched by any other region of the world. The following decade, however, with more and more educated labourers entering the workforce, economic growth in the region averaged only 0.5 percent a year on a per-labourer basis, the lowest schooling/growth relationship in the world.\textsuperscript{45} It is also interesting to mention that despite this growth of the sector, the changes in the area of inequality (access to the education system) were insignificant. As for any way out of poverty, the report noted that poverty levels were essentially stagnant, also despite increased access to education by the poor in most MENA countries. Having made enormous progress on poverty reduction in the earlier period of development, the region has made little progress in the last 15–20 years. [...] The region’s average poverty rate fluctuated between 20 and 25 percent in the 1990s\textsuperscript{46} and nowadays as well.

FROM (HIGHER) EDUCATION TO ECONOMIC GROWTH

Between 1990 and 2010, according to World Bank statistics from 2010, the total number of higher education students in Africa tripled, increasing from 2.7 million in 1991 to 9.3 million in 2006. As Irene Friesenhahn notes, sub-Saharan Africa’s higher education sector has expanded massively since the 1970s. Student enrolments across all levels grew from roughly 200,000 about 40 years ago to an estimated ten million [in 2014]. But only a minority of the estimated 1,500 public and private universities across Africa offer graduate programmes.\textsuperscript{47}

The progress of education throughout sub-Saharan Africa is obvious, the question is whether the development of this sector is driven by ideological reasons, handled by the governments/ regimes considering only quantitative aspects, or driven by tangible economic reasons and labour market needs considering qualitative elements as well. We could see that thoughtless development in northern Africa in some cases worsened the situation, and the progress of sub-Saharan regions in this case (i.e. developing the tertiary system) is slower than in any other regions of the world. But why is higher education important and how does it affect economic growth?

Numerous papers, reports and studies have already outlined the connection between education and economic progress (and improvements in the quality of life). As O’Hara mentions, the 1998/99 World Development Report emphasizes four key strategies that for a successful transition to the new knowledge economy: an appropriate economic and institutional regime, a strong human capital base, a dynamic information infrastructure, and an efficient national innovation systems. All four strategies are inextricably linked to a strong higher education system.\textsuperscript{48}

\textsuperscript{45} Ibid.
\textsuperscript{46} Ibid.
Higher education has both private and public benefits, while the former is widely accepted and well-known, the latter is less recognized. Among private benefits we can name higher wages, better employment prospects, and the so-called self-catering, the ability to cope with our values, to save or to invest. It has several secondary benefits such as better health, improved life-quality, etc.

The public benefits are also about the private benefits, as the success of the individuals can affect the whole society: higher wages can raise tax revenues, help greater consumption, contribute to adapting new and better technologies, and so on.

Tertiary schooling can also have less direct benefits for economies. By producing well-trained teachers, it can enhance the quality of primary and secondary education systems and give secondary graduates greater opportunities for economic advancement. By training physicians and other health workers, it can improve a society's health, raising productivity at work. And by nurturing governance and leadership skills, it can provide countries with the talented individuals needed to establish a policy environment favourable to growth. Setting up robust and fair legal and political institutions and making them a part of a country's fabric, and developing a culture of job and business creation, for example, call for advanced knowledge and decision-making skills. These outcomes can help show the way out for weakened or failed states, but of course (country-)specific features can affect the entire process.

Knowledge produced in higher education has become the most important factor for economic development in the 21st century. Saint et al. demonstrate this point by comparing the research and development investments in OECD countries with those in developing countries like China, India and Brazil, as well as the rest of the world. There seems to be a proportionate relationship between research and development investments and economic development.

THE CASE OF TANZANIA

The eastern African country still struggles with its economic challenges even if the region is one of the most prosperous regions of Africa, and struggles with its tertiary (higher) education system even though the University of Dar es-Salaam (UDSM) is one of the biggest universities on the continent. The foundation of the university in 1961 was a big step in the life of the countries of east Africa to build a successful education system, but the state university became the instrument of governments, often materializing in bad decisions on personal appointments and over-bureaucratization. Economic problems in Tanzania and events in the East African region quickly led to financial difficulties at UDSM; the 1980s were a particularly low point for the university,


50 P. Lolwana, ‘Making Higher Education a Public and Social Good in Africa’ in S. O’Hara (ed.), Higher Education in Africa...
which was rife with apathy, inattention to students, and administrative problems. Facilities deteriorated, faculty departed, student strikes became a common feature, and the quality of teaching and learning declined.\textsuperscript{51} In the 1990s an upswing started, a more liberal higher education system was institutionalised, unfortunately still with few benefits to the economy. This era saw the introduction of private universities and new public universities. Enrolment in higher education swelled, and government, the private sector, and other donors all made increased funding available. Relations between tertiary institutions and the state improved, the exodus of staff decreased significantly, the expansion and rehabilitation of physical facilities, and an increased focus on student and staff welfare all served to reinvigorate Tanzanian universities.\textsuperscript{52}

China became a massive partner for Dar es-Salaam also in the education sector. As we could see, through the FOCAC Action Plans Beijing helped African countries to develop this sector, from primary to tertiary level, moreover in the case of Tanzania, co-operation started long before the FOCAC was established. Well over 600 Tanzanian students had studied in China since relations were established between the two countries, with more than 70 new Tanzanian students commencing studies in China in 2008. Many of the Tanzanian graduates from Chinese universities are fluent in Mandarin Chinese and work with Chinese businesses in Tanzania, notably construction companies. These graduates are valuable assets to the Tanzanian economy. Not only can they help bridge the gap in language and culture, but also through their personal intercultural experience they can assist the government in devising proactive strategies to achieve more effective and meaningful Sino-Tanzanian engagement. It can also be noted that Mandarin has been taught at the University of Dar es-Salaam.\textsuperscript{53}

In fulfilment of the Beijing Action Plan, the Chinese government offered to build three primary schools comprising classrooms, library, toilets, and special rooms for girls in addition to playgrounds for approximately 300 students. The value of the schools [was] estimated to be around US$ 750,000 each. Several architectural plans were presented to the Tanzanian government which then selected the plans they considered appropriate. According to a senior official within the Ministry of Education (MOE) [who was] consulted by the research team, sites were thereafter selected in full consultation with all relevant stakeholders.\textsuperscript{54}

There has been a serious shortage of teachers in Tanzania. By 2011, approximately 52,000 additional teachers were needed in the country\textsuperscript{55} and officials looked for Bei-

\textsuperscript{51} D. Bloom, D. Canning, K. Chan, Higher Education..., pp. 79-80.

\textsuperscript{52} Ibid.


jing’s help to address this issue as well. Other possible areas of assistance mentioned were the provision of teaching materials and establishing teacher resource centres. As a follow-up step, a framework agreement was established under the Beijing Action Plan for China to deploy volunteers to Tanzania, especially in the area of education.\footnote{56 Centre for Chinese Studies, ‘Evaluating China’s FOCAC commitments to Africa…’, p. 117.}

Despite bad economic data and the problems of higher education, the government of the country began to understand the connection between education and development; while in 1999 it spent only 2.2% of the GDP on the sector, in 2007-2008 the figure rose to around 6%. In 2010 it was measured at 6.18%, according to the World Bank. Public expenditure on education consists of current and capital public expenditure on education includes government spending on educational institutions (both public and private), education administration as well as subsidies for private entities (students/households and other privates entities).\footnote{57 Data from: <http://www.tradingeconomics.com/tanzania/public-spending-on-education-total-percent-of-gdp-wb-data.html>, 1 February 2016.} According to the United Nations Development Programme’s Human Development Report, almost this figure was registered in 2012 as well, standing at 6.2% of the GDP.\footnote{58 Data from: <http://hdr.undp.org/en/content/expenditure-education-public-gdp>, 1 February 2016.}

THE CASE OF SUDAN

The higher education system in Sudan suffered enormously under the regime of Al-Bashir, as many other sectors of the biggest African country (until the 2011 July secession). The regime re-designed education in line with their ideology, which has no relevant effect on the economy, as the government controls all the institutions, determines the curriculum while the universities and colleges have no contact with the labour market. \textit{Al-Bashir’s government was quick to set in motion a process which could enable it to ensure control over the educated elite as well as higher education institutions.} University staff associations were disbanded but student unions, which were controlled by NIF supporters, were allowed to function in order to keep a grip on students’ activities in the early days of the government. The abolition of liberal university charters and harassment and dismissal of staff members and students were started in earnest. Higher education in Sudan remains in a continuous state of transition dictated by political, economic and social changes. The current policies adopted by the RCC are the most far reaching ones and they are extremely destructive. Changes in higher education are being dictated by political expediency rather than social or economic needs.\footnote{59 Z. El-Hassan, ‘Instability, Higher Education & Development in Sudan: The Effect of Al-Bashir’s Higher Education Policies’, \textit{Sudan Alternative Discourses}, Vol. 4 (2008), at <http://www.africa.upenn.edu/Newsletters/sad4.html#education>, 28 October 2015.} The past decades of Sudan led to a state failure: internal wars, civil war and secession raped the country, which had seen a tremendous economic growth over the past few years, thanks to China. But this GDP growth had nothing to do with education or other sectors of
the economy; it is rather based on the oil-sector, owned by Asian countries, mainly
China.

China has shown significant interest in investments in the oil sector of Khartoum. According to statistics, with a huge stake in the country’s oil industry, Beijing has become the largest investor, while importing most of the resource-rich African nation’s oil output. Given large oil fields, 80% of Khartoum’s revenue comes from oil. But if there is a country in Africa, which would seriously need a decent education system, it is Sudan. In Sudan Chinese companies mostly employ Chinese workers, while the unemployment rate is above 20% (no official data exist), and with South Sudan’s secession, most of the oil revenues have been lost, leaving Khartoum in an economic crisis. Although bilateral trade between China and Sudan is outstandingly high, it is nearly impossible to find co-operation with China in the education sector because the government would not let anybody build schools, only the governments has the right to do so. There are scholarships to Sudanese students but in the majority of cases they are financed by Chinese companies (or Chinese organizations) and the aim of that is to instruct people to be able to work for Chinese companies in the country. There was an article about 10 Sudanese students in the China Daily financed by China Harbor Engineering Co. Ltd. They were awarded Master’s degrees by Nanjing-based Hohai University at a graduation ceremony in June 2010 and further groups started their studies in autumn 2010.60

As of 2009, Sudan had 33 universities, with more than 100,000 students,61 but the Sudanese sample is a classic quantity over quality method, with no benefits for the economy or for the country. However, the biggest problem of any analysis or evaluation is the lack of reliable information.

CONCLUSION

The education system in Africa is facing similar problems that all the other developing nations have faced. Beside this the IMF and World Bank mostly attached strong recommendations on developing only primary education beside aid and structural programmes. Universal Primary Education [promoted by UNESCO] has encouraged African countries, sometimes aided by international donors, to aggressively meet the Millennium Goals of providing primary education for all and, according to Bergman, Africa is passing the test with flying colours. On the other hand, the success of primary education in Africa has revealed the deficiencies or inadequacies of the post-primary education system.62

We can agree with Lolwana who emphasises that the African states should learn and notice the relationship between the levels of education system: if one level expands,

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62 P. Lolwana, ‘Making Higher Education...’
inequality will be expected on the next level, on the other hand, if a country would like to develop a level (for example the tertiary level), all the other levels of the system should be developed. Mauritius could build a strong tertiary system because of developed primary and secondary education systems. Also, no country [for instance, Sudan] in the 21st century can afford to treat higher education as an elite system designed for the select few.63

In the eyes of many, however, China presents a substantial threat. This is because the extremely cheap Chinese products mean competition for African localities, which seek to pierce into international markets. As Broadman suggests, the African sectors that face more internal competition not only attract more FDI from China and India but also eventually become more effective at penetrating Asian and other markets.64 This issue is crucial in the long-term development of any African country, and must be first analysed from an African point of view, representing the real needs and practices of the African peoples, helping them determine self-strategies about any actor in the transnational scene.

From Africa’s point of view the picture is more colourful, as there are pros and cons, benefits and dangers embedded in the continent’s co-operation with the Asian giant. Chinese involvement in Africa’s development is undoubtedly good for Africa as it involves debt cancellation, Foreign Direct Investment, infrastructure and private sector development, and as part of the stretching Chinese ‘soft power’, the development of the education sector, which in a number of cases is key to any further development. As Gaye underlines, China offers also an alternative route to African countries. [...] [which] may further reduce the already damaged legitimacy of institutions like the World Bank and the International Monetary Fund.65 Critical voices, including Gaye’s, frequently echo the negative aspect of Sino-African relations, that is China gets more in return. It has now grabbed huge national resources while dumping into the continent cheap industrial manufactured products.66 It is therefore in the very interest of Africa to make proper decisions. If Africa does not set its house in order first, there is no way it will achieve anything. [...] Development begins at home.67 This is the reason why former South-African President Thabo Mbeki’s thoughts about a new “self-definition” for Africa must be taken into account. Africa deserves more and Africa wants more, therefore, as President Mbeki underlined in a lecture held at the University of Havana in 2001, the world – including China – should help Africa find its “self-definition”, something that is designed “by the Africans themselves”.

To be able to achieve this, educated and well-trained Africans – not only in terms of numbers, but rather first as regards quality – are needed, therefore, for the coming

63 Ibid.
64 H.G. Broadman, Africa’s Silk Road..., p. 104.
66 Ibid.
67 Ibid.
years of African development as such the quality-based development approach of the education sectors all across the continent must be put at the highest position in the African agenda.

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The article discusses Economic Partnership Agreements, which have become a tool for transforming trade relations between the European Union and the African, Caribbean and Pacific Group of States (ACP), including the countries of Sub-Saharan Africa. The agreements combine trade and development into a single whole, and as envisaged by the European Union, they are to become an instrument for achieving the development goals of the ACP states. Their common characteristic is free access to markets under the principle of reciprocity. Given the development asymmetry between the European Union and the ACP states, there arises a question of whether EPAs will be an instrument serving their development, and this article is an attempt at providing an answer to this question.

Keywords: EPA, development, trade, economic liberalism, ACP, EPA regional groups
INTRODUCTION

The European Union proposed Economic Partnership Agreements (EPA) to countries belonging to the African, Caribbean and Pacific Group of States (ACP) towards the end of the 1990s. Among the 79 ACP states, the most numerous group includes countries of Sub-Saharan Africa (48, excluding South Sudan). Although EPAs are addressed to the entire ACP group, this article focuses on its African members and deliberately omits issues related to countries of the Caribbean and Pacific. Development asymmetry between the signatories of EPAs is obvious already at the first glance, and it is the source of deliberations on whether EPAs are indeed the right choice in the context of the development needs of Sub-Saharan Africa. The aim of this article is to provide an answer to the question of whether the agreements proposed by the EU can indeed be an instrument of development or whether they rather constitute a threat to the economic and social development of African states. The starting point for the analysis presented below was the influence of the concept of economic neo-liberalism on the evolution of the European Union’s position in the field of trade policy and development cooperation. The research methods used for this analysis are typical of the social sciences: the inductive, source criticism, comparative, and statistical method.

THE IMPACT OF ECONOMIC NEO-LIBERALISM ON EUROPEAN UNION POLICY

The triumph of economic neo-liberalism at the turn of the 1980s and 1990s considerably influenced the evolution of the international trade system and the international architecture of development cooperation. Being one of the key participants in international trade exchange and one of the key donors of development assistance, the European Union was directly and actively engaged in the transformations in both these areas. The principles of EU policy have always been closely related to those of the neo-liberal concept, and the influence of the latter on the EU’s position has grown with the deepening of economic globalisation. The reason for this was that the emerging and increasingly more attractive markets of Asia or Latin America were becoming an important direction in the EU’s trade policy, but the access to those markets was difficult because of the exceptions in the multilateral trade system regarding developing countries. These exceptions concerned the ‘enabling clause’, which allowed developing countries to violate the principle of reciprocity in trade and de facto apply the principle of non-reciprocity. As a result, given the developed countries’ increasingly intensive attempts to influence the position of developing countries towards opening up their economies, the non-reciprocity principle was a considerable impediment. Therefore, on the initia-

1 South Sudan is waiting for the completion of the ratification procedure that will allow it to join the ACP.
The above-mentioned decisions had a considerable impact on the nature of the relations between the European Union and the ACP countries. Since 1975, these countries had enjoyed unilateral trade preferences in the access to the EU market. The EU explained the change of the trade regime with the ACP countries with the need to adjust to the new rules of the multilateral system. The agreement signed by the EU and the ACP states in Cotonou in 2000 specified the means of concluding new EPAs abolishing unilateral trade preferences, gradually removing the barriers to trade that existed in the trade between the EU and ACP as well as expanding cooperation in all the trade-related areas. EPAs were to be negotiated in the preparatory period lasting until the end of December 2007 so that the beginning of 2008 could bring the introduction of a free trade area in the trade exchange between the EU and the ACP based on reciprocity.

Furthermore, the neo-liberal approach affected the development cooperation policy as well. The economic successes of the so-called Asian Tigers, China and some Latin American countries proved that in the age of economic globalisation, the impact of open economy on international trade exchange and the access to foreign capital and technology cannot be ignored. The idea of development assistance met with increasingly bolder criticism (a phenomenon referred to as ‘aid fatigue’), while trade started to be perceived as the main driving force of development and its benefits for the developing countries were strongly highlighted. This way of thinking suited the EU’s policy perfectly since it started treating trade and regional integration as the primary activity towards achieving sustainable economic growth in developing countries. Financial aid was seen as a measure to support these actions, to help combat poverty, rather than the main factor stimulating development. The changes the EU introduced by the Treaty of Lisbon clearly confirm this line of thought: the removal of barriers in international trade was to contribute primarily to the integration of developing countries with the world economy and development cooperation was to focus on combating poverty. In fact, however, this solution led to departure from the previous practice of jointly applying the provisions concerning trade and development cooperation in agreements with third countries. The major ‘victims’ of these changes were the ACP countries since they were especially used to the practice of combining provisions on trade and development assistance in their agreements with the EU (since the 1957 Treaty of Rome). The new agreements were designed to regulate only issues related to trade, while development assistance issues were included in the Cotonou Agreement.
THEORETICAL DEVELOPMENT PRINCIPLES OF EPAs

The fundamental principle of EPAs is that they are intended for developing regional integration, supporting economic diversification in the ACP states, gradually including their economies in the global trade exchange, and consolidating the ACP countries’ potential in terms of trade. With this, they are to become the main stimulant of development as well as reduction and eventual elimination of poverty, so widespread in many ACP countries, especially in Sub-Saharan Africa.

One of the instruments of implementation of the EPAs’ development dimension is liberalisation of trade on the basis of reciprocity in benefits and concessions in market access. Ensuring free access to its market for goods from ACP countries, the EU expects analogical concessions (in accordance with Article XXIV GATT), which in consequence should translate into an increase in mutual trade exchange. Due to considerable disproportions in development levels, EPAs provide for a certain asymmetry, given the right of the ACP countries to a transitional period in the removal of trade barriers for goods from the European Union.

Another instrument that contributes to the development of EPA signatories is regional integration, perceived as the primary means for including the ACP countries’ economies in the world economy. The potential in this regard is fairly large; if we analyse the data for African countries alone, intraregional exchange constitutes a mere 17.7 per cent of Africa’s total exports. This implies not only very limited regional exchange but also Africa’s dependence on trade with non-African entities, such as the EU, China and the United States. The situation is further worsened by the still existing tariff and non-tariff barriers that hamper trade between African countries. The elimination of trade barriers and support for regional cooperation between African countries should bring significantly more benefits than the unilateral preferences the EU had been granting.

Negotiations of EPAs were not supposed to be conducted with the ACP group as a whole but with individual regional groups in order to further the process of regional integration. This way, EPAs were to contribute to intensification and consolidation of regional integration processes given the prospects of establishing a free trade area with the EU. In the first place, the plan of developing integration through EPAs should introduce trade liberalisation in some EPA regional groups; then, it should promote South–South trade exchange followed by North–South trade exchange. The division into EPA regional groups took place autonomously within the ACP. For obvious reasons, there were no doubts regarding the composition of the groups in the Caribbean and the Pacific; this was not the case, however, with Sub-Saharan Africa, which struggled with the problem of overlapping memberships in various different regional initia-

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3 Caribbean countries negotiated EPAs under the CARIFORUM group and those of the Pacific under the Pacific group.
tives and a large number of Least Developed Counties (LDCs), to whom the EPA offer was not directly addressed. The final composition of the African EPA regional groups is presented in Table 1.

Table 1. African EPA regional groups

<table>
<thead>
<tr>
<th>Central Africa</th>
<th>West Africa</th>
<th>Eastern and Southern Africa*</th>
<th>Southern Africa (SADC**)</th>
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<td>ESA</td>
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<td>the Comoros</td>
<td>Burundi</td>
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<td>the Central African Republic</td>
<td>Burkina Faso</td>
<td>Djibouti</td>
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<td>Cape Verde</td>
<td>Eritrea</td>
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<td>Gambia</td>
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<td>the Democratic Republic of Congo</td>
<td>Ghana</td>
<td>Malawi</td>
<td>Uganda</td>
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<td>Equatorial Guinea</td>
<td>Guinea</td>
<td>Mauritius</td>
<td>Swaziland</td>
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<td>Gabon</td>
<td>Guinea-Bissau</td>
<td>Madagascar</td>
<td>South Africa***</td>
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<td>Sao Tome and Principe</td>
<td>Ivory Coast</td>
<td>the Seychelles</td>
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<td>Liberia</td>
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LDCs are provided in italics

* Following the establishment of a trade union by the East African Community (EAC) in January 2005, there was a further division in the process of negotiation of EPAs in Eastern and Southern Africa. The EAC’s five members were negotiating their own EPA (the EAC EPA), while the other countries of the region were negotiating their separate trade agreement with the EU (the ESA EPA). Given this fact, some authors, including the European Commission, treat the EAC as a separate region in EAP negotiations.

** SADC – Southern African Development Community.

*** Initially South Africa had observer status in EPA negotiations but in February 2007 it was included in the group as its seventh member.


The last instrument for supporting the development of African countries through EPAs – albeit a very important one – is their material scope. As initially envisaged by the European Union, the agreements should not be limited to only eliminating barri-

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4 LDCs were subject to the EU’s EBA (Everything but Arms) initiative.
ers to the movement of goods and services but should instead address a multitude of issues related to trade, including regulation of technical, sanitary and phytosanitary norms, public procurement rules facilitating access to the market, rules of competition, investment support measures, as well as protection of intellectual property and regulations concerning social matters and environmental protection. Only such highly complex agreements could address the challenges brought by economic globalisation and give a shot at economic and social development and overall modernisation of the ACP countries. The maximum possible range of issues covered by EPAs was to force the ACP countries to implement the necessary macroeconomic and institutional reforms that constitute the foundation of a comprehensive development strategy.

THE AFRICAN POSITION IN THE EPA NEGOTIATION PROCESS

EPA negotiations with the EU were the first opportunity for countries of Sub-Saharan Africa to act on their own rather than as part of the ACP group. Their lack of negotiating experience, suitable personnel and institutions had a detrimental effect on their position in negotiations when confronted with the EU’s experience and assets. Under its mandate of 2003, the African Union Commission was given the task of monitoring, coordinating and harmonising the process of EPA negotiations. The negotiations proved long and laborious. The entire process can be divided into two distinct periods: 2002–2007 and 2008–2014; this is because no African country managed to complete its negotiations by the initial deadline, December 2007.

Generally speaking, African countries approached the EPA negotiations with reserve, and talks were limited to fundamental issues related to liberalisation of trade in goods – as confirmed by the declarations adopted at summits in Cairo (2005), Nairobi (2006) and Addis Ababa (2008). They exhibited a rather conservative attitude towards the protection of intellectual property; they recommended staying within the boundaries of the provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) and rejecting any additional proposals should the EU try to extend these provisions. They also took a similar position towards liberalisation of trade in services, declaring readiness to start negotiations only within the scope of WTO regulations in accordance with the positive-list approach. Furthermore, they adopted a negating attitude towards three out of the four Singapore issues: investments, competition policy and public procurement, which they believed should not have been the subject of talks at all.

6 The only group that completed its negotiations and concluded the EPA was the Caribbean.
The main reason, however, why EPAs were not signed by African countries by 2007 were differences in the interpretation of the notion of development between African countries and the European Union. In the EU’s opinion, the very nature of EPAs should facilitate development of African countries. The latter, however, believed that trade liberalisation and regional integration were not sufficient for ensuring their own development. They stressed the need to build their potential for benefiting from trade liberalisation and integration and emphasised the creation of human and institutional resources, the need for support in trade-related issues, a suitable pace of liberalisation and the costs of implementing EPAs. Consequently, the obvious demand from the African countries during negotiations was to be granted additional funds necessary for preparing Africa for EPAs. Accustomed to the tradition of combining trade issues with development assistance, they focused on this single topic during EPA negotiations. The EU was, however, adamant and refused to talk about development assistance as this issue had already been settled in the Cotonou Agreement. It was the lack of common stance in this regard that led the African countries to express their reluctance towards concluding EPAs in December 2007 and criticise them for not fulfilling their development needs.

Given the fiasco of the EPA negotiations and the imminent termination of the EU’s unilateral preferences for the ACP, in December 2007 the African countries agreed to conclude Interim EPA Agreements. Even though these agreements regulated only issues related to trade exchange, they guaranteed that the EU market would remain open for products from Sub-Saharan Africa. Had they not been signed, as of 1 January 2008 the EU would have to use the Generalized System of Preferences (GSP) towards these countries. For Africa, the Interim Agreements meant one key change – the introduction of the principle of reciprocity in relation to goods from the EU, in accordance with Article XXIV GATT. Nineteen countries of Sub-Saharan Africa decided to accept such agreements: Burundi, Kenya, Rwanda, Tanzania, Uganda (from EAC), the Comoros, Madagascar, Mauritius, the Seychelles, Zambia, Zimbabwe (from ESA), Cameroon (from Central Africa), Ivory Coast, Ghana (from West Africa), Botswana, Lesotho, Mozambique, Namibia, Swaziland (from SADC). Three countries – Gabon, Congo and Nigeria – did not sign Interim Agreements and from January 2008 the access to the EU market for their goods was subject to the GSP.

In January 2008, the EPA negotiations entered a second phase; the Interim Agreements were naturally meant to remain in force only until the comprehensive EPAs were concluded, and their purpose was to protect the ACP countries from the introduction of EU tariffs on their goods. However, since the time pressure and the imperative of adjusting mutual trade relations to WTO rules disappeared, the atmosphere of the negotiations became considerably more relaxed. The African countries treated the In-

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8 For more information about EPA negotiations and the Interim Agreements see: K. Kołodziejczyk, *Stosunki Unii Europejskiej z grupą państw Afryki, Karaibów i Pacyfiku. Rola i znaczenie umów o partnerstwie gospodarczym w zakresie handlu i pomocy rozwojowej* [Relations between the EU and the ACP group. The role and importance of EPAs in terms of trade and development assistance], Warszawa 2013, pp. 193-260, 290-309.
terim Agreements as a measure that guaranteed tariff-free access to the EU and believed that once comprehensive EPAs entered into force, they would completely replace the interim provisions. The EU, however, considered the Interim Agreements the first step towards concluding the comprehensive EPAs and treated them as the basis to which further negotiated articles would be added. Due to these divergent interpretations of the legal status of these agreements, the countries of Sub-Saharan Africa did not ratify them. In practice, their provisions were in force under ‘transitional arrangements’ subject to Council Regulation (EC) No. 1528/2007 of 20 December 2007 allowing free access to the EU market to products from ACP countries until ratification, within a reasonable time, of initial arrangements establishing, or leading to the establishment of, Economic Partnership Agreements.

In a strategic move the African countries compiled a list of ‘contentious issues’, which in fact contributed to the resumption of the EPA negotiations. The list was mentioned in a declaration issued by the ministers of trade and finance of the African Union in Addis Ababa in April 2008, and submitted for review and renegotiation. It included such problems as the interpretation of Article XXIV GATT, export taxes, the standstill principle, protection of infant industry, the Most Favoured Nation clause (MFN), safeguard clauses, and the non-execution clause. For the African countries, putting forward new contentious issues (e.g.: rules of origin of goods, export subsidies, quantitative restrictions) became a way of drawing out the EPA negotiations.

Annoyed with having no visible prospects for concluding the negotiations, in 2011 the EU finally decided that those countries that fail to declare their ultimate attitude to EPAs, including the Interim Agreements, by the end of September 2014, would no longer be able to benefit from tariff-free access to the EU market under Regulation 1528/2007. This explicit declaration put pressure on the African countries and further worsened the negotiation position of those countries that would not qualify for the GSP mechanism in the case of failing to sign EPAs. In accordance with the new rules of the GSP that were introduced on 1 January 2014, countries classified by the World Bank as high-income or upper-middle-income economies did not qualify for the GSP. The countries most threatened by this were Botswana, Namibia and Gabon, as they were considered high-income economies and their goods exported to the EU market would not be subject to the GSP but rather to the MFN.

In the end, the countries of Sub-Saharan Africa concerned about possible EU tariffs, completed their EPA negotiations in July or October 2014, depending on the regional grouping. As of November 2015, 32 countries of Sub-Saharan Africa (including 19 LDCs) had completed their negotiations with the EU and were preparing for signing and ratification of EPAs; these were: the entire west Africa group (16 countries), including Nigeria, which was subject to the GSP in the past; Cameroon (from Central Africa); South Africa, Botswana, Namibia, Mozambique, Lesotho, Swaziland (from SADC), Mauritius, Madagascar, the Seychelles, Zimbabwe (from ESA); as well

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as Burundi, Kenya, Rwanda, Tanzania, and Uganda (from EAC). The only country to remain in the GSP system was Congo – Nigeria opted for an EPA and Gabon ‘fell’ to the MFN level. The remaining countries of Sub-Saharan Africa are qualified as LDCs and thus are not subject to obligatory EPAs.

**THE ROLE OF EPAS IN THE DEVELOPMENT OF SUB-SAHARAN AFRICA**

As a matter of fact, the end of the negotiations has not led to the conclusion of comprehensive agreements covering the maximum possible range of issues. The African countries have not changed their position and agreed to the establishment of a free trade area for the exchange of goods in accordance with Article XXIV GATT. One exception to this are the members of the SADC grouping, which has added to their agreement provisions concerning trade in services, flow of investments and access to the public procurement market but without any specific commitments except for the statement that these would be subject to further negotiations. As a consequence of the solutions that were agreed upon, the European Union committed to eliminating trade barriers to 100 per cent of imports from Africa except weapons and ammunition. Agricultural subsidies will be removed only for agricultural products subject to liberalisation. In most cases, the African countries open their markets to at least 80 per cent of imports from the EU (Mauritius and the Seychelles to 90 per cent of imports from the EU). The countries of Sub-Saharan Africa had the right to exclude from the process of liberalisation products considered sensitive by their respective regional groups; these include agricultural products (e.g. fish), chemicals, products of the timber industry. The transitional period for the process of removing trade barriers for goods from the EU will last for a maximum of 25 years, but in most regional groupings for most imports from the EU liberalisation will take place after approximately 12 to 15 years.

The cooperation between the European Union and the countries of Sub-Saharan Africa defined in the EPAs is to serve primarily the development needs of the latter, including their involvement in world economy, stimulating structural transformation and competitiveness of their economies, promotion of sustainable economic growth and regional integration. The above remarks sound very good in theory, but in practice there are many threats to the development prospects of the ACP’s African members.

One of the challenges is mutual access to markets. The European Union argues that free access to the market of one of the global economic powers for products from Sub-Saharan Africa should stimulate African exports and, consequently, contribute to in-

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11 The agreements also regulate MFN issues as well as protective measures and sanitary, phytosanitary and technical barriers, but the provisions do not go beyond WTO regulations. www.europa.eu.

come growth. This is, however, doubtful, as proven, for example, by the results of the 25-year period of the Lomé Convention, based on which the EU applied a system of unilateral preferences in access to its market for all the ACP countries. Even though approximately 95 per cent of imports (excluding products subject to the Common Agricultural Policy) from these countries was subject to a zero tariff rate, they did not manage to increase their exports to the EU; on the contrary, their share in overall EU imports fell from 6.7 per cent in 1976 to 2.8 per cent in 1994.13 The exclusion of agricultural products from unilateral preferences was not the cause for decreasing ACP exports, as proven also by more than a decade-long experience of the EBA initiative. The initiative is addressed to all countries with LDC status (including 34 countries of Sub-Saharan Africa) and ensures a full opening of the EU market to all goods from LDCs except weapons and ammunition. It clearly follows from an analysis of the data concerning the size of exports from these countries to the EU after 2001 that countries specialising in exports of agricultural goods have not recorded increasing exports to the EU. The main beneficiaries of the EBA initiative include: Angola, Equatorial Guinea and Mozambique as well as Bangladesh and Cambodia, which export oil and textiles, respectively.14 The biggest problem are not tariff barriers but non-tariff barriers, including high sanitary and phytosanitary standards and rules of origin adopted by the EU. Furthermore, the goods produced by African countries are not competitive enough and those countries need to compete with other developing countries benefiting from analogous EU market access solutions (the GSP, the EBA, FTAs). Therefore, the African countries are anxious that EPAs might contribute to an increase in EU exports to the African market rather than the other way round.

The next threat to the development prospects of Sub-Saharan Africa is related to the abolishment of tariffs and involves a considerable decrease in budget income from customs duties. It is typical of African countries that they are overly dependent on income from trade taxes, that is fees imposed on imports and exports of goods; in many cases the share of trade taxes in the revenue of individual countries is very high, for example: 56.8 per cent in Lesotho, 38.6 per cent in Liberia, 40.3 per cent in Ivory Coast.15 This dependence combined with the size of trade turnover with the European Union can constitute a challenge to finding sources of funding for government spending, for example on healthcare, education and combating HIV/AIDS, which in turn constitutes a serious challenge in the context of the African countries’ development needs. It also needs to be stressed that the elimination of tariffs for African countries since 1975 is a new development not only in the relations with the EU but also with other countries, as the multilateral trade system includes the enabling clause that allows developing countries to apply for non-reciprocity in the access to markets. In the Euro-

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European Union’s opinion, an advantageous long-term solution would be to decrease the dependence of governments on income from tariffs and diversify tax revenues. Indeed, it is hard to disagree with that but from the perspective of development needs it is absolutely necessary to reform the tax systems of African countries before commencing liberalisation, not during this process or, in the worst case scenario, after establishing the free trade area with the EU. The EU’s position is also not shared by the International Monetary Fund (IMF) because its research has shown that the ACP countries will generally have a hard time replacing income from tariffs through a tax system reform and has deemed the asymmetry period too short for the ACP countries to manage to establish new systems of collecting budget income.16

Moreover, opening up markets also implies stimulation of competition, which can have serious consequences in trade between African countries and the EU. On the one side we have the EU – the largest trade bloc in the world, and on the other side there are the countries of Sub-Saharan Africa, many of which belong to the group of least developed countries of the world. This obvious development asymmetry can constitute a considerable challenge to the African ACP countries. For many of them the elimination of the protective umbrella in the trade with the EU in the form of tariffs can pose a threat to the development of various sectors of industry, such as the food and processing industries, and constitute a barrier to their further development. Removal of trade barriers can worsen the conditions for development, for increasing competitiveness and for creating jobs in infant industries, for example: the textile industry, the timber industry, the leather industry, the fishing industry. This can generally become a barrier to industrialisation and, consequently, to the development of African countries. While EPAs contain provisions on the protection of infant industries, this protection lasts only for a limited time and only in the context of a threat of loss or an actual loss due to turbulences in the market caused by excessive imports. This kind of safeguard may, however, prove insufficient to ensure development of local production in the African countries.17

In their present form, EPAs can also pose a significant threat to the process of regional integration in Sub-Saharan Africa, even though they were meant to further it. The EU’s consent to conclude agreements with individual countries rather than the entire EPA groups could have negative consequences, but the actions currently undertaken by the African countries might serve as a sort of protective shield. The source of the problem are the African countries’ overlapping memberships in various regional integration initiatives, not coinciding with the membership in EPA regional groups. The adoption of individual schedules of eliminating tariffs under EPAs by various states could disrupt the planned liberalisation in the individual regional groupings, hamper the completion of the list of goods excluded from liberalisation of trade with the EU as well as negatively impact many other issues important for trade, such as rules of origin.

When the African countries were gradually becoming aware of these threats, they started speeding up regional integration. In October 2008, the summit of the leaders of COMESA, SADC and EAC countries initiated the establishment of a trilateral free trade area composed of 26 member countries. The relevant agreement regulating this issue was signed on 10 June 2015 in Sharm el-Sheikh. This should positively influence the African countries’ efforts towards establishing the Continental Free Trade Area (CFTA) by 2017, which they agreed to in January 2012 under an African Union decision. Despite the declared desire to build a regional union, Africa will need to face many challenges, such as armed conflicts, bankruptcy or economic diversity of the African countries, which results in their different needs and interests. Still, their plans seem right; albeit in the context of the EPA negotiations completed in 2014 it is not certain whether they will choose to ratify them before CEFTA is established. The issue remains open, and we should additionally bear in mind that since 1 October 2014 no EPA regional group has officially signed and EPA with the EU.

SUMMARY

EPAs were intended to become the principal instrument of economic and social development for the countries of Sub-Saharan Africa. The more comprehensive they were, the greater the pro-development effect was supposed to be. The negotiations between the EU and the African countries indicated that the markets will be opened for goods. Only by the countries of Southern Africa (SADC) expressed the willingness to liberalise the movement of services as well but so far no binding commitments have been made and it seems that this sphere will be subject to further negotiations. Due to the serious threats resulting from mutual liberalisation in the conditions of development asymmetry and the fact that the African countries are not sufficiently prepared to face the challenges that liberalisation entails, they were effectively forced by the EU to conclude the EPAs through the imperative of adjusting the rules governing mutual trade to WTO requirements and the reform of the EU’s GSP mechanism.

The African Union clearly emphasised its reluctance towards the EPAs, but anxious about the possibility of losing preferential access to the EU market it accepted the changes implemented by the EU in the late 1990s, when the latter took advantage of the triumphant idea of free trade to justify the need to introduce EPAs. Highlighting their development-related dimension, the EU in fact pursued its own interests in the WTO and in development policy, where trade (instead of development assistance) became the chief driving force behind the progress of developing countries.

Presently it is rather hard to evaluate EPAs in the context of the development needs of Sub-Saharan Africa because the African partners have not ratified the provisions of the Interim Agreements and their access to the EU market is guaranteed by Regula-

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18 Among the 19 African signatories of the Interim Agreements only four decided to ratify them; these were: Mauritius, Madagascar, Seychelles and Zimbabwe.
tion No. 1528/2007, effectively extending the Cotonou system. Furthermore, no signing ceremony of the EPAs has been held so far even though the negotiations were completed in 2014. In this situation we can only speculate about the potential impact of the free trade area consistent with Article XXIX GATT on the economic and social development of Sub-Saharan Africa. However, the result of these speculations is not very optimistic for the African countries. There are some serious threats for the exports of African goods to the EU, the development of local production and the development of regional integration; another threat is the loss of a large share of budget income. It seems that from the perspective of the needs of the development of the African countries, the best course of action would be to finalise the work on the CFTA and only then engage in liberalisation of trade with the EU.

BIBLIOGRAPHY


Prof. Katarzyna KOŁODZIEJCZYK, Ph.D. in social sciences, specialisation in political science. Staff member at the Institute of International Relations of the University of Warsaw. Research interests focus on external trade relations of the European Union as well as processes of economic globalisation and deepening development disparity in contemporary world economy.
THE PROBLEM OF ISLAMIC TERRORISM IN KENYA IN TERMS OF REGIONAL SECURITY IN EAST AFRICA

The purpose of this article is to present the issue of security in the region of East Africa, particularly in Kenya, in view of the development of the phenomenon of Islamic terrorism. In the last two years it killed more than 400 people in this country and the scale of organized attacks is still increasing. In April 2015 Islamic militants from the Somali group al-Shabaab attacked Garissa University College in northeastern Kenya. This terrorist attack confirmed that Kenyan authorities are not able to control the 700-kilometre border with Somalia and ensure the security of citizens and tourists visiting the country. The threat of the escalation of acts of terrorism and the spread of violence to other countries in the region are becoming a major challenge to the foreign policy of Kenya and other countries in the region. In this article the author intends to present Kenya's current actions in the fight against terrorism in Somalia and to assess the involvement of the African Union (AU) and the East African Community (EAC) – in terms of ensuring the regional security and the involvement of players from the region outside (the USA in particular) – in the context of the fight against Islamic terrorism on a global scale. Therefore the aim of the article is to attempt to evaluate the real possibility of providing effective aid to Kenya in the fight against terrorism. Despite the limited access to sources, dealing with this difficult subject of research has been justified by the fact that the awareness of the threat of Islamic terrorism against Kenya becomes necessary for the understanding of different phenomena and processes essential for the security of East African countries, and also for the fight against terrorism worldwide.

Keywords: Terrorism, Kenya, Somalia, al-Shabaab, regional security
INTRODUCTION

The terrorist attack of Islamic militants from the Somali group al-Shabaab on Garissa University College in northeastern Kenya in April 2015 confirmed again that the Kenyan authorities are not able to control the 700-kilometre border with Somalia and ensure the security of citizens and tourists visiting the country.

In the last two years Somali terrorists in Kenya killed more than 400 people\(^1\). The scale of organized attacks is increasing. That is why the issue about the threat of escalation of acts of terrorism, the spread of violence to other countries in the region and about the real possibility of providing effective aid to Kenya in the fight against terrorism should be raised.

In this article the author wants to present Kenya’s current actions in the fight against the acts of terrorism perpetrated by the Somali militant group al-Shabaab and to assess the involvement of the African Union (AU) and the East African Community (EAC) – in terms of ensuring the regional security and the involvement of players from the region outside (the USA in particular) – in the context of the fight against Islamic terrorism on a global scale. A brief note on basic information about the origins and goals of al-Shabaab will be presented.

The article has been written on the basis of a critical review and analysis of the available scholarly literature and press reports. Considering its chronological range – including the events from recent years and months – the bibliography consists of the Internet sources, mainly scholarly publications, press reports and web pages of the above-mentioned organizations involved in solving the conflict. Despite the limited access to sources, dealing with this difficult subject of research has been justified by the fact that the awareness of the threat of Islamic terrorism against Kenya becomes necessary to the understanding of different phenomena and processes essential for the security of East Africa, and also for the fight against terrorism worldwide.

THE PROBLEM OF ISLAMIC TERRORISM IN KENYA

The terrorist attack of Islamic militants from the group al-Shabaab (official full name: Harakat al-Shabaab al-Mujahidin)\(^2\), allied with al-Qaeda, on Garissa University College, in which more than 150 people were killed and more than 80 were wounded, has been the deadliest massacre in Kenya since 1998, when al-Qaeda’s attack on the U.S. embassy in the capital city of Kenya, Nairobi, took place killing 263 people and injuring more than 5,000 people\(^3\).


\(^{3}\) M. Pawelczak, Kenia, Warszawa 2004, pp. 350-351 (Historia Państw Świata w XX Wieku).
The assault on the U.S. embassy was not the first terrorist attack in Kenya carried out by Islamic terrorists. In 1980, on New Year’s Eve, in a bomb attack on the ‘Norfolk’ hotel in Nairobi 15 people were killed in the revenge for the alleged support given to Israel by Kenya during the Israeli hostage rescuing operation in Entebbe in 1976 (The Entebbe Raid, Operation Entebbe, Operation Thunderball/Thunderbolt)\(^4\). The Moroccan suspected of carrying out the assassination in Nairobi managed to escape\(^5\).

Symbolically, the above-mentioned bombing began a tragic series of terrorist attacks carried out on the territory of Kenya. Their escalation coincided with the beginning of the 21st century and the global fight against terrorism.

On 28 November 2002, in the attack on the Israeli ‘Paradise’ hotel near Mombasa, 9 people were killed\(^6\). At the same time two air-to-air missiles were launched from the Kenyan territory in the direction of the Israeli aircraft with 261 passengers on board. Fortunately, the missiles missed the target. Fazul Abdullah Mohammed, the alleged leader of Al-Qaeda in East Africa was suspected of organizing the assassination\(^7\).

In 2011 Somali terrorists kidnapped for ransom foreign tourists from the Kenyan city Lamu\(^8\). This attack was an act of revenge for the agreement of Kenya’s participation in military operations of the African Union in Somalia (The African Union Mission in Somalia, AMISOM, created by the African Union’s Peace and Security Council, PSC, on 19th January 2007)\(^9\).

On 21st September 2013 a group of terrorists took control over the Westgate Shopping Mall in Nairobi. The terrorists freed all Muslims and opened fire to others, mainly those who identified as Christians. In exchange for hostages, they demanded the withdrawal of Kenyan troops from the Somali territory. According to the government’s version and international statements, 72 people were killed in the attack (including 67 civilians and 5 soldiers of the security service) and more than 200 people were wounded\(^10\).

According to al-Shabaab, however, 137 hostages were killed by the Kenyan forces. In the statement published on Twitter, the terrorists accused the Kenyan authorities of

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\(^4\) The mission, originally dubbed Operation Thunderbolt by the Israeli military, was renamed Operation Yonatan in honour of Yonatan Netanyahu, elder brother of Benjamin Netanyahu, who was killed during the raid as the only Israeli casualty. ‘Yonatan “Yoni” Netanyahu (1946-1976)’, Jewish Virtual Library, at <https://www.jewishvirtuallibrary.org/jsource/biography/Yoni_Netanyahu.html>, 9 September 2015.

\(^5\) M. Pawełczak, *Kenia*, p. 351.

\(^6\) Ibid., p. 351.


the launch of missiles containing chemical substances and of causing the collapse of the building. At the rubble, neither the evidence of competence of the action nor hostages could be found\(^{11}\).

Kenyan President Uhuru Kenyatta\(^{12}\) announced the completion of the siege of the Westgate Mall three days after the attack, on 24th September. According to the President, 5 aggressors were killed and 11 were arrested, but 60 hostages were still declared missing. Therefore probably more than 120 people were killed, which means that the hostage rescue operation actually was a failure and that the government’s version of events deliberately provided an inaccurate number of victims of the attack.

On 4th May 2014 2 people were killed and at least 62 were injured as a result of Nairobi bus bombings. A day earlier, two explosions shook Mombasa, killing 4 people at the bus stop. In both cases, the organizers of the attacks were probably the militants from al-Shabaab\(^ {13}\).

On 15th June 2014 another bloody terrorist attack took place in the seaside town Mpekitoni, Lamu County, in which at least 48 people were killed according to the Kenyan authorities and the Red Cross. About 50 masked gunmen from the al-Shabaab militant group drove to the town in cars raiding the police station, taking over the weapons, and paralysing the radio communication. Then, shooting in the streets began. According to BBC reporter Anne Soy, those unable to recite verses from the Quran were killed. It is worth noticing that Mpekitoni is 90% a Christian town\(^ {14}\).

In the same month, right after the opening of the tourist season, in tourist resorts of Malindi and Lamu, north east of Mombasa, over 100 people were killed in shooting and bombing attacks in Nairobi. In July, in Mombasa, further tourists were murdered\(^ {15}\).

In 2015, there was an attack on the university campus. Garissa University College was founded in 2011 as a constituent college of Moi University, in the facilities of the former Garissa Teachers Training College. It was then and it is still nowadays the first and only public institution offering the possibility of receiving higher education in the Kenyan North Eastern Province. Situated at the distance of 200 kilometres from the border with Somalia it had been considered as one of the safest places in the region. However, in the brutal raid on the University Campus on 2nd April 2015 at least 150

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people were killed, including 142 students, 3 soldiers, and 3 policemen. 587 students managed to escape and more than were 80 injured\textsuperscript{16}.

According to al-Shabaab, which controls vast territories of Southern and Middle Somalia, it was another act of revenge for the participation of Kenyan forces in the operation of the African Union peacekeeping forces in Somalia which support the authorities in the capital city of Somalia, Mogadishu\textsuperscript{17}. At the same time, one should be aware of the fact that Garissa is the capital of the region of Kenya which historically belongs to Somalia, and where the biggest number of Somalis live. Therefore the assault on Garissa University College was a kind of message from al-Shabaab that this territory should belong to the Somalis\textsuperscript{18}.

\textbf{THE GOALS OF THE MILITANT GROUP AL-SHABAAB}

The Harakat al-Shabaab al-Mujahidin, commonly known as al-Shabaab is the armed wing of the Somali Council of Islamic Courts, which took over most of Southern Somalia in the second half of 2006. Since that time, despite the group’s defeat by Somali and Ethiopian forces in 2007, it has been trying to control strategic points in the area using the guerrilla warfare and terrorist tactics against the Somali Federal Government (SFG), the African Union Mission in Somalia (AMISOM) peacekeeping forces and non-governmental aid organisations.

In 2013 AMISOM together with the Ethiopian forces took control over the capital and at the same time the biggest city of Somalia, Mogadishu, and other key regions in the country. Their success came at the time of inner conflicts within al-Shabaab resulting from contradictory goals of al-Shabaab’s senior leaders and the representatives of different clans. In contrast to al-Shabaab’s leaders affiliated with al-Qaeda in East Africa (who use Somalia as a place to organise training camps, plan attacks and as a safe shelter to hide), most of its fighters are predominantly interested in the nationalistic battle against the federal government (SFG) – that is in inner goals – and do not support global jihad.

Al-Shabaab has claimed responsibility for many terrorist attacks in Somalia targeted against state officials and federal government allies, among others the attack


\textsuperscript{17}The African Union Mission in Somalia (AMISOM) is an active, regional peacekeeping mission operated by the African Union with the approval of the United Nations. It was created by the African Union’s Peace and Security Council on 19th January 2007. The aim of the peacekeeping mission was to support the peace process and the final completion of the internal conflict, which began in 1991. AMISOM, ‘AMISOM Background’.

on the United Nations compound in Mogadishu (June 2013)\textsuperscript{19} or the presidential palace (February 2014)\textsuperscript{20}. Since 2013 al-Shabaab has been using terrorist tactics outside its own country. Apart from the above-mentioned attacks in Kenya, the bloodiest ones, in the chronological order, are two twin suicide attacks in Kampala (Uganda, July 2010, 70 people killed) and the attack on a famous restaurant in Djibouti (May 2014)\textsuperscript{21}.

Therefore the inner crisis within al-Shabaab, although it gives hopes about the weakening of the structures of the group in the future, currently does not influence the effectiveness of terrorist attacks carried out by its fighters. On the contrary, in the last two years, the scale of the al-Shabaab attacks is not decreasing but it increases. The main target is Kenya, blamed not only for supporting the Somali Federal Government and participation in military operations of the African Union in Somalia, but also for the support of counter Islamic terrorism of the USA in the Horn of Africa.

KENYA’S CURRENT ACTIONS IN THE FIGHT AGAINST TERRORISM

In the next part of the article, the question in what way and how Kenya is able to protect its territory and prevent it from further terrorist attacks is going to be answered. It is the key question, especially after one of al-Shabaab leader’s words from 4 April 2015, when he said that al-Shabaab is going to start \textit{a long gruesome war} in which Kenyan cities will \textit{run red with blood}\textsuperscript{22}.

Unfortunately, so far despite all the efforts, the Kenyan government is not able to stop the al-Shabaab gunmen who enter the country’s territory via the 700-kilometre-long border with Somalia in an effective way.

The first military action against the attacks carried out by the Kenyan authorities on its territory was held on 16th October 2011. It took place after the series of bombings from Somali terrorists on tourists visiting Northern Kenya. Kenya Defence Forces entered the territory of Southern Somalia for the first time then. The Kenyan troops were later formally integrated into AMISOM on 22 February 2012. Presently within AMISOM there are 3664 Kenyan forces\textsuperscript{23}.

\textsuperscript{19} UN, Secretary-General Ban Ki-moon, ‘Statement Attributable to the Spokesperson for the Secretary-General on Attack on UN Compound in Mogadishu, Somalia’, 19 June 2013, at <http://www.un.org/sg/STATEMENTS/index.asp?id=6919>, 8 September 2015.


\textsuperscript{21} ‘Al-Shabaab’, National Counterterrorism Center.


One of the biggest and familiar actions of Kenya Defence Forces was the air operation in the night from 5th to 6th April 2015 when the Kenyan missiles targeted the army camps in Somalia 200 kilometres from the border with Kenya. The operation was the direct revenge for the assault on Garissa University Campus. After the attack, President Uhuru Kenyatta announced the fight against terrorism and punishing those responsible for the massacre. The government in Kenya offered the reward of $215,000 for capturing al-Shabaab’s leader suspected of organizing the attack in Garissa, Mohamed Mohamud.

In the Kenyan presidential system it is President Uhuru Kenyatta who is responsible both for the country’s security and the failure of counter terrorist operations as counter actions against planned attacks and effective operations in critical situations. The failure of the hostage rescue operation during the siege of the Westgate Mall has already been mentioned. Błażej Popławski in his radio talk with Dariusz Rosiak recalled that the counter terrorist forces were getting to Garissa from Nairobi for half the day, which is the proof of the lack of fast and effective anti-terrorist brigades.

The authorities should not have been surprised by the attack in Garissa. In the times when al-Shabaab has been bombing Kenya regularly for two years and the Islamists have been announcing the escalation of attacks, the state’s lack of readiness is crucial. Among all the potential reasons for the present status quo there are the following ones: the lack of people responsible for forming the army and a very high level of corruption connected with the low level of loyalty of civilians addressed to the state. On the basis of tribal affinity, which is still present in Kenya and much stronger than the national identity, the issue of the motives of determination to risk one’s life in the light of the country’s protection should be essential here.

Moreover, sending the Kenyan forces to Somalia as the African Union peacekeepers is a kind of dangerous political and military bond: the Kenyans want to secure their northern border and discharge their obligations with regard to being an ally, which at the same time results in bad consequences for them all.

Błażej Popławski also points to the logic of choosing the targets of attacks carried out by the Islamists: in 2013 the terrorists bombed a shopping mall, in 2014 tourist resorts and other popular among tourists places, in 2015 the university. It is clear then that their main target are predominantly the symbols of secularity of European culture.

This clear observation, however, does not reflect the complexity of the analysed problem. It has already been mentioned that 90% of the people attacked in Mpekitoni were Christians. Thus, they were the main target of the bombings, which in fact are ad-

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26 Ibid.
dressed by Islamists against Christianity worldwide. Simultaneously, the attack was also targeted against the members of the tribe known as Kikuyu in order to provoke the authorities’ revenge both against Muslims and against the political opposition formed by the members of the Luo tribe. Kikuyu and Luo are the most significant tribes in the political life of Kenya. The Luo lost their privileged position with the colonial period, for years accused Kikuyu that dominated political life in the country.

Indeed, President Uhuru Kenyatta blamed the Luo opposition and its leader Rail Odinga for the bombings first. The escalation of the ethnic conflict between the Luo and Kikuyu tribes, which would be passed upon the religious conflict between Muslims and Christians, might be a real threat to the stability and peace of the country.

The attack on seaside resorts was not only the protest against the influence of secular European culture but it was also the effective act aiming at the breakdown of the money-generating tourism sector. As a result of attacks, appropriate warnings against travelling to Kenya have been issued in western countries at the governmental level (among others in the USA and the UK), followed by travel agencies (among others TUI and Thomson). The number of tourists visiting Kenya in the summer 2014 drastically decreased: in the middle of May, after a series of bombings in Mombasa, their holidays in Kenya were postponed by about 1000 tourists from the UK. The killing of tourists from Russia and Germany in July 2014 in Mombasa effectively sustained the declining trends in tourism. In the same month, due to security reasons, the U.S. Peace Corps withdrew their co-workers from Kenya.

FORMAL AND LEGAL REGULATIONS OF REGIONAL ORGANIZATIONS, THE AFRICAN UNION AND THE EAST AFRICAN COMMUNITY IN TERMS OF COOPERATION IN PREVENTING AND COMBATING INTERNATIONAL TERRORISM AND ENSURING REGIONAL SECURITY

Since the Kenyan government is not able to single-handedly prevent the attacks of al-Shabaab, what becomes crucial is the policy of regional organisations—the African Union and, when it comes to this part of Africa, the East African Community – that entails giving aid to Kenya, as a member of both organisations, as well as ensuring the regional security.

The East African Community (EAC) is a regional, intergovernmental organisation established on 30th November 1999. It currently consists of: Burundi, Kenya, Rwanda, Uganda and Tanzania. The EAC is not a military organisation, and its main objective is to achieve political and economic integration of its member states. Due to the current geopolitical situation, collective work against Somali terrorism and ensuring security in the region have also become important goals for the organization. The EAC Protocol on

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Peace and Security is currently awaiting ratification by the member states. The Protocol urges the EAC Council of Ministers to support introducing decisions taken to ensure peace and security, and to strengthen the region’s potential with regard to effective preventing, fighting and eliminating terrorism in all its forms and manifestations, as well as preventing terrorists from purchasing any weapons of mass destruction and blocking all means of transporting such a weapon. This resolution calls on the member states to seal any loopholes related to funding acts of terrorism, and to denounce using modern technologies, especially the Internet, as means of recruiting terrorists 28.

Talks are being held with the Somali Federal Government with regard to developing further collaboration, and giving aid necessary to reinforce the government’s position in the war-shattered country.

A stable situation in Somalia would guarantee peace alongside the East African Community’s north-eastern borders; it would also provide the Community with a valuable economic partner with a long shoreline.

The governments of Somalia and South Sudan are therefore receiving offers of closer cooperation with a view to extending the Community’s border in the future. If it becomes possible to admit both countries to the Community, it will produce measurable economic effects (e.g. Sudanese oil) and strengthen the political position of the whole region. However, introducing such ambitious plans requires making the first, necessary step – providing peace and stability in the region 29.

The actual contribution to restoring stability in Somalia is made by the peacekeeping forces of the African Union that operate on the basis of, among other things, the Convention of the Organisation of African Unity (OAU) adopted by the 35th OAU Summit in Algiers, Algeria, in July 1999. The Convention is concerned with preventing and fighting terrorism (Protocol to the OAU Convention on the Prevention and Combating of Terrorism); the Convention gave rise to The Peace and Security Council (PSC) that is responsible for harmonizing and coordinating the efforts to prevent and fight terrorism on the African continent: Gravely concerned at the increasing incidence of terrorist acts worldwide, including in Africa (...) determined to combat terrorism in all its forms and manifestations and any support thereto in Africa (...), convinced that acts of terrorism cannot be justified under any circumstances (...) Reiterating our conviction that terrorism constitutes a serious violation of human rights and a threat to peace, security, development, and democracy; stressing the imperative for all Member States of the African Union to take all necessary measures to protect their populations from acts of terrorism and to implement all relevant continental and international humanitarian and human rights instruments 30.

28 ‘EALA Wants Partner States...’


THE INVOLVEMENT OF PLAYERS FROM THE REGION OUTSIDE (THE USA IN PARTICULAR) – IN THE CONTEXT OF THE FIGHT AGAINST ISLAMIC TERRORISM ON A GLOBAL SCALE

The United States’ global-scale policy against Islamic terrorism is a significant support for the African Union in its struggle to restore stability in Somalia. In 2008, the US Government designated al-Shabaab as a Foreign Terrorist Organization and as a Specially Designated Global Terrorist entity. In 2012, the United States offered rewards for the capture of al-Shabaab leaders.\(^{31}\)

The necessity of providing peace in this region was discussed by the African Union and the United States even before terrorist attacks intensified in Kenya\(^{32}\). The cooperation between the two is carried out by means of the United States Africa Command (U.S. AFRICOM) – one of the six Combatant Commands of the U.S. Department of Defence, answering to the Secretary of Defence. U.S. AFRICOM is responsible for military relations and peacekeeping cooperation with African countries, the African Union and the African regional security organisations\(^ {33}\).

Moreover, since May 2003 the Combined Joint Task Force – Horn of Africa (CJTF-HOA) has been stationed in Africa. It is a unit established by the United States in October 2002 in reply to the 9/11 terrorist attack and the bomb attack on the U.S. Embassies in Kenya and Tanzania in 1998. CJTF-HOA is based in Camp Lemonnier in Djibouti and its main aim is to combat extremist organisations and defend U.S. interests in the region, e.g. by strengthening defence abilities of the partner countries\(^{34}\).

CJTF-HOA’s immediate operational area covers territories of 10 countries (Kenya, Tanzania, Somalia, Ethiopia, Eritrea, Uganda, Rwanda, Burundi, Djibouti and Seychelles). The area that CJTF-HOA is interested in operation-wise covers territories of 11 neighbouring countries (Yemen, Mauritius, Madagascar, Mozambique, the Comoros, Chad, Egypt, Sudan, South Sudan, Central African Republic, and the Democratic Republic of the Congo).

CJTF-HOA’s operational activities in partner countries aim primarily at helping to build and develop the civil-military operational abilities and defence system. Apart

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\(^{31}\) ‘Al-Shabaab’, National Counterterrorism Center.


\(^{33}\) U.S. AFRICOM’s first operation started on 1st October 2007; a year later, 1st October 2008, U.S. AFRICOM was acknowledged as an independent Command. The unit employs around 2000 people: servicemen as well as civilian federal workers. Around 1500 of the employees work in the unit’s headquarters in Stuttgart (Germany), and the liaison officers hold key posts in the African regional organizations, e.g. the African Union, the Economic Community of West African States (ECOWAS). United States Africa Command, ‘About the Command’, at <http://www.africom.mil/about-the-command>, 10 September 2015.

from that, through specialist training (strictly military as well as legal—in military law), the unit supports better management, building civil society and general development. Those goals are achieved, for instance, by building and rebuilding medical and schooling facilities, or introducing new technical solutions. One example of CJTF-HOA's involvement would be setting up a new weather system at the Kenyan Military Airport in Nairobi in December 2013. The new system provides information on current weather conditions to Kenya Defence Forces and, additionally, supports partner nations, such as Kenya, in military-to-military engagements aimed at combating violent extremist organisations in East Africa.

Camp Lemonnier remains the only U.S. military installation in Africa, which proves how significant this region is for the U.S. defence policy.

The importance of the region was also emphasized by Barack Obama's visit in Kenya and Ethiopia in July 2015. The President participated in the Global Entrepreneurship Summit and discussed the regional security issues (civil war in Somalia, crisis in South Sudan and, first of all, the expanding danger of terrorism) with the leaders of both countries.

The United States help Kenya fight terrorism not only by military but also financial support. Due to the expanding danger of terrorism, the engagement of the United States is growing year by year. Despite the financial support received by Kenya to combat terrorism ($141 million in 2010 to 2014), there was a rapid increase in the number of terrorist attacks in East Africa (data provided by the Global Terrorism Database—GTD): from 11 in 2010 to 115 in 2014. As a reaction to the increasing danger of terrorism, U.S. Secretary of State John Kerry announced in May 2015 that the USA decided to give Kenya $100 million in 2015, so that the country can fight terrorism more effectively (163% more than in 2014 when Kenya received $38).

In comparison to previous years, in 2015 the focus has been placed on supporting the Kenyan army more effectively in their combat against al-Shabaab; $95mln, which makes up 95% of the aforementioned $100 million amount, will go straight to the Kenyan troops. It is a tendency that has continued since 2013—more and more financial support is granted to the army, and less is provided to the police forces.

Military help provided by the U.S. is supposed to increase the participation of Kenyan Armed Forces in the African Union Mission in Somalia (AMISOM) and in the military operations against al-Shabaab. Out of $95mln that will go to the Kenyan army, about $59mln will be received by the Kenyan troops operating as part of AMISOM in East Africa:

order e.g. to support effective border protection, intelligence, logistics, as well as effective prevention and quick reactions to potential terrorist attacks. Moreover, specialist military training will be available as part of the Combating Terrorism Fellowship Program.

It is worth mentioning that the Kenyan police forces, despite receiving a much smaller amount of money ($4.75 million from the State Department’s Nonproliferation, Anti-terrorism, Demining and Related Programs – the NADR fund), will receive more financial support than any other sub-Saharan country. Neither Nigerien nor Malian police forces will receive financial support from the United States, although both Niger and Mali are facing the danger of terrorism. The support granted to Kenya will enable building the potential of Kenyan police when it comes to enforcing border security law, reacting in emergency situations, and acquiring knowledge necessary to operate according to international conventions on human rights.

Since 2005 the African Union has also received various forms of support from NATO. In 2005 the support was granted to AMIS – the AU mission in Darfur, Sudan. Since September 2007, it has been granted to the AU mission in Somalia – AMISOM. The support reaches the AU in the form of professional help, training (e.g. courses at the NATO School in Oberammergau in Germany), providing planning and strategic air- and sealift, as well as assistance in developing long-term peacekeeping capabilities, in particular the African Standby Force (ASF) brigades. Based on advice from NATO’s military authorities, the North Atlantic Council (NAC) is the body that agrees to provide support to the AU.

Kenya receives not only help of military character; the country’s development, in its broadest sense, is supported as well. This topic will not be discussed in detail as it is beyond the scope of this article.

However, it is worth mentioning that one of the most important donors for Kenya is USAID, the leading U.S. government agency, whose main aim is to lessen global poverty and to enable expansive democratic societies in developing countries to fulfill their potential. Among the countries receiving help from USAID, Kenya holds a special place. The interactive map available on USAID’s website shows that out of 1919 aid projects which are now being realized in Sub-Saharan Africa (statistics as of 17th August 2015), the most, 119, are being realized in Kenya.

CONCLUSION

Growing help granted to the government of Kenya comes at the time when there is serious anxiety about the ability of Kenyan defence forces to prevent escalation of vio-

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39 Ibid.
lence perpetrated by Somali terrorists. External help, especially from the United States, is given to Kenya, because of, among other things, its valuable geopolitical location – Kenya is a safety barrier for the Sub-Saharan countries against Islamic extremists from the Horn of Africa. The United States (but also Israel and Western Europe countries) need Kenya as a local *gendarme*, guarding East Africa against the growing influence of Islamic extremists and the outcome of internal conflicts that occur in less stable neighbouring countries, especially in Somalia and South Sudan.

Help provided to Kenya by the United States has its positive as well as negative sides. Kenya is accused by terrorists from al-Shabaab of keeping its troops in Somalia and actively supporting U.S. interests in the Horn of Africa.

There are two opposite attitudes among politicians in Kenya. The opposition calls for withdrawing the troops from Somalia in order to keep peace in the country and repair relations with Muslims. On the other hand, President Uhuru Kenyatta seems to believe that the only guarantee of safety is sending as many troops as possible to Somalia and building a frontier wall.42

Opinions concerning Kenya’s current security policy differ. The common impression is, however, that the policy is ineffective. Experts’ opinions differ when it comes to assessing the true shape of the Kenyan army and security forces, and identifying the reasons for their weakness. The assessment of Kenya’s capabilities comes off differently depending on whether it is compared with the Western countries, their military potential and operational capabilities, or with other African countries.

Paweł Tarnawski, a former expert of the United Nations Security Council in Africa, claims that the Kenyan special forces should be assessed positively; they were trained by foreign advisors (from the USA and other countries), and, if necessary they can receive support from Americans, Israelis or the British soldiers. The military operations they have carried out so far are professional and supported by advisors from the West. Tarnawski emphasizes that none of those military operations resulted in war crimes and genocide accusations.43 This is an important statement, especially in view of many other military operations conducted by military forces of other African countries, e.g. Central African Republic (CAR) or The Republic of The Sudan. As mentioned above, Tarnawski had a chance to witness the development of the conflict in the Eastern provinces of the Democratic Republic of Congo in the last two decades.44

By contrast, the abilities of the Kenyan special forces were assessed negatively by the defence experts from the United States, especially after the terrorist attack in the Westgate Mall, where some of the Kenyan soldiers took advantage of the spreading chaos and robbed the shops.

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42 ‘Zamach w Kenii…’
There are data showing a high level of corruption in the army. Coalition forces under the African Union Mission in Somalia (AMISOM) and Western countries funding the war effort are said to be “very frustrated” with a Kenya Defence Forces (KDF) black market racket that helps al-Shabaab profiteer from illegal charcoal and sugar smuggling, as the report by Journalists for Justice alleges45.

Instances of violating human rights against Muslims and members of Somali minority in Kenya, are not only a crime from the legal perspective but can give rise to pro-Islamic sympathies and encourage new recruits willing to join terrorist groups.

Opinions and recommendations related to improving the effectiveness of safety policy in the region and in Kenya itself, are mainly concerned with the need to decrease the level of corruption in the Kenyan government, and with increasing the effectiveness of the uniformed services by training them in emergency management and by providing them with organizational support and necessary equipment46. Another significant issue is the psychological motivation to fight for one’s country; in Kenya, as in many other African countries, the sense of national identity remains weak, whereas the sense of ethnic affinity is quite strong. Civil society is still a new phenomenon and it remains part of the government’s official rhetoric rather than the citizen’s everyday life. The African people tend to give priority to their tribal, clannish or familial identity over national identity. Creating the sense of national identity is, after all, a long process, taking years or even decades and requiring suitable national policy and favourable external conditions.

Building national unity above ethnic and religious divisions should be a process that takes into account the rights of national minorities; in the case of Kenya that would mostly mean the Somali minority. There are about 2.5 million Somalis in Kenya at the moment, which means that, more or less, every twentieth Kenyan has Somali origins. Al-Shabaab is not the only Somali organization destabilizing Kenya; there are others that are created on the basis of political and clannish bonds, e.g. as a protest against treating the Somali people in Kenya as second-class citizens. The Kenyan authorities should not forget about the claims laid by members of ethnic groups; not only by the most widely-known ones, like the Luo, but also, e.g. by the Oromo people who are also fighting for their rights.

The first step towards defusing the existing tension could be holding impartial inquiry into reports on misusing the defence forces against ethnic minorities in Kenya. The next step could be suitable, cautious policy of respecting equal right of Muslims and minorities, including the Somali minority in Kenya; it should be a constant attempt at dialogue and reducing tensions, so as not to cause radicalization of unceasingly smouldering religious and ethnic conflicts47. Such a policy, carried out alongside

46 ‘Dlaczego terroryści...’
47 ‘U.S. Counterterrorism Aid...’
attempts to increase operational abilities of the Kenyan army in order to defend Kenyan borders more effectively, seems to be the only solution promising security and social stability in this country.

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THE ROLE OF MOROCCAN SALAFIST RADICALISM IN CREATING A THREAT TO SPAIN’S SECURITY

ABSTRACT  The paper is focused on the mechanisms and manifestations of Moroccan jihadism in Spain. It analyses how fighting Salafist radicalism from Mahgreb emerged in Spain and how it created challenges and threats for the security of the country. Europe has become one of the key fields of battle in the global war on jihadist terror. Today, in the age of decentralized terrorism, Al-Qaeda is seen as a symbol of extremism legitimizing the use of violence by religious references. Jihadist ideology inspires the phenomenon of home-grown terrorism in many European countries. The paper shows the background of the activity of some radical groups and movements in Morocco and then explains the ways it came to Spain. Moroccan jihadists played an increasingly important role in the activity of different Salafist cells in Spain. The article analyses the causes of the bomb attack carried out on 11 March 2004 in Madrid, which constituted an expression of open forms of terrorism, and the forms and factors of jihadist radicalism over the following years. It shows the links of the Moroccan Salafist movement with Islamic immigrant communities in Spain.

Keywords: Spain, Morocco, jihadist terrorism, Salafism, cells
Although the genesis of the activity of fighting Salafist radicalism in Spain dates back to the 80s, the development of extremism of this kind manifested itself only in the subsequent decade. Its first permanently functioning structures in this country in the second half of 1990s came from Algieria and Syria, hence one can distinguish two most important rings of Islamistic terrorism there: the Algerian and the Syrian one. At the same time it should be emphasized that this distinction is in many ways conventional, the more so because they consisted also of immigrants from other countries of Islam, particularly from Morocco. Frequently, especially over the course of the years, these structures became connected by various links and participatory fluctuation of their members. On the eve of the new millennium Moroccan jihadists played an increasingly important role. Although the activity of these groups had for many years mainly logistical and propaganda character, the bomb attack carried out on 11 March 2004 in Madrid constituted an expression of open forms of terrorism, directed against the authorities and society of Spain and reflected the narration of representatives of the trend of the global jihad. The people involved in carrying out that act of violence were to a large extent Moroccan immigrants; also in the following years among the cells of radicals in Spain Moroccans stood out many times. That is why the forms and directions of activity of these extremists in Spain are worth presenting. It is important from the perspective of diagnosing the threats to the security of this country and the region and remains connected with the issues of mutual relations of the society of a host country with immigrant communities which to a large degree come from this part of Maghreb.

It should be emphasized that Salafism is a significantly varied movement. The term *As-Salaf As-Salih* is of crucial importance as it refers to the Prophet’s virtuous companions and their successors – ancestors who were ardent believers serving as role models. The notion of ‘Salafism’ was developed towards the end of the nineteenth century by Jamal ad-Din al-Afghani who promoted the need for a return to the model of society and its organization from the time of Prophet Mohammed, thus rejecting all foreign influences and accretions as well as indicating the reasons for the crisis of the Muslim world. In our times a very important dimension of this trend has for a long time remained cultural anti-occidentalism, hence Salafism is sometimes called ‘neo-fundamentalism’. Its development has been affected for many years, among other things, by the crisis of traditional societies – detachment from communities of mother countries and the creation and deepening of a sense of belonging to an imaginary community. One can also discern here a reflection of the process of transnational identification with an imaginary community, uniting all the faithful in the world and built on a specific understanding of the bond based on religion and its norms.

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Being aware of all the different kinds of Salafism in this particular aspect which concerns rejecting everything that is foreign, western and threatens ‘true’ Islam one can distinguish a number of its repeating indicators such as: decisive action against Sufism, emphasis on absolute monotheism (tawhid) and proclamation of the need to return to religious purity – the time of Prophet and orthodox caliphs, which means regarding all the influences and different exegesis as heresy, stigmatizing moral liberalism and ecumenism, thereby leading to an unfriendly attitude towards Christianity and Judaism. The above pillars arise from the assumption that the only appropriate source of knowledge about the norms of conduct for Muslims are the Koran and the Sunna. The Salafis are convinced that a genuine faith in Islam is based both on the internal belief of each Muslim as well as their external activities. One of the signs of the external action realized in practice is a duty to exclude (takfir) from the Muslim community those who do not fulfil religious responsibilities. Calls for a return to ‘true Islam’ interweave with demands for ridding the Muslim world of the influences of the West. This stand often takes a purely dogmatic form, as e.g. Saudi Wahhabism, sometimes also offensive, armed, as with jihadi variants and movements. Salafi ideas lead to the diversification of attitudes both toward the axionormative order in Muslim countries as well as social and political reality in countries in which adherents of Islam constitute the immigrant communities (e.g. Europe). There are among them representatives of dialogue with societies in host countries, accepting their jurisprudence and customs but also radicals, critically disposed towards the mechanisms of democracy and its institutions, opting for separate social and cultural identity of the followers of Islam.

TRENDS OF RADICAL SALAFISM IN MOROCCO

The terrorist threat in Morocco has never reached such proportions as in neighbouring Algeria, yet underestimating the role of extremists from this country in the structure of the global jihadism movement in Spain and other countries would be a mistake. The Islamist trends which have been active in Morocco for a few decades are characterised by complexity. Particularly in the 1960s and 70s moderate factions, dissociating themselves from using violence, dominated among them, though over the course of time radicals also appeared. Among the Islamist organizations which were created in that period there was, inter alia, Al-Shab al-Islamiyya (The Muslim Youth) founded in 1969. The organization, led by Abd al-Karim Muti, was established illegally. However, it was to a certain degree tolerated by the authorities which sought in this type of movements an alternative to Marxist currents. There existed also an armed faction

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within it, Moroccan Mujahideen Movement, whose leader, Abd al-Aziz Nuamani presented more radical views. Members of the group used violence and believed that the ruling elites together with a large section of society departed from the principles of true Islam and thus was mired in neopaganism. King Hassan II, ruling from 1961 to 1999, was well disposed, particularly from the 70s, towards the creation of Koranic schools as well as social and charity organizations established to a large degree thanks to Saudi funds, which was obviously connected with promoting Wahhabi version of Sunnism\(^5\). During that period many imams, preachers and thinkers of quite radical views received their education, yet their activities had for a long time been tolerated by the authorities, since their sting of criticism had not been clearly directed against the ruling elite. However, over the course of the years, together with more and more open stigmatization of the doings of the reigning family as well as attacks on the people accused of betrayal of Islam, repression from authorities against Islamists conducting a discourse explicitly politicizing religion intensified.

This situation intensified especially during the first war in the Persian Gulf (1990-1991) when some of the spiritual leaders started to criticise loudly the United States and the foreign policy of the royal families of Morocco and Saudi Arabia based on an alliance with the U.S.\(^6\) It produced a strong reaction on the part of the authorities, which in turn forced imams with radical views to act in a more camouflaged way.

The end of the decade of the 90s was the time favouring the popularity of Islamic groups, which to a considerable extent resulted from growing economic problems and the impoverishment of a large part of society. Jamat al-’adl wa-l-ihsan (Justice and Mercy) became an important Islamic organization. Its leader, Abd as-Salam Yasin, described as one of the main ideologists of the Moroccan Islamism, presented a critical attitude to the monarchy. At that time moderate Islamists became active within Hizb al-Adala wa-l-Tanmiyya party (The Justice and Development Party) while some of the radicals grew increasingly inclined towards jihadism\(^7\). However, neither the Islamists’ political wing nor the extremists’ terrorist groups were able to turn out a sufficient force to seize power. As far back as in the 90s some of the representatives of the younger generation went to Afghanistan to become involved in the armed struggle already as mujahideen fighters. That decade was the period of the growing popularity of radical Salafism, in particular among the poorly educated inhabitants of impoverished suburbs of cities such as Casablanca or Fez. Unemployment, social exclusion and lack of prospects and on the other hand the popularity of ideas explaining reality in a dichotomous way contributed on the eve of the new millennium to the creation and activity of criminal


groups whose members committed robberies and murders justifying this type of activity with jihadist slogans.

Many young Moroccans, motivated by economic considerations, emigrated to Europe, to countries such as Spain which, by virtue of its geographical proximity, very often served as both a destination and transit country. Some of them, having experienced social exclusion and discrimination, at the turn of the 20th and 21st centuries came across the views of radical ‘missionaries of jihad’, who travelled quite freely around Europe at that time, or broke the law and ended in prison where they frequently gave in to indoctrination with radical ideas. Organizations of jihadist orientations marked their activity also in Morocco. Moroccan Islamic Combatant Group (Groupe Islamique Combattant Marocain – GICM), put on the list of terrorist organizations by the Department of State and the European Union in October 2002, is one of them. Many members of the cell which carried out the attack in Madrid on 11th March 2004 were suspected of links with this group. GICM was founded above all with the aim of expanding the logistic base of Al-Qaeda in North Africa and Europe. It was established around 1998 and to a large extent consisted of Moroccan participants of fights in Afghanistan, whose number fluctuated around 200-300 fighters. Soon members of the organization undertook activity not only in Morocco but also in Spain, Belgium, Italy, Holland and Germany. In organizational sense the GICM represents the mechanisms of fragmentation of jihadism structure; it is reflected by lack of centralized structure and a multitude of autonomous and independent cells active in many countries. Over the years the group was characterized by a multifaceted nature of its activities including logistical and propaganda undertakings, e.g. organizing the routes of transportation for terrorists travelling around Europe and North Africa, forging documents and collecting financial means.

Safety agencies estimated that at the turn of the century, in just under ten years there was a significant increase in the number of members of jihadist cells in Morocco: from around 70 in 1996 to about 3 thousand in 2004. The dynamics of the development of these networks shows that the policy of the authorities on counteracting terrorism was

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8 Alfonso Merlos in turn gives the year 1993 as the date of the creation of the pillars of this organization. It only confirms how many inaccuracies and ambiguities accompany the information on this and many other terrorist organizations. A. Merlos, *Al Qaeda. Raíces y metas del terror global*, Madrid 2006, p. 209 (Ensayo).

9 Another example of activity of Moroccan terrorist cells is a Dutch group called ‘Group from Hofstad’ consisting of Moroccan immigrants, including young extremists coming from the immigrant backgrounds but already born in Europe. They operated in several Dutch cities (Amsterdam, Rotterdam, the Hague) and maintained an extensive network of contacts with cells in other countries, among others, in Morocco and Spain. The terrorists planned attacks on civilian structures (e.g. an airport) and also members of the Dutch government and parliament. Nevertheless, the most spectacular act of terror was the killing of a film director Theo van Gogh carried out on 2nd November 2004 in Amsterdam. The perpetrator of the murder was a Moroccan, Mohammed Bouyeri. More in: ibid., pp. 337-359. Cf. J. Groen, A. Kranenberg, *Women Warriors for Allah. An Islamist Network in the Netherlands*, trans. by R. Naborn, Philadelphia 2010.

quite ineffective. Only over the course of the years more decisive preventive measures were taken. As a result of anti-terrorist operations, conducted both by the authorities of Morocco\textsuperscript{11} and European agencies in cooperation with American services, it was possible to break up a number of GICM cells and other groups and put many radicals in prison\textsuperscript{12}. Particularly after the attacks in Casablanca and Madrid these efforts resulted in weakening the ranks of the organization. Some of its members were absorbed by the Algerian Salafist Group for Preaching and Combat (Groupe Salafiste pour la Prédication et le Combat – GSPC), which perfectly depicts the mechanisms of functioning of networks of decentralized global terrorism, whose members are linked by changeable \textit{modus operandi} as well as fluid organizational affiliation.

A failed terrorist attempt in May 2002 on NATO warships passing through the Strait of Gibraltar and stationed in the British military base in Rocca was a sign of the internationalization of jihadist terrorism and Morocco strategic location. As a result of the operation ‘Gibraltar’ it was possible to detain eight Saudis and seven Morocco citizens. It was revealed that they had links with Al-Qaeda and its centres in Africa and Europe; some of them were connected with another Moroccan organization – Ad-Dawa wat-Tabligh. However, the most serious act of terror were suicide attacks in Casablanca on the night of 15th May 2003\textsuperscript{13}. They demonstrated that terrorism in North Africa could no longer be perceived as a phenomenon signifying only internal problems of Algeria. The attack was carried out by fourteen suicide terrorists (twelve of them were killed), linked to GICM and As-Sirat al-Mustakim. The target of the operation, as a result of which 45 people died, was hotel Farah-Maghreb, the restaurant Positano, which belonged to Moroccan Jews, Casa de España and a centre of Israeli Society.

A new anti-terrorist law passed after the May attack equipped the state and its services with additional instruments, indispensable in the fight against extremism. Moroccan authorities issued 44 international arrest warrants for hiding terrorists, among others for Mohammed Gerbuzi, accused of coordinating training camps for Moroccans in Afghanistan in 2001 commissioned by the leader of Al-Qaeda. The government of Morocco conducted a number of operations aimed at breaking up active terrorist cells

\textsuperscript{11} E.g. numerous detentions of radicals accused by the Moroccan authorities of affiliation with the above mentioned movement, developing in cities such as, among others, Casablanca, Salé and Tanger. In August 2002 the Moroccan police arrested around 30 members of extremist terrorist groups of Salafiyya and Jihadiyya as well as At-Takfir wa-l-hijra. They were charged with the killing of ten people in Casablanca because of their alleged betrayal of Islamic rules. Police actions in Tanger and Fez resulted in further arrests. It is also worth noting that in the wake of anti-terrorist operations in Iraq and Afghanistan a dozen or so Moroccan mujahideen were sent to the camp in Guantanamo (Malika Zeghal gives the number of 17 fighters). M. Zeghal, \textit{Islamism in Morocco…}, pp. 88-89.

\textsuperscript{12} In July 2005 in a few Moroccan cities in total 30 extremists were arrested. In March of the following year it was possible to detain in Casablanca eight Moroccans and one Tunisian who were charged with preparing bomb attacks in Italy: the target of the attacks was to be the underground in Milan and one of the churches in Bologna. After: M. Willis, \textit{Politics and Power…}, p. 143.

in the country, which took place also as a result of international pressure. Altogether over 2300 people were detained, out of which 1700 were sentenced, including several to death. In the following years King Mohammed VI continued the struggle against Salafist extremism although the terrorists did not remain passive, e.g. by taking advantage of the weaknesses of the Moroccan prison system. Morocco became for the West one of the key players in the arena of the fight against terrorism. At the same time let us add that the authorities in Rabat – due to historical and political animosities – did not always offer effective cooperation with the Spanish side as regards access to information and coordination of actions taken by intelligence services.

It should be emphasized that putting extremists in penal institutions did not mean in every case the end of their activity since they took interaction as part of secondary socialization of other inmates. Within the course of the last two decades jihadist socialisation has very often taken place in prisons and usually concerned the poorly educated, people who come into conflict with the law or simply those useful from the point of view of terrorist groups. Moroccan penal institutions were characteristic ‘incubators’ of extremists for a number of years and those where the places where they underwent a process of radicalization and terrorist propaganda. For example many preachers who were imprisoned after the 2003 attack continued their proselytic activity in jails, also among those convicted of crimes concerning drug trafficking. The links between terrorism and organized crime (smuggling of drugs, goods, weapons and people) which partly resulted from proselytic activity conducted in penal institutions aroused particular anxiety among Moroccan authorities as well as – for obvious reasons – the Spanish side. It is worth paying attention to the process of the interpenetrating of crime and terrorism: ‘It is in prisons where political activists recruit those who are needed for the functioning of their cells – specialists in forging documents, weapon trading, etc. The recruiters use doctrines which legitimize crime and transform it into redemption (...) Today’s prisons produce terrorists of tomorrow.’ Religious phraseology justifies violating the law, which allows for further clarification of the pillars of identity. An example of this type of mechanisms are for instance biographies of many jihadists active in Spain.

It is worth mentioning that in an announcement from 13th February 2003 bin Laden pointed at Morocco as one of the important operational areas of Al-Qaeda and

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16 D. Alvarado, La yihad a nuestras puertas. La amenaza de Al Qaeda en el Magreb Islámico, Foca, Madrid 2010, p. 99 (Investigación).


18 D. Alvarado, La yihad a nuestras puertas..., p. 142.

19 After: ibid. (Translation mine).
groups linked to it in view of an alliance of this country with the United States. Cooperation with the US within the anti-terrorist policy after the attack from 11th September 2001 contributed to the fact that many extremist groups which earlier dealt mainly with logistic activity became involved in creating strictly operational undertakings. A good example of this evolution is GICM. In January 2002, for instance, during a meeting of envoys of Al-Qaeda and groups connected with it in Istanbul, in which the representatives of GICM took part as well, the issue of the preparation of the attacks in Casablanca and Madrid was addressed and talks about the cooperation with Algerian GSPC and Egyptian Islamic Jihad were held.

After the events of 11th March 2004 the Spanish authorities intensified their efforts towards cooperation with the Moroccan side in order to neutralise threats from terrorist groups. Moroccan police detained over seventy people who were charged with being involved in preparations for the attack. However, that did not mean that threats to the internal security of Morocco, Spain and other countries were eliminated. In 2004 a Spanish judge Baltasar Garzón, who had conducted many trials against terrorists, received information about an unknown place of residence of about 400 Moroccan mujahideen who had considerable operational experience gained either in paramilitary camps in Afghanistan or during fights in Bosnia or Chechnya. It was suggested that some of them might be hiding in Spain and other European countries. According to estimates from the Spanish side in Morocco there were about one hundred active cells or groups linked indirectly or directly to Al-Qaeda network. From a dozen or so to several dozen of Moroccans living in Spain were involved in preparation for the attack in Casablanca.

In general, between 2003 and 2010 in Morocco over 3 thousand people were arrested and it was possible to break up 55 terrorist cells to a larger or lesser extent linked to the structures of Al-Qaeda in the Maghreb region. They dealt both with organising direct terrorist acts all over the country and recruiting potential candidates for mujahideen ready for armed action in Iraq. An interesting example of an Islamic hit squad active on the African side of the Strait of Gibraltar but de facto in Spain was a group broken up in December 2006 as a result of an anti-terrorist operation code-named ‘Dune’ (Duna) organized by the Spanish authorities in the city of Ceuta. As a result a dozen or so people were arrested who had prepared attacks on facilities in the city-exclave belonging to Spain: a shopping centre and a military warehouse. The main reason for

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20 In the context of this cooperation a number of meetings dedicated to the coordination of anti-terrorist strategies were held at government level. (e.g. a meeting of the Interior Ministers of both countries, Alfredo Perez Rubalcaba and Shakib Benmussa in Madrid on 26th January 2009).


23 Ibid.

24 Ibid, p. 103.

the activity of the cell was the idea of ‘liberation of the [land] occupied by the infidels’ – (i.e. Spain) – parts of Morocco – Ceuta and Melilla. The vast majority of the group members came from Ceuta, from the Príncipe Alfonso district and most of them also had Spanish citizenship. Their actions initially included acts of vandalism, putting on walls and buildings graffiti comprising Salafist and anti-Spanish slogans, etc. However, over the course of time plans for undertakings of a much more serious character were launched. They concerned preparations for terrorist attacks with the use of explosives on civilian buildings (shopping centres, a petrol station, a funfair during a fete)\(^\text{26}\).

Despite these quite ineffectual, incidental attempts at shifting the hotbeds of terror to the Spanish cities-exclaves in Morocco, we need to bear in mind that the status of these centres is often raised on Internet sites and forums containing radical contents. The liberation of Ceuta and Melilla constitutes at the same time another argument in favour of conducting jihad against Spain. This demand found expression in many declarations of ‘holy war’ issued by representatives of Maghreb network of Al-Qaeda, among others, in the convictions of the members of the group broken up at the end of August 2008. The network was linked to GSPC and acted in the regions of Tanger, El Aaiûn, Tetuan, Larache, and Casablanca and carried a highly telling name Fatah Al-Andalus (The Capture of Al-Ándalus). The target of the attacks were to be first of all facilities belonging to Spain, both in Morocco and the Iberian Peninsula\(^\text{27}\).

**ACTIVITY OF MOROCCAN TERRORISTS IN SPAIN IN THE FIRST DECADE OF THE 21ST CENTURY**

In 2009 the number of foreigners legally staying in Spain amounted to almost 5 million 600 thousand people (around 12 per cent of the population), which in comparison with the year 2000, when there were just under 900 thousand inhabitants, indicates an increase of about 600 per cent\(^\text{28}\). Data from 2010 provide already over 5 million 700 immigrants. The impossibility of determining exactly their number results from the difficulty of establishing the number of illegal immigrants and fluctuation of their presence in Spain over the years. Apart from newcomers from Latin America as well as Central Europe, successively larger and larger groups of foreigners were coming also

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26 J. Jordán, R. Wesley, ‘The Threat of Grassroots Jihadi Networks...’

27 The network was created in the Western Sahara region, in the city of El Aaiûn – the area of former Spanish colony from which Spain withdrew its military contingent on 26th February 1976 on the strength of agreements from 14th November 1975. However, the population of Western Sahara was deprived of its right to self-determination. The area was taken by Morocco as a result of the so-called ‘Green March’ in 1975, which soon led to armed clashes with the pro-independence Polisario Front. Mauritania also got temporarily involved in the conflict. In 1991 a cease-fire agreement was reached between the Polisario Front and the authorities of Morocco who control the western part of disputed territory. See C. Echeverría Jesús, ‘Aproximación al terrorismo yihadista salafista en y desde Marruecos’, Grupo de Estudios Estratégicos, 20 February 2009.

from Muslim countries – the area of Maghreb – as well as from the Middle East. It was estimated that in the year 2000 in Spain there legally lived about 265 thousand people coming from the Muslim countries, a year later there were already around 324 thousand and in 2004 the number almost doubled reaching approx. 600 thousand and in 2010, in turn, just the foreigners of Moroccan origin numbered over 710 thousand29. These values would be certainly higher if numerous foreigners staying in Spain illegally were added30. Social a profile and family relations had considerable significance in this process: among the people coming to the Iberian Peninsula there was a large number of young men who then entered into marriage or, after some time, brought there their spouses or other family members, including also more distant relatives31.

A very large proportion of foreigners came from the countries of Maghreb, primarily from Morocco and also from Algieria. Algerian migration in Spain characterizes considerable dispersion as to the choice of the place of settlement. In the region of Murcia, for example, the population of people of Moroccan origin in 2006 reached almost 2 percent32. Quite a large proportion settled in districts of big cities, for instance, of Madrid and Barcelona. From as early as the 70’s of the 20th century one can observe a phenomenon of labour immigration from Morocco to Spain, yet the next two decades brought the intensification of this phenomenon. Emigration constituted for Moroccans and inhabitants of other Maghreb countries a chance for improving their economic status, which actually also influenced the dynamics of transformations of the societies of North Africa, whose character in many cases was so distinctively determined by tribal structure33. Undoubtedly for some the decision to emigrate was politically motivated. Many Moroccans who were poor and deprived of prospects for the future constituted a social group susceptible to the influence of Salafist ideas, unfavourable also to the ruling elites. Despite the fact that a certain proportion of Moroccans went to Spain in connection with educational programmes, it was first of all labour immigration.

Integration of foreigners from the Maghreb region turned out to be the most difficult and constituted the greatest challenge although obviously the reasons for it should not be sought primarily in their number, but to a larger extent in the social and cultural dimensions touching upon the axionormative context, so different from the culture of the host society. The pillar of identity is Islam, as numerous researches demonstrate34.

30 Part of immigrants staying in Spain illegally were expelled from the country – e.g. over 77 thousand in 2002 and over 92 thousand in 2003 (Moroccans made one fourth of it). C. Alcaide, La inmigración y sus efectos sobre la estadística, Madrid 2004, p. 162.
32 Ibid.
34 On the other hand, one should bear in mind that attachment to religion emphasized in opinion polls does not automatically translate into a thorough knowledge of Islam, which in many cases is seriously
In the attack carried out on 11th March 2004 in Madrid immigrants from Morocco living in Spain played a key role. Their involvement in extremist activity was, among other things, a consequence of the influence of activists from the Abu Dahdah network, who particularly in the second half of the 90s and at the beginning of the new century developed an extensive network of domestic and international contacts in order to propagate the idea of jihadism and socialise potential candidates for the soldiers of ‘holy war’. A lot of Moroccans were involved in the structures of ‘Algierian and Syrian network’ which were active in Spain at the turn of the 20th and 21st centuries. After the arrest of Abu Dahdah and other extremists further fragmentation of terrorist cells followed. A few structures maintaining extensive links (domestic and foreign) were established: among others ‘Villaverde’ network as well as ‘Lavapiés’, ‘Virgen del Coro’ and ‘Jamal Ahmidan’ networks. The names of the first three groups came from the names of Madrid districts in which extremists’ contacts and meetings took place. Among the members of the first network there were among others: Mustafa al-Maymuni, Driss Shebli, Serhane ibn Abdelmajid Fakhet, Sayyid Berrah and Hisham Tensamani Had. The leader of the cell became Fakhet (also known as ‘Tunisian’); its members underwent progressive radicalization whose catalyst were interventions in Iraq and Afghanistan and the conviction that the European countries (among others Spain), which remain in political and military alliance with the United States, to a considerable degree contribute to Muslim suffering.

Recruitment and socialization to radicalism had considerable significance in the consolidation of the cells and the process of slow initiation of new followers. One of the ‘missionaries’ conducting proselytic activity was a Moroccan, Amer Azizi. His links with the groups of Salafist radicalism were very extensive and constituted a perfect example of the mechanisms of functioning and interpenetrating of the structures of global jihad cells in many countries. Those contacts also included, apart from participation in Abu Dahdah network, activity in the Moroccan and Libyan organizations of this type.

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35 Abu Dahdah (Imad Eddin Barakat Yarkas) was a Syrian immigrant and a bricklayer. Due to the extremist activity in his country he was forced to emigrate. With time he acquired Spanish citizenship and developed to a large extent propaganda activity whose main aim was to spread Salafist doctrines and propagate the idea of a holy war among Muslim communities in Spain, mainly Moroccans. He had links with an armed faction of Syrian Muslim Brotherhood and maintained contacts with a great number of jihadists belonging to Al-Qaeda network in Europe, among others, with Abu Qatada living in London.

36 Eighteen were sentenced for conducting terrorist activity. Between 11th September 2001 and 11th March 2004 around seventy people were arrested on charges of links with jihadist cells and preparation of attacks on structures in Europe.

Investigation showed that in 2003 Azizi was in the Internet correspondence with some members of 11-M cell: Mutamaz Almallah Dabas and Serhane Fakhet – the ‘Tunisian’.

Azizi recruited to this cell, among others, another Moroccan immigrant, Mustafa Al-Maymuni, who played an important role in the coordination of cooperation between many Islamist cells in and also outside Spain. It concerned, among other things, establishing contacts between terrorists in Morocco and recruited immigrants from this country who already lived in the Iberian Peninsula. Soon Al-Maymuni managed to set up at least two cells of jihadists: one in Madrid and the other in his country of origin 38.

After arresting Al-Maymuni in the spring of 2003 it was the ‘Tunisian’ who had to take on a very important role in merging individual groups. An Algerian Allekema Lamari belonged to one of them. After serving a sentence of a few years’ imprisonment he again became involved in extremist activity and then was one of the terrorists taking part in the March 11th attack. The terrorist’s cell gathered around 40 activists, mainly from Morocco, of whom about 25 were directly involved in preparations and realization of the attack in Madrid 39. Among the members of the group were an Egyptian Rabeei Osman al-Sayyid as well as Moroccans: Mohammed Afallah, Driss Shebli (belonging to the structures of GICM functioning in Europe), Sayyid Chedadi, Jamal Zugam and Sayyid Berrah. As it has been mentioned above, in many cases they were people who were earlier active in the Abu Dahdah network 40. At the end of the summer 2003 the terrorist cell was consolidated and up and running whereas its leadership was on the shoulders of Fakhet, Lamari and Ahmidan.

Their contacts included multi-vector interactions with members of networks existing outside Spain – e.g. with Muslims belonging to the cell of GICM operating in Belgium. Many of its members seemed to lead the ordinary life of immigrants. They worked, avoided conflicts with the people around them, paid the bills, etc. Most of the terrorists taking part in the attack underwent the process of jihadist conversion already in Spain so they underwent the radicalization process in Europe. They did not receive military training or ideological formation, e.g. at one of training camps of structures linked to Al-Qaeda in Afghanistan or Pakistan, as many other extremists travelling around Europe in the 90s and at the beginning of 21st century did. They were activists whose period of involvement in the cause of ‘global jihad’ did not exceed a few years and still – even taking into account the dimension of international links – they were able to prepare the attack and realize it in a way which was to a large extent independent. Obviously, on the other hand one should not forget about the involvement of combatants having very useful experiences with regard to affiliation with jihadist groups such as a former officer of the Egyptian army, Rabeei Osman al-Sayyid, who became one of the planners of the attack at Atocha station.

38 Apart from Maymuni, another activist in the group operating in the capital of Spain was ‘Tunisian’ who shortly became his brother-in-law, which is another proof of the importance of family links and friendly relations for the development of structures of this face of radicalism.


40 See L. de la Corte Ibañez, J. Jordán, La yihad terrorista, pp. 249-250.
The Internet played an important role in the functioning of the 11-M cell, both during the months preceding the attack and shortly after its execution. Its use shows a considerable significance of virtual space for the existence and development of jihadist terrorism. This process illustrates the character of its evolution within the space of recent years. The representatives of this trend of extremism, aware of the role of media influence and the fact that terrorism is in a sense a media spectacle in which getting the message across to the public and its interpretation have great importance, have been using the Internet for years more and more eagerly as a safe carrier of propaganda content, source of instructional and operational information as well as a way of communication and mechanism of recruitment of potential candidates for the fighters of “holy war”. On the basis of an analysis of the contents of hard disks of computers belonging to the terrorists it was established that the importance of virtual space for the 11-M cell manifested itself in ideological indoctrination, mutual strengthening of emotional bonds, obtaining operational information, communicating and propaganda influence. The mechanisms of functioning of the cell responsible for March 11th attack constitute one of the examples of decentralization of jihadism networks, active in different regions of the world. In this context the dimension of the autonomy of the cell with regard to financing the attack is noteworthy.

In total 191 died, many sustained wounds and injuries. Soon after the attack the Ministry of Internal Affairs, intelligence service and the police took appropriate measures aimed at establishing the identity of the perpetrators of the tragedy. A trial of the arrested members of the group started on 15th February 2007 and lasted a few months whereas the judge passed sentence on 31st October. Twenty-nine extremists appeared before the court in Madrid (fifteen Moroccans, nine Spaniards, two Syrians, an Algerian, a Lebanese and an Egyptian). Some of them were charged with affiliation with a terrorist group and causing death of many people. Others were accused of indirect terrorism, i.e. cooperation with extremist organization, trafficking of explosive materials and drugs, illegal possession of firearms and false documents, theft, etc.

41 E.g. terrorists who carried out the attack in London on 7th July 2005 found instructions concerning the construction of explosives on the Internet.


43 Spain had been grappling for years with the problem of Basque separatism personified by ETA organization. Basque terrorism had claimed a lot of victims over the years, hence the first opinions reflecting suspicions that the attack had been carried out by that group seemed to be justified. See J. Cieszko, ‘Tragedia w Madrycie, 11 marca’ in B. Dobek-Ostrowska, M. Kuś (eds.), Hiszpania. Media masowe i wybory w obliczu terroryzmu, Wroclaw 2007 (Acta Universitatis Wratislaviensis. Komunikowanie i Media, 2918).

44 Two terrorists who were found guilty of taking part in the attack: Jamal Zugam and Omar al-Ghanut received the severest punishment and were sentenced to almost 43 thousand years’ imprisonment. The rest of the accused who were proven guilty of links with a terrorist group and different cases of vio-
According to a number of analyses, that unprecedented act of terror contributed to a higher voter turnout (as much as 76 per cent) which in turn became a factor favourable for the election success of the opposition party— in this sense the attack can be perceived as a catalyst for the victory of socialists\(^\text{45}\). It motivated a large number of undecided voters of whom many voted for socialists. PSOE (Partido Socialista Obrero Español) defeated the PP (Partido Popular) by about 5 per cent gaining over 42.5 per cent of the support (the support for Partido Popular amounted to 37.1 per cent).

Undoubtedly the question of the decision-makers behind the attack remains especially important. There appeared two main hypotheses. One of them pointed at the cell in Madrid, which consisted mainly of Moroccans and whose members were responsible for that act of terror. In other words, it meant the autonomy of the perpetrators of the attack. In this context some analyses point at the significance of the Spanish-Moroccan conflict over a small island Perejil\(^\text{46}\), which was to be an additional reason for the attack, i.e. it aroused in the circles of extremists a desire to punish Spain for its claims, military manoeuvres, etc. The other hypothesis that the authors of the attacks should be sought outside Spanish territory, in the international networks of jihadism and their managerial structures existing in many European and Muslim countries. The argument in support of this thesis was the existence of extremely complex links of a number of radicals with the cells of fighting Islamism in Great Britain, France, Germany, Morocco, Afghanistan, Pakistan, Iraq and other countries. In the light of the revealed facts there is no doubt that the Madrid cell did not function in isolation and coordinated its undertakings with foreign structures of the movement of global jihad.

A symbolic impulse to carry out the attack could have been Osama bin Laden’s announcement of 18th October in which he warned Spain that its military involvement in Iraq (around 1300 soldiers, advisors and specialists) would trigger retaliatory actions. It is worth pointing out that a considerable part of the 11-M network consisted of Moroccan immigrants. Becoming politically and militarily involved on the side of the United States Prime Minister José María Aznar tried to gain American support in discouraging the Moroccan authorities from claims to the cities-exclaves Ceuta and Melilla belonging to Spain. In the circle of people acquainted with preparations for the attack at Atocha station there were two important members of GICM linked to Al-Qaeda structures: Yussuf Belhaj and Hassan al-Haski\(^\text{47}\). The Dabbas brothers, who did

\(^{45}\) Miguel Platón, among others, holds such an opinion. See idem, 11-M. Cómo la yihad puso de rodillas a España, Madrid 2005, pp. 448-449.

\(^{46}\) In the summer of 2002 the Moroccan side set up a military camp and then a navy cadets base on the island of Perejil in the Strait of Gibraltar. It met with a strong reaction from Spain which directed there its navy and air force units as well as a special-forces unit. As a result of the operation the Moroccans were removed from the island. The conflict was averted through the mediation of the U.S Secretary of State Collin Powell, but it contributed to increased tension in bilateral relations.

\(^{47}\) Belhaj undoubtedly knew the date of the attack earlier. He maintained quite close contacts with Fakhet and he spent some time in the village of Leganés in Spain in February 2004 where shortly after the attack seven terrorists committed suicide. After those events Belhaj moved to Barcelona and then...
not take part in the attack, played an important role in ideological formation of the cell members. Both brothers were arrested in 2005. It does not mean, however, that the 11-M cell was directly responsible to the structures of GICM or Al-Qaeda. It just indicates operational contacts, typical of the evolution of structures of jihadist terrorism, maintained as part of decentralized network of links. That is why the 11-M group can only be regarded as a peculiar ‘franchise of Al-Qaeda.’

It is worth emphasizing once again the importance of direct interactions conducted by extremists as part of close affective ties, built on the basis of friendship, hatred for enemies and involvement in the common cause. That is why a social profile of the functioning of members of the cell responsible for the Madrid attack to a certain degree bore the hallmarks of a category of ‘a bunch of friends’ (pandilla de amigos) distinguished by Marc Sageman as a specific kind of a terrorist social group. In this model informal ties play a more important role than structural framework of an organization. Nevertheless one should remember that also this aspect of functioning of jihadism in Spain and other European countries has a substantial significance in a sense of a network structure of this extremism, a phenomenon of participatory fluctuation and operational experiences of some members of those groups. For example in case of the 11-M group of 47 exposed members of the cell about 40 per cent were bound by ties of blood and 27.6 per cent were linked by bonds of friendship formed not only before the group was constituted but coming from the period preceding their arrival in Spain (some of the terrorists came from the Moroccan cities of Tetuan and Tanger). Their earlier familiarity played a significant role in consolidating and strengthening later relations, also taking into account security reasons and mutual socialization with ideas of fighting Salafism. In turn, almost 32 per cent of the cell members were linked by interactions conducted near Madrid mosques. Although these institutions were not the centres of propagating the idea of radical Salafism, as was the case at the turn of the 21st century in many other European cities, they played an important role for social interactions.

left Spain. However, before long, in February 2005, he was arrested in Belgium. Yet, he managed to regain freedom and went to Syria where in May 2008 he was arrested on a charge of terrorism. Belhaj was turned in to the Moroccan authorities and subjected to interrogations in connection with the Madrid attack. Finally, in February 2008, he was sentenced to eight years’ imprisonment. Al-Haski, in turn, before going to Spain, spent some time in Afghanistan where he contacted the leaders of Al-Qaeda. An investigation revealed that he also knew the date and details of the attack. A few days prior to it, he left Afghanistan and went to Paris where he claimed before his fellow radicals that he was behind the idea and organization of the attack. Al-Haski was arrested in Lanzarote in the Canary Islands in December 2004. A. Malalana Ureña, ‘Los atentados de Madrid del 11 de marzo en la primera historiografía,’ Spagna Contemporanea, Vol. 19, No. 37 (2010).

Ibid.


J.M. Irujo, ‘Cómo surgió la célula local...’ These data remain consistent with the results of Sageman’s research concerning the analysis of cases of the recruited jihadists: as many as 70 per cent of them were linked by bonds of friendship and 20 per cent by family ties before they got involved in actions inside the terrorist cells. See also: M. Sageman, Understanding..., pp. 109-113.

J. M. Irujo, ‘Cómo surgió la célula local...’
thus becoming a part of social space used for forging and maintaining bonds. A similar proportion of members of the group from Madrid was distinguished by criminal past and links to criminal structures. Around 34 per cent of radicals had earlier experiences in jihadist structures at home and abroad\textsuperscript{52}. It constituted quite a high proportion and affected mobilization potential of the group as well as strengthened the commitment of its members. However, the majority of extremists belonging to the group (over 60 per cent) lacked such experience. Therefore it should be pointed out that apart from informal relations, characteristic of the community of the bunch of guys type, the mechanisms of recruitment and proselytic activity, realized within other, national and foreign structures, had a significant role in the crystallization of the 11-M group.

Arrests of extremists and reorganization of the strategy of the fight against terrorism after the 11th March attacks enfeebled jihadist networks in Spain, yet they were not broken up. The report of the Ministry of Internal Affairs from 2006 revealed alarming information about the expansion of fighting Salafist radicalism cells in Spain\textsuperscript{53}. They consisted to a large extent of Moroccan immigrants but also of Muslims coming from other countries. The mechanisms of their functioning showed to a considerable degree a continuum of the strategy of action consisting in maintaining the network of operational links with structures functioning in other European and non-European countries and organization of logistical undertakings. However, the cells were to a larger degree affected by the conflict in chaos-stricken Iraq, which involved recruiting volunteers willing to play in this theatre of armed action among the communities of followers of Islam living on the Continent so also Spain. In the years 2004-2010 that task determined the core activities of as many as twelve neutralized networks. All in all, during the period 2004 to 2010 twenty-eight police operations were carried out in the wake of which it was possible to break up a number of jihadist cells in Spain\textsuperscript{54}. In twenty-two cases they had network links with foreign structures, whereas five of them were groups of the bunch of guys type. What characterized them was auto-affiliation with the network of fighting Salafism symbolized by Al-Qaeda as well as social and organizational similarity to the 11-M cells.

The fact that the communities of Muslim immigrants in Spain were growing in number was undoubtedly favourable for the terrorist structures both in the sense of developing support networks, i.e. characteristic infrastructure of links essential for functioning as part of society of the host country as well as for searching new candidates for mujahideen. Obviously the majority of the newcomers from Morocco and other Muslim countries was far from extremism; the motive for coming to Spain were first of all economic reasons. On the other hand, it should be emphasized that among such a large number of immigrants there were people with a radical attitude or susceptible to

\textsuperscript{52} Ibid.


\textsuperscript{54} Ibid.
it. After 11th March, despite the authorities’ efforts, there was still a danger of spreading radically Salafist proselytism in penal institutions and some centres of Islam culture. For example at the beginning of 2006 the intelligence services indicated that in about 10 per cent of prayer rooms and mosques in Spain radical views were presented. Although it does not automatically indicate the affirmation of terrorist methods and calling for ‘holy war’, yet their influence may contribute to shaping extreme outlooks.

After 2004 terrorists’ activity was still affected by international links of organizational and operational character. Different groups cooperated with each other in preparation for various undertakings mainly in their home countries, which explains why their activists in Europe concentrated on logistical operations. The situation in Maghreb countries, particularly in Algeria still had major significance. The evolution of the structures of jihadism in this country – the transformation of GSPC into AQIM (Al-Qaeda in the Islamic Maghreb) in January 2007 – did not fail to influence related cells in the south of Europe.

The direct character of terrorism which afflicted Spain on 11th March 2004 materialized itself more than once in the form of successive attacks on civil facilities. While the majority of terrorist cells with international structural links concentrated on logistical undertakings, the local groups, auto-affiliating with the global jihad movement and linked to it by a symbolic, virtual bond were more focused on carrying out an attack in Spain. Between 2004 and 2006 the Spanish police managed to prevent at least eight terrorist attacks prepared by Salafist extremists. Among their targets were public buildings in Madrid, metro stations, one of the hotels in Barcelona, a ferry running through the Straits of Gibraltar and other targets55. In 2004 two Moroccan citizens, who were photographing a nuclear power station, were arrested. In May of the same year, so shortly after the attack at Atocha station, a terrorist network was broken up. It was linked to Ansar al-Islam organization which dealt with recruiting volunteers to take part in fights in Iraq and cooperating with the Algerian cells situated in Germany, Barcelona and the Basque province of Vizcaya. The group which in large part consisted of criminals recruited in prisons and run by an Algerian Mohammed Ashraf tied with the Armed Islamic Group (Groupe Islamique Armé – GIA) and GSPC, was preparing for detonating a lorry with 500 kilograms of explosives in front of the Supreme Court building in Madrid. The list of facilities in the capital which were to become the target of attacks included also Santiago Bernabeu stadium, a high-rise building called Picasso’s Tower and train stations56. Ashraf’s cell was broken up as a result of ‘NOVA’ operation in October 2004 in Andalusia, Valencia, Madrid and in the Navarra region. Eight extremists were arrested and a number of links with Muslims put in prisons in Asturia, Pontevedra and Salamanca were discovered and neutralized. Eight radicals serving their sentences there were isolated. They were in touch with Islamists not only from other European countries (e. g. France) but also from such remote places like the United States or Australia. The group they created bore the name ‘Martyrs of Morocco’ and

55 Ibid.
56 L. de la Corte Ibáñez, J. Jordán, La yihad terrorista, pp. 84-85.
cooperated with Algerian GSPC and criminal structures from the Maghreb region. In the ideological dimension it stigmatized Spain for its involvement in the conflict in Iraq, for its participation in the mission in Afghanistan and alleged persecution of Islam followers.

At the close of 2004 the Spanish police managed to arrest also other Muslims on a charge of executing or planning activities directed at the security of the country. On 28th October in Madrid, Galicia, Valencia, Andalusia and the Basque Country altogether thirteen people were detained. They were all linked to the terrorists preparing an attack against the Supreme Court. At the beginning of November other immigrants from Algeria were arrested in Valencia and in the second half of the month imam Samir ibn Abdullah was arrested in Barcelona. He spread jihadist propaganda, encouraged people to carry out suicide attacks and maintained contacts with ‘the Martyrs of Morocco’.

Among all the jihadists detained in Spain in the years 2004-2006 about 70 per cent came from Algeria and Morocco\(^57\). In that period also 23 radicals of Pakistani origin were arrested. The evolution of jihadism in Spain after 2004 shows that the percentage of radicals from Morocco rose significantly whereas the number of Algerians decreased markedly. That regularity can be explained by a considerable growth in the number of immigrants from Morocco – it also affects a potentially higher risk of Spanish borders being penetrated by radically-minded people.

Nationality of jihadists detained and killed in Spain (1995-2012)

<table>
<thead>
<tr>
<th>Citizenship</th>
<th>1995-2003</th>
<th>2004-2012</th>
<th>In total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Algerian</td>
<td>46,7 per cent</td>
<td>18,5 per cent</td>
<td>28,5 per cent</td>
</tr>
<tr>
<td>Moroccan</td>
<td>3,3 per cent</td>
<td>40,7 per cent</td>
<td>27,4 per cent</td>
</tr>
<tr>
<td>Spanish</td>
<td>30 per cent</td>
<td>9,3 per cent</td>
<td>16,7 per cent</td>
</tr>
<tr>
<td>Pakistani</td>
<td>3,3 per cent</td>
<td>25,9 per cent</td>
<td>17,9 per cent</td>
</tr>
<tr>
<td>Syrian</td>
<td>16,7 per cent</td>
<td>-</td>
<td>5,9 per cent</td>
</tr>
<tr>
<td>other</td>
<td>–</td>
<td>5,6 per cent</td>
<td>3,6 per cent</td>
</tr>
</tbody>
</table>


After the Madrid attack the radicals intensified their activity in Catalonia. It is illustrated by a large number of anti-terrorist operations, e.g. ‘Tiger’ (Tigris), ‘Jackal’ (Cha-cal), ‘Chameleon’ (Camaleón) conducted in this part of Spain – in 2009 there were thirty of them, out of which fourteen in Barcelona and the surrounding region – e.g. in Tarragona. Police actions directed against jihadists were also carried out in Andalusia (ten operations), Valencia (six), Madrid (five) as well as in Ceuta and Melilla, the

Basque Country, Murcia and Castile and León. Threats posed by the activity of jihadism in Catalonia were highlighted by, among others, the U.S. intelligence, which found expression in the report directed by the embassy of this country to the authorities in Madrid on 2nd October 2007.

The hotbeds of radicalism were found in Catalonia in some cultural centres, including those which are religious in character. It concerned e.g. the mosque Al-Forkan in the village Villanueva y Geltrú situated near Barcelona. It housed a centre of Islam, which was used, among other things, for propagating ideas of fighting Salafism, calling for armed involvement in the conflict in Iraq, etc. In Ceuta in turn, in the Atawba mosque as many as eleven people were arrested at the end of 2006. The detained were charged with spreading materials calling for violence. However, those were isolated incidents; Spanish mosques usually were not and are not the centres of jihad influence – to a greater extent direct interactions were conducted in Internet cafes, shops with halal food, tea-houses, gyms, etc. Increasingly, in recent years spreading propaganda and (auto-)recruitment has been taking place with the use of the Internet.

There still existed a real threat coming from the activity of the radicals serving sentences in penal institutions in Spain. Socialization affirming violence by means of propaganda still generated the risk of recruitment of young Muslims in conflict with the law and trying to re-define their identity. That is why anti-terrorist actions of the police included also prisons, an example of which is the above-mentioned ‘NOVA’ operation or uncovering the recruitment conducted among prisoners by a Moroccan Reduan ibn Fraim with the aim of preparing an attack on a ferry running on the Ceuta-Algeciras route. It is worth noting that monitoring conversations and materials the prisoners legally receive (books, documents, audiovisual materials) poses a considerable challenge also for a seemingly prosaic reason: a language barrier. Challenges concerning this control are also connected with illegal contacts with the outside world: e.g. in 2007 in Spanish prisons 939 mobile phones and 2032 SIM cards were confiscated. However, according to approximate estimates it constituted just about 20 per cent of the whole. In this context prisons, with regard to effectiveness of the system of supervision and control, fall outside Erving Goffman’s definition of total institutions.

Analyses of social profiles of members of networks operating in Spain show that they were mainly young men with immigrant background, acting primarily in the area of the capital district as well as Catalonia and Andalusia. They aged between 25 and 39 and most of them were married and had children. Only 4.8 per cent of the detained were born already in Spain. However, there is a clear tendency for the extremists’ age to become lower. Taking into account the process of crystallization of the second and third generation of immigrants, one can assume that a phenomenon of home-grown terrorism may in the years to come present a greater threat for Spain’s security.

58 L. de la Corte Ibáñez, J. Jordán, La yihad terrorista, p. 89.
59 In comparison with the period from 1995 to 2003 the years 2004-2012 showed an increase in the number of 24-29 year old extremists from 30 to 44.4 per cent of all the arrested radicals. See F. Reinares, C. García-Calvo, ‘Los yihadistas en España...’
To sum up, Moroccan terrorists, belonging to GICM and other radical groups, over the years managed to anchor a number of ‘dormant’ cells in many European countries. A large number of immigrants from Morocco living in Spain, France and Holland played an essential role. Another important factor was the fact that the security services of those countries for a long time tried to monitor the structures of Algerian and Egyptian Salafists much more thoroughly and did not adequately appreciate other dimensions of threats.

In the light of the above analysis a special importance of the Madrid attack of 11th March should be emphasized. The cells of fighting Salafism situated in the countries of Western and Southern Europe for years realized multi-vector undertakings placing themselves on backstage of direct terrorist actions. Until 2004 Spain was one of the crucial areas of that activity; the attack at Atocha station meant that the country and its society had also become the target. It was used by jihadist movements in Europe and outside it for propaganda purposes. In less than three years after 11th September it confirmed the operational efficiency of those groups and their ability to carry out an effective attack on the enemy territory of the country taking part in the anti-terrorist campaign alongside the United States, whose image often appeared, also through the prism of retroactive historical references in the narration of fighting movements of Salafism.

In the wake of parliamentary elections socialists took over power whereas a new prime minister José Luis Rodríguez Zapatero soon fulfilled his pre-election promise and acted in accordance with social expectations withdrawing Spanish forces from Iraq. The relation between that decision and the context of the attack was treated as a success of jihadist terrorism. The 11th March attack constituted the realization of global strategy of Al-Qaeda consisting in taking armed actions directed at the allies of the United States in different parts of the world although at the same time the Spanish terrorist cell had autonomy with regard to preparation of the plan and carrying out the attack.

After 11th March 2004 the evolution of the network of fighting Salafism in Spain included both indirect forms of terrorism and reflected the strategy of conceptions of realization of direct forms of violence. In comparison with an earlier period, there was an increase in the number of planned terrorist operations with participation of immigrants from Morocco. Their target were to include facilities in Spain whereas their realization would have a media effect. Structures associated with the global network of jihadist groups such as GSPC/AQIM, GICM and others as well as the cells of radicals, experiencing (auto-)recruitment in virtual space and maintaining only declarative affiliation to international structures of Al-Qaeda – all these groups made their presence felt in this country. It is recommended that these organizational forms should be put in categories of their affiliation to the movement of global jihad.

The present character of threats posed by jihadism to Spain and other European countries to a large extent arises from the influence of the so-called Islamic State and the recruitment and propaganda activities of its supporters. The assassination carried out in Paris on 13th November 2015 forcibly revealed the scale of challenges coming from the phenomenon of homegrown terrorism inspired by radical ideology legitimizing violence. The formation of the Islamic State turned out to be an attractive formula
also for some radically-disposed Muslims living in Spain who, in some cases, even have citizenship of this country. At the beginning of the year 2015 their number in the structures of IS in Syria and Iraq was assessed at around 70-80 people. One should at the same time remember that among those who get to Syria from the Maghreb region there is a large number of volunteers militarily and logistically involved in activities within the Islamic State who, after their return to their home countries, often continue their extremist activity which poses a huge challenge to security. It is estimated that as many as 1500 fighters who came from Morocco joined the ranks of jihadist formations of the Islamic State. In 2014 alone, Spanish anti-terrorism and police forces conducted twelve operations which led to the detention of 47 people, mainly of Moroccan origin, and from 2012 to January 2015 in total there were over thirty such operations.

After years of mutual animosity and tensions in relations between both countries, serious challenges determined among other things by illegal immigration, transnationalism of organized crime and terrorist threat acted as a catalyst for Spanish-Moroccan cooperation. In August of 2014 the Moroccan police, working together with the Spanish side, broke up terrorist cells in Castillejos near Ceuta and in Fez. Members of those rings dealt with recruiting volunteers to fight in Syria and Iraq in the structures of IS. At the beginning of March of 2014 police chiefs of Spain and Morocco set out guidelines for cooperation in terms of combating terrorism, organized crime and countering radicalism. In Marrakesh police specialists from both countries analysed the level of threats posed by extremism to security in Spain and Morocco. Decisions were also made about appointing joint expert groups responsible for diagnosing individual aspects of threats, covering diverse levels: terrorism and organized crime, radicalization, cybercrime. These bilateral initiatives are of vital importance in fulfilling tasks of preventive character given that also in Morocco, as a result of ‘the Arab Spring’ there occurred an increase in Islamist sentiment: the winning of the 2011 election by the Justice and Development Party, growing participation of Moroccan volunteers in the ranks of the Islamic State and the presence of Moroccan extremists in terrorist rings in Europe (including the assassination in Paris in 2015).

Spanish authorities are aware that an effective response to the challenge to security resulting from Salafi extremism, apart from international cooperation, is not only anti-terrorism prevention but also the necessity for monitoring groups which are the most susceptible to radicalism and at the same time building intercultural dialogue, development of deradicalization programmes and taking action for socio-economic and cultural integration of Muslim believers.


62 For example in 2013 the Spanish police arrested in Ceuta eight members of the group called ‘Warriors from Ceuta’ responsible for suicidal deaths and the recruitment to fight in terrorist networks in Syria. Cf. J. M. Irujo, ‘Detenido en Bélgica el jefe de la red Ceutí que envía suicidas a Siria’, El País, 26 September 2013. See ‘La detención de yihadistas en España crece un 36% en el último año y medio’, El Mundo, 2 September 2014.
It should be stressed that Spain is still present in the narration of fighting Salafism and constitutes a potential target of attacks. Moreover, its territory is being used for the realization of undertakings of regional (the European dimension) and global character (the conflict in Iraq, operations in the countries of Maghreb and in the Middle East, also in connection with the destabilization which affected some countries as a result of transformations caused by ‘the Arab Spring’). This strategy constitutes an important indicator of the polymorphism of contemporary jihadist terrorism.

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‘La detención de yihadistas en España crece un 36% en el último año y medio’, El Mundo, 2 September 2014.


The first migrations of people from Africa to the Indian Subcontinent took place about fifty-sixty thousand years ago. However, most of the Indo-African population of India came to the Subcontinent in the last five hundred years. They became naturalized to both the Indian culture and the Indian way of life reasonably quickly, they became involved in politics and social disputes, and many of them rose to a high authority in the Indian society. The aim of the article is to show the status development of Africans in India and the change in social attitude towards them, by means of an analysis of examples chosen from the history of African settlement in India.

Key-words: Africans in India, Habshi, Siddi
Specialized literature, mainly from the realm of genetics, supplies us with reliable and scientifically verifiable data about the African descent of approximately 600 million citizens of the Republic of India. However, the origins of only about 250,000 of them can be proven with historical data, whereas the lineage of the remaining overwhelming majority can only be verified by anthropological studies or/and genetic tests.

Over the course of centuries this large part of India's population has been given different names which are partly synonymous, and partly they prove early or later attempts to differentiate the “Africans of India” according not only to their place of origin, but also to the time of their arrival on the Subcontinent. Among these names the most important for this study are historical terms like Habshi, Kaffir, Sidi, Siddi, Siddhi, Shiddhi, Seydi, Chaush or the terms which are a result of modern-day academic research, like Negritoes and Proto-Australoids.

The aim of the article would be to briefly describe the place occupied by the people of African origin in the Indian past and present. Special attention will be devoted to selected individuals or groups who have played a memorable role in the history and politics of the Subcontinent, from the beginning of 13th century until the advent of the era of European colonization. The selected cases will be placed in the general context of the history of African settlement on the Subcontinent, with brief references to the present situation of the African population in India.

1. BEFORE THE SIDDIS – THE NEGRITOES AND PROTO-AUSTRALOIDS

Even though the names Negritoes and Proto-Australoids are relatively new, proposed only in 1935, from the point of view of chronology, they refer to the people who, most probably as the first incomers, came to what is now India from the African con-
tinent. Both the names were given to (two among the six) racial groups of Indian people, singled out by B. S. Guha. He based his classification on several physical dimensions which he studied on a representative sample of the population, during the 1931 Census.

As the research evidence almost inevitably proves, both the Negritoes and Proto-Australoids, unlike other Africans in India, were not brought to the Subcontinent as slaves. Their arrival was rather the effect of a mass migration, the first wave of which most probably happened about 60,000 and the second 50,000 years ago.

Apparently, the ancestors of the Negritoes came in the first wave, and their progeny includes the Andamanese and Nicobaris, Kadars, Kanikkars, as well as Muthaiwans, Paniyans, Puliyans and Uralis, who live in the hills of Tamil Nadu, Kerala, and Karnataka. Some traits of the Angami-Nagas also make it possible to consider them among the Negritoes.

The second group, Proto-Australoids, came to the Subcontinent most probably in the second wave of the migration. Nowadays the members of this racial group live in central and southern India, mainly in the hills and forests, creating small, isolated

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4 The remaining four groups in Guha's classification include: the Mongoloids, Mediterraneans, Western Brachycephals and the Nordics.
5 According to Guha's study, the Negritoes are characterised by short stature (150 cm), frizzy-hair, bulbous forehead, flat nose, slightly protruding jaws, small chin, black skin colour, weak hands, and long arms.
6 Among their main features Guha names black skin colour, wavy to curly hair, broad and flat nose, short stature and prognathous jaws.
7 Andamanese (Andamanese people) and Nicobaris – is a collective term for the native inhabitants of the Andaman Islands, an area of the Republic of India, located in the southeastern part of the Bay of Bengal. They are hunters-gatherers who seem to have survived in almost full isolation for thousands of years. Today, approximately only 400-450 Andamanese remain. This small remaining group maintains its independence, refusing most attempts at contact made by outsiders. Among them there are such tribes as Jarawa, Onge and Sentinese, out of which the latter remain detached from the other tribes of the region. They live a secluded life and have developed an individual identity. They are the only known primitive people known in the contemporary world to live in complete isolation.
8 Kadars – a small Negrito tribe inhabiting the hills in the Indian state of Kerala.
9 Kanikkars – is one of the important tribes among the tribal communities who have settled down in Kerala, well immersed within the rest of the population. Kanikkars are financially secure, though the level of literacy among them is not much above 50 percent. They have their own mother tongue, Kanikkaran, which is at least several centuries old.
10 Muthaiwans, Paniyans, Puliyans and Uralis – small Negrito tribes inhabiting the hills in the Indian state of Kerala.
11 The question of counting Angami-Nagas among the Negritoes is still discussed in specialized literature. Generally, they are a tribe native to Nagaland, a state in North-East India. However, Dr. Hutton has pointed out the sign of Negritoes among the Angami Nagas. [...] Supporting this view [...] many scholars say that Angami Nagas are the descendants of Negrito race and of course they were mixed with the Mongolian tribes afterwards. See: S.K. Sharma, U. Sharma (eds.), Discovery of North-East India. Geography, History, Culture, Religion, Politics, Sociology, Science, Education and Economy, Vol. 5: Assam. Economy, Society and Culture, New Delhi 2005, p. 166.
communities in different parts of India, such as Gond, Khonds, Bhil, Santhal, Bonda, Kol and Munda.

The ancestors of the members of both the groups, together with the native population of the Subcontinent, might have been among the builders of the Indus Valley civilization, oppressed later on by the invaders from the North. Due to the lack of written historical documents (or perhaps due to our inability to access them), their exact role is still difficult to specify. However, with the passage of time, they became mainly tribal people who are a permanent component of the Indian population, constituting two large ethnic groups. Moreover, the genetic legacy of the two migrations can be found in approximately 60 percent of the population of South Asia.

2. THE SIDDIS

The position of the Siddis (to use the most commonly applied term) is altogether different. Thanks to the existing written data we can more or less determine the time when they started to be brought to the Subcontinent as slaves, as well as the places in Africa which they were taken from.

12 Gond – a large tribe of Central India of over ten million people, inhabiting the states of Madhya Pradesh, eastern Maharashtra, Chhattisgarh, Uttar Pradesh, Telangana, Andhra Pradesh and Western Odisha.

13 Khonds – tribal people of India, with the total population of 430,000, living in the states of Andhra Pradesh, Bihar, Chhattisgarh, Madhya Pradesh, Maharashtra, Odisha and West Bengal. During the British rule, the Khonds became best known for their practice of human sacrifice, known as Meriah and performed to increase the fertility of the earth.

14 Bhil – primarily the native people of Central India, one of the largest tribal groups with the total population of over thirteen million, inhabiting the states of Gujarat, Madhya Pradesh, Chhattisgarh, Rajasthan, Tripura and the area of the border with Bangladesh. They have settled also in the Tharparkar District of Sindh in Pakistan.

15 Santhal – an indigenous tribe, who live mainly in the Indian States of Jharkhand, West Bengal, Bihar, Odisha, and Assam. There is also a significant Santhal minority in Bangladesh and Nepal. They are one of the largest tribal communities in India, of approximately seven million.

16 Bonda – an ancient tribe numbering approximately 12,000 people who live in the isolated hill regions of the Malkangiri district of in the Indian state of Odisha. Only 6% of them are literate and the life expectancy of the tribe is so low they are in danger of becoming extinct.

17 Kol – a large tribe found in Uttar Pradesh (approximately 140,000 people), mainly in the districts of Mirzapur, Varanasi, Banda and Allahabad. Most of the members of this group are landless, and support themselves by collecting firewood and leaves from the forest and selling these at the local markets.

18 Munda – a tribal Indian ethnic group, living mainly in Jharkhand, Assam, Odisha, West Bengal, Chhattisgarh, Bihar, Tripura and Madhya Pradesh (and also outside India – In Bangladesh). They belong to the so-called ‘tea tribes’ (the descendants of people brought to Assam by the British to work as indentured labourers on their tea plantations) and are the largest among these tribes, with the population of about nine million.

The first verifiable mention of trade between Africa and India can be found in the relation of the Egyptian queen Hatshepsut’s expedition to Punt (most probably modern Somalia), which took place circa 1495 B.C.²⁰ Whereas in The Periplus of the Erythraean Sea (1st-3rd century C. E.) we come across the earliest information about the slave trade taking place on the coast of East Africa.²¹ However, most of the Indo-African population of India came to the Subcontinent in the last five hundred years. Reasonably quickly they became naturalized to both the Indian culture and the Indian way of life, they became involved in politics and social disputes, and many of them rose to a high authority in the Indian society.

Over the centuries the people brought to the Subcontinent from Africa acquired different names, but now the general denomination used for the Afro-Indians is Siddi.²² The author of an extensive article dedicated to the names given to people of African origin in Asia, Shihan de Silva Jayasurya, states that: Initially, Africans in India seem to have been called Habshi.²³ Then the word cafire²⁴ seem to have been introduced by the Portuguese from the late 16th century up to the 18th century. The word Kaffir (from the Arabic word qafr which means ‘non-believer’) does not imply that one’s origins are African. It is not a derogatory term, in this context. [...] It is not clear exactly when the terms Habshi and Kaffir began to decline in use. The term Sidi seems to have been introduced by the British in the 19th century. Sidi describes Africans in Gujarat and Karnataka today. Africans in Andhra Pradesh call themselves Chaush as they identify themselves with Yemeni Muslims. They have a multiple identity and also call themselves Sidi among other ethnonyms.²⁵ Siddi, as de Silva Jayasurya also claims, was originally a title of honour given in Western India to African Muslims holding high positions under the kings of Deccan [...]. Many scholars have implied that Sidi derives from Syd meaning ‘master’ or ‘ruler’ in Arabic.²⁶


²² The Afro-Indians are generally known as Sidi/Siddi/Sidhi or Habshi/Habsi. These ethnonyms partly tell us that they were in the employ of Sayyads, the Muslim rulers of India, and partly that they came from Ethiopia. See: A. Y. Lodhi, ‘African Settlements in India’, Nordic Journal of African Studies, Vol. 1, No. 1 (1992), p. 83. Also: The terms Habshi and Siddi could well be generic terms for the migrants from diverse African regions, which are now known as Nigeria, Sudan, Mozambique and Ethiopia, who adopted India as their homeland. See: K. Sahni, Multi-stories. Cross-cultural Encounters, New Delhi 2011, p. 183.

²³ According to the author of these words, Al-Habash was the Arab name for Ethiopians, the Semitic-speaking Ethiopians call themselves Habesha or Abesha, and also in Asia people of African origin have been known as Abexin, Abexum, Abisi, Abyssinian, Habshi, and Habsie. See: S. de Silva Jayasurya, ‘Identifying Africans in Asia...’, pp. 10-11.

²⁴ Words which the Arabs used to describe non-Muslims became ethnonyms for Africans as the Europeans adopted Arabic term. English travellers reported of cofferes (a word they used for Africans) in India. Apparently, the majority of cofferes in Goa had come from Mozambique. See: ibid., p. 14.

²⁵ Ibid., pp. 24-25.

²⁶ Ibid., p. 24.
However, as he also points out, there are scholars who believe that the Word Siddi has its origins in Saydi which means ‘captive’ or ‘prisoner of war’ in Arabic.27

Nowadays the Afro-Indians, here referred to as Siddis, live in coastal Karnataka, Gujarat, and in some parts of Andhra Pradesh.28 They are mostly members of the tribal population and are generally thought to be the descendants of slaves brought to India from East Africa and – more precisely – from the Bantu-speaking areas of the region.29

We know no exact date when the first Siddis came to the Subcontinent, but it seems to be a generally accepted conviction that it must have happened at least 700 years ago, if not earlier.30 They were brought on ships by Arab merchants who sold them as slaves to Indian rulers.31 Soon they became to be known as powerful warriors as well as very loyal servants. Therefore they held many positions at court, were often used as soldiers and some of them even played important roles in the armies and in political warfare. The greatest of them became rulers, others bought their freedom or escaped and finding shelter in the forests created independent communities. In history there are registered cases of African slave women becoming queens of the Muslim monarchs. Today the majority of the Indian Siddis live in poverty, generally not aware of their great past of which the history books provide several illustrious instances.

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27 Ibid.
28 There are about 250,000 Afro-Indians, i.e. Indians of African origin, in India, settled in the state of Gujarat bordering Pakistan and, in the states of Andhra Pradesh in south-central India (former Kingdom of Hyderabad), Maharashtra (formerly Bombay State), Kerala and Karnataka in the south, and the former Portuguese territories of Daman, Diu and Goa. In Gujarat they are found in the districts of Ahmedabad, Amerili, Jamnagar, Junagad, Rajkot, Bhavnagar, Broach/Bharuch near Ratanpur, and the former Kingdom of Cutch/Katchch. They are normally settled in areas of their own, but in Ahmedabad, Broach and Cutch they live in mixed areas as they do in parts of Andhra Pradesh. See: A.Y. Lodhi, ‘African Settlements...’, p. 83.
29 See e.g.: A.M. Shah et al., “Indian Siddis...”, pp. 154-161.
30 Black slaves from the Coastal strip of Ethiopia to Mozambique were carried by Arab slave traders to various parts of the Muslim world, including India. Their presence is recorded since the early establishment of Muslim rule during the Sultanate of Delhi (13th to 16th centuries). African slaves continued to be imported to Western India until the late 19th century. Teotonio de Souza [...] reports on manumission in Goa, the headquarters of the Portuguese Estado da India [...]. This is substantiated by a document in the Archives at Goa [...] entitled Cartas de Alforria aos Escravos 1682-1759 [which] reports of a slave, Natalia, who was recorded as belonging to Abassy (i.e. Habshi) caste. See: S. de Silva Jayasuriya, ‘Identifying Africans in Asia...’, p. 11.
31 It appears that a large number of Sidis came, or were brought, to India from different parts of Africa as soldiers to serve in the Muslim armies of the Nawabs and Sultanes – hence their Muslim Faith and relative absence of the Hindu caste system among them. Many were officials in the Muslim, and later Hindu, armies and royal bodyguards and rose to power in more than one place [...]. Some were singers and drummers. [...] The Sidis of Jambur are supposed to have originally come from Kano in Nigeria via the Sudan and Mecca after their Hajj pilgrimage. Their leader was a wealthy merchant by the name of Baba Ghor who first settled in the Rajpipla Hills near Broach and Cambay (Khambat) where he developed mining and trade in agate [...]. Some Sidis came to India as special servants in the courts of Muslim Nawabs and Sultans, while some came as herbalists and midwives. A few were brought by Indian merchants returning home from Africa, and a few were brought as slaves especially in the Portuguese territories. See: A. Y. Lodhi, ‘African Settlements...’, p. 84.
Illustration 1. Yasmin Mahal, wife of Wajid Ali Shah\textsuperscript{32} (1822-1887), the last king of Oudh in Uttar Pradesh.\textsuperscript{33}

\textsuperscript{32} This ruler of Awadh is said to have had his personal bodyguards who were female African soldiers dressed in red jackets and tight-fitting, rose-coloured silk trousers. See: R. Llewellyn-Jones, \textit{The Last King of India. Wajid Ali Shah, 1822-1887}, London 2014. The same author also describes the involvement of the nawab’s African guards in defending his realm during the siege of Lakhanu in the time of the Sepoy Rebellion: \textit{During the siege and the subsequent recapture of the city in March 1858 African men and women were involved in the thick of the street fighting. One man in particular, strategically placed at the upper window of a house overlooking the Residency, was nicknamed with grim humour ‘Bob the Nailer’ by the British troops because of the number of victims he shot and killed. The female African sniper had been perched in the branches of a large tree overlooking the Sikanderbagh, a walled garden containing a small house and mosque built by the Nawab for one of his wives, where hundreds were killed during the advance on the Residency. The sniper and other ‘African negresses’ among the dead at the Sikanderbagh were armed with superior rifles, unlike the Indian rebel fighters who carried old-fashioned muskets. Moreover in the words of a British officer who was an eyewitness, ‘they fought like wild cats, and it was not till after they were killed that their sex was even suspected.’ Why these men and women supported their former master, the slave-owning Wajid Ali Shah, rather than the British who had prohibited slavery, can be answered from British government records in the Delhi National Archives. See: R. Llewellyn-Jones, ‘Africans in the Indian Mutiny’, \textit{History Today}, Vol. 59, No. 12 (2009), at <http://www.historytoday.com/rosie-jones/africans-indian-mutiny>, 12 January 2016.

3. SELECT CASES OF INDIVIDUALS OR GROUPS OF AFRICAN ORIGIN IN INDIAN HISTORY AND POLITICS

The African slaves in India had made their contribution to the society at large. They were employed by the monarchs to defend and support their domains but they were also used as cheap labour. Initially, armies of these slaves were enlisted by Muslim rulers to safeguard their own interests. The Portuguese too adopted the same policy and later the Hindu rulers also started engaging them in their armed and naval forces. However, the instances when the slaves became rulers, or even created their own well-maintained and long-lasting kingdoms, constitute the most astonishing part of their history on the Subcontinent. The cases chosen for further discussion include the individual achievements of Jamal-ud-Din Yaqut, the brief outline of African Habshi Dynasty of Bengal and presentation of the role played by the Africans (Habshis) in the Deccan Sultanates of Bijapur and Ahmadnagar, with particular attention devoted to the most outstanding among them – Malik Ambar.

3.1. Jamal-ud-Din Yaqut was most probably the first African slave who became almost a legend as his social status has changed dramatically within a reasonably short period of time. His illustrious (but also tragic) carrier began during the reign of sultan Iltutmish, the third ruler of the Slave Dynasty (or the Mamluk Dynasty), who were the founders of the Delhi Sultanate and its rulers in the years 1206-1290. The dates of Yaqut’s life are not exactly known, but with some certainty they can be established sometime between 1200 and 1240 (the historians are quite certain about the year of his death). Yaqut was a Siddi, or a Habshi, most probably Abyssinian by birth, who rose from the position of a slave to the rank of a nobleman.

The court of Iltutmish was a place where many slaves were employed for military duties. However, the distinction between the slaves and the nobility had to be firmly kept. Especially, because the ruler himself came to Delhi as a slave and advanced to the rank of a province governor after gaining the trust of his master, sultan Qutub-ud-din Aibak. Already before the sultan’s death he was powerful enough to succeed him, with the sufficient support of the nobility. Iltutmish’s reign lasted for twenty six years and,

35 As for example the island-fortress named Janjira, placed on the coast of the Indian state of Maharashtra, which is also called Habsan (belonging to Habshis, the African land). The word Janjira is a corrupted Marathi version of the Arabic jazeera (an island). It is one in the chain of forts ruled by Abyssinian chiefs and sailors from Janjira to Due. They had their own boats, horses and foot soldiers, and were able to sustain armed resistance to the Portuguese and Marathas in the 17th-18th centuries. There is an interesting legend (perhaps not as well-known as the one of the Trojan horse) about an Abyssinian leader who, around 1489 AD, in a merchant’s disguise convinced the rulers of the island to allow him to send to them three hundred boxes with some precious goods. However, in reality, in every box there was a soldier and by such a deception the Abyssinians were able to take control over the Janjira fort. See e.g.: D. R. Banaji, Bombay and the Sidis, Bombay 1932, p. xx.
before he died, for the first (and also the last) time in the history of India, he appointed a woman, his daughter Raziya, as his heir.

Raziya sultan (as she wished herself to be called, since it was the only proper title of a ruler and not sultana that could be mistaken for being just a wife of a sultan), came to the throne in 1236, after overcoming the reluctance of the Turkish nobility and their intrigues which resulted in first placing her brother on the throne of Delhi, and she ruled for almost 4 years (until 1240). About her reign, the great traveller Ibn Batuta wrote: [...] the army agreed to place [...] El Malika Razia, upon throne, who reigned four years. This woman usually rode about among the army, just as men do. She, however, gave up the government, on account of some circumstances that presented themselves.37

The name of the "circumstances" mentioned by Ibn Batuta was without a doubt the one of Jamal-ud-Din Yaqut. With Raziya's support his status at court suddenly rose, and the former Abyssinian slave – and now the keeper of the royal stables – became the closest adviser and the only confidant of the ruler, so – the second (if only) person in the country. As a scholar of the Delhi Sultanate Peter Jackson rightly pointed out, the sources for Raziya's reign are quite limited. In fact, there was only one historian at her time, Ghurid Menhaj-e Seraj (d. ca. 1260), who recorded her actions as a ruler, though his remarks are rather cryptic.38 From what he writes about the relationship between Raziya and Yaqut a reader can get only a vague picture of a man on whom the queen depended upon to the point of self-destruction, because the fact that Yaqut, who was Lord of the Stables, [and] acquired favour in attendance upon the Sultān,39 must have caused a lot of envy among the Turkish nobility – envy that finally resulted in Raziya losing the throne and then both of them losing their life.

Moreover, the story about this relationship goes beyond the life of court politics. It becomes a tragic love-story, of an unmarried queen who fell in love with a black-skinned slave and made him the most influential person in the Delhi Sultanate. A Mughal historian of the mid-fourteen century wrote: I am told that she came out of purdah suddenly, discarded her modesty and became jovial. One day, she put on male attire and cap and came out of the exalted palace. [...] Then, I heard that for another six months that daughter of the renowned king continued to hold a public durbar; everyone high and low used to enjoy the sight of her face. After a month or two, she began to ride escorted by the State officers. This having continued for a full six months, everybody from the lowest to the highest became suspicious of her. I am told that a slave of the Ethiopian race used to stand by her side when she mounted her horse. With one hand he used to hold her arm and help her to

36 She was the only woman ever to become a ruler in India in her own right. That is, she did not replace a deceased husband or proxy as regent for a son or nephew. She was not a queen, but a crowned king... See: J. Brijbhushan, Sultan Raziya, Her Life and Times. A Reappraisal, New Delhi 1990, p. 117.
37 See: Ibn Batuta, The Travels, transl. from the abridged Arabic manuscript by the Rev. S. Lee B.D., London 1829, p. 113.
mount her horse firmly. When the grandees of the State noticed the liberties he took openly, they felt scandalized and said to one another privately: ‘From the way this demon has made himself more powerful in the State than other servants, it would be no wonder if he found his way to seize the royal seal.’

After this description, the same author moves on to some more general statements about female nature, which are supposed to justify the removal of Raziya from the throne by the Turkish aristocracy. He writes: All women are in the snare of the devil; in privacy, all of them do Satan’s work. [...] At no time can faithfulness be expected of women. [...] In public women look better than a flower garden, but in privacy they are worse than a fireplace. When the passions of a pious woman are inflamed, she concedes to an intimacy even with a dog. If a man places confidence in a woman, she makes him a laughing stock. A woman is a sign of danger wherever she [may] be, since she is of devilish disposition. To wear the crown and fill the throne of kings does not benefit a woman; [...] A woman cannot acquit herself well as a ruler, for she is essentially deficient in intellect [...] since attainment of high position on her part would make her intoxicated.

With the course of time, the story of Raziya’s love for Yaqut became more and more a tale of an ambitious upstart and a weak woman, who lost everything not being able to control her emotions. What is also more and more evident – is the strength, intelligence and perhaps some incredible charm of the Ethiopian slave which the female ruler simply found irresistible: It was not that a virgin Queen was forbidden to love – she might have indulged herself in a submissive Prince Consort, or revelled almost unchecked in the dark recesses of the Palace Harem – but wayward fancy pointed in a wrong direction, and led her to prefer a person employed about her Court, an Abyssinian moreover...

How accurate are these reports when it comes to their relationship on the personal level would be impossible to determine. However, what seems to be true, is the dramatic end of the story. Raziya’s attachment to Yaqut, even if only emotional, became a threat to the Turkish aristocracy, as well as the high-rank military. The issue was not only the low status of Yaqut, but also the colour of his skin. Consequently, an uprising against Raziya’s rule broke out. Together with Yaqut she decided to escape from Delhi, but they were captured and (according to the most popular version of the story) Yaqut was killed on the spot and Raziya was taken prisoner and forced by the circumstances to marry the one who started the rebellion against her. Soon after, while trying to regain the throne of Delhi, she was murdered (and so was her husband).

3.2. The Habshi Dynasty of Bengal (1486-1493) was a dynasty of the four rulers: Ghiyas ud-din Barbak Shah (r. 1486-1487), Saif ud-din Firuz Shah (r. 1487-1489), Qutb ud-din Mahmud Shah (r. 1490) and Shams ud-din Muzaffar Shah (r. 1490-1493).
which ruled Bengal for six years. However, its presence is yet another example of the will power and strength of Africans in India.

During the time of the Delhi Sultanate, Bengal was a state of a considerable independence from the capital, with a fairly mixed population which needed a firm but tolerant ruler, who would on the one hand manage Muslim aristocracy, on the other – the rich Hindu landowners. To secure peace and harmony, one of the priorities of the ruler was to create and keep a strong army. Perhaps for that reason, Rukh-ud-din Barbak, who ruled in 1459-1474, as the first Indian monarch in history decided to empower his army with unusually large number of slaves, brought for this purpose by the sea straight from Abyssinia. Their number most probably exceeded eight thousand. Rukh-ud-din Barbak died in 1474, possibly not aware what consequences of his actions the state will have to take. The throne was succeeded by his son, Yusuf, who tried to deprive the Africans of at least some of their privileges and to limit their influence but, since at that time “there were about 20,000 Ethiopian riders of the sultanate in Bengal,” his chance of obtaining this goal were not great. He created, however, as a kind of counterweight, a palace guard of five thousand Bengali paiks (‘footmen’). After his death, in 1481, it soon became apparent that his son was not fit to rule, so his grand-uncle Jalal-ud-din Fatah Shah was enthroned. He was not popular among the African soldiers due to his attempts to discipline them. Unfortunately for him, these were the times when the “African slaves were particularly powerful” which inevitably led to his assassination in 1486. He was killed by Sultan Shahzada, one of the palace eunuchs, who took the throne and ruled under the name of Ghiyas ud-din Barbak Shah.

The short and unstable reign of Barbak opens the period of the Habshi Dynasty in the history of Bengal. He ruled for approximately six months and was most probably tormented either by the guilty conscience or by the fear of losing his life (or perhaps one simply led to another). That made him paranoid to the point of easily giving orders to execute other Abyssinians under the slightest suspicion of treason. He also made sure that all the court administration included only his most trusted men, no matter whether they were fit for the post assigned to them. This kind of behaviour made him, of course, most unpopular among his subjects.

All of Barbak’s fears came true when Indil Khan, also an African slave, who was elevated to the rank of amir al-umara (‘commander-in-chief’) of the Jalal-ud-din Fatah


C. Boyce Davies (ed.), Encyclopaedia..., p. 566.

A. Wink, Al-Hind..., p. 139.

Shah’s army, decided to take revenge on the usurper for murdering the rightful ruler. Apparently, the only reason behind Indil Khan’s decision was his loyalty to Fatah Shah. However, with the support of Fatah Shah’s widow, he ascended the throne in 1487, taking the name of Saif ud-din Firuz Shah. Perceived as the righteous avenger, he instantly gained the support of the nobility and proved to be the greatest ruler of the Habshi Dynasty. A kind man, he is said to have confounded his treasury officials by the largesse of his gifts to the poor.\textsuperscript{48} His reign lasted for less than two years, however, during this time he restored order in the kingdom, and discipline in the army, but historians have justly observed that his elevation established an evil precedent, and that it became an accepted rule in Bengal that the slayer of a king’s murderer was entitled to the throne.\textsuperscript{49} He also left a long lasting legacy – the Firuz Minar in Gaur (now in West Bengal), which can be considered a testimony of the short-lived but significant Ethiopian presence in Bengal.

\begin{figure}[h]
\centering
\includegraphics[width=0.5\textwidth]{firuz-minar.jpg}
\caption{The 26-meter-tall Firuz Minar in Gaur with the internal staircase of 73 steps. (Photo: RC&AKF)}
\end{figure}

When Firuz died in 1489 (most probably by natural causes, which would also make him an exception among the Habshi Dynasty rulers), the underage son of Fatah Shah was proclaimed as the next monarch, who took the name of Nasir-ud-din Mahmud II, with an Abyssinian nobleman, Habash Khan, as his regent. However, Habash Khan was very soon killed and his regency taken over by Siddi Badr, “the madman”, who had


the young king put to death [...] then seized the throne, under the name of Shams al-Din Muzaffar Shah, and instituted a reign of terror.\textsuperscript{50} The rule of Shams ud-din Muzaffar Shah began in 1490 and lasted for three years. He had an army of 30,000 of which 5,000 were Abyssinians.\textsuperscript{51} Historians describe his reign as the period of tyranny, with many of the court officials executed, incredibly high taxes and a great deal of bloodshed. The negative sentiments against him reached a climax when his minister, ‘Ala’-ud-din Husain, a Sayyid of Tamriz, retired from his service in disgust, the army placed him at its head and rose against the usurper.\textsuperscript{52} Siddi Badr’s army, even though besieged in Gaur, defended itself and its ruler for about three months. However, not being able to resist the enemy, the soldiers under the command of the sultan tried to flee the city which resulted in the death of the last Habshi ruler of Bengal. Soon after, Sayyid Husain was raised to the throne as Alauddin Husain and thus started the Husain Shahi Dynasty of Bengal.

The new monarch made sure that the Africans were successively expelled from the kingdom of Bengal, so they sought refuge first in North India (mainly Delhi) but later drifted south toward the Deccan and to Gujarat in the west. Many found employment as mercenaries.\textsuperscript{53} In the Deccan, the former Africans slaves – later called the “Abyssinian party” – dominated the sultanates of Bijapur and Ahmadnagar in the 15th and 16th centuries.

3.3. The Deccan Sultanates. Africans, commonly labelled with the term Habshis,\textsuperscript{54} were arriving to the Deccan since the pre-Islamic times, mostly brought as slaves or mercenaries by the Arab traders. But it was only after mid-fourteenth century, when a revolted Tughlaqs’ governor of the Deccan, Alauddin Bahman Shah (r. 1347-1358) established the Islamic Bahmanid Sultanate, that their influx increased significantly. That occurred mostly due to the rapid development of maritime trade in the Indian Ocean. Since the northern land routes into Central Asia remained under the control of the sultans of Delhi and were no more available for traders from the south, the ports along the Arabian Sea and the Bay of Bengal began to play a primary role, as the main centres of trade exchange. Luxury goods, Persian horses, and slaves were brought into the Deccan by the Arab merchants in exchange for Indian clothes and spices. Later, from the 16th century, African slaves were also brought to India by the Europeans, especially the Portuguese, who established themselves at several entrepôts on the west coast of India, and fetched slaves from East Africa until the first half of the 18th century.

\textsuperscript{50} R. Pankhurst, ‘The Ethiopian Diaspora...’, p. 194.
\textsuperscript{52} J. Allan, T. Wolseley Haig, \textit{The Cambridge Shorter History...}, p. 273.
\textsuperscript{53} C. Boyce Davies (ed.), \textit{Encyclopaedia...}, p. 566.
\textsuperscript{54} In the Deccan, not only Abyssinians were known as Habshis. The term was used for other Africans too, though most of those who were taken to India came from Africa’s eastern flank, i.e. Abyssinia, Sudan, Somalia and the Swahili coast of East Africa.
The Habshis, known as being physically powerful and fiercely loyal, had the reputation of good fighters and mostly came to the Deccan to fight in local armies as so-called jangju-s (‘mercenaries’), but they were also valued as concubines, domestic servants and farm labourers. Some of them arrived voluntarily too, including those who moved from other parts of India, e.g. Bengal. There were also Habshis who did not fight but were employed in many other realms of life, like Yaqt Dabulli, a prominent Ethiopian architect of Sultan Muhammad Adil Shah (r. 1627-1656), who was responsible for elaborate colour decoration of the great mihrab in the Bijapur Jami Masjid.

In the cosmopolitan atmosphere of the Bahmanid Empire, additionally catalysed by pervading syncretism of mystical Bhakti and Sufi movements, Habshis soon became an important part of the cultural and political landscape, rising often to the ranks of nobility at the courts of Deccani rulers. Their social and political role increased when they grew to be the object of rivalry between the two main forces clashing for control over the state, namely, those of non-Persian heritage, who spoke local languages and considered themselves Deccani, and Afaqis (newcomers from the west, known also as pardeshi-s, ‘foreigners’), who considered themselves Persian and spoke Persian or Urdu. The competition for the support of the Habshis was finally won by the Deccanis. It was a natural coalition, partly due to the religious convergence (both groups were Sunnis while Afaqis were mostly Shiites), partly because the dark-skinned Africans were looked down upon by the fair complexioned newcomers from Central Asia and Persia. From the times of Mujahid Shah (r. 1375-1378) the Habshis were employed in state service, mostly as bodyguards, and in the beginning of the 15th century they assumed considerable importance, as they played important roles in determining who would be the successors to the kings. During the regency of Mahmud Gawan (fl. 1460-1481), a skilful Iranian guardian of the minor sultan Nizamuddin Ahmad III, and later the prime minister of sultan Muhammad Shah III Lashkari, the situation changed: the African nobles were no longer in alliance with the Dakhnis, but had become a power to contend with in their own right, and the superior appointments were thus distributed fairly evenly between all three parties. Habshis were appointed as sarlashkar-s (governors) of two (out of eight)

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57 They were, among other things, traders, riders, personal guards, musicians, court jesters, personal attendants, masters of the royal stables, sailors, hunting assistants, kennel keepers, palanquin bearers, herbalists and midwives. See: ibid., p. 563.
provinces of Mahur and Gulbarga, and were recruited in equal number with Deccanis and Afaqis into the royal guard. Formally, however, most of them still belonged to the Deccani faction and supported its goals, including conspiracy that led to the false accusation and killing of Mahmud Gawan in 1481. Finally, the animosity between Deccanis and Afaqis, further aggravated by religious difference, weakened the Bahmani state to the point of disintegration, which started in 1490, when successive regions broke away and turned into five separate kingdoms of Ahmadnagar, Berar, Bidar, Bijapur, and Golconda, known as Deccan Sultanates. There is ample evidence that the Habshis were present and important in all of them, but in two they played especially significant role, namely in the Sultanate of Ahmadnagar ruled by the Nizam Shahi dynasty and the Sultanate of Bijapur ruled by the Adil Shahis.

Yusuf Adil Shah (r. 1490-1511), the founder of the dynasty of Adil Shahis which ruled the Sultanate of Bijapur for nearly two centuries, and former Bahmani governor of the province of Bijapur, announced independence from the declining kingdom in 1490. Himself a newcomer from Central Asia (he was, most probably, a Georgian slave purchased by Mahmud Gawan), he supported the interests of Afaqis (and Shiites), and shortly before his death he issued a decree prohibiting both Deccanis and Habshis, and even their children, from holding office. This law was abolished only in 1537 by the fourth ruler of the sultanate, Ibrahim Adil Shah I, who divided state offices between Deccanis and Habshis, at the same time putting an end to Shiite domination. Since then, the Habshis’ role in the sultanate steadily increased. During the reign of Ibrahim Adil Shah II (r. 1580-1627), the sixth sultan of Bijapur, whose unfriendly attitude towards the Shiite Afaqis caused the political unrest in the kingdom, an African soldier named Siddi Raihan formed the Habshi party and practically took control of Bijapur policy, serving first as a chief advisor (and for a short time also as a regent) to Ibrahim Adil Shah II and later as a Prime Minister at the court of his son Muhammad Adil Shah (r. 1627-1656). In 1635 he was given the honourable title Ikhlas Khan, by which he is known to history. For about five decades he was in charge of the sultanate administration, its commander-in-chief and minister of finances. He was also a very able and vigorous general, and under his leadership Bijapur expanded further to the south into Hindu territories in Mysore and Eastern Karnataka.

62 One of those Habshi sarlashkar-s was Dastur Dinar, wielding the administrative charge of Gulbarga, Aland, Ganjoti and Warangal. Known as a man of great ability and talent, he gained huge popularity among his subjects. When Muhammad Shah III tried to limit his power, he revolted against the sultan, and having mobilized a big army of mainly African soldiers, he occupied most of the territories of Telangana. Defeated and taken prisoner, but later pardoned and reverted to his position, Dastur Dinar remained one of the most influential nobles of African origin till his death in 1509 or 1510. See: ibid., pp. 50-54.
63 Ibid., p. 48.
64 For example, a hill outside the capital city of Bidar, once an Ethiopian fort and now a cemetery with tombs of African nobles and soldiers, is to this day known as Habshi Kot. See: G. W. Irwin, Africans Abroad. A Documentary History of the Black Diaspora in Asia, Latin America, and the Caribbean during the Age of Slavery, New York 1977, p. 149.
In the Bijapur Sultanate, before its ultimate conquest by the Moghuls in 1686, there were many other outstanding generals and governors of African descent. Shanti Sadiq Ali enumerates the names of several of them: Kamil Khan, Kishwar Khan, Dila- war Khan, Hamid Khan, Daulat Khan (known as Khawas Khan), Mohammad Amin (known as Mustafa Khan), Masud Khan, Farhad Khan, Khairiyat Khan and Randaula Khan (known as Rustam-i Zaman).\(^\text{67}\) They all made efforts to defend Bijapur from the threat of external powers (mainly Mughals and Marathas), tried to annex new territories to the sultanate by subduing neighbouring Hindu kingdoms and chiefdoms, and at the same time expanded their sphere of influence, shaping to a great extent the socio-political landscape of the region according to their own will. They not only achieved highest political or military positions, but also gained great financial wealth, supporting the economic development of the territories under their administration. That was, for example, the case of Randaula Khan, a Habshi general who ruled over the south-western corner of the Bijapur kingdom. His charge extended on the west coast from Ratnagiri town, going southwards round the Portuguese territory of Goa to Karwar and Mirjan, where he had his seat. The area under his control was famous for silk, pep-

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\(^{67}\) Ibid., pp. 111-130.
per and betel nut. By means of his agents Randaula Khan administered the flourishing ports of Rajapur in the north and Karwar in the south, through which the trade of the rich inland places flowed to Europe. Rich Habshi aristocrats often were also builders and patrons of the art, like Siddi Masud, the governor of Kurnool and regent of the last sultan of Bijapur, Sikandar Adil Shah (r. 1672-1686). Siddi Masud is credited with improving the famous Adoni fort, clearing the forest area in the vicinity of the town, establishing the townships of Imatiazgadh and Adilabad, and also constructing the excellent Jami Masjid in 1660. Moreover, he was an ardent art collector, and a patron of the Kurnool school of painting.

Siddi Masud was one of the last great Habshi leaders in the sultanate of Bijapur. For many years he fought relentlessly against Mughal and Maratha forces, defending the territories of the weakening kingdom. In 1683, after retirement, he settled in his jagir (landed property) in Adoni, and ruled there independently until 1689, when he finally surrendered to Anup Singh, the Mughal general in the service of Aurangzeb. As Pashington Obeng noticed, with the surrender of Siddi Masud and his courtiers, including his family, an important period in the steady decline of the military and political power of the Habshis (Africans) in the Bijapuri kingdom began.

The sultanate of Ahmadnagar, adjacent to Bijapur on the north, was proclaimed independent from the Bahmani kingdom a few months earlier than its southern neighbour, in the same year 1490. Although the constant rivalry between the factions of Deccanis and Afaqis was going on here too, the Habshis in Ahmadnagar were more prominent than elsewhere and had substantial control of the kingdom from the very beginning of its existence. Furthermore, in Ahmadnagar a number of Habshis raised themselves to the status of rulers. A mother of the third sultan Ibrahim Nizam Shah (r. 1595-1596) was an Ethiopian queen of his father, Burhan Shah. Ahang Khan, a chief of a small state feudatory to Ahmadnagar, was also an Abyssinian. When his realm was annexed by the Mughals in 1586, he joined the army of Ahmadnagar and for some time served under the legendary warrior queen, Chand Bibi. He then took part in conspiracy which led to her death, but continued to be an important figure in the sultanate and retired into obscurity only after Ahmadnagar was annexed to the Mughal empire in 1637.

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69 Not only Habshi military administrators, but also their children with local or African women, as well as the children of enslaved Ethiopian or Sudanese women who were concubines of Arabian and Indian men, were founders and designers of some of the mosques, mausoleums or other works of art in Bijapur and other Deccan sultanates. See: R. Segal, *Islam’s Black Slaves. The Other Black Diaspora*, New York 2001, pp. 50-51.
71 The conquest of the city of Bijapur by the Mughals and the final absorption of the sultanate into the Mughal empire, as well as the death of the last Adil Shahi ruler, took place three years earlier, in 1686.
72 P. Obeng, *Shaping Membership…*, p. 16.
73 S.K. Chatterji, *India and Ethiopia…*, p. 64.
74 Ibid.
But undoubtedly, the most famous among prominent Habshi nobles from Ahmadnagar (and, probably, among all the Africans in India) was Malik Ambar. Not much is known about his early years, apart from that he was born in the Ethiopian province of Harar,\(^{75}\) around 1550, and had been sold and resold several times by Arab slave traders in Hejaz, Mocha and Baghdad, among other places. In Baghdad, he was educated by his master, a merchant known as Mir Qasim, in administration and finance. Here also he became Muslim and had his original name – Shambhu – changed into Ambar (Arabic anbar ‘aubergine’).\(^{76}\)

In the early 1570s, Ambar was purchased by Chengis Khan, the peshva (chief minister) of the sultan Hussein Nizam Shah of Ahmadnagar, himself a former mercenary and one of the mightiest Habshi nobles in the Deccan at that time. The young slave impressed his new master and other Habshis with his knowledge of Arabic, his loyalty and his general intelligence.\(^{77}\) As his abilities and skills had been soon recognized, Chengis Khan employed Ambar as his personal assistant. Under the guidance of his master he was promoted to ever-higher positions of military and administrative authority.\(^{78}\) However, after Chengis Khan’s sudden death, the kingdom plunged into chaos and Ambar, freed by the widow of his former master, moved to the neighbouring sultanate of Bijapur, where he served as a military commander of a small contingent of troops and was given the honorary title Malik (‘like a king’).

Around 1595, dissatisfied with the insufficient funds offered to him by the sultan of Bijapur, he deserted and returned to Ahmadnagar, at that time torn by a war of dynastic succession and seriously threatened by the Mughals who were determined to conquer the Deccan. Accompanied by his corps of 150 loyal cavalrymen, Malik Ambar joined the army organized by the Habshi prime minister Abhangar Khan. Very soon his troops increased significantly to 7,000 men, and when in 1600 Ahmadnagar’s fort was finally seized by the emperor Akbar’s army, Malik Ambar began a heroic and unyielding struggle, aimed at reconstituting the disintegrated Nizam Shahi’s sultanate. To achieve this goal, in 1600, he installed a nephew of the defeated sultan Bahadur as a new Nizam Shah (Murtaza Nizam Shah II), and in 1602, he announced himself a regent of the puppet king (whom, meantime, he got married to his own daughter\(^{79}\)) and a new peshva of Ahmadnagar. As a de facto ruler, he managed to prevent the Mughals from taking full control over the region, fighting them bravely and astutely over the years and forcing the frustrated Mughal emperor Jahangir (Akbar’s son) and his generals to acknowledge Ambar’s superiority in terms of military tactics.\(^{80}\) Having his long-

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78 R. Shyam, Life and Times of Malik Ambar, Delhi 1968, p. 34.
80 On Jahangir’s obsession with the invincible Malik Ambar see ibid., pp. 127, 133 fn. 37.
time rival on the path to absolute supremacy, a Deccani Mian Raju, captured and executed in 1607, Ambar solely dominated the state’s affairs. In 1610 he managed to force out the Mughals from the Ahmadnagar fort and shifted his court from provincial city of Junnar, where it remained since 1600, to heavily fortified Daulatabad.\(^{81}\) the former capital city of the Yadava dynasty and a Deccani capital of the Tughluqs. Also in 1610, he had sultan Murtaza II and his senior queen assassinated\(^{82}\) and enthroned a five-year-old son of the murdered ruler as Burhan Nizam Shah III (r. 1610-1631), becoming his regent and the most powerful figure not only in Ahmadnagar but also in much of the Deccan.

By 1616, Malik Ambar organized and commanded an army of 60,000 cavalrymen consisting of men of various origin: Habshis, Arabs, Deccani Muslims, Hindus and Persians. He used artillery obtained from the British and maintained a naval alliance with the Siddis of Janjira\(^{83}\) to cut off Mughal supply lines. He also looked among his neighbours for the allies who could assist his endeavours to protect Deccan from the Mughal and European (Portuguese) threat. Partly to his own family affinities with the local aristocracy and kinship ties with influential Habshis from Bijapur he managed to get support from the sultanates of Bijapur and Golconda.\(^{84}\) Moreover, he mastered the guerrilla warfare and harassed the Mughal forces using light and highly effective Maratha cavalrymen, who were trained and remunerated by Ahmadnagar.

Apart from military and political successes, Malik Ambar stands out as a capable administrator and great builder. He developed a postal service, improving greatly the communication system in the kingdom. In 1612 he once again moved his capital, this time to a small village called Khadki\(^{85}\), and changed it into “an ideal capital” where wide roads were laid, canals and drains were built, public gardens were laid out, and several mosques and public buildings were constructed, the most famous being the Kalachabutra (“black stadium,” in which elephant games were played), the Kalamajid (“black mosque”), the Bhadkal Darwaza, and the Nakhuda Mhala (royal public buildings).\(^{86}\) Several major

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\(^{81}\) Ambar greatly expanded and strengthened the fortifications of Daulatabad to protect the city from the Mughals. Indeed, when in 1621 Shah Jahan’s forces tried to seize the capital, they did not succeed and suffered heavy losses. See: J. E. Harris, ‘Malik Ambar...’, p. 148.

\(^{82}\) According to a relation by a contemporary Dutch traveller, Pieter van der Broecke, Ambar’s move was caused by a quarrel between his own daughter, married to the sultan, and her fair-skinned Persian co-wife who had called the former a mere slave girl. However, more decisive was probably the fact, that Murtaza II more and more actively tried to influence the state affairs, which Ambar, as a peshva, considered his own and independent domain. See: R. M. Eaton, ‘The Rise and Fall of Military Slavery...’, pp. 125-126.

\(^{83}\) See footnote 35.

\(^{84}\) See: J. E. Harris, ‘Malik Ambar...’, pp. 148-149.

\(^{85}\) Or Kirkee in former British sources. After Malik Ambar’s death it was renamed first as Fatehnagar by his son and later, in 1653, as Aurangabad by the Mughal emperor Aurangzeb.

\(^{86}\) J.E. Harris, ‘Malik Ambar...’, p. 150. It is worth to notice that the public buildings constructed by Malik Ambar as well as his tomb were made of black stone, possibly because in this way he wanted to accentuate his African heritage and regard for his own dark skin – which, in the opinion of many people, including his chief enemies, the Mughals, was a mark of degradation and wretchedness.
reforms introduced by Ambar included recognition of the right to private ownership of property next to the communal lands and the thorough reorganization of the state’s feudal revenue system connected with the implementation of a tax policy that relied on accurate assessments of field cultivation and commodity values. Moreover, he proved to be a competent ruler of the multiethnic society, and one of his most precious qualities was the ability to win over the loyalty of people belonging to different ethnic groups. Ambar promoted his fellow Habshis, employing them mainly in the army and above all in his private guard, but at the same time, following the policy of religious tolerance, granted land both to Muslim and to Hindu residents and appointed his principal financial officials and tax collectors regardless of their faith. Ambar promoted his fellow Habshis, employing them mainly in the army and above all in his private guard, but at the same time, following the policy of religious tolerance, granted land both to Muslim and to Hindu residents and appointed his principal financial officials and tax collectors regardless of their faith. Under his rule every part of the society had a stake in the kingdom: Marathas were [...] prominent as clerks in the military and civil service. Arabs and Habshis were appointed to key military posts; they also, along with Persians, were the core of small business. Arabs and Persians monopolized the foreign trade, principally between the Deccan and the Persian Gulf. [...] trade was also developed with the Portuguese and the English.


87 R. Shyam, The Kingdom of Ahmadnagar, p. 280.
88 J.E. Harris, ‘Malik Ambar...’ p. 149.
Never conquered, Malik Ambar died in 1626, as a nearly eighty-year-old man. His son Fateh Khan succeeded him as the peshwa but three years later he was dismissed from this office by sultan Burhan III and then imprisoned for disobedience. In 1636 the Mughals finally overpowered Ahmadnagar, killing the possible Nizam Shahi heirs to its throne and incorporating its territories to the empire. A great number of Ahmadnagari Habshis found employment in administrations and armies of the new powers which from the mid-seventeenth century took control over the Deccan: the Mughals, the British and the Nizams of Hydarabad. The memory of Malik Ambar, the great African hero of the Deccan is still alive not only among their descendants but also among other denizens of Southern India.

CONCLUSION

Probably nowhere in the world did African slaves or ex-slaves manage to gain and maintain power for such a long time as they did in South Asia. Equally exceptional is the fact that the relatively small number of rulers of African descent, in India ruled over predominantly non-African populations. The examples selected for this article from the long history of African settlement in South Asia are a depiction of the way in which the status of Africans evolved in that part of the world, and how the attitude of society towards them gradually improved, along with the growth of their own social position.

The British rule in India in the 19th and first half of the 20th centuries resulted generally in a significant reduction of status and meaning of former local power elites, including the Siddi or Habshi magnates. But even in this period there were individuals who stood out from the fading African community in India. Among them were, for example, the Siddi nawabs of Janjira, who were officially recognized by the British Raj as rulers of separate princely states of Janjira and Jafarabad (existed until 1948, when both entered the Indian Union); Maharani Bamba Duleep Singh, a half Abyssinian married to Maharaja Duleep Singh, the last ruler of the Sikh empire (deposed by the British in 1848); or the Siddi rulers of another princely state of Sachin which existed in Gujarat from 1791 to 1948.

With the political changes on the Subcontinent after 1947, the situation of the African population also changed and now very little remains of the great past. The policy of subsequent governments of independent India did not bring much support to the Indian African communities scattered throughout the country. The specialist sources contain different data regarding the population of Siddis or Habshis in today’s India, with the highest estimation coming to 55,000 (after the partition, the vast majority of Siddis found themselves on the territories belonging to Pakistan and today it is Pakistan that has the most people of African descent in South Asia). Most of them live in small, provincial communities, in villages and forests of Karnataka, Maharashtra, Gujarat, West Bengal and Andhra Pradesh. They are, predominantly, poor and uneducated, mostly Muslims, but also Christians and Hindus. The majority of the Siddi popula-
tion all over India still remains isolated and economically and socially neglected, even though in recent years they have been registered on the governmental list of Scheduled Tribes. Theoretically, this privileged status provides access to reserved quotas of government jobs, quotas in state schools, bursaries and subsidized housing. However, most Siddis continue to subsist as very poorly paid agricultural and casual labourers or, at times, also as domestic help.

Today many Siddis are not in any way aware of their origin, and most of them have not even heard of Africa. They have adapted to the local cultures, accepting their religions, languages and customs, therefore the Siddi communities differ in various parts of India. Having lost their original African names, languages and culture, they have only retained minor residues of African tradition. This heritage is traceable in their music, songs, stories and uniquely African musical instruments. In this way, over many centuries, from once being Africans in India they became an integral part of the Indian population – Indians, who are described as African Indians mainly in scholarly studies, and figure as such in statistical data.

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The paper deals with the foreign policy of Ethiopia toward Somalia and issues connected to the informal relations with Somaliland and its possible international recognition in particular. Somaliland is de facto state which declared its independence unilaterally as a response to the outbreak of the Somali civil war in 1991. Even though it managed to promote peace and stability in its territory, it has not been recognized by any state of international community yet. However, it has developed strategic partnerships and relations with European and African countries. The most important ally or partner of Somaliland in the Horn of Africa is Ethiopia. It cooperates with Somaliland in the field of economy, politics and security. However, due to certain political and geopolitical factors, Ethiopia is not willing to recognize Somaliland de iure and is dedicated to the idea of united Somalia. Therefore, the strategies Ethiopia uses when dealing with this de facto state and also the geopolitical factors why Ethiopia is still not willing to recognize Somaliland de jure will be analysed in this paper. The possibilities of future development of Ethiopia-Somaliland relations will be evaluated considering geopolitical and political factors.

Keywords: Somaliland, de facto states, Horn of Africa, Ethiopia
INTRODUCTION TO THE ISSUE OF DE FACTO STATES

The era after the Second World War, and especially after the Cold War, was marked by the emergence of new territorial units within the existing international system, the so-called quasi states. These quasi states may refer both to failed states and de facto states, depending on the perception of this term by a particular author. According to Robert Jackson, quasi states are those state entities which are internationally recognized, yet they are not able to provide basic services for their citizens and therefore, they lack internal sovereignty. Quasi states without internal sovereignty are those which may be qualified in the taxonomy of statehood as weak, failing, failed and collapsed. According to the definition of Robert Rotberg, a collapsed state “is a rare and extreme version of a failed state. Political goods are obtained through private or ad hoc means. Security is equated with the rule of the strong. A collapsed state exhibits a vacuum of authority. It is a mere geographical expression, a black hole into which a failed polity has fallen.” The classical example of a collapsed state is Somalia in 1990s and at the beginning of the new millennium, when the State was convulsed by the civil war, fought by individual clan factions and there was no effective government which would be legitimate in the eyes of both Somali and international society.

The term quasi states has been used by other authors in connection to entities, which are able to provide basic services to their inhabitants, are able to control the territory they claim, nevertheless, they are not able to gain an international recognition. These so-called de facto states are, according to definition of Pål Kolstø those entities which fulfill three basic criteria: (1) their leadership must be in control of (most of) the territory it lays claim to, (2) they must have sought but not achieved international recognition as an independent state, and (3) they have persisted in this state of non-recognition for more than two years. Therefore the term quasi state may be used in connection to Somalia in both meanings: it may refer to the failed state of Somalia and at the same time it may refer to Somaliland within the meaning of a de facto state.


Currently, there are six entities in the international system, which are widely considered de facto states. Most of them emerged due to the secessionist movements in southern Caucasus, such as Abkhazia, South Ossetia or Nagorno-Karabakh. Apart from these, there are two de facto states in Europe, Pridnestrovian Moldavian Republic, and Northern Cyprus. In Africa, the only contemporary example of a de facto state is Somaliland. However, we may observe in history the emergence of de facto states such as Biafra and Katanga.

De facto states are entities that fulfill the criteria of empirical statehood defined in the Montevideo Convention of Rights and Duties of States (1933) as: (1) a permanent population; (2) a defined territory; (3) government; and (4) capacity to enter into relations with other States. It indicates that states are defined besides population and territory also by their internal and external sovereignty. Therefore, since de facto states have not been able to acquire international recognition due to various reasons, they are those quasi state entities which lack external sovereignty. In order to achieve international recognition, de facto states use various legitimization strategies, mainly based on historical continuity of statehood, remedial right on secession on the basis of human rights violation or pointing out to the democratization process in particular de facto state. De facto states seek international recognition and related external sovereignty since, according to Barry Bartman “for leaders of unrecognized states, international and legal acceptance would surely reinforce the legitimacy which they believe to be the basis of their claims to separate statehood”. Moreover, gaining international recognition enables de facto states to become members of international organizations and develop closer relations in the field of economy and politics with other states of the international community as well as to obtain loans from international financial institutions, material aid and foreign investments. Nevertheless, in the words of Francis Owtram, “the first aim of these unrecognized states is survival – militarily, politically and economically – in the form of promotion trade, investment, or aid. Underlying all this is the search for recognition or engagement.” These are main reasons why de facto states develop mechanisms of foreign policy, even though, in contrast with recognized states their major foreign policy aim is increase their recognition through economic engagement.

Generally speaking, international society deals with de facto states in three ways: “actively opposing them through the use of embargoes and sanctions; generally ignoring

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9 Ibid., p. 136.
them and having no dealings with them; and coming to some sort of limited acceptance and acknowledgment of their presence”\textsuperscript{10}. As Hoch states, “the reluctance of recognized states and international organizations to engage in de facto states is a result of the long-standing emphasis of the international community on the territorial integrity of the state and results in inviolability of state borders.”\textsuperscript{11} In the African context, the approach of international organizations towards de facto states and possible cases of secessions are limited by ongoing commitment to the inviolability of borders enshrined in the Charter of the Organization of Africa Unity, Resolution 16(1) on Border Disputes between African States adopted in Cairo in 1964 and in Article 4b of the Constitutive Act of the African Union adopted in Lomé in 2000. Therefore, the African Union and member states of this organization are not much willing to get involved with Somaliland and embrace a negative attitude towards the Somaliland case. However, Ethiopia is one of the African states, which developed informal relations with this de facto state. Therefore, the main aim of this text is to analyse the approach of Ethiopia towards Somaliland and the geopolitical factors which, on the one hand, help develop informal relations between these two entities, and on the other hand prevent Ethiopia to recognize Somaliland de jure.

From the methodological point, this paper is intrinsic case study.\textsuperscript{12} It is mainly based on the analysis of newspaper articles as well as official statements and documents of the Government of Somaliland supplemented by the author’s participant observation during her study stays in Ethiopia in 2010, 2011 and 2015. The introductory part of the paper is dedicated to the theoretical framework of the topic, such as the definition of basic terminology of quasi states. In the following part, relations between Somaliland and Ethiopia from the historical perspective are analysed. The special attention is devoted to the mutual relations between Somaliland and Ethiopian governmental officials. The subject of Somaliland-Ethiopian relations is analysed in a wider geopolitical framework of Ethiopia’s aspirations to become a leading power in the Horn of Africa region.

RELATIONS BETWEEN SOMALILAND AND ETHIOPIA

Somaliland is a de facto state situated in northern Somalia and inhabited mainly by the Isaaq clan with minorities of the Daarood clan families (the Warsangeli and Dulbahante clans) and the Dir clan family (the Gadabuursi and Isse clans). Its territory corresponds to the former British Protectorate Somaliland. In 1960, it gained independence


from Britain and enjoyed five days of independence before it was merged with former UN Trusteeship under the Italian administration and united Somali Republic was established. However, due to the repressive regime of General Siad Barre, the insurgent groups emerged first in northern Somalia, where they began their struggle against the Somali government. The most important of them was the Somali National Movement (SNM), which later became the leading political power in Somaliland. In response to the developments in southern Somalia, where fighting between clan factions emerged after Siad Barre was removed from his position, the representatives of SNM unilaterally declared the independence of Somaliland at the Grand Conference of Northern Nations (Shirweynaha Beelaha Waqooyi) in Burco on 18 May 1991.13

Ethiopia maintains a good relationship with Somaliland since the declaration of its independence in 1991. Due to the rivalry between Somali and Ethiopian regimes in the 1980s, Ethiopia supported and served as a safe haven for the Somali insurgency groups from northern Somalia, such as SNM. Moreover, during the Barre’s reprisals against northern Somalia at the beginning of the Somali civil war between 1988 and 1991, which resulted inter alia in the bombardment of Hargeysa, Ethiopia served also as a target country for migrants from northern Somalia.14

In order to gain international recognition, Somaliland is trying to establish relations with the states and international organizations through the Ministry of Foreign Affairs and unofficial embassies in many countries of the world. These offices issue visas, promote trade and foreign investments and also seek international recognition. However, they are not recognized as official embassies under the Vienna Declaration on Diplomatic Conventions.15 Even though Somaliland still has not been recognized de jure by any member of the international society, it was recognized as a de facto state by Djibouti in 1997 for the first time. Ethiopia was the first country which officially referred to Somaliland as a sovereign state and her President as a Head of State during the 9th African Union summit in Accra, Ghana held between 25 and 29 June 2007.16

Somaliland’s diplomatic mission was established in Addis Ababa and vice versa, Ethiopia was the first country to establish its diplomatic mission in Hargeysa. It was first set up as a quasi-embassy and in 2006 upgraded to Consular General. It serves not only for consular purposes but engages itself in vast areas of political and economic affairs. Besides Addis Ababa, Somaliland has its informal diplomatic missions in Great Britain, United Stated, Sweden, Kenya, France, Norway, Belgium, Djibouti, South

Sudan and Canada. Besides that, Somaliland passports are acknowledged by South Korea, Kenya, Djibouti and Ethiopia. Moreover, also Turkey starts to deepen its relations with Somaliland which may be illustrated by the fact that on 23 November 2013 the Turkish ambassador expressed the intention to open a Turkish consular office in Hargeysa.

Moreover, Somaliland receives delegations from abroad and its representatives have attended the ministerial meeting held in the World Bank. Also, top officials of Somaliland travel regularly on official visits to foreign countries. For example, in 2000, the Somaliland delegation led by President Mohamed Haji Ibrahim Egal accompanied by eight ministers visited Ethiopia at the invitation of Ethiopian Prime Minister Meles Zenawi and signed agreements on trade and communications development with the Ethiopian government. The visit was motivated mainly by economic reasons, since the Somaliland delegation offered to its Ethiopian counterparts the use of the Berbera port for Ethiopian export and import and for oil storage as well. In 2006 president Daahir Ryaale Kaahin undertook a broader tour of East Africa with stops in Tanzania, Kenya, Rwanda, Uganda and Zambia. In a similar way, the Ethiopian delegations visited Somaliland several times. For example, in April 2001, a delegation led by deputy foreign minister held talks with Somaliland President Mohamed Haji Ibrahim Egal on trade and bilateral relations and possibilities of opening an Ethiopian trade bank branch in Hargeysa.

Recently, a high-level Ethiopian delegation, comprised of ministers, deputy ministers, and other senior governmental officers visited Somaliland in November 2014. The Ethiopian delegation discussed with its Somaliland counterparts trade, investments and infrastructure cooperation and possibilities of their future deepening. Discussions were concluded by the signing of the Memorandum of Understanding between Somaliland and Ethiopia and the establishment of the fourteen-member joint “Ministerial Commission”. The Ethiopian delegation appreciated the positive development in Somaliland especially in the field of security. The President of Somaliland Ahmed Mohamed Mahmud Silanyo declared during a state dinner that “Ethiopia has been and will

be a good friend of Somaliland and have a very close relationship”.23 This suggests that Ethiopia is perceived by the political representation of Somaliland as a crucial partner in the region and that Somaliland is willing to maintain good relations with Ethiopia not only in order to gain an international recognition but also seeks to cooperate in the field of security, economy and foreign trade.

Ethiopia has signed several bilateral agreements with Somaliland, for example in 2006 they signed the agreement about the usage of the Berbera port on the Somaliland coast and other agreements referred to the provision of custom offices along the common border.24 The Berbera port is after Djibouti the second most important export and import hub for the landlocked Ethiopia. Its importance for Ethiopia was reflected mainly due to the Ethiopian-Eritrean war, when it was no longer possible for Ethiopia to use the Eritrean port of Asmara. Imports from the port of Berbera are transported through the so-called “Berbera corridor” which passes via Tog Wajaale and continues to Ethiopia.25 This corridor is perceived as a key route from landlocked Ethiopia to the Somaliland coast and therefore the project of building and repairing the road from Addis Ababa to Berbera was proposed already in 2000, when the Berbera port was offered to be fully used for Ethiopian export and import. However, this project proposal has not been accomplished and Somaliland government has not invested much in rebuilding of this corridor and therefore, it remains still under-utilized.26 Nevertheless, the transit route between the Ethiopian Dire Dawa and Somaliland’s Berbera port is the most important source of revenue for the Somaliland government.27 In order to reduce its dependency on the Port of Djibouti, Ethiopia recently decided to develop links to the Mombasa Port in Kenya, Port Sudan and Berbera Port in Somaliland. During the November 2014 visit to Somaliland, Ethiopian delegation inspected port and fuel storage facilities in Berbera, since 5 to 10 percent of the Ethiopian imports are planned to come through this port.28 Ethiopia is connected to Somaliland also by the air routes. Since the beginning of the new millennium, Ethiopian Airlines have offered direct regular scheduled flights from Addis Ababa to Hargeysa and Berbera in Somaliland.

Apart from the economy and foreign trade Ethiopia cooperates with Somaliland also in the field of general security and border security. Despite efforts to stabilize its territory, Somaliland became the target of several al-Shabaab terrorist attacks. For ex-

24 B. R. Farley, ‘Calling a State a State…’ , p. 789.
26 M. A. Duale, S.M. Ahmed, ‘Re-examining Somaliland’s Relations…’
ample, al-Shabaab is responsible for the bombings in Somaliland’s capital Hargeysa and Puntland’s port Boosaaso in 2008, which were directed \textit{inter alia} against the Ethiopian diplomatic mission, presidential palace and United Nations Development Programme mission in Hargeysa.\textsuperscript{29} Besides terrorism, another security problem in the Horn of Africa in the first decade of the new millennium was piracy. In order to fight pirates effectively, Ethiopia and Somaliland concluded an agreement about the development of their security cooperation and creation of counterterrorism and anti-piracy mechanisms in October 2010.\textsuperscript{30} In February 2015 in response to the ambush attempt of gunmen in the border region of Awdal, Somaliland and Ethiopia agreed to strengthen cooperation in the field of general security and border security. However, border security was discussed by the political representation of both states already in the previous era especially in connection to the efforts to prevent Islamist terrorist groups to penetrate territories of both Somaliland and Ethiopia.

As mentioned above, Somaliland established a broad spectrum of unofficial political and economic relations with Ethiopia. However, the Ethiopian government has a reserved attitude to the possibility of recognition of Somaliland with regard to efforts to preserve the territorial integrity of African states, but especially on a large Somali population within its own territory, in the Ogaden region. Like Kenya also Ethiopia fears that recognition of Somaliland could lead to renewed efforts of the irredentist Somali population in the region.\textsuperscript{31}

\section*{REGIONAL POLITICS OF ETHIOPIA AND ITS LIMITS TO SOMALILAND’S RECOGNITION}

Due to its important role within international organizations and its intended position of a regional hegemonist, Ethiopia is one of the crucial states in the case of Somaliland’s recognition. The case of international recognition of Somaliland is to a great extent influenced by the interests of individual African states, especially regional powers and regional integrations. Regional organisations such as the Intergovernmental Agency for Development (IGAD) and the East African Community (EAC) play an important role in the East African politics. At the same time, the political orientation of these organizations is shaped by powerful countries in the region, e.g. Kenya and Ethiopia play an important role within the IGAD, and a policy of this organization to some extent follows the interests of these states. Ethiopia as a seat of the Commission of African Union and one of the key states in this organization has committed itself to the principle of territorial integrity and the maintenance of colonial borders enshrined in the found-


ing document of the Organization. Therefore, it rather favours the status quo and is not much willing to articulate the issue of Somaliland’s recognition in international fora.

However, it has engaged itself in the reconstitution of the Somali state since its collapse in 1991 and it has been trying to promote its own interest in the region. It has influenced the creation of transitional governments in Somalia and hosted four Somali national conferences, three of them in Addis Ababa between 1992 and 1993 and one in Sodere in 1997.  

The main regional interest of Ethiopia has been in fact a fragmented and weak Somalia, thus de facto a confederation of autonomous territorial and political units, and therefore this state has not only supported Somaliland, but also has provided its assistance to Puntland under the leadership Cabdullaahi YuusufAxmed. Ethiopian regional policy has stood in opposition to the bloc formed by Egypt, Saudi Arabia and Djibouti which supported the creation of the Somali Transitional National Government, which emerged from a conference in Arta in Djibouti in 2002. In response to the creation of the Government, formed to a large extent by politicians with a dismissive attitude towards Ethiopian regime, Ethiopia decided to provide assistance to the coalition of southern Somali armed clan groups, grouped in the Council of Somali Reconciliation and Reconstruction (SRRC).33 After the fall of the Somali Transitional National Government, Ethiopia engaged itself in Somali politics with its support for Somalia’s Transitional Federal Government under the leadership of Cabdullaahi Yuusuf Axmed. This regime was to some extent a puppet regime of Ethiopia, which is also proven by the appointment Maxamed Geedi, known for his close relations with the Ethiopian regime, as the Prime Minister. Moreover, in 2006 Ethiopia supported the TFG militarily in its fight with the Islamic Courts Union (ICU).34

Ethiopia along with Kenya, Uganda, Djibouti and other African states engages itself under the auspices of the African Union mission AMISOM in the peace operations in Somalia with the aim to push the Islamic militia al-Shabaab from the southern Somali region. Al-Shabaab is the real threat to the security of the whole Horn of Africa region, because it is able to plan and carry out terrorist attacks not only in Somalia, but also in neighbouring countries. This organization, which is to some extent affiliated to al-Qaeda is, for example, responsible for the attack on the Westgate shopping mall in Nairobi in September 2013 or Kenyan Garissa University in April 2015. In addition to that, Al-Shabaab has, according to the UN Monitoring Group on Somalia and Eritrea, planned a terrorist attack in Addis Ababa in October 2013.35 Therefore, it is in Ethiopia’s interest to try to stabilize the security situation in southern Somalia and to take part in the AMISOM operations against al-Shabaab. However, Ethiopian troops are

34 K. Rudincová, ‘Power and Powerlessness...’
perceived as alien in Somalia due to the long history of mutual violence and rivalry between Christian kingdoms in Ethiopia and Muslim states in Somalia which took place since the medieval history.

The Ethiopian geopolitical interests in the Horn of Africa are affected by its continuing rivalry with Egypt, which opposes Somaliland's efforts of gaining independence and proposes a Somali unitary state which would serve as a counterweight to Ethiopia. However, at the same time, Ethiopia is not willing to antagonise Arab League states, due to their mutual economic ties. Moreover, Somalia has served as a arena for proxy wars between Ethiopia and Eritrea. Since 1960s Ethiopia has supported various dissident groups in Somalia and then, since 2007 has focused on the securing its border with Somalia in the Ogaden region which is home to 4 million Somalis. Eritrea has been accused of the sponsorship provided for Islamic military organizations such as al-Ittihad al-Islami in Somalia as well as Ogaden National Liberation Front (ONLF) in the Ethiopian Somali region. In this context, another aim of Ethiopian foreign policy in the Horn of Africa also involves preventing penetration of the ONLF cells into the region and gaining power of Islamic organizations, which are perceived as enemies to Christian Ethiopia. Somaliland, in return for good economic relations and cooperation with Ethiopia, is hostile not only to the ONLF but other insurgent groups operating within its region. There are Ethiopian claims that Eritrean-trained forces of ONLF were infiltrated via Djibouti to Somaliland which records the fact that in 2003 and 2010 ONLF fighters transiting Somaliland for Ethiopia were arrested.

Historical experience, geographic proximity and geopolitical interests limit the possibility of Ethiopia to internationally recognize Somaliland. For this reason, the Ethiopian Prime Minister Meles Zenawi declared that he expected Somaliland would be recognized first by the other states and in the meantime Ethiopia would support Somaliland in the informal way. According to David Shinn, the main cause of Ethiopia’s reserved approach to the possibility of recognizing Somaliland is the fear of criticism from the Somali government that Ethiopia is trying to balkanise Somalia and weaken the Somali unity. On the other hand, Somaliland's political representation does not have an overly favourable negotiating position due to its economic weakness, and therefore has not been able to put the diplomatic pressure to Ethiopia in terms of the issue

I. D. Jhazbhay, Somaliland..., p. 158.


I.D. Jhazbhay, Somaliland..., p. 160.

of its international recognition. A consequence of this is that Ethiopia lacks of political willingness in recognizing Somaliland de jure and instead, it prefers to establish mainly economic relations and conclude ad-hoc agreements with this de facto state. Another type of criticism is directed at Somaliland’s political representation due to its inability to propose a development programme which would attract direct Ethiopian investments in Somaliland.\textsuperscript{43}

This ambivalent approach of the Ethiopian policy towards the issue of Somaliland’s international recognition may be well illustrated by the quotation of the Ethiopian Consul General in Somaliland Brigadier General Berhe Tesfaye: “On the issue of the statehood of Somaliland, I and my government believe that such an internal issue should be dealt with by the direct stakeholders with homegrown peaceful means. [...] Meanwhile I believe that the people and government of Somaliland deserve broader international support and aid as they are contributing a lot in improving the peace and stability of this part of the volatile Horn of Africa.”\textsuperscript{44} The Consul General stressed in this interview that the Ethiopian government develops efforts to convince the international community of the need to provide financial assistance to Somaliland regardless of its position in the international system.

\section*{CONCLUSION}

Since the declaration of its independence, Somaliland has been trying to develop good relations with Ethiopia. However, the possibilities of Ethiopia to support the international recognition of Somaliland are limited mainly due to its position as a hegemonist within the Horn of Africa region. Therefore, the main emphasis of the Ethiopian policy towards Somaliland has been placed on the development of economic relations without recognition. Therefore, it correlates with the third possibility of an approach of the international community towards de facto states defined by Scott Pegg.\textsuperscript{45} Ethiopia maintains good relations with Somaliland mainly because of its need to use the Berbera port for its imports and exports. Another reason is the Ethiopian need to secure its neighbourhood, since the borders in the Horn of Africa are permeable. Therefore, by cooperation in the field of security Ethiopia is able to prevent the infiltration of Islamic groups as well as other insurgent groups such as ONLF into its territory.

Ethiopia, due to its intended position as a regional hegemon, has to balance its policy in the Horn of Africa. On the one hand, it has engaged itself in the internal affairs in Somalia by its support of the Somali peace process and especially by the backing of the Somali Transitional Federal Government. However, on the other hand, it has

\textsuperscript{43} M.A. Duale, S.M. Ahmed, ‘Re-examining Somaliland’s Relations...’


\textsuperscript{45} S. Pegg, \textit{De Facto States...}
maintained good, although almost entirely economic, relations with Somaliland. Due to its position within international organizations such as the African Union and its continuing commitment to the principle of territorial integrity of African states, it is unlikely, that Ethiopia would be the first state to recognize Somaliland de jure. The scenario, in which Ethiopia will deepen its economic cooperation and cooperation in the field of security with this de facto state which is beneficial for both parties is far more likely. Nevertheless, by developing good relations, mutual visits of Ethiopian and Somaliland political representation and the promotion of the Somaliland case on international fora, Ethiopia could to some extent serve as a patron state for Somaliland which could possibly lead to the acceptance of Somaliland into the international community of states in the future.

BIBLIOGRAPHY


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Four years after the end of its uprising against the Gaddafi regime, Libya remains in chaos. It is worth noting that for the third time since their independence in 1951, the Libyans’ attempts to create a modern and powerful state seem to be ‘wishful thinking’. The first two failed attempts – in 1951 and 1969 – were essentially local affairs without significant consequences beyond the country’s borders. The ongoing turmoil which followed in the wake of the Arab Spring in 2011 is leading to serious regional and international destabilization. This paper discusses the main factors of the instability in post-Gaddafi Libya. According to the authors’ analysis, there are the following main obstacles in the process of transition toward democracy and peace: two competing governments, multiplicity of militias and combat groups operating in Libya, jihadism rising in power as well as the regional and ethnic claims for recognition and autonomy. The last part of this paper is devoted to potential scenarios for the future of Libya.

Keywords: Libya, instability, civil war, Arab Spring
The civil war in Libya in 2011 led to the overthrowing of the Muammar Gaddafi’s regime that lasted for almost forty years. Along with the fall of the dictator, a new page in the history of Libya was written – political transformation, marked by chaos and deepening destabilisation of the state. Gaddafi left the country lacking the state structures and efficient security apparatus, which has a negative impact on the post-revolutionary process of building robust political institutions and stabilising the country.

The complexity of the reconstruction process of Libya’s statehood results from the fact that the country must face many overlapping conflicts. On the national level, the clashes of former and new political elites overlap with the rivalry between the secular/liberal and Islamic forces, having not only an ideological basis, but also an economic one. In 2014 the competition for commercial resources and especially profits from extraction and sale of crude oil, and the will to position oneself in the new political constellation of the country, took the form of military struggle between the elites of ancien régime and the so-called revolutionary forces. The economic reasons, next to the political ambitions, were also the roots of conflicts on the regional and local levels. When the debate began on the shape of Libya’s political system, the concepts of returning to the federal structure of the country, with powerful and autonomic regions, particularly strongly postulated by the oil-rich region – Cyrenaica – recurred. On the other hand, in the southern provinces of the country, the conflict, in which military solutions were also used, takes place between Arabs and non-Arab ethnic groups – the Berbers, the Tuareg, the Toubou and the latter among themselves. The minorities which used to be marginalised politically and economically during the period of Jamahiriya, in the fall of Gaddafi see their chance for recognition of their cultural identity and increase in representation for their ethnicities in the political and economic structure of the State of Libya.

The disagreement on the political shape means that Libya has been plunging into growing chaos for the last four years. Feuds on the political, economic and ethnic levels preserve the current status quo, making the country’s coming out of crisis more and more difficult. Quasi-autonomic cities controlled by the rebel groups and armed militias (Misrata, Benghazi), organised crime groups, involved in the trafficking of people, weapons and drugs, as well as groups of the global jihad, benefit from the situation of “interregnum” in Libya, in which two governments function which do not recognise one another; one based in Tobruk, the other in Tripoli. The presence of Al-Qaeda and Islamic State organisations is increasingly more marked in Libya. Libyan Mediterranean coast is currently the largest transfer point of the illegal immigrants from Sudan, Eritrea, Somalia and Syria to Europe. The presence of armed jihadist networks at the gates of the Old Continent, and the migrant crisis in the European Union caused, among other things, by an unstable situation in Libya, are the reasons why the dysfunctions and, in the further perspective, the potential collapse of the state, are not regional problems anymore, but ones of international reach.
1. THE INSTITUTIONS OF THE TRANSITIONAL PERIOD.
THE GENERAL NATIONAL CONGRESS AND THE HOUSE OF REPRESENTATIVES

The first fully democratic elections for a representative body in the history of modern Libya – the General National Congress – took place on 7th July 2012. Among the dozen or so parties and blocs which competed in the elections two won considerable support, outclassing their rivals. In the 200-seat Congress with 80 seats assigned to the representatives of parties (the rest were allocated to the non-attached members), 37 were won by the National Forces Alliance and the political addition of the Muslim Brotherhood – The Justice and Construction Party (17 seats at the GNC). The remaining 15 seats were distributed among nine smaller parties, unable to threaten the position of the two largest blocks. The structuring of the Libyan political scene around two political groups – the Islamic group, informally named a revolutionary one, and the other group, more secular, liberal, based on the elites once functioning in the structures of Gaddafi’s regime, reflects the current distribution of power in the country.

In Libya, in contrast to the other states, which in the fever of the Arab Spring began their democratisation as a result of the grass-roots revolution or initiatives undertaken by the authoritarian regimes, there are no functioning political parties or social organisations that could compete for power. A civil society, developed on a large scale in Tunisia, limited or controlled in Morocco or Egypt, did not establish itself in Libya. Gaddafi did not allow for the formation of institutions and structures of mediation between the society and the authorities. Political parties and public associations forming in 1969 were banned in 1972. The survey carried out by Moncef Ouennes leads to the conclusion that in 2000 there were only 39 associations, all of them formal and connected to the regime. The only mediator between the citizen and the regime was the clan. The connections and clan references were necessary not only to obtain private benefits, but also those connected with the clan collectivism. The strategy of tribalism of society aimed to minimise the possibility of eruption of the opposition against the regime. Although in 2012 in the throes of the revolutionary change 68 political parties were registered (and almost 4500 public organisations), their structures were so weak that only 12 of them decided to participate in the elections to the GNC. During the transformation period the lack of political and social structures turned into a significant element which hindered democratic change.


The first democratically elected Libyan parliament proved to be a weak institution in terms of its creational functions, and without autonomy. The political strength of the two largest blocks fluctuated, depending on the undertaken subject and the possibility of mobilising the independent MPs, who sympathised with one or other party, as well as the pressure from militia, on which the groups depended in order to strengthen their substantive arguments. The chaotic management of sessions, the absenteeism of the MPs during the parliamentary meetings, the problems with selecting and the ineffectiveness of the subsequent governments of the transitional period brought about the early termination of appointment and organisation of the elections of new legislative authorities. One of the last decisions of the Congress was to transfer the supervision of the transformational process in Libya to the February Committee. The Committee, which included 15 deputies to the GNC, was charged with the task of the preparation of new elections to the Legislative and Constituent Assembly. New institutions, in accordance with the adopted election schedule, were to be elected on 25th June 2014 in the case of parliament and on 15th February 2015 in the case of the Constituent Assembly, and obliged to develop the Basic Law.

The selection of the representatives for the House of Representatives, the second legislative body of the post-revolutionary period, took place with a small, compared to the previous elections, turnout of voters. The electoral participation rate dropped from 64% in 2012 to 18% in 2014. According to the arrangements made under the auspices of the Consultative Committee, the independent candidates could compete in the elections, ones non-attached to any of the political parties. Out of 200 seats in the House of Representatives, 12 remained vacant, due to the boycott of the Berber minority, challenging the representativeness of the body and problems with the guarantee of safety and organisation of elections in some of the constituencies. The members of the Constituent Assembly, aiming to develop the new Basic Law, replacing the Libyan interim Constitutional Declaration in force since 3rd July 2011, were elected in accordance with the adopted schedule and electoral law. Sixty representatives were selected ensuring an equal representation for three regions of Tripolitania, Fezzan and Cyrenaica. Six seats were provided for the representatives of the ethnic minorities.

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4 Muslim Brotherhood Camp (especially the most radical fraction: Remaining Faithful to Blood of the Martyrs, al Wafa li Dimaa Al Shuhada) have been supported by militias from Misrata. Liberals have been backed by those from Zintan city. A. Kaddur, Bilan de la situation en Libye, Observatoire des Mutations Politiques dans le Monde Arabe, IRIS, January 2015, pp. 3-4.

5 A decision forced by the military resistance. The militias al-Qaaqaa and al-Sawa’aq gave ultimatum to the Parliament demanding its earlier termination.


2. COMPETING CENTRES OF POWER IN TOBRUK AND TRIPOLI

The elections to the House of Representatives did not complete the process of stabilisation of Libya. On the contrary, they initiated a new phase of the transformation period marked by the institutional crisis. The organisation of the ceremony of the handover of power to the House of Representatives by the General National Congress became problematic, as well as the establishment of the location of meetings of the new legislative authorities.

Following the takeover of Tripoli by the Islamists from the coalition of the Libyan Dawn (Fajr Libya), the House of Representatives and the transitional government of Abdullah al-Thani\(^8\) decided to select Tobruk as their seat, located 600 km east of the capital\(^9\).

In Tripoli, on the other hand, the chairman of the GNC, Nouri Abu Sahmain, and the founder of the Libya Revolutionaries Operations Room, the Islamic military group controlling the city, embracing the view that the transfer of power took place in a manner that was incompatible with the constitution, ordered the former deputies to undertake their responsibilities within the framework of the old Congress. Dozens of Islamist mainstream deputies accepted the offer. During the first session of the reactivated Congress, held behind the closed doors, the mission of creating the Government of National Salvation was entrusted to Omar al-Hasi. The group of Tripoli, despite having little international support, claims to be the only government able to restore the stabilisation of the country. The position of the reactivated GNC, as the only legitimate representative to manage the country, is supported by the ruling of the Supreme Court, which in November 2014, at the request of two deputies of the Congress, confirmed the illegality of the elections carried out in June 2014. The government situated in Tobruk questioned the independence of the court, based in Tripoli, and its ruling, which – as it was noted – was given under the threat of the use of force from the Islamist militias controlling the capital\(^10\).

None of the governments exercise effective control over the greater part of the territory and none has an efficient administration at their disposal. Two parliaments function on the territory of the country, as well as two governments and two rival armies. Both the centre of power in Tobruk and the one in Tripoli have similar political legitimacy for ruling – they were chosen through elections. The Tobruk government may be considered as not representative enough, taking into account the fact that in the assembly elections in 2014 only 18% of those eligible to vote participated. However,

\(^8\) Head of the Ministry of Interior under Ali Zeidan’s government, designated the Prime Minister in the Transitional government by the General National Congress on March 11, 2014 and again on 1st September 2014 by the House of Representatives.


contrary to the Tripoli government, it is endorsed by the majority of the representatives of the international community. The military forces of the ephemeral governments in Tripoli and Tobruk adopted various armed formations, at times motivated by a particular interest, and not a national one. Since the 2014 conflict Libya has become the scene of two military alliances. On the one hand, the “Operation Dignity” (Amaliyat Al Karama), initiated by general Khalif Haftar in May 2014 in order to clear Libya of the Islamic militia, was in time considered by the House of Representatives and al-Thani’s government the official operation of the Libyan National Army. On the other hand, another military group: “Operation Libyan Dawn” (Fajr Libya) is the military group of the government in Tripoli.

3. MILITARISATION OF THE STATE

The multiplicity and autonomy of the so-called militias is one of the most important challenges on the path to building a centralised and stable state. Almost 300 of the functioning militia forces were created on the tribal, regional or religious bases during the civil war in 2011 (the so-called kata’ib (Arab.) revolutionary brigades), who after overthrowing the regime were supposed to be dissolved or subordinated to the central power. Meanwhile, equipped with weapons as a result of taking over the arsenals of Jamahiriya and additionally supported by the weaponry that comes from smuggling, they maintain their military and – moreover – the political position, becoming one of the factors blocking the transformation of Libya.

The government’s project to create an army and national police is progressing slowly. The Libyan National Army was formed on the basis of the National Liberation Army, appointed as a result of the decision of the National Transitional Council in 2011. It includes the soldiers of the ancien régime army and numerous revolutionary brigades. Not all are willing to give up the resulting social support and profits arising from the control of territory.

The military potential of the State of Libya in the number of 35,000 soldiers is developed with the logistic, training and equipment support of the US, Italy, Turkey, and France, but it is too weak to rival the powerful militias of Zentan, Benghazi and Misrata.

Among the subordinate units of the governmental army an important role is played by the brigades remaining in the alliance with general Khalif Haftar. Associated with the former regime, the general took part in a coup that brought Gaddafi to power in 1969. Having fallen out of favour in the later years, he emigrated to the US, from where he led one of the biggest opposition movements outside of Libya. He returned to Libya

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in 2011 in order to assume leadership of the rebel army. Unrecognised by the GNC and initially by the government in Tobruk, his position changed along with the commencement of the anti-Islamic offensive operation Dignity in Benghazi in May 2014. The operation involved a number of armed groups, among them also Special Forces of al-Sa’iq, Cyrenaica Military Council, and minor militias. Khalif Haftar has at his disposal a unit of nearly 5000 people under his direct management. In October 2015 the House of Representatives, which functions under the cover of Haftar’s brigades, officially recognised Operation Dignity. In the official statement, the spokesman for the parliament pointed out that the Operation Dignity is a military operation implemented under the authority of the transitional government of Abdullah al-Thani, and its goal is to fight Islamic radicalism and terrorism. The symbol of integration of the Haftar’s brigades into the ranks of the armed forces of Libya was the decision of the government in Tobruk of 2nd March 2015 on appointing the general the Supreme Commander of the Armed Forces of Libya. The undertaken military actions to fight the Islamists in other cities of the east of the country – Derna, Sirte – confirm the mission of Operation Dignity.

Opposing the offensive of general Haftar, in July 2014 the Operation Dawn was formed, under the command of Salah Badi. The operation became a military tool of the Tripoli government. In the Dawn alliance the biggest role is played by the Islamist militants sympathising with the dominating in the GNC Muslim Brotherhood – the Mili- tia of Misrata; the Libyan Shield Militia; Libya Revolutionaries Operations Room; the Tripoli Brigade – associated with Abdul Hakim Belhadj, the leader of al-Watan Islamic party and the former emir of the Libyan Islamic Fighting Group. The goal of the Fajr Libya operation is to guarantee safety and undisturbed functioning of the government of National Salvation in Tripoli as well as recognition of the GNC as the only legitimate power in Libya. Operation Dawn took on the character of the defender of the Revolution of 17th February, aiming to clear all elements of the former regime from the state administration. The long-term goal is to build the State of Libya in accordance with the principles of Sharia.

The picture of lack of control over the territory by the government in Tobruk is complemented by the number of other military brigades of varying potential and au-

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13 Special Forces al-Sa’iq: a battalion devoted to defend the Muammar Gaddafi regime, directly under the dictator’s command. The majority of high rank officers, as well as ordinary militants have joined the anti-regime uprising in 2011. In the post-Gaddafi era al-Sa’iq became famous for combating jihadist in the Eastern parts of country. See: A. Kaddur, Bilan…, p. 6.


tonomy. In addition to the brigades/military forces to whom, observing the rivalry of two operations Dawn-Dignity, we can assign the character of national, revolutionary, Islamic brigades, in Libya we find a number of other armed groups. They shall be characterised by their clan-territorial identity and loyalty, and not ideology. The kata’ib remaining under the command of tribal authorities have considerable autonomy. The tribes with powerful clan militias are the Warfalla tribe in the east, and the Kadhaf tribe of the Sebha region, from which the former dictator came from. The brigades controlling especially cities of Zintan, Oubari, and Misrata and Berber militias in the regions of Zwara (Zuwarah) and Jebel Nafusa also have a large influence 16.

4. JIHADISM

Immersed in chaos Libya became a suitable area for uprooting the ideology of radical Islam. While the trend of political Islam accompanied the debate on the shape and political identity of post-revolutionary Libya and was represented by the Muslim Brotherhood and its allies in the institution of the transitional period (GNC), the Salafist groups promoting the global Jihad appeared, shortly speaking, as a result of the institutional-political vacuum. The Islamic State Organisation is one of its examples treating Libyan stabilisation.

Libya is considered to be one of the countries with the highest ratio of infiltration and terrorist threat from Islamist organisations. On the east of the country Ansar al-Sharia remains particularly active. The organisation was established in 2011 during the civil war in Libya. It represents the Salafist trend of Islam, promoting the introduction of Sharia in Libya. The activity in its ranks of the prominent members of the fought-by-the-dictator Libyan Islamic Fighting Group, may indicate its genesis as a fusion of several groups and Islamic militia (in addition to the ILIG its ranks include Abu Obayda Bin Aljarah Brigade, Malik Brigade and February 17th Martyrs Brigade). The organisation was especially present in the city of Benghazi in the years 2012-2014, the stronghold of anti-Gaddafi revolution, which became the scene of one of the most remarkable terrorist attacks in Libya. In September 2012 Ansar al-Sharia carried out the attack on the US consulate in Benghazi, in which four American citizens died, including the consul, Chris Stevens17.

The presence of Ansar al-Sharia in other cities of the eastern Libya is less distinctive. The organisation was marginalised in favour of the Islamic State in Sirte, which in May 2015 took control over the city. Another stronghold of Ansar al-Sharia, which the organisation loses to the fighters from Syria and Iraq, is the city of Derna. The phenomenon of the change of affiliation of the fighters from Ansar al-Sharia to the Islamic State


takes place increasingly often. Several political-military groups, whose leaders took the oath of the caliph of ISIS Abu Bakr al-Baghdadi, established the Barqa emirate (former name of the eastern region of the country) in 2015, hence confirming the implantation of the organisation of the Islamic State. Regarding Ansar al-Sharia’s losing influence in Libya, the organisation remains active in the neighbouring countries. The involvement of the organisation in the preparation of the attack in the Bardo Museum on March 2015 in Tunisia confirms the regional ambitions of the organisation 18.

On the territory of Libya the second after the Islamic State organisation of military jihad is present – Al-Qaeda. Taking into account a strategy of action which is different to the one of ISIS – partisan fight – the precise indication of location of the Islamists representing that group is impossible. However, attempting to place the area of activity of Al-Qaeda on the map of Libya, one can indicate the area of the broadly understood south of the country. It is on the Libyan Sahara – an area hard to control even with a well-functioning security apparatus and intelligence – where the organisation, al Mourabitoun, affiliated with Al-Qaeda, found its outposts 19.

5. THE SEPARATIST TENDENCIES OF CYRENAICA

Modern Libya consists of three historical regions: Tripolitania, Cyrenaica and Fezzan, which for centuries remained completely separate in terms of cultural and economic development. Cyrenaica has always been focused almost exclusively on the contacts with the eastern part of the Mediterranean. On its area one can observe Greek and Levant influences. Cultural, social, political and economic orientation of Tripolitania concentrated around the areas of modern Tunisia, and was marked by the strong connections with the regions of Spain and Italy. Fezzan, due to unfavourable geographical formation, for centuries remained a poor neighbour of the two above-mentioned provinces. The Mediterranean and African influences, as well as those of Berber culture interspersed here 20.

In the aftermath of the Second World War the power in Libya was taken over by the United Nations. The country was divided in accordance with its three main historical regions, the supervision of which was handed to Great Britain and France 21. The in-


19 Al Mourabitoun is an African militant jihadist group operating since 2013. It is a branch of Al-Qaeda in the Islamic Maghreb (AQIM) organisation. Under the command of Mokhtar Belmokhtar it was accused of organising the attack on the Amenas refinery located in southern Algeria in January 2013, in which dozens of people were killed. Ibid.


21 The regions of Cyrenaica and Tripolitania of the former Italian Libya were under British administration since 1942 until the Libyan independence in 1951. The French control spread in Fezzan region. Additionally the United States of America held their Navy as well as Air Forces in Tripoli.
dependence aspirations of the Muslim sect of the Senussi led to the transfer of power over Cyrenaica to Great Britain. In June 1949 the Emirate of Cyrenaica was created, in which the direct superior authority was taken over by the emir Muhamad Idris as-Sanussi. In 1951 all three zones gained independence awarded by the United Nations. Libya became a kingdom and its king was the former emir of Cyrenaica, since then referred to as Idris I. In the period of 1953-1963 Libya was a monarchy with a federal territorial system of state with a dominating role of Cyrenaica. The king ruled country for almost 18 years. Introduced by the king Idris I administration unifying reform, aiming to create one national administration and a judicial system on practical grounds did not upset the privileged status of Cyrenaica.

Gaddafi continued the efforts towards centralisation of the country. It was symbolic to change the names of the regions to Eastern, Western and Southern Libya, as well as moving the most important institutions from Benghazi to Tripoli (National Oil Corporation; Libyan Airlines, Insurance Company). With the outbreak of anti-Gaddafi revolution in 2011 amongst the Cyrenaica people, for decades living with the sense of marginalisation and subsidisation of the Tripolitania region (80% of the oil reserves are located in the east of the country), the hopes raised for the return of the federal Libya and the strong region of Cyrenaica. It is not without significance that the revolution of the 17th February 2011 started in Benghazi. Also, here was created the first temporary government of Libya – the National Transition Council, ten days later.

Federalism is promoted on different levels. On the legalistic plane, the supporters of this vision of the country forced the paragraph in the Constitutional Declaration, in accordance with which the members of the Constituent Assembly (elected in February 2015) were selected by popular vote, according to the equal distribution of seats among the representatives of three historical regions. However, the disadvantageous impact on the issue of the regions’ autonomy within Libya has another paragraph of the Declaration, according to which the adopted constitutional project shall be subject to a national referendum, in which voters can reject the project favourable for Cyrenaica’s people. Such a scenario is quite likely, considering the fact that most Libyans live in the region of Tripolitania, opposing the “secession” of the fellow citizens from the east.

The publicity of the recovery of Cyrenaica is supported by illegal yet spectacular individual actions undertaken by the promoters of the division of Libya. Ibrahim Jadhra remains the emblematic figure of the movement for autonomy. A former leader of the guard in the Sirte Gulf, he took control of most of the refineries and oil terminals in the east of the country in August 2013. The militia subordinate to Jadhra not only blocked the port and oil refinery in Ras Lanouf, but also began its own trade in oil.

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24 Ibid.
through the Libyan Gas and Oil Concern that was established, based in Tobruk, independent from the National Oil Concern in Tripoli. Jadhran’s arbitrary actions led to the temporary closure of refineries and financial losses of 24 billion USD. Another dimension, more symbolic rather than economic, is featured in the declarations and attempts to appoint the autonomous governments of Cyrenaica. It is worth recalling here the declaration of Cyrenaica’s autonomy, announced as a result of consultation of the largest tribes of Cyrenaica – the “Barqa Conference” of 6th March 2012. The leadership of the Transitional Council of Cyrenaica, which was then created, was taken by the cousin of king Idris I: Ahmed al-Zubair al-Senussi. A similar measure aiming to emphasise the autonomy of the region was the creation in 2013 of the autonomic government of Cyrenaica based in Benghazi. Although these acts have symbolic meaning, the reclaiming of the eastern region of Libya stands in the way of centralist and integration efforts of the government in Tobruk, and – as it became evident on many occasions, it may undermine the actions of government.

One also cannot rule out the option of the future functioning of not just an autonomous region, but an independent country in the east of Libya. These far-reaching scenarios, however, are not the current priorities of the al-Thani government. Unquestionably, the priority and threat for the functioning of the country are not separatists/federalists, but the Salafist militias, including the organisation of the Islamic State controlling more areas of the east of the country.

6. IDENTITY AND CULTURAL RECLAMATION OF ETHNIC MINORITIES

The ideological and political conflict is also amplified by the ethnic one. Its scene became the southern province of Libya – Fezzan, inhabited mostly by three non-Arab ethnic groups: the Berbers, the Tuareg and the Toubou.

25 Ch. Ayad, Libye...
26 S. Ibrahim, Revisiting...
27 Unrest and disorder in Cyrenaica region, as well as inefficiently way of acting untaken by the government aiming to take control on the situation, have led to dismissal of the Ali Zajdan’s government in March 2014. See: Ch. Ayad, Libye...
28 The Berbers (Berber name: Amazighs) are an ethnic group indigenous to North Africa. Historically, they spoke Berber languages (Berber name: Tamazight) which belong to the Afro-asiatic language family. After the Muslim conquest in the 7th century the Berber tribes of coastal North Africa became almost fully Arabized and Islamized.
29 The Tuareg are one of the Berber groups with a traditionally nomadic pastoralist lifestyle. They are the principal inhabitants of the Saharan interior of North Africa. The traditional Tuareg territory is divided among a number of modern nations: Niger, Mali, Algeria, Libya, and Burkina Faso. They made several rebel attempts to establish their own country, especially in Mali starting in the 60s. See: P. Lemarchand (ed.), L’Afrique et l’Europe. Atlas du XXe siècle, Bruxelles 1994.
30 The Toubou named also Tubu are diversified nomadic people who speak Tebu, a language belonging to the Saharan subfamily of the Nilo-Saharan languages family. The majority of the Toubou live in
The policy of Muammar Gaddafi in relation to Berbers was ambiguous. The Berbers’ language, *Tamazight*, was banned in public places, and the Ibadi cult was subject to repressions. Therefore, it is not surprising that along with the outburst of revolution in Libya in February 2011, the eastern region of the country inhabited by the Berbers – Jebel Nafusa – joinse the anti-system uprising. The involvement of Libyan Berbers in the issue of guaranteeing the protection and recognising the linguistic-cultural identity in the period of war and political building of the country of the period after the fall of M. Gaddafi was permanently inscribed in the post-revolutionary landscape of Libya. The fiasco of the talks of Berber communities with the Transitional National Council on recognizing *Tamazight* as an official language in the constitution, showed that in the new political system of Libya the concessions to the Berber reclamation are not a priority. Dissatisfaction of the Imazighen Council with granting too small, according to that Council, amount of seats in the Constitutional Assembly (2 out of 60 seats allocated to three ethnical minorities) meant that they boycotted the elections to this institution in February 2014. The Libyan Berbers undertake the strategy of subversive activities, showing discontent with the actions of the central authorities.

On the other hand, the dictator fuelled the Tuareg aspirations to create their own country within the area of Mali or Niger. He also willingly searched for the recruits in those countries for the regular army. The Tuareg played an important role in Jamahiriya, holding senior positions in the army and having their own police brigades (the *Maghawir* brigade, consisting of 300 officers).

The Toubou enjoyed less recognition and a marginal presence in the structures of Gaddafi’s state. In the current political situation in Libya, this black minority sees the chance for change and recognition for their language, culture, as well as their place in the new, post-revolutionary reality. The aspiration to greater territorial representation and participation in profits from extraction and sales of oil took a form of confrontation between the Toubou and Tuareg, the subjects of which are the cities of southern Libya. Clashes between minorities took place near the cities of Koufra (first fighting: November 2011), Sebha (March 2012), Oubari (September 2014), within the areas which are important from the perspective of control of the smuggling corridors and located near oil fields of al-Sharara and al-Fil. The first one is currently controlled by the Tuareg militia, while the second is in the hands of the Toubou.
The conflict between two ethnic groups, taking place in the shadow of the ongoing fight for the access to one of the richest oil regions of Libya, is also noted by the authorities from Tobruk and Tripoli. Although now it is developing without direct intervention from Libya’s administration, attention must be drawn to the fact that Tuareg militia, once pro-regime, now are mostly the supporters of post-revolutionary and Islamic side. The Toubu, Gaddafi’s opponents in the civil war, use the help of the Tobruk camp, which brings together the former supporters of the former dictator. The conflict in Fezzan showed the new dynamics of ethnic relations and, taking into account the historical legacy, the volatility and unpredictability of the alliances on the new political reality. What is more, it disturbed the 100-year peace established by the South-South Treaty of 1893, which laid the foundations for the co-existence of non-Arab groups inhabiting the Sahelo-Saharan region.

7. THE MIGRATION CRISIS AND THE CONTRABAND PHENOMENON

One of the consequences of Libya’s destabilisation, with repercussions for both Libya and European countries, is the problem of Libyan migration. The overthrowing of Muammar Gaddafi’s regime turned the direction and dynamics of the trans-border mobility of both Libyans and the immigrants staying in the country. Libya, so far characterised as the place of a final settlement (in 2009 the number of immigrants coming mainly from sub-Saharan Africa and also from Bangladesh and Philippines was estimated at approx. 2.5 million) is becoming a transit country for further migration to Malta or Italy. The dynamics of the phenomenon is reflected in numbers. Until the early years of the first decade of the 20th century, the European direction cutting through the Mediterranean was followed by approx. 40,000 migrants annually; in 2014 that number reached 120,000. When one seeks the causes of the phenomenon, pointing to the civil war in Libya seems an obvious premise. However, this problem is far more complex, especially if we take into consideration the fact that, in accordance with the estimates of the High Representative of the UN for Refugees, only several thousand of those fleeing from Libya to Europe were Libyans.

The increase in the phenomenon of migration across the Mediterranean can be explained by a number of reasons. Over the last few decades Libya was treated as a final

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35 Ibid.
destination for the Middle East migration, in recent years especially from Syria and neighbouring African countries: Ethiopia, Eritrea, and Somalia. Looking at the directions of the influx of people it is not difficult to formulate a statement that the reason for the increased migration to Gaddafi’s state was the will to leave the unstable, war-ridden countries. The picture of migration, which is dominated by refugees seeking asylum in Libya is incomplete. It is complemented by the employment migration – economic migrants, who benefit from the so-called “open door policy”. Almost until the end of the “Gaddafi era” they took advantage from encouragement for the seasonal workers in the form of a facilitated procedure of obtaining a working visa or a temporary residence card in order to undertake employment in Libya.

Along with the fall of Gaddafi’s regime, the stable Libya which once was friendly to migrants became a transfer point to the Italian Lampedusa or Malta, partly due to the weakness of state institutions, especially the security apparatus, which along with the fall of Jamahiriya was replaced by a hybrid system made up mainly of revolutionary brigades.

The lack of developed security mechanisms and border area control is the cause for easier functioning of the criminal groups which smuggle people. The practice has become a lucrative activity for the local population of the southern region bordering with Chad, Niger and Sudan, carried out already in the days of Gaddafi and, de facto, with the permission of the regime.

Currently the most popular transfer points to Europe are the cities: Zawiya (Zawi-yah), Tripoli, and Misrata. This shows the necessity of filling the vacuum/grey zone of security, which is the region of today’s Libya. The balance of 2014, when during the crossing of Mare Nostrum more than 3,419 migrants died, as well as predictions that in 2015 over 500,000 refugees would try to force the “fortress of Europe”, indicates a strong correlation between the migration crisis in the EU and chaos in Libya.

The south of Libya has for centuries served the purpose of a communication corridor and an important trade route between the Mediterranean region and Sahel, used not only for smuggling and trafficking people. In the 1970s the trade of traditional goods was replaced by trading the products subsidised by the regimes in Libya and Algeria: crude oil, cooking oil, sugar. In the 1990s the civil war in Algeria and the reforms of the subsidy system resulted in the development of trade in arms, drugs and cigarettes. With the course of time, Libya became a significant transit route for smuggling narcotics. The smugglers mediate in the commercialisation of Moroccan hashish produced in the Rif Mountains. In the first decade of the 21st century the cooperation has grown with the cartels originating in Western Africa, as well as the Afghan heroin trade. Trafficking


narcotics becomes a domain of not only residents of the southern regions of Libya; more often this practice involves international criminal networks, including Islamic ones. As an example may serve the al-Mourabitoun, an organisation affiliated with Al-Qaeda, whose leader, Mokhtar Belmokhtar, is called Mister Marlboro. Drug trafficking, next to ransoms and extortions related to hostage taking, as well as smuggling narcotics, became the significant source of income serving the financing of terrorist activity of the group\textsuperscript{42}.

8. THE SCENARIOS FOR THE DEVELOPMENT OF THE SITUATION IN LIBYA

The balance of the political transformation in Libya during the last four years is negative. The lack of central and effective power, the reclaiming of autonomy of the regions, and the social and political rights of ethnic minorities, uncontrolled circulation of arms, multiplicity of military groups that often change their alliances, are the reasons why Libya becomes a country dominated by anarchy where the arguments of force prevail over the legal solutions.

There are several possible scenarios of the development of the situation in Libya. Those that are desired and more positive point to the existing potential to develop the political solutions for Libya by the Libyans themselves. The Constitutional Drafting Assembly elected in 2015 adopted the task of developing a constitution of the future state and of subjecting it to the national referendum until the end of 2015. The only institution, whose activities are not assigned to any of two current centres of power, and hence remaining outside of the political divisions, is not, however, resistant to the ethnic clashes among its members. The departure of four representatives of the Tuareg and Toubou minorities in August 2015 was dictated, as the representatives of both groups concluded in a statement, “by an evident violation of the constitutional declaration and rules of a democratic and multi-ethnic country”\textsuperscript{43}.

Creating consensual legal and administrative frameworks that are the cornerstone of the future government of national unity is also a priority for the mediation undertaken by the international community. The task of bringing to the negotiating table the feuding sides – the House of Representatives and the General National Congress was undertaken by the United Nations.

The United Nations Support Mission in Libya (UNSMIL), under the leadership of a Special Representative of the Secretary-General was established in 2011 by the UN Security Council in its Resolution 2009 at the request of the Libyan authorities to support the country’s new transitional authorities in their post-conflict efforts\textsuperscript{44}. The re-


\textsuperscript{44} The Mission was mandated for an initial period of three months and extended for another three months thereafter. The Security Council, in its Resolution 2022 (December 2011), expanded the
sponsibilities of the Mission the following included *inter alia*: supporting the democratic transformation; promoting the rule of law and standards of human rights protection; controlling the process of demilitarisation of fighting groups and non-proliferation of weapons; strengthening of the “state building” process through technical and training support of the central and local authority institutions.\(^{45}\)

The first multilateral negotiations took place in Geneva on 14th January 2014. The sides of the conflict – the representatives of the governments in Tripoli and Tobruk, as well as the representatives of the civil society, agreed to take into consideration the plan of action – a road map of the democratisation of the country, developed by the United Nations. In March the Special Envoy of the UN for Libya Bernardino Léon, who was also the Head of the UNSMIL, presented a plan of peaceful political transformation of the country. Its most important points included a postulate of creating a national unity government, the Presidential Council that would include the independent representatives; also, the recognition of parliament in Tobruk as the only legitimised representation of all Libyans, until holding of new election.\(^{46}\)

Subsequent negotiations taking place mostly in the Moroccan city of Skhirat were inconclusive. The general consensus as to their constructive and much needed role was not accompanied by the real change on the Libyan political scene. Signed on 10th July 2015, the agreement for peace and reconciliation, taking into account the proposals of the UN Envoy, did not find acceptance on the part of the General National Congress.\(^{47}\)

Hopes for a way out of a negotiation stalemate were raised in connection with another, eighth negotiation round in Skhirat in September 2015 and a positive reaction from the Congress to another political plan presented by Special Envoy of the UN for Libya. Its key element was commitment to creating the Supreme State Council consisting of 120 members, which would include the representatives of governments in Tobruk and Tripoli, with the condition of the political neutrality of the future head of government, who would be cooperating with two vice-chairmen, coming from two current power centres. Among the amendments there was also a record on recognising the jurisdiction of the Supreme Court. Despite the initial lack of acceptance for the next version of the national reconciliation plan from the side of the Mission’s mandate. The mandate was further modified when the Security Council extended the Mission for 12 more months in Resolution 2040 (12 March 2012). On 14 March 2014, Resolution 2144 extended the mandate for an additional 12 months. See ‘UNSMIL Background’, UNSMIL – United Nations Support Mission in Libya, at http://unsmil.unmissions.org/Default.aspx?tabid=3545&language=en-US, 20 October 2015. The role of UNSMIL will not be discussed in detail, as it is out of this article’s scope.

\(^{45}\) Ibid.


government/parliament in Tobruk, who insist on retaining the shape of the agreement negotiated in July 2015, both sides entered negotiations about the structure of the future government.\textsuperscript{48}

The observation of the course of negotiations does not bring optimism. The initially developed consensus on electing a government made up of 17 ministers, with the person of Fayez el-Sarraj as its leader was scrapped through the withdrawal of the support for the proposed structure by the government in Tripoli, and in the later period – also by that in Tobruk.\textsuperscript{49}

Time seems to preserve and be disadvantageous to seeking an option of coming out of the crisis through the peaceful means. Negotiations on the subject of the shape of the future institutions of national reconciliation should have been concluded with the signing of an agreement before 20th October 2015, when the House of Representatives’ mandate expired. Arbitrary decision on the extension of the institution functioning did not find an approval from the international community and the competing centre of power. The launch of the military action on 20th September 2015 by general Haftar – a air strike on Benghazi, being another phase of “clearing” the city of the Islamic militias which were present there – does not bode well for the success of negotiations.\textsuperscript{50}

Among the negative and unpredictable development options two scenarios can be mentioned. The first means the division of Libya into three separate countries or regions functioning within a loosely connected federation. The presence of the issue in all institutional bodies of the transition period indicates the viability of the secessionist ideas, especially among the inhabitants of the region of Cyrenaica.

In view of the current situation in Libya another option also becomes feasible – the option of military and stabilising intervention in the country on a brink of collapse. This scenario is not excluded by the Libyans as well. In August 2014 the House of Representatives issued a statement directed to the United Nations Security Council calling for the direct intervention in order to protect the civilians.\textsuperscript{51}

Whichever one of these option prevails, it will not guarantee the democratic transformation, which in the case of Libya presents itself as a long and tedious process.


\textsuperscript{51} A. Kaddur, Bilan...
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THE SYSTEMS OF GOVERNMENT
OF SENEGAL AND IVORY COAST

COMPARATIVE ANALYSIS

ABSTRACT  The paper deals with the contemporary systems of government in two Sub-Saharan African states which belonged to the French colonial empire – Senegal and Ivory Coast. The Senegalese constitution of 2001 contains regulations based on the semi-presidential model, whereas the Ivorian basic law of 2000 – on the presidential one (although it was not adopted in a pure form). Special attention is devoted to the similarities and differences between the two systems, taking into consideration their constitutional structure (e.g. powers of the head of state, political responsibility of ministers and other aspects of relations within the executive branch, as well as between the latter and the legislative one). It is also pointed out that since the two countries gained their independence in 1960 Senegal and Ivory Coast have had quite different political experiences, which have exerted a visible influence on the functioning of their systems of government in practice. One of the key factors that deserve to be taken into account is the ability to produce democratic alternation of power between presidential candidates and political parties taking part in the electoral process.

Keywords: Senegal, Ivory Coast, system of government, semi-presidentialism, presidentialism
The basic laws of the Francophone states in Sub-Saharan Africa which have been adopted since the turn of the 1950s and the 1960s are based on designs used in the former metropolis. This mainly concerns the Gaullist constitution of the French Fifth Republic enacted in 1958. As the most significant result of its adoption we may perceive the introduction in France of the semi-presidential system of government. An additional factor in the process was also the enactment of the constitutional amendment of 1962 that provided for presidential elections by popular vote. In this way the French semi-presidentialism has obtained a full and final shape. The semi-presidential system of government (in the version which has been introduced in France) exerted a significant influence on the provisions contained in the constitutions of former French colonies. As far as first basic laws adopted in this part of the world are concerned, the phenomenon of borrowing of constitutional designs was clearly visible, however some provisions were quite original and did not result from the French experience. Generally speaking, the constitutional position of the head of state in the francophone countries of Africa seemed to be much stronger than the status of the head of state in the former metropolis. These states relatively quickly introduced constitutional mechanisms that were characteristic of the presidential system. This phenomenon could be observed mainly in the early 60s. In the 70s, some of the aforementioned countries decided to adopt constitutional amendments which created the institution of prime minister. The role of presidents of the Republic, however, was still dominant. It should be emphasized that the existence of the institution of prime minister does not necessarily lead to the conclusion that the constitution does not provide for a presidential system of government.

Since then the constitutional regulations in French-speaking African countries have been replaced or amended many times. One of the most important factors that contributed significantly to the process of constitutional reforms was the democratic breakthrough at the beginning of the 1990s. In its wake the governments in the aforementioned states decided to adopt new constitutions that weakened to some extent the position of the president of the Republic and introduced more balanced executive power (divided between the head of state and the prime minister). For this

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1 Examples include Senegal and Cameroon. In the first of these two countries the institution of the prime minister was introduced in 1970 as a result of an amendment of the constitution. For a more broad discussion of the constitutional evolution of the former French colonies in the first decades of independence see: I.M. Fall, _Le pouvoir exécutif dans le constitutionnalisme des États d’Afrique_, Paris 2008, pp. 14-16 (Études Africaines); D.G. Lavroff, _Les systems constitutionnels en Afrique noire. Les États francophones_, Paris 1976, pp. 21-25 (Afrique Noire, 7); G. Conac, ‘L’évolution constitutionnel des Etats francophones d’Afrique Noire et de la République Democratique Malgache’ in: idem (ed.), _Les institutions constitutionnelles des États d’Afrique francophone et de la République Malgache_, Paris 1979, pp. 1-68 (La Vie du Droit en Afrique).


3 I.M. Fall, _Le pouvoir exécutif..._, pp. 16-20.
reason the basic laws adopted in the Francophone Sub-Saharan Africa in connection with the process of democratic transformation seemed to be even closer to the French model of semi-presidential system of government in which – according to constitutional provisions – the government led by the prime minister has considerable political autonomy. However, a common feature of all Francophone African countries that have adopted semi-presidentialism is the existence of a strong presidency, in which the head of state is the primary component of the system of government. Nowadays semi-presidentialism is a dominant model in this part of the world⁴, although some of the Francophone African countries use mechanisms relating to other systems of government. It concerns mainly the reception of the presidential model. Nevertheless, the presidential system is less popular than the semi-presidential one. There is no doubt that an example of a state that has adopted a semi-presidential system is Senegal. In turn, the presidential model (not in its pure version, but in a modified one) is used in Ivory Coast. In this latter country the presidential system has assumed a specific form, since there is the function of prime minister within the executive branch. It can be assumed that a comparison of systems of government in these two countries will show various development trends in the evolution of constitutionalism in Francophone Africa. It refers especially to the degree to which specific constitutional designs are borrowed from some countries and adopted in other ones. Moreover, Senegal and Ivory

⁴ The definition of semi-presidentialism is still debatable. According to Maurice Duverger, a political system is considered as semi-presidential if the constitution which established it combines three elements: (1) the president of the republic is elected by universal suffrage; (2) he possesses quite considerable powers; (3) he has opposite him, however, a prime minister and ministers who possess executive and governmental power and can stay in office only if the parliament does not show its opposition to them.
M. Duverger, ‘A New Political System Model: Semi-Presidential Government’ in: A. Lijphart (ed.), Parliamentary Versus Presidential Government, Oxford–New York 1992, p. 142 (Oxford Readings in Politics and Government). It is worth noting that this concept takes into account the problem of presidential powers. A system of government in which the president is only a figurehead, cannot be regarded as semi-presidential. A similar assumption has been adopted by Giovanni Sartori. In his view, the head of state shares the executive power with the prime minister [...]; the president is independent from parliament, but is not entitled to govern alone or directly and therefore his will must be conveyed and processed via his government. Moreover, Sartori argues that the dual authority structure of semi-presidentialism allows for different balances and also for shifting prevalence of power within the executive. It results from the fact that in such a system of government the structure of the executive branch is bicephalous and the positions of its two heads are relatively balanced. G. Sartori, Comparative Constitutional Engineering. An Inquiry into Structures, Incentives and Outcomes, New York 1997, pp. 131-132. Another point of view has been presented by Robert Elgie who claims that semi-presidentialism is where a popularly elected fixed-term president exists alongside a prime minister and cabinet who are responsible to the legislature. According to this concept, the constitution of a country is enough to determine whether or not the system of government is semi-presidential. There is no need to check how powers are exercised in political practice. The definition of semi-presidentialism created by Elgie does not take into account the issue of presidential powers. As a consequence, the list of semi-presidential systems includes countries where the president has great powers, countries where the president has few powers and countries where there is a balance of presidential and prime ministerial powers. R. Elgie, ‘What is Semi-presidentialism?’ in: R. Elgie, S. Moestrup (eds.), Semi-presidentialism outside Europe. A Comparative Study, London–New York 2007, pp. 6-7 (Routledge Research in Comparative Politics).
Coast differ significantly in terms of their political situation, which affects the application of their constitutions in practice.

The current constitution of Senegal was enacted in 2001. Its adoption may be regarded as a result of the peaceful process of alternation of power, which had been successfully carried out a year earlier. In 2000 the sitting president Abdou Diouf from the Socialist Party (*Parti Socialiste*, PS) has not won re-election. The newly elected president Abdoulaye Wade – the leader of the opposition from Senegalese Democratic Party (*Parti Democratique Senegalese*, PDS) – initiated the process of constitutional reforms that finally led to the creation of a more balanced semi-presidential system. It is worth noting that the changes of 2000-2001 were not accompanied by destabilizing military involvement. Senegal is constantly one of the most stable African states. In this country a military coup has never been carried out. From this point of view Senegal seems to be one of the remarkable exceptions on the African continent. The origin of the current constitution of Ivory Coast was different. It was prepared and adopted in 2000 as a result of a military coup of 1999. In its aftermath the country was temporarily ruled by general Robert Guéï. Open elections took place in 2000, but Guéï did not recognize their results (he lost to Laurent Gbagbo – the president of the Republic from 2000 to 2010). Both of the aforementioned constitutions were approved by popular vote. Despite significant changes in the political arena which took place in the first decades of the twenty-first century – in the case of Ivory Coast the political events have had bloody nature because of two civil wars – the acts still remain in force.

The Senegalese constitution of 2001 modified the existing semi-presidential system which was re-introduced as a result of the constitutional amendment adopted in 1991. In its current form the constitution establishes the duality of the executive power which is divided between the president of the Republic and the prime minister. The election of the head of state is conducted by popular vote (Art. 26(1)). In order to be chosen, a candidate has to receive the absolute majority of votes (Art. 33(2)). If no candidate has obtained such a support, a second round of the elections has to take place (Art. 33(3)).

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5 First of all, the status of the Senegalese prime minister has been relatively strengthened. The same refers to the parliament. It does not change the fact that the strong position of the president has been maintained. The creators of the constitution did not adopt a parliamentary model, but decided to relax the semi-presidential system of government. However, semi-presidentialism in Senegal is still stronger than the same model in France. Ł. Jakubiak, ‘Dynamika przekształceń konstytucyjnego modelu rządów w Republice Senegalu’ in: S. Bożyk (ed.), *Aktualne problemy reform konstytucyjnych*, Białystok 2013, pp. 624-627.


Since the constitutional amendment of 2008 the president of the Republic has been elected for seven years (earlier – for five years) (Art. 27(1)). As a result, the term of the office of the head of state is no longer equated with the term of the National Assembly – the Senegalese parliament. The president of the Republic may be reelected only once (Art. 27(1)). It should be noted that candidates taking part in the presidential election have to be – on the day of the voting – at least thirty five years of age (Art. 28). Similar regulations apply in Ivory Coast on the basis of the constitution of 2000\(^8\). The election of the president of the Republic is held by popular vote and requires the support of the absolute majority of electors taking part in the ballot (Art. 36(1)). If the requirement is not fulfilled, a second round is needed. The term of office of the head of state is five years. There may be only one re-election (Art. 35(1)). In Ivory Coast candidates competing for the presidency have to be at least forty years of age. It is worth emphasizing that they cannot be older than seventy-five years of age. In both states the general presidential election gives the president of the Republic a strong legitimacy to rule the country and affects the extensive presidential powers\(^9\). It should be pointed out, however, that in Francophone African countries such a legitimacy is often undermined due to the non-compliance (to a lesser or greater extent) with democratic standards during the general elections. This applies to both presidential and parliamentary elections. One of the most important factors that have an impact on this situation is associated with specific circumstances in which election campaigns are conducted. This can affect the final results of the election. Such problems may be seen as typical of the countries that are in the process of democratic transformation. Taking into account such difficulties, the ability of the political system to the alternation of power seems to be a significant achievement.

As mentioned above, in Senegal the constitution of 2001 retained the semi-presidential system of government. As a result, the president has not been the only body within the executive branch\(^10\). Such a constitutional structure exerts a visible influence on the constitutional position of the Senegalese head of state. According to the basic law of 2001, the president of the Republic is the guardian of the constitution.

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\(^9\) In principle, general elections are also carried out in other francophone African countries. A. Cabanis, M.L. Martin, Les constitutions d’Afrique francophone. Évolutions récentes, Paris 1999, pp. 70-72. For this reason, among other things, the systems of government in these countries can be considered at least semi-presidential.

\(^10\) In turn, monistic executive structure is typical of the pure presidential system. As noted by Giovanni Sartori, the common denominator of both presidentialism and semi-presidentialism is a popularly elected president or, at the least, a president that is not elected in by parliament. But beyond this common foundation the two forms radically depart from one another [...] In presidential system the president is protected and insulated from parliamentary interference by the division of power principle. Instead, semi-presidential systems perform on a power sharing basis: the president must share power with a prime minister: and, in turn, the prime minister must obtain continuous parliamentary support. G. Sartori, Comparative Constitutional Engineering..., p. 121.
and the first protector of the arts and letters of Senegal (le premier Protecteur des Arts et des Lettres du Sénégal)\textsuperscript{11}. The head of state embodies the unity of the nation, as well as guarantees the proper functioning of the institutions, the national independence and the territorial integrity (Art. 42(2,3)). The point of reference for such a regulation was Article 5 of the French constitution of 1958, which recognizes the role of the president as a political arbiter. It can be considered that this kind of arbitration is typical of a parliamentary system of government, in which the head of state remains politically neutralized. However, in Senegal the constitutional status of the president of the Republic is much stronger. Evidence of this is the constitutional regulation, which provides that the head of state shapes the policy of the nation (Art. 42(4)). For this reason, the role of the government led by the prime minister is significantly reduced. According to the constitution the main role of the cabinet is to conduct and coordinate the policy of the nation. It is carried out under the direction of the head of government (Art. 53(2)). It means that the aforementioned body only implements the policy which is determined by the president of the Republic. Nevertheless, it must be concluded that the constitutional position of the government towards the head of state is to some extent autonomous. In Ivory Coast this issue is different. The basic law of 2000 retained the presidential system of government which had been introduced in the previous constitution of 1960\textsuperscript{12}. In the light of the act the executive branch is dualistic only in terms of its structure. However, it is not compatible with the pure form of the presidential model. From a political point of view, there is no – even relative – autonomy of the government in relations with the head of state. According to the basic law of 2000, the latter holds exclusively the executive power (est détenteur exclusif du pouvoir exécutif) (Art. 41(1)). Also in Ivory Coast the constitution defines the presidential functions that resemble the content of Article 5 of the constitution of the French Fifth Republic. In the light of the Ivorian basic law the head of state embodies the unity of the nation, ensures the respect of the basic law and the continuity of the state. The president of the Republic guarantees the national independence, the integrity of the state territory, as well as the respect of commitments made at international level (Art. 34). It is worth noting that in this case the constitution makes no mention of ensuring the proper functioning of

\textsuperscript{11} Such a function of the president of the Republic can be interpreted as a reference to the achievements of the first president of independent Senegal Léopold Sédar Senghor, a poet and a writer, who in 1983 was elected as a member of the Académie française. For a broader discussion of the political and non-political activity of Léopold Sédar Senghor during the presidency (1960-1980) and on the Senegalese system of government in this period see: Ch. Roche, Léopold Sédar Senghor: Le président humaniste, Toulouse 2006, pp. 113-162 (Biographie); S.M. Sy, Les régimes politiques sénégalais de l’indépendance à l’alternance politique 1960-2008, Yaoundé-Paris-Dakar 2009, pp. 43-126 (Hommes et Sociétés).

\textsuperscript{12} The Ivorian constitution of 1959 opted for a parliamentary system. In 1960 a fundamental change has been made. As A.S. Alexander Jr. noted, the major difference between the 1959 constitution and its successor is that the latter abandons the parliamentary regime. The one-man executive, now called President of the Republic, is elected by universal suffrage, not by the Assembly, for a five-year term. He is no longer encumbered by the trappings of a parliamentary system, investiture, votes of confidence, censure, and dissolution. A.S. Alexander Jr., ‘The Ivory Coast Constitution: An Accelerator, Not a Brake’, The Journal of Modern African Studies, Vol. 1, No. 3 (1963), p. 297, at <http://dx.doi.org/10.1017/S0022278X00001713>. 
the institutions of the state. The omission of such a provision seems to be comprehensible. In the presidential system – unlike in the semi-presidential one – the head of state is not an arbitrator, but a political leader that shapes policies and is responsible for their implementation. Although the prime minister animates and coordinates the governmental action, the president of the Republic not only determines the policy of the nation, but also conducts it. Therefore, the prime minister lacks political autonomy, which implies a hierarchical system of relations within the executive branch. In fact, the president of the Republic is not only the head of state, but also the real head of government\textsuperscript{13}. It should be regarded as a key feature of the presidential system based on the American constitutional designs. Comparison of the two countries leads to the conclusion that in Senegal the head of state dominates within the executive branch, while in Ivory Coast the president is its sole real possessor.

The strong position of the president of the Republic is supported by further Senegalese and Ivorian constitutional provisions. In both countries the tutelage of the government has been assured by chairing the Council of Ministers. It is worth noting that the constitution of Ivory Coast guarantees that the Council of Ministers led by the head of state discusses each decision concerning the general policy of the state. The same applies to legal acts such as bills of law and the so-called ordinances (\textit{ordonnances}) (Art. 51(2)). The presidents of Senegal and of Ivory Coast appoint prime ministers and revoke them. On the initiative of the prime ministers, they designate ministers and indicate their attributions. It gives them full impact on personnel matters. Other presidential powers in both states should also be taken into consideration. They may appoint civil and military officers, submit legislation to referendums\textsuperscript{14}, as well as use extraordinary powers after the introduction of states of emergency (regulations concerning the latter issue have been created directly on the basis of Article 16 of the French constitution of 1958). The heads of state may therefore take some exceptional measures which are required by circumstances (when such values as the institutions of the state, the independence of the nation, the integrity of its territory or the implementation of the commitments made at international level are seriously and directly threatened). Extraordinary presidential powers can be seen as a tool that allows the head of state to play the role of guarantor of the constitutional order of the state. Both in Senegal and in Ivory Coast presidents of the Republic have a big impact on the lawmaking process. The heads of state are entitled to initiate laws, but only in the first of them the president has the right to propose amendments to the bills discussed by members of the legislature (Art. 82(1)). Moreover, the Senegalese National Assembly can enable the president of the Republic to take the measures which have been granted to the parliament as a legislative domain (Art. 77(1)). In this way, the head of state can directly interfere with the content of legal acts of the statutory power. On this basis, the president of the


\textsuperscript{14} It is worth noting that in Ivory Coast the president may submit to referendum not only a legal act, but also any question which – in the view of the head of state – should be directly consulted with the people (Art. 43(1)). Thus the Ivorian referendum has a much wider scope.
Republic takes the aforementioned ordinances. A similar right is available to the president of Ivory Coast. According to the constitution the head of state may, in order to introduce his political program, obtain the permission from deputies to adopt ordinances containing the measures which normally belong to the legislative domain (Art. 75(1)). This regulation can be seen as a logical complement to the constitutional provision, which provides that the head of state not only determines, but also conducts its policy.

In addition to the similarities, there are also clearly visible differences between heads of state in the two analyzed countries. They arise mainly from the adopted system of government. The semi-presidential one is closely related to the parliamentary model. The origins of semi-presidentialism result from the process of rationalization of the parliamentary system. The purpose of rationalization was to strengthen the executive branch, which thus can function effectively in the absence of a permanent and reliable parliamentary majority. Semi-presidentialism regarded as a result of extreme rationalization of parliamentarianism retains at least some of the features of the latter. One of them is the right to cause a parliamentary election through dissolution of the parliament. The president of Senegal may, after consultations with the prime minister and the president of the legislature, dissolve the National Assembly (Art. 87(1)). This right is, however, subject to various restrictions. First of all, such a dissolution may not take place during the first two years after the parliamentary election (Art. 87(2)). The term of parliament is five years, which means that the National Assembly may be dissolved in a period of the last three years of each legislature. Secondly, the parliament may not be dissolved during the application of the exceptional powers used after the introduction of the state of emergency (art. 52(6)). Such a restriction is intended as a preventive measure against further political instability. In the presidential system adopted in Ivory Coast the head of state does not have the competence. The reason is that presidentialism is based on the principle of separation of powers. Its manifestation is the fact that the president of the Republic does not have the right to dissolve parliament, and the parliament does not have the right to adopt a motion of censure against the presidential government. The model adopted in Ivory Coast corresponds to the assumption, although the direct impact that the head of state has on the lawmaking process makes this issue a bit problematic. The second important difference concerns the countersignature. In the semi-presidential system of Senegal countersignature of acts of the head of state is a principle, but the basic law provides a lot of excep-

15 Its effect is the so-called rationalized parliamentarianism. According to Herbert Döring, the “rationalization” of parliamentarianism may be evaluated by means of such factors as requirements concerning the revoking of the members of cabinet, as well as governmental tools for control over the parliamentary agenda. A. Staroff, ‘Varieties of Parliamentarianism in the Advanced Industrial Democracies’, International Political Science Review, Vol. 24, No. 4 (2003), p. 448, at <http://dx.doi.org/10.1177/01925121030244003>.

tions. They refer to the most important presidential powers. Thanks to such a provision the position of the head of state is not significantly weakened. The constitution of Ivory Coast which – in accordance with the requirements of the presidential system – makes the prime minister only a helper of the head of state – does not contain similar regulations. In the situation in which the executive branch is de facto monistic, the countersignature would not have a real justification. The Ivorian government does not take over the political responsibility of the president. Due to the lack of the constitutional provision that regulates a motion of censure, it could not lead to the resignation of the government. The position of the parliament is thus restricted.

Other differences between the systems of government in Senegal and Ivory Coast relate directly to the constitutional position of the prime minister and ministers. In the first of these countries there is the principle of a double political responsibility of the government. According to the constitution, the government is at the same time responsible before the head of state and before the parliament (Art. 53(2)). Parliamentary responsibility means that the prime minister along with the ministers should enjoy the support of the majority in the National Assembly. It has implications for further constitutional provisions. The prime minister is in fact obliged to appear before parliament. As regulated by the constitution, after being appointed by the president of the Republic, the head of government delivers in the legislature a declaration concerning general policy. After that there is a debate. It may, if the prime minister submits such a demand, result in a vote of confidence. It is expressed by the absolute majority of deputies (Art. 55 (1,2)). Such a provision leads to the conclusion that a vote on this matter is not required. The government may exist without formal acceptance of the parliament. Nevertheless, the government cannot do without parliamentary support. Indeed, it is possible to adopt a motion of censure. According to the basic law, in this way the parliament may cause the resignation of the government. The adoption of the motion of censure requires the absolute majority of all deputies. If such a motion is passed, the head of government submits the resignation of the cabinet to the president of the Republic (Art. 86(3,5)). Just as in the parliamentary system, the support of the majority in the chamber is quite important. Appointing the prime minister, the head of state must therefore take into account the political composition of the National Assembly. Without this, the government could be overthrown. The existence of a parliamentary majority, which functions as the opposition to the president is admittedly unlikely, but it cannot be ruled out. In contrast to Senegal, the principle of double political responsibility of the government has not been adopted in Ivory Coast. Given that the constitution of 2000 provides for a presidential system, it cannot come as a surprise. In such a model the members of the government are politically responsible only to the head of state. It means that the Ivorian parliament is not entitled to adopt a vote of confidence to the new government. The same applies to a motion of censure\(^\text{17}\). At this point the system of

\[^{17}\text{It does not mean that the parliament has no effect on the functioning of the executive branch, but its position in this regard is greatly limited. For a broader discussion of the relations between the legislative and executive branch in Ivory Coast see: P. Danho Nandjui, \textit{La prééminence constitutionnelle...}, pp. 45-65.}\]
government in Ivory Coast shows the most important features of the pure presidential model which has been implemented in the United States. The lack of parliamentary responsibility of the prime minister and other ministers is a condition without which the system of government in Ivory Coast could not be regarded as a presidential one.

It should be noted that the systems of government in both countries operate under quite different political circumstances. Since the country gained its independence in 1960, Senegal has been in many respects a distinctive state in Francophone Africa. Initially – after the introduction of one-party system – the presidential and parliamentary elections did not provide for democratic rivalry. However, a multiparty system without any formal restrictions was adopted at the beginning of the 1980s, therefore it occurred much earlier than in other Francophone countries of Sub-Saharan Africa. The Presidents of the Republic before 2000 were two politicians belonging to the ruling Socialist Party: Léopold Sédar Senghor and Abdou Diouf. For forty years the elections did not bring significant political changes. For this reason, the victory of the opposition leader Abdoulaye Wade in 2000 may be treated as a real breakthrough on the Senegalese political scene. It resulted in the first alternation of power in the history of independent Senegal. Contrary to expectations, the alternation of power did not change much in political practice.\textsuperscript{18} Despite the constitutional reform of 2001, the president of the Republic has remained a key player in the political system. It does not mean, however, that new political trends did not take place. After the enactment of the basic law, the presidential right to dissolve parliament obtained great political significance. Abdoulaye Wade decided to take such a step to hold parliamentary elections and win stable support of an overwhelming majority of deputies.\textsuperscript{19} In this way, it has led to so-called effect of majority (\textit{fait majoritaire}), which is known from the French political practice during the Fifth Republic.\textsuperscript{20} The subordination of the parliamentary majority gives the

\textsuperscript{18} As Sheldon Gellar noted, it soon became evident that Wade has little intention of keeping his campaign promises to reduce the powers of the President and to transfer more power to the legislative and judicial branches of government. S. Gellar, ‘The Rise of Citizen Movements and the Consolidation of Democracy under the Abdoulaye Wade Regime (2000-2012)’ in M.-C. Diop (ed.), \textit{Le Sénégal sous Abdoulaye Wade. Le Sopi à l’épreuve du pouvoir}, Dakar–Paris 2013, p. 125 (\textit{Hommes et Sociétés}).


\textsuperscript{20} The opposite of this political effect is the phenomenon of cohabitation – a situation in which the incumbent president and the majority in the parliament represent opposing political camps. Such a phenomenon has occurred three times in France and caused numerous constitutional and political
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head of state a much larger field of political maneuvering. The price is paid by the government, which is brought to the role of the body without real political significance. It should be noted, however, that – in comparison with the basic law of France – the Senegalese constitution does not provide for such a strong position of the government. Thus, the subordination of the body results, to a certain extent, from the constitutional provisions21. A strong and politically homogeneous executive branch is thus a typical feature of the Senegalese semi-presidential system of government. It was confirmed by another alternation of power that took place in 2012. The election was a defeat for the incumbent president Wade who lost in the second round to Macky Sall – a former prime minister during the presidency of Wade (2004-2007) and one of the opposition leaders from the Alliance for the Republic (Alliance pour la République – APR). Parliamentary elections were held a few months later and gave the head of state – as the elections after the first alternation of power – support of the majority in the National problems. It is worth noting that, among the Francophone African countries, the specific practice of cohabitation is known in Niger where it took place in 1995 and resulted in a military coup a year later. The practice of cohabitation may be regarded as a key political effect of semi-presidentialism. As S. Moestrup noted, conflict centered around control over the political agenda, notably over the procedures for holding cabinet meetings; appointments in the local and central administration, and presidential vetoes. S. Moestrup, ‘Semi-presidentialism in Niger. Gridlock and Democratic Breakdown – Learning from Past Mistakes’ in: R. Elgie, S. Moestrup (eds.), Semi-presidentialism outside Europe..., p. 113. It should be emphasized that the current constitution of Niger of 2010 contains specific regulations that are intended to be used during cohabitation. When there is a political difference between the so-called presidential majority (majorité présidentielle) and the parliamentary majority, the head of state appoints the prime minister from among three candidates presented by the majority of deputies (Art. 81(1)). It means that the presidential arbitrariness in the choice of the prime minister is considerably reduced. The same applies to his dismissal. The president revokes the prime minister only if the latter submits the resignation of the cabinet (Art. 81(2)). It is also worth noting that the ministers of national defense and of foreign affairs cannot be designated without an agreement between the two heads of the executive branch (Art. 81(3)). In such a situation the president of the Republic is not the only body that has a significant impact on foreign and defense policy. Moreover, during cohabitation presidential appointments concerning civil posts may be made exclusively on proposals of the government (Art. 82). As was demonstrated, the political position of the latter is much stronger than in the period of the effect of majority. As a result, the role of the head of state is visibly limited.


Gerard Conac argues that this difference between the French and the Senegalese attributions of presidential powers is far from being just formal. In France, as happened three times, when the president is no longer backed by a parliamentary majority, he can no longer determine government policies outside of his reserved foreign policy competences. In Senegal, in the same situation, the president is politically weakened but not constitutionally diminished in his powers. Though the president in Senegal must certainly take the parliamentary majority into consideration in his policy-making role, he retains a sufficient margin of action allowing him to call the shots. G. Conac, ‘Semi-presidentialism in a Francophone Context’ in: R. Elgie, S. Moestrup (eds.), Semi-presidentialism outside Europe..., p. 88. In addition, the French constitution of 1958 includes only the political responsibility of the government to the National Assembly. From the formal point of view, the head of state is not able to dismiss the prime minister on his own initiative. Political practice, however, went the other way.

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Assembly. As a result, after the presidential and parliamentary elections of 2012, the Senegalese system of government works consistently under the effect of the majority.

The system of government in Ivory Coast operates quite differently. The main problem is an extremely unstable political situation. During the presidency of Félix Houphouët-Boigny, the father of independence, Ivory Coast belonged – among former French colonies – to the group of stable African states. The presidential and parliamentary elections were not competitive but Houphouët-Boigny was able to avoid ethnic conflicts. Moreover, Ivory Coast was one of the most prosperous countries in the region of Western Africa. The situation changed radically after the death of Houphouët-Boigny. The political crisis intensified at the end of the 90s. After the presidential election of 2000 Laurent Gbagbo became the new president of the Republic. He ended the rule of the military junta which remained in power after the coup of 1999. In subsequent years, however, there was a deep political destabilization. In 2002 the first civil war broke out. Although in 2005 the five-year presidential mandate expired, a new election of the head of state could not be held. The election of the head of state was postponed until 2010. Such a situation was the cause of a new serious conflict. According to preliminary results, the incumbent president Gbagbo lost to his main political rival Alassane Ouattara – a former prime minister. However, the Ivorian Constitutional Council – in practice the organ subordinated to the then president of the Republic – declared the results in some parts of the country invalid, which meant that Gbagbo had won the election. Both candidates claimed to be the winners. The armed conflict lasted a few months. Eventually Gbagbo was arrested and – after a few months – transferred to the International Criminal Court in the Hague. The overthrow of the previous head of state ended the second civil war. Only then Ouattara could take the presidential office.

Political practice has significant impact on the implementation of the principles relating to the system of government. Without taking into account this factor, each analysis of such a structure would not be complete. As shown, in both of the analyzed countries political life looks completely different. Despite the emerging political crises, Senegal remains one of the most politically predictable Francophone African states. According to the Fragile States Index 2015 (up to 2013 – Failed States Index) prepared by the Fund for Peace, Senegal is sixty in the world. The state is still facing many demographic and economic problems, but the level of state legitimacy is relatively high. In

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Ivory Coast the situation is much worse. The state is fifteenth in the world which means that nowadays it belongs to the group of the most fragile countries. In recent years, the key problem of Ivory Coast was the inability to implement the process of alternation of power. These difficulties were clearly evident in the events of 2010 which led to an armed conflict between two presidential candidates. Compared with Ivory Coast, Senegal proved twice the real possibility to change the government peacefully through democratic elections. In 2000-2001 and 2012 the political parties that lost the presidential and parliamentary elections came to terms with sitting on the opposition benches in the National Assembly. However, as far as the practical functioning of the system of government is concerned, it should be noted that, regardless of the adoption of presidentialism or semi-presidentialism, in both states the head of state occupies a dominant position in the whole political system. The role of parliaments is significantly reduced, which means that the vote of no confidence and the motion of censure are not important in political practice. Even if the Senegalese constitution includes the dual responsibility of the government (before the president and before the legislature) the political practice is highly presidential. In fact, the main obstacles to the exercise of presidential functions are factors resulting from the instability and emerging conflicts, therefore they cannot be regarded as an effect of the adopted system of government. It may be concluded that constitutional provisions contribute to the existence of such limits to a lesser extent. As a consequence, although the formal structure of the system of government in both countries differs significantly, it does not have much influence on the political life. Even in the Senegalese semi-presidential model, in which the position of the head of state may be regarded as in some way constitutionally restricted by such factors as divided executive branch, the dominant status of the president of the Republic is guaranteed by the constant and reliable support of parliamentary majority. The probability of cohabitation between the head of state and the prime minister from different political camps is not high. All of these aspects bring us to the conclusion that the mechanisms of governance in Senegal and Ivory Coast varies mainly due to more or less complicated political circumstances. The letter of the constitution seems to be of secondary importance.

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ETHIO-DJIBOUTIAN RELATIONS IN THE 21ST CENTURY – TOWARDS NEW AFRICAN COOPERATION

ABSTRACT Very good political and economic relations between Djibouti and Ethiopia can be treated as an exceptional case in such a conflict-ridden region as the Horn of Africa. Ethio-Djiboutian cooperation owes its ‘renaissance’ mostly to the consequences of the Eritrean-Ethiopian War (1998-2000) that left Ethiopia without direct access to a sea basin. Today, almost 90 per cent of Ethiopia’s imports arrive via the port of Djibouti, while Ethiopia receives 95 per cent of the Djiboutian regional exports. One of the major infrastructure projects that should even enhance this interstate cooperation is the renovation of the Addis Ababa-Djibouti railway network. On the international level both countries are committed to the question of security, peace, and stability in the Horn of Africa (e.g. they are engaged in Somali and South Sudanese peace processes). The aim of the article is to analyze this specific personification of interstate cooperation, taking into account the conceptual framework imposed by the definition of ‘interstate cooperation’ proposed by Robert Keohane back in the 1980s. Moreover, the author attempts to look into the reasons behind the development of such good relations, seeking an answer to the question whether or not they are really mutually beneficial.

Keywords: Djibouti, Ethiopia, interstate cooperation, the Horn of Africa

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In May 2014 on the occasion of the handover of nine new Chinese vessels to the Ethiopian authorities in the port of Djibouti, the Djiboutian president Ismaïl Omar Guelleh declared “We believe that Ethiopia is Djibouti, and Djibouti is Ethiopia – no difference at all”, pointing out very good mutual relations in economic and political dimensions. In recent years, the two countries are in agreement that the enhanced regional integration is of paramount importance to eradicate poverty, boost the economic development and promote the so-called ‘African Rebirth’, starting with their own economic partnership for mutual progress.

The economic relations between Ethiopia and Djibouti have been growing in recent years in almost all the sectors, what is highlighted by the fact that almost 90 per cent of Ethiopia’s imports arrive via the port of Djibouti. The renovation of the Addis Ababa – Djibouti railway is on its way, and both countries are enhancing their interconnectivity in the areas of hydropower supply, trade, or military cooperation, among other things. All this paves the way for broader cooperative partnership and political consultations on regional and global issues of common concern, especially those related to the security, peace and stability in the region of the Horn of Africa. A good example is related to the Ethio-Djiboutian support to the warring parties of South Sudan to end the conflict through constructive dialogue under the auspices of the Intergovernmental Authority on Development (IGAD) mediation, another one is the Ethio-Djiboutian commitment to the peace process in Somalia, also in militarily aspect. Moreover, in 2013 Djibouti and Ethiopia signed several agreements to cooperate on judicial matters, education, health, and sharing intelligence information to fight against illegal migration, human trafficking, criminals and other emerging security threats.

INTERSTATE COOPERATION

For the purpose of this article it seems important to familiarize the reader with the definition of interstate cooperation. The common mistake is to see ‘cooperation’ as the opposite of conflict. Nevertheless, although cooperation is a necessary effort to resolve an actual or potential conflict, the real opposite of conflict we should rather seek in harmony (of interests) than in cooperation itself. Moreover, even in very close alliances (which are the most developed forms of interstate cooperation), such as between the United Kingdom and the United States, or France and Germany, cooperation can

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also involve a dose of rivalry, what makes it even more distanced from the state of harmony – somewhat a natural opposite to conflict.

The closest to Author’s understanding of interstate cooperation is a definition provided by Robert Keohane in 1984: “intergovernmental cooperation takes place when the policies actually followed by one government are regarded by its partners as facilitating realization of their own objectives, as a result of the process of policy coordination”. Keohane further notes that, in turn, the state of harmony is a situation in which no adjustments need to take place because actors’ policies facilitate the achievement of each other’s goals “automatically”.

Helen Milner points out that this definition somehow implies that “cooperation provides actors with gains or rewards”, however, they do not need to be of the same kind, or even the same magnitude, but it is necessary that they are mutual.

And what about the potential problem with inefficiency in cooperation? One of the explanations, sometimes viewed as fundamental, is monitoring problems. In the situation of interstate cooperation if states could perfectly monitor each other’s behavior then they would reduce or even eliminate the risk of being exploited by the other side (“cooperation partner”). Kenneth Waltz predicted that states could be reluctant in engaging in the form of cooperation in which there was a risk of being taken advantage of by other states. That is why, according to realists, it is probable that states would cooperate with one another on a short-term ad hoc basis. This article is an attempt to analyze the specific personification of interstate cooperation, taking into account the conceptual framework imposed by the definition proposed by Keohane and its potential consequences for understanding Ethio-Djiboutian relations in 21st century. The paper is based on the qualitative analysis of the already existing data (mainly the press, reports and some official documents), critical reading of the literature of the subject, data gathered during a study visit to Ethiopia in September 2014 (in the form of participant ob-

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9 R. O. Keohane, L. L. Martin, ‘Institutional Theory as a Research Program’ in: C. Elman, M. Fendius Elman (eds.), Progress in International Relations Theory. Appraising the Field, Cambridge, Mass.–London 2003 (first published in 1984), pp. 76-77 (BCSIA Studies in International Security). Nonetheless, realism was viewed by some scholars as truly pessimistic; they were seeking possible ways of undermining its hard logic. Cooperation analyzed in the framework of game theory was one of such ways. The core of the cooperation theory (which dates back to 1980s) in international relations was the Repeated Prisoner’s Dilemma model, based on the RPD game, in which two players play the Prisoner’s Dilemma over time indefinitely. The RPD game should offer an explanation of how it is possible to sustain cooperation without centralized enforcement. The main question to be addressed by cooperation theory was when states are able to sustain mutual cooperation and when they are not. A.H. Kydd, International Relations Theory..., pp. 127-128.
servation, interviews, and informal talks), as well as consultations with scholars on the Horn of Africa (mainly during 19th International Conference of Ethiopian Studies).

**DJIBOUTI TODAY**

The Republic of Djibouti is a small (23 200 km²) former French colony in the Horn of Africa, formerly known as French Somaliland (1896-1967) and the French Territory of the Afars and the Issas (1967-1977). The official languages are Arabic and French, while the state’s official religion is Islam (94 per cent of the population professes Sunni Islam)\(^\text{10}\). Apart from religion, the proximity of the Arabian Peninsula is also visible in the country’s economy (growing trade relations with the Arab states of the Persian Gulf) and foreign policy (Djibouti is an active member of the League of Arab States\(^\text{11}\)). The ethnic structure of Djibouti is dominated by Somalis (60%) – mainly from the Issa clan (the sub-clan of Dir), the second largest ethnic group are Afar people (35%), the remaining five per cent of the population are French, Italians, Arabs, and Ethiopians\(^\text{12}\). The latter are mainly economic migrants, often staying in the country illegally\(^\text{13}\).

Considering its small area and population (approx. 830,000), the importance of Djibouti in the Horn of Africa lies mainly in its geographical location – on the Gulf of Aden at the entrance to the Red Sea and the Bab-el-Mandeb Strait, which separates the African continent from Asia, making Djiboutian territory of strategic importance for regional and international actors\(^\text{14}\).

Since the 80s of the 20th century Djibouti is ruled according to the following division of power: the president is elected from among the Somali Issa clan and the prime minister from among the Afars. This solution, however, did not prevent the eruption of a conflict between these two ethnic groups (in the form of the creeping civil war, 1991-1994/2001)\(^\text{15}\), especially because although formally the Djiboutian system is

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15 From 1991 to 2000 Djiboutian authorities fought a civil war with the Afar rebels that started an insurgency against Issa domination in public life. The rebellion was led by the Front for the Restoration
a semi-presidential one, in reality the role of the President has always been immeasurably greater. The current President, Ismail Omar Guelleh, took power in 1999\(^\text{16}\) after his uncle Hassan Gouled Aptidon, the first president of the independent Djibouti, who held office for four consecutive terms over the period 1977-1999, and from 1977 to 1992 ruled Djibouti with the use of presidential decrees, because the state did not have a formal constitution. Both governments have been considered authoritarian, moreover the Afar minority, favored during the French era, suddenly felt marginalized during the Issa clan presidency, whose political domination was possible due to the construction of the Djiboutian system of government and exercised political practice\(^\text{17}\).

The Djiboutian economy is based on the transport sector, using its geostrategic location and the seaports it possesses: the international port of Djibouti (located in the capital – Djibouti City), as well as its extension – opened in 2003, the port of Doraleh. Moreover, in 2012 the construction of a new port in Tadjourah was announced\(^\text{18}\). The importance of Djiboutian ports increased after the Eritrean-Ethiopian War of 1998-2000. As a result of the conflict Ethiopia was cut off from the sea and forced to look for other possibilities for access to the sea basin. Currently, Djibouti experiences also a large number of foreign investments from the Gulf states (mainly from the United Arab Emirates, particularly Dubai) and China\(^\text{19}\). The Chinese (Chinese Railway Engineering Corporation and Chinese Civil Engineering Construction Corporation) are renewing and modernizing the disused Djibouti-Addis Ababa railway line, founded in the colonial era\(^\text{20}\). Although Djibouti could not complain about the lack of interest of

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\(^{16}\) However, the current de facto ruling party (Rassemblement populaire pour le progrès, RPP) has been in power for 35 years (Guelleh himself over this period held various public positions on behalf of his party).


\(^{19}\) D. Styan, Djibouti. Changing Influence in the Horn’s Strategic Hub, London 2013, pp. 3-8 (Chatham House Briefing Paper, AFP BP 2013/01).

\(^{20}\) The work related to the construction of the railway was carried out in the years 1894-1917. The restarting of the railway link was planned for March 2016, but it seems that it may experience some delays. D. Hartleb-Wróczańska, ‘Kolonializm w Rogu Afryki’ in: J. Mantel-Nieśc, M. Ząbek (eds.), Róg
foreign partners and related investments\textsuperscript{21}, its GDP per capita amounts to 3,300 USD (2015), with a systematic growth in the last few years (about $200 per year), at the same time being the highest GDP per capita among the countries of the region\textsuperscript{22}, these figures mask huge social inequalities and a high level of poverty. The unemployment rate in Djibouti for several years has been estimated at 60 per cent and 18.8 per cent of the population lives below the poverty line on less than $1.25 a day\textsuperscript{23}.

On the regional level Djibouti is actively engaged in the peace process in neighboring Somalia, and recently also in South Sudan (mainly through Intergovernmental Authority on Development) – the youngest African state which since December 2013 has experienced a brutal civil war\textsuperscript{24}. President Guelleh likes to think about himself as one of the “architects” of the Somali peace process. It is justified only to a certain extent; thanks to him peace talks in Arta (a town situated 48 km from the Djiboutian capital) were initiated, which resulted in the creation of the Transitional National Government, recognized by the international community as the central Somali government over the period 2000-2004\textsuperscript{25}. In the last 15 years President Guelleh spared no efforts to be actively involved in the Somali peace process, however, it would be an exaggeration to consider Djibouti one of the most important international players engaged in find-
ing a solution to the Somali conflict. Nevertheless, in President Guelleh’s foreign policy one can perceive eclecticism and pragmatism. He backs the Palestinian cause, encourages the Chinese to invest more in Djibouti, and supports the United States in the war on terror, while at the same time he tries to refresh Djibouti’s relations with the former metropolis. In a similar eclectic spirit and style Guelleh also describes the Djiboutians – “African at heart, Arabist in culture, and universalist in thought”.

For the international position of Djibouti it is not without significance that a number of international actors have military interests in Djibouti. The possibility of using Djiboutian bases and ports is a strategically important element for the realization of their policy in the region. Among these important international players, one can find the former metropolis – France which maintains in Djibouti the largest of its bases on the African continent, constantly keeping about two thousand soldiers. Another important player is the United States, in 2001 the Djiboutian authorities leased the former French base – Camp Lemmonier to U.S. Navy. In this way, Camp Lemmonier became the only permanent U.S. base in sub-Saharan Africa, in 2008 passing under the newly established United States African Command (AFRICOM). Altogether it hosts over four thousand US military personnel, as well as “the army” of the US drones used to track down the militants of Al-Shabaab in Somalia and Al-Qaeda in Yemen. While the United States experienced a difficult time with Ethiopia and Eritrea – both their allies – which got engaged in a war (1998-2000), they started to appreciate even more the strategically located tiny Djibouti that appeared to be very stable and internally calm, especially in comparison with its neighbors. The value of the Djiboutian strategic location and its potential became already clear for the United States during the Gulf War (before they were rather concentrated on the Somali port of Berbera, as a consequence of good Somali-US relations prior to the 1990s). Also today the best possible relations with Djiboutian authorities are in the broadly understood interest of the United States, especially while taking into account the more and more active Chinese policy in the region.


28 Unmanned aerial vehicles.


31 In August 2015 Djiboutian authorities ordered Americans to leave the port town of Obock, where they benefited from the pier and a small airport. The reason behind this decision was related to Chi-
ETHIOPIA AND ITS NEIGHBORHOOD WITH DJIBOUTI

After the fall of the military regime of Mengistu Haile Mariam in 1991, the new Ethiopian authorities introduced a number of economic reforms with an aim to restructure the economy and achieve macroeconomic stabilization. As a consequence, in the last two decades Ethiopia has witnessed previously unseen development in many areas. The country can count with a constant GDP growth, however, similarly to Djibouti, it experiences a big economic inequality problem. Moreover, the growth itself has not attracted, as some authors point out, a sufficient reduction of poverty. It seems that the Ethiopian government could be more concerned with the overall development of the country and not only aiming at two-digit growth figures, especially while the levels of urban and rural poverty driven by a constant population pressure are still very high. Historically, most of Ethiopia’s GDP used to come from agriculture. In the past, it was generally coffee export. Nevertheless, low coffee prices on the world markets introduced forced diversification of the agricultural production for the export markets (flowers, vegetables, khat). Appreciated for its constant efforts, in 2005 Ethiopia was one of the 18 countries that benefited from 100% multilateral debt relief of loans from the International Monetary Fund, the World Bank, and the African Bank of Development, and this only indicates what is visible also today that the international actors are convinced of the important role Ethiopia plays in the region and view it as a crucial element to the region’s political and economic stability. This political stability often seems to be more recognized that the country’s sometimes dubious commitment to the human rights and the standards of good governance. One of the recent examples

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is the Ethiopian government’s reaction toward the Oromo people protesting against the introduction of the ‘Addis Ababa Integrated Regional Development Plan’, aimed to expand the capital, Addis Ababa into Oromia regional territory, which resulted in exacerbation of police violence, killings, arbitrary arrests, enforced disappearances and documented cases of tortures. Nevertheless, after 1991 one can observe Ethiopia’s efforts to regain its past hegemonic position in the Horn of Africa. Today, despite a range of internal problems, it is perceived as one of the most stable African countries. Moreover, according to the International Monetary Fund, it is also believed to be the fastest growing economy among the non-oil producing Africa’s countries. Its political position may grow not only in the region but also on the whole continent. Ethiopia already hosts headquarters of some most important regional and international organizations (i.e. the African Union). Also the United States’ attitude towards Ethiopia is, similarly to the Djiboutian case, very positive. The US view Ethiopia nowadays, especially in the face of the still unstable political and security situation in Egypt after the Arab Spring, as an important regional security partner in the global war on terror. Ethiopia became their political and security beachhead, while Djibouti is a military one, both countries seem then crucial for the realization of the American policy towards the Horn of Africa region.

Good relations with the United States are one of many aspects of the community of interests experienced by Djibouti and Ethiopia in the international context, especially in its regional dimension, since the Horn of Africa still represents one of the most fragile regions of the world – in the last quarter century the region experienced 32 inter-state conflicts and 179 conflicts with non-state actors. Ethiopia’s neighborhood is then a much destabilized one: the ongoing conflict in South Sudan, very unstable situation in Somalia, Kenya – threatened with terrorism, and Sudan and Eritrea – isolated on the international arena. On this panorama the tiny Djibouti is an exceptionally reliable partner, both in political and economic issues. Good relations between these two

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34 Ethiopia’s largest ethnic group that represents 34.5 per cent of the population.
35 Finfinne – in the Oromo language.
countries can be of added value for the entire Horn of Africa region, becoming the axis of stability in a destabilized and insecure environment.\(^\text{38}\)

The Ethio-Djiboutian relations are also influenced by historical regional issues, as well as the more locally-focused Afar-Issa conflict. After the Second World War Ethiopian Emperor Haile Selassie I wished to continue Ethiopian expansionist policy in the region (dated back at least to the times of Menelik II), claiming Eritrea, Somalia, and Djibouti as authentically Ethiopian lands and referring to the past Ethiopian “grandeur”. However, in the Djiboutian case he definitely failed as this territory, although small, was of strategic importance to France.\(^\text{39}\) Therefore the common problem for both Ethiopia and Djibouti in the Horn of Africa region is Somali nationalism. Since 1960 when Somalia became an independent state, it claimed right to all Somali-inhabited territories, so in fact, to both Djibouti and the Somali Region of Ethiopia (historically known as Ogaden).\(^\text{40}\) This means that although both countries are committed to the peace process and stabilizing efforts in the neighboring Somalia, on the other hand in their vital interest is that strong, united and centralized Somali state will never revive.\(^\text{42}\)

Over the years the relations between Ethiopia and Djibouti could have been affected by the often difficult coexistence of the two ethnic groups that inhabit both territories: the Somalis (from the Issa clan) and the Afars. However, as one can observe the mutual animosities between these groups did not have a significant negative influence on the Ethio-Djiboutian relations. In all probability, it did not happen, because of the fact that both these groups number only a very small percentage of the Ethiopian population, thus their conflicts and problems are not the state’s priority. Two out of nine ethnically-based regional states of Ethiopia border on Djibouti: the Afar Region and the Somali Region. The two ethnic groups that consist the majority of their inhabitants: the Afar people and the Somalis also shared two major ethnic groups with Djibouti (according


\(^{41}\) Ibid., p. 27.

to the 2007 Census in the Afar Region 90 per cent are Afars and in the Somali Region slightly over 97 per cent of population are ethnic Somalis\(^{43}\). The conflict between Afar people and Somalis from the Issa clan is a common feature in the Djiboutian and Ethiopian ethnic divisions. In Ethiopia in the 1980s and 1990s constant clashes between the Afar and the Issa\(^{44}\) herdsmen were mostly over water issues. It was especially difficult as there was no traditional conflict resolution mechanism between these two groups and the Ethiopian government. The civil war in Djibouti although by many perceived rather as a power struggle between Afar and Issa urban elites, on the other level, however, could have been interpreted as an extension of the ongoing Afar-Issa conflict inside Ethiopia. The Ethiopian-Eritrean War which came after (1998-2000) was fought partly in northern Afar Region, and this caused serious problems for the local population and, in consequence, became an additional factor to the already existing tensions between these two ethnic groups. In the years that followed, the Shinile Zone inhabited mostly by the Somali Issa clan struggled with the ban on animal imports from the Horn of Africa imposed by Saudi Arabia in 2000, due to an outbreak of the Rift Valley fever. The Issas were major exporters of sheep and goats to the Arabian market, so when this export stopped, they were hit very hard by its consequences. The Shinile Zone became overstocked and overgrazed, what forced the Issas to enter deeper into the Afar territory. The drought of 2002-2003 hit both populations almost equally and the struggle over water resources flared up again, even stronger than before. However, after the war of 1998-2000 the Ethiopian federal government finally noticed the problem, as in the situation of losing the access to the sea through the Eritrean coast, it was determined to turn its attention toward Djibouti. So at this point Addis Ababa appealed to both sides to refrain from hostilities and tried to engage the academics to help find the solution to the problem\(^{45}\). Ethiopia feared that the ongoing conflict between Afar and Somali Issa populations could be viewed as a kind of obstacle for the planned development of very good and close relations with Djibouti\(^{46}\), towards which Ethiopia was somewhat forced by after-war circumstances. Just before the Ethiopian-Eritrean War when the Addis-Ababa – Djibouti railway was already in decline, Ethiopia was totally dependent on the Eritrean port of Assab\(^{47}\), as 80 per cent of its trade of that time passed through this

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\(^{44}\) In Ethiopia the Issas inhabit mostly the Shinile Zone – one of nine zones of the Somali Region, bordering on the Oromia Region, Dire Dawa city (they naturally spill into the city), and the Afar Region. J. Markakis, *Ethiopia. The Last Two Frontiers*, Woodbridge 2011, p. 324 (*Eastern African Studies*).

\(^{45}\) Ibid., p. 302.

\(^{46}\) As noted by Kassahun Berhanu – the major structural cause of conflict in Djibouti was the perception of political and economic marginalization by the Afar population. K. Berhanu, ‘Conflicts in the Horn of Africa and Implications for Regional Security’ in: R. Bereketeab (ed.), *The Horn of Africa...*, p. 77.

\(^{47}\) And to a lesser extent on the port of Massawa. However, it should be noted that in the colonial time until the early 1960s Djibouti was, thanks to the functioning Addis Ababa-Djibouti railway link, the most important transit port for Ethiopian trade. In 1963 49% of Ethiopian exports and 41% of its imports went through the port of Djibouti, while through the port of Assab and the port of Mas-
Eritrean port, there were then certain differences about the special position of Ethiopia in the use of the port – which was one of the economic problems that arose before the war and contributed to the already tensed pre-war situation. Moreover, the intensification of the Afar-Issa conflict had also more tangible effects as the road to Djibouti crosses through Afar territory and the railway link through the Issa territory, making the sole way for the landlocked Ethiopia to the sea basin dependable on the peace on the Afar-Issa borderland.

IS IT NEW AFRICAN COOPERATION? VARIOUS ASPECTS OF ETHIO-DJIBOUTIAN RELATIONS

Ethio-Djiboutian relations which after the Eritrean-Ethiopian War assumed the form of well-developed interstate cooperation – first of all in the economic, then also in political dimension – are of exceptional nature, not only because of the fragile regional environment in which they were born, but also due to a truly wide range of forms in which they are being realized. What draws attention is also the fact that the large and populous Ethiopia needs the tiny Djibouti probably as much as Djibouti needs Ethiopia, and although it is hard to evaluate whether the gains for both countries are of the same magnitude, they are definitely mutual – a requirement that according to Helen Milner has to be met, if we want to talk about real ‘interstate cooperation’.

Djibouti and Ethiopia established their diplomatic relations in 1984, although their “renaissance” took place after the Eritrean-Ethiopian War (1998-2000) and was related, as it was mentioned before, to economic issues. For Djibouti the neighborhood with Ethiopia although often perceived as the possibility of a positive partnership that could stimulate economic growth, in some aspects can be problematic. A country which is relatively rich for the conditions of the region, Djibouti has attracted refugees and economic migrants from other countries of the Horn, including Ethiopia. The majority of Ethiopians living in Djibouti are illegal migrants. According to the data provided by the Office of the United Nations High Commissioner for Refugees (UNHCR) the number of refugees from Ethiopia living in Djibouti is quite low – in January 2015 it was 480 people, and in December 2015 – 600. These are not big numbers in comparison with other nationalities of the Horn (e.g. around 21,500-22,000

saw these numbers were much smaller, respectively 27% and 26%, and 18% and 27%. The situation changed after 1967 when the construction of the refinery in Assab had been completed and the road connection to the Assab had been also ameliorated. A. Gascon, ‘Djibouti, un port entre continent et grand large. Base militaire, port de l’Éthiopie, de l’Afrique de l’Est, de l’Océan Indien?’ in: A. Said Chiré (ed.), *Djibouti contemporain*, Paris 2013, pp. 130-131 (*Hommes et Sociétés*).


refugees from Somalia), however, the figures do differ in the case of asylum seekers. In this group Ethiopians constitute the largest number – 3,930 in January 2015 and 4,430 in December 2015 respectively. Having limited natural resources and experiencing almost continuous droughts, Djibouti finds this situation quite precarious, especially as this refugee/migrants crisis Djibouti is dealing with has a rather protracted character.50

As it was mentioned before, currently about 90 per cent of Ethiopia’s trade is carried out through the Djiboutian ports. At the same time Ethiopia receives 95 per cent of the regional exports of Djibouti (mainly sheep, goats, charcoal, salt and re-exports)51. As for the Ethiopian export to Djibouti, it mostly consists of electricity. The smallest state of the Horn of Africa, trying to meet its electricity needs, has started, however, to build photovoltaic farms, and there are also plans to use geothermal and wind energy. The Djiboutian authorities would like to produce all the country’s power from renewable resources by 2020. Nevertheless, the situation of the energy dependence is not likely change in the coming years. The operative electric power interconnection agreement, signed in 2013, is worth $2 billion and is aimed at increasing the affordability of electricity access in both countries. The new transmission line, financed with the help of the African Bank of Development, enables Ethiopia to export to Djibouti up to 75 MW of electricity, which today constitutes 65 per cent of Djibouti’s electricity needs.52

Djibouti also undertook some changes in the way it administers its ports, having in mind that they became Ethiopia’s windows on the world and the main founding of their bilateral relations. In 2012 in order to handle the growing cargo flowing to and from Ethiopia, it decided to privatize its ports, as well as to contract Dubai Port World – one of the world’s best port operators. Currently, its port capacity is 1.5m 20ft-equivalent containers a year, however this capacity should increase with the progress of the undertaken modernization work. At Doraleh Djibouti has also built one of the biggest oil storage and handling complexes in Africa. These improvements are of great importance not only to Djibouti – which itself is an energy importer – but to the whole region, and especially Ethiopia. The establishment of the Free Trade Zone that adjoins the port is also a boost in further development of mutual economic relations. Djibouti Free Zone hosts over 100 regional and global companies and it has enabled to Ethio-

53 The twenty-foot equivalent unit is an inexact unit of cargo capacity often used to describe the capacity of container ships and container terminals.
pian enterprises to operate in the proximity of the port and under a fiscal regime as conducive as the one they operate under in Ethiopia. Moreover, Djibouti itself was able to offer a wide range of services within the created zone54. Nearly 80 per cent Djibouti’s GDP is attributed to the ports or port related activities55.

Despite the fact that Djibouti will remain the major port for the Ethiopia, the Ethiopian authorities try to diversify their transport corridors, in February 2015 it was announced that five to ten per cent of the country’s imports are planned to come through the port of Berbera in Somaliland56. It seems especially important as despite all the improvements introduced by the Djiboutian authorities and good bilateral relations, this “port-dependence” experienced by Ethiopia happens to be burdensome, as for example, the recent problem of food aid supplies destined for 10 million Ethiopians affected by the consequences of the El Niño phenomenon. The Djiboutian ports became congested because of the shortage of trucks able to transport the food out of the port area. In consequence emergency food shipments for starving Ethiopians are delayed for weeks57.

Despite these difficulties both countries’ commitment to major infrastructural projects is clearly visible. The best example is the renovation of the Addis Ababa-Djibouti railway link (or in fact the construction of a new electric line that runs along the old one). The new/renovated 752 km-long railway link will reduce the travel time from Djibouti port to the Ethiopian capital from two days to less than ten hours. With a capacity of 3,500 tons it exceeds seven times the capacity of the old line at its peak. The fact that will undoubtedly contribute to the economic development of Ethiopia’s hinterlands and help relieve the countries’ road networks. In the future this rail link is planned to serve as a key component of the proposed trans-continental East to West African Railway Network58. The commissioning of this new/renovated railway link, which is expected in the first half of 2016, is a new beginning for Ethiopia, which until recently could rely only on the road transport – long lines of trucks after leaving Djibouti’s Doraleh Container Terminal, headed south to Dire Dawa and Addis Ababa59.

The renovation of the Addis Ababa-Djibouti railway, but also the new Chinese-built electrified Ethiopian railway project will be used for both freight and passenger transport, replacing the slow and costly truck transport. The trains can be very profitable, as one machine could replace 10 trucks in terms of throughput. The planned electric railway will be one of the first electric trains in East Africa and will run at a speed of 120

\[54 'A Partnership for Progress', \textit{New African}, 20 June 2012, at <http://newafricanmagazine.com/a-partnership-for-progress/>, 28 October 2015; A. Gascon, 'Djibouti, un port...', pp. 139-140,
\[58 'A Partnership for Progress'.
\[59 N. Norbrook, 'Transport...' \]
kilometers an hour. Its maintenance will be also easier and cheaper (it will be mechanized and rely on locally-produced hydropower)\(^{60}\). It is worth highlighting here that Djibouti also invests in Ethiopia's hydroelectric program, which makes mutual relationships even closer. Djibouti is the largest foreign buyer of bonds issued by Ethiopia to finance the Abay River (Blue Nile) hydroelectric facility, while Djibouti’s investment in the Grand Ethiopian Renaissance Dam amounts to $1 million\(^{61}\).

Surprisingly, water, so desperately needed by the desert nation of Djibouti\(^{62}\), can become one of the biggest discrepancies in mutual relations. In mid-2014 Ethiopia signed a 30-year agreement with Djibouti to enable it to extract fresh water from ground water resources free of charge in the Shinile Zone in the Ethiopian Somali Region (about 100 km from the Djiboutian border). Therefore Djibouti will be supplied with water in the amount of 103 thousand cu meters per day. According to the agreement, Djibouti was granted a plot of land in Shinile Zone and it can extract the water for free, just it has to run the water development project on the ground (the project is owned, financed and operated by Djibouti). However, the project itself has become a sort of controversial issue in the perception of the mutual relations. The critics raised the fact that the agreement had not been publicly discussed and had been kept confidential until its official announcement. First of all, it seems (and the Ethiopian government admitted it) that Ethiopia would not get any economic benefit out of it, so the question is if it serves to generate any indirect and not economic benefits, for example in terms of Ethio-Djiboutian cooperation in various fields. It was also commented that although with regard to Djibouti, Ethiopia is determined to ensure long-lasting and reliable port services, they are not for free and Djibouti derives a great amount of profit from this, so “no free service or a gift is expected on either side”. Moreover, the local population inhabited in the area where the project was to be implemented was forced to move by the Ethiopian forces to the area 70 km away. The forced eviction of the residents could also surprise as this part of Ethiopia is rather sparsely populated and it was not made clear why it was necessary to evict local people from the technical point of view, as the residents do not have contact with deep-seated ground water, there is no big urban center in the area, and the evicted residents did not have big farms on which they could use chemicals that could pollute the waters underground. Last but not least, the Somali Region in general, and the Shinile Zone in particular, suffers from the scarcity of water, so the decision of the Ethiopian government is quite surprising, taking into


\(^{61}\) 'A Partnership for Progress'.

account the water problems experienced by the Ethiopian citizens in this area. To deal with the water problem several governmental and nongovernmental institutions had been working in the area and in 2012 the Somali Regional Government started drilling and developing 70 water wells in the Shinile Zone (in 2012 already 160 million Birr were spent on it), but these wells were about to operate on the same water, the Ethiopian Government wanted to donate for free to Djiboutians. The remaining question is whether the Ethiopian authorities are so desperate to ensure good and long-lasting relation with Djibouti and just went too far, or maybe there is a secret governmental deal behind it. The groundswell of discontent in the Internet after the announcement of the deal was alleviated when in July 2014 it was officially admitted that Djibouti would pay compensation to the Ethiopian residents affected by this water project.

Generally speaking, it seems that both countries share a common vision of the regional development and are equally committed to the completion of the major infrastructure projects, such as: the rehabilitation of the Djibouti-Dire Dawa highway and the construction of the Northern Corridor (Dorra-Balho); the rehabilitation of the Djibouti-Ethiopian Railway and construction of a new rail corridor to the north – Tadjourah-Mekele; as well as the construction of the Port of Tadjourah itself. However, it must be emphasized that cooperation with Ethiopia is not only limited to the economic (or infrastructural) issues; it also it includes cooperation at the political level and in the area of security. In 2013 Djibouti and Ethiopia signed an agreement about military cooperation, consisting in the exchange of military information, military training and cooperation in controlling the activities of smugglers, terrorists, human traffickers and other kind of problems that could appear in the border areas. The troops of both countries coordinated also their activities on the peacekeeping missions in which they both participate (such as AMISOM in Somalia). Moreover, a group of Djiboutian soldiers had been trained in Ethiopia.

On a historic visit in Djibouti in February 2015, already mentioned at the beginning of this article, Ethiopian Prime Minister Hailemariam Dessalegn heard many warm words from Djibouti’s president, among them the assurance that “Djibouti and Ethiopia are strong, strategic partners. We share the same values, culture and economic vision.” The official aim of the visit was to formalize economic and social integration.

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64 ‘A Partnership for Progress’.


66 A. Haythornthwaite, ‘Djibouti: Ethiopian Prime Minister...’ Some analysts try to explain the reasons behind these good mutual relations, using the so-called “genetic” theory, arguing that the above-
The three-day visit that was the first official state trip of a sitting Ethiopian prime minister was according to the Djiboutian President a milestone in the relations between the two nations. The leaders discussed ways to expand mutual cooperation even further, as well as policy coordination in international issues which are important for both countries, such as the fight against terrorism or the promotion of regional integration in order to maintain stability in the Horn of Africa.

When we analyze the Ethio-Djiboutian relations in the 21st century there are several additional issues that appear. First of all, some argue that this kind of relationship we can observe at the moment is (or should be) just a prelude to further closer cooperation, and finally even a kind of integration or the unification of both countries. The Ethiopians that the Author talked with were willing to consider such a possibility and usually indicated that this sort of development of mutual relations would be very beneficial for Ethiopia which could gain sea access again. However, some of the interlocutors pointed to a risk that much bigger and populous Ethiopia would in the end totally dominate the smaller neighbor, what could transform any form of political or economic integration into an annexation of the Djiboutian territory and blurring any kind of the Djiboutian sense of national identity (due to aforementioned ethnic and cultural similarities). It is also worth noting that although the Ethio-Djiboutian relations behind their obvious economic goals, are sometimes perceived as a quest for stability in the immediate neighborhood (not only already mentioned engagement in peace processes in war-torn neighboring countries, but, for example, pragmatic relations with Somaliland). However, this Ethio-Djiboutian cooperation could also contribute to some regional ten-

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67 Although for a long time Djibouti rather seemed to be free of a serious terrorist threat, the presence of the foreign military bases, as well as Djibouti’s engagement in the Somali peace process, had to attract the attention of the regional terrorist groups, such as Al-Shabaab. In May 2014 a couple (later identified as Somali nationals, related to Al-Shabaab) blew themselves in a suicide attack in a restaurant in Djibouti Ville, frequented by the foreign military personnel. It was the first attack of this kind in Djibouti. Beside the bombers, one person died (Turkish national), while several other were wounded. Soon after, Al-Shabaab claimed responsibility for the attack. ‘Djibouti Says Couple that Bombed Restaurant Probably Somali’, Voice of America, 26 May 2014, at <http://www.voanews.com/content/reu-djibouti-says-couple-that-bombed-restaurant-probably-somali/1922474.html>, 30 August 2015; ‘Al Shabaab Claims Responsibility for Djibouti Suicide Attack’, Reuters, 27 May 2014, at <http://www.reuters.com/article/uk-djibouti-attacks-idUSKBN0E72AA20140527>, 31 August 2015. For more information about the changing challenges for Djibouti’s security see: D. Styan, Djibouti...

68 A. Haythornthwaite, ‘Djibouti: Ethiopian Prime Minister...’

69 Author’s conversations with Ethiopian scholars during the 19th International Conference of Ethiopian Studies at the University of Warsaw, 24-28 August 2015.

70 They are not willing to recognize it as a state but it does not mean that they cannot cooperate with it on the security or economic level.
sions. For example, one wonders if the border conflict over Ras Doumeirah in 2008 between Eritrea and Djibouti was in fact a result of the Eritrean resentment towards its neighbor that profits from the prosperous relations with Ethiopia71 and the United States72. The other side of the coin is the Ethio-Djiboutian cooperation presented as a sort of distraction from the real problems of the country – a method of dealing with public discontent with the internal situation. Both Djibouti and Ethiopia are often perceived as authoritarian regimes, dealing with some internal problems (e.g. the Oromo question in Ethiopia, two waves of the Arab Spring-inspired protests in Djibouti etc.). However, it should also not be forgotten that there are unresolved issues between the two countries that can in the future provoke some serious tensions. These include the question of citizenship in Djibouti where the rights to become qualified as a citizen do not emanate only from its legal framework, but are also dependent on the controversial incorporation into the patron-client system. In consequence, a large part of Djiboutian population is stateless, despite having been born on the Djiboutian soil and living there all its life. At the bottom of this “citizenship ladder” one can find economic migrants or their descendants, particularly Ethiopians, the majority of whom would never be able to receive Djiboutian citizenship73.

CONCLUSIONS

Despite the fact that Djibouti is a tiny state, in the region of the Horn of Africa its importance is immeasurably greater. One of the reasons can be traced to its close trade and political relations with the largest country in the region – Ethiopia. Political and economic relations between these two nations influence the situation in the whole Horn of Africa – in some aspects they can be perceived as a source of stability and a great example of the African interstate cooperation, while in the others they can lead to further regional tensions – as in the case of Asmara’s attitude towards these close ties. Ethio-Djiboutian relations should be also considered in the context of the Somali crisis in which, both, Ethiopia as a strong regional actor and the United States as an outside Horn of Africa partner take actively part. The new infrastructural investments which are being planned or are already under construction – aimed to improve the mutual trade benefits – seem to confirm that the role of the Djibouti in the region and its importance for the Ethiopia, for the moment will be maintained, and in the future it can

71 However we put it, the Djiboutian port (and its extensions) replaced the Eritrean ones after the 1998-2000 war in providing service to Ethiopia.


even increase. However, there is also a range of issues that must be solved to avoid future tensions, such as mining fresh water for free deal from 2014 or the question of Djiboutian citizenship.

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Since Zanzibar and Tanganyika became the United Republic of Tanzania in 1964, African socialism called *ujamaa* spread widely in this country. The adoption of an African Socialist approach was accompanied by the nationalization of education and health facilities belonging to the religious institutions. However, since the collapse of *ujamaa* in the mid-1980s, Tanzania saw the increased activity of various faith-based organizations (FBOs) that were connected to the economic and political liberalization. The new system caused that FBOs have become part of a growing religious field which has repositioned itself toward the multiple opportunities and expectations of the established apex bodies to coordinate with each other and manage their relationships with the government. This article describes how religious actors in urban Tanzania have repositioned themselves in relation to the state as well as themselves during the liberalization era triggered by development.

**Keywords:** Religious Institutions, African Socialism, development, Tanzania
INTRODUCTION

Faith-based organizations (FBOs) have been involved in various types of charitable, philanthropic, humanitarian, and development work as well as they have been funded by different donors for years. However, in development studies, policy and practice, religion is either neglected or taken as a given. When development discourse and practice consider religion, it tends to be regarded as either an obstacle to the achievement or development aims or as a missing ingredient which, if understood, will help to increase the effectiveness of development efforts. However, only over the past decade development donors have increasingly chosen to support the work of faith-based organizations. FBOs have attracted growing attention in recent international academic and policy studies concerning the role of the non-profit sector and the role of religions in national development. It is important to notice that this attention went up in all-West countries while in most countries of the South religion and religious institutions have shaped people worldview’s and social institutions throughout the post-colonial period, although its configurations and manifestations have changed.

This article focuses on the role of the FBOs in the development and their relations to the state as well. However, this paper does not attempt to explain the relationship between religion and development. Rather it focuses to understand the link between religion in development and the state. The spiritual development work of religious organizations is not covered in this article as well. This paper begins with an explanation of the term FBO in development discourse and examines the scale and the scope of development activities of FBOs in Tanzania, compared to the state. However, it focuses also on increased tensions along inter-religious and state-religious lines, especially along Muslim and Christian lines. Accordingly, there is a growing tendency that religious organizations publicly challenge government polices and the government’s relationships to sections of the society. The article concentrates on Christian and Muslim organizations, given the predominance of these religions in Tanzania.

THEORETICAL APPROACH

The current question is what exactly the term “faith-based” means. There are two main reasons that make for discussion about term of FBOs. The first concerns the nature of FBOs itself. The second touches upon the act of distinguishing between FBOs and secular organizations. According to Mark Chaves, we can conclude that the term “faith-based organizations” typically suggest religious congregations with primary missions

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of worship and religious education. Other researchers have adopted narrower definitions. Julia Berger, for example, uses the term “religious NGO” (RNGO) rather than the term FBO, defining RNGO as “...formal organizations whose identity and mission are self-consciously derived from the teachings of one or more religious or spiritual traditions and which operate on a nonprofit, independent, voluntary basis to promote and realize collectively articulated ideas about the public good at the national or international level.” However, since 2001 discussion of faith-based organizations has begun to expand beyond congregations and include a wide array of entities, which may or may not be linked to congregations. Following this, there has been a group of scholars from the USA that have aimed to define what an FBO is and how faith is manifest in them. Thomas Jeavons quotes a description of seven key areas in which faith manifests itself within organizations: self-identity; religious convictions of participants; the extent to which religion helps or hinders the acquisition of resources; the extent to which religion shapes goals, products and services; the impact of religion on decision making; religious authority and power of leadership; and the extent to which religion determines inter-organizational relationships. However, Jeavons argues that congregations should not be included within the definition of FBO because it can challenge the constitutive religion/state separation. Berger agrees with him and distinguishes religious NGOs from congregations and argues that the latter are focused mainly on their members whereas RNGOs have a public mission. However, she acknowledges that there is some relationship between the two, since “RNGOs represent congregations, denominations, spiritual or political orientations, even the entire membership of a particular religion.”

Another issue which concern scholars is the act of distinguishing between faith-based and secular organizations. It is because national surveys of NGOs and civil societies do not differentiate FBOs from NGOs or civil society generally. Following this, it is necessary to understand what constitutes an FBO. Gerard Clarke and

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8 In Tanzania, faith-based charitable, relief and development organizations are registered as NGOs or associations. See: R Leurs, P. Tumaini-Mungu, A. Mvungi, Mapping the Development Activities of Faith Based Organizations in Tanzania, Birmingham 2011, pp. 2-5 (Religions and Development Working Paper, 58).
Michael Jennings suggest that limit the definition of FBO to formally registered organizations that resemble NGOs would exclude many organizations such as congregations, apex bodies representing religious hierarchies, missionary organizations and religiously based socio-political groups. Following this, they suggest a definition in which FBO is considered “any organization that derives inspiration and guidance for its activities from the teaching and principles of the faith or from a particular interpretation or school of thought within the faith”\(^9\). Emma Tomalin also argues that this differentiation ascribes a special status to the term FBO only because of the religious background which excludes them from many contexts where it may not be a term used to refer for example to humanitarian organizations motivated by religious values\(^10\).

She adds that this approach is all-Western, where religion is separated from the state. Meanwhile in many non-Western countries, religion permeates all aspects of life\(^11\). According to this, Tomalin suggests the term FBO “as a label for organisations that arose or reshaped themselves in response to the new political climate, which sought to elevate the role that faith traditions can play in many aspects of public life, including international development”\(^12\). However, Tomalin remarks that it is necessary to identify different types of organizations because it helps with recognize its character and inform potential donors about potential opportunities for engagement with them\(^13\).

Clarke suggests five types of FBOs relevant to international development: representative organizations or apex bodies; charitable or development organizations; socio-political organizations; missionary organizations; and radical or terrorist organizations. He argues that donors have engaged with second type FBOs, which are mainly Christians, suggesting that they express their faith identity in a passive way\(^14\). Still, there are many organizations that do not use the religious label because they afraid that would restrict their capacity to obtain international funding\(^15\).

Despite the fact that development is not the main object of analysis in this article, it constitutes a framework for analyzing the links between religion and state. Some key development concepts need to be considered, especially to in order analyze the scale and impact of FBOs in development in Tanzania. Carole Rakodi uses a very

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\(^10\) For instance: Tanganyika Christian Refugee Service (TCRS) which is a partner of UHNCR.


\(^12\) Ibid., p. 692.

\(^13\) Ibid., p. 695.


\(^15\) For example, in Tanzania where many FBOs have deliberately adopted secular names because it might be more difficult for an FBO to access international funding from secular donors who may fear that an FBO has a conversion agenda or might discriminate in terms of their intended or actual beneficiaries. See: R Leurs, P. Tumaini-Mungu, A. Mvungi, \textit{Mapping...}, p. 7.
broad term of development as “a movement from a worse state to better.” However, development is not a monolithic idea with a single, universally accepted definition and different interests within each of society are likely to have different ways. It also depends on dominant ideas and sets of policies. Without doubt development has implications for conceptions of poverty. However, it acknowledges the importance of an adequate income, a good quality of life, supportive social relations, and a sense of a dignified self, based on cultural and political relationships. As Rakodi noticed, the invisibility of religion in mainstream development theory and practice can be attributed to both the secularization of the state and society and to modernization theory, which was associated with the view that religion is associated with tradition and therefore should disappear from the public sphere. However, when President Bush created the Office of Faith-based and Community Initiatives in 2001, the approach has changed toward a positive view of FBOs. The donors have realized that in Asia, Africa and Latin America, FBOs have always been important in providing development services to the poor, particularly in health and education. Moreover, they recognize that many FBOs, even more than NGOs, highlighting that the first: provide efficient development services; reach the poorest; are valued by the poorest; provide an alternative to a secular theory of development; stimulate civil society advocacy; motivate action. The notion that religious organizations are distinctive has been featured in academic discussion especially when it is assumed that FBOs are more trusted than secular organizations. There are critics of such assumptions, who argue that FBOs can be seen as problematic if they seek to recruit new adherents or if they are perceived to show a preference for helping members of their faith group above others. Moreover, the distinction between FBOs and secular organizations is hardly recognized, for example in Tanzania, where some religious organisations operate much as secular organisations, despite their religious identity.

There is a need to examine the requirements for legal registration of various types of non-governmental organizations in Tanzania to clarify the definition of FBO in the Tanzanian context. According to the NGO Act issued in 2002, a non-governmental organization is defined as: “... a voluntary grouping of individuals or organizations which is autonomous, non partisan, nonprofit sharing organized at a local, national or

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17 Ibid., p. 638.
18 Ibid., p. 638.
21 For more information about this topic see: C. Rakodi, ‘A Framework...’; R. Leurs, P. Tumaini-Mungu, A. Mvungi, Mapping...
international level, for purposes of enhancing or promoting economic, environmental, social or cultural development (...)”\(^{22}\) The NGO Act includes also religious or faith organizations. Nevertheless, it highlights that these organizations: “do not include religious or faith propagating organization[s]”\(^{23}\). However, some Tanzanian and international organizations considered the new act merely as an attempt on the part of the state to control the NGOs\(^ {24}\). This may explain why the previous document, the Societies Ordinance 1954, is still in force. The registration of civil society organizations (CSOs) in mainland Tanzania was governed by this document which defines a society as: “any club, company, partnership or association of ten or more persons whatever its nature or object”\(^ {25}\). Following many different reports concerning CSOs in Tanzania it is easy to notice that this sector includes very different kinds of groups. A major part of Tanzanian civil society consists of informal groups and small community based organizations (CBO), professional associations and trade unions, as well as numerous faith-based organizations. According to the report of the Service Centre for Development Cooperation (KEPA), religious or faith-based organizations may be the most important ones in Tanzania with regard to their influence on people’s daily life\(^ {26}\). Most of FBOs are Christian and Muslim organizations, since these are two main religions in the country. Although it is hard to estimate how many FBOs run in Tanzania at present, it is known that faith-based organizations in Tanzania are concerned with development, specifically education, health care and poverty.

**HISTORICAL AND CULTURAL BACKGROUND**

The Tanzanian nation is marked by its multifaceted religious setting. There are more than 120 ethnic groups, religiously divided mainly between Islam, Christianity and African Traditional Religions (ATR). About 30 per cent of the population of the Tanzanian mainland adheres to Christianity, 35 per cent adheres to Islam (the majority of the people of Zanzibar are Muslim), while 35 per cent consists of the followers of indigenous beliefs. There are also active communities of other religious groups, primarily on the mainland, such as Buddhists, Hindus, and Bahais\(^ {27}\).

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\(^{23}\) Ibid.


\(^{26}\) T. Haapanen (ed.), *Civil Society...*

According to Pew Forum\textsuperscript{28}, 41% of Muslims leaving in Tanzania are Sunni, Shia represent 20%, Ahmadyia 15% and non-identified Muslims 20%. Among Christians, 44% are Protestants and 51% are Catholics. There are also between five and ten thousand Pentecostal churches. A number of other churches are also active (e.g. the African Inland Church, the Seventh Day Adventists, the Mormons, the Jehovah’s Witnesses and the New Apostolic Christians). While it is not known how many of these churches are directly engaged in development activities, it is known that the Catholic Church is identified by many sources as the biggest Christian provider of health and education services, followed by the Lutheran and Anglican churches. Pentecostal churches are perceived to focus more on evangelizing and to be less involved in development than Catholic, Anglican and Protestant churches\textsuperscript{29}. African Traditional Religions have permeated the life of the Tanzanians since the beginning. However, there are some differences between pre-colonial practices and the ones after colonization. When new religions emerged, new process of transforming traditional beliefs has begun. Belonging to one of the new monotheistic religions does not interfere with nurturing indigenous culture and religions. The new interpenetration of these religions and cultures meant that Tanzanians have done the internalization of new laws and customs to supplement their traditions with new experiences.

Analyzing the origins of Islam and Christianity in East Africa, one may perceive certain differences as well as similarities. First of all, Islam emerged in these areas much earlier than Christianity, for nearly eight centuries. Islamic civilization dominated so far on the east coast of Africa. Moreover, while Christianity spread primarily through a well-organized mission (which provided a range of services to the community, such as education and healthcare), the spread of Islam occurred mainly through traders or part-time preachers who did not act consistently in favor of converting people to Islam. The ultimate goal of the organization mission was to gain new believers through social activities or education and health assistance. Such organizations opened schools and health centers and then built a church. Muslims, in turn, did not have specialists in the proclamation of the faith, did not build schools or health centers. Instead, they build mosques, as the daily prayer was a priority for them. A madrasa, or a religious school, which educated Muslims only in terms of deepening their faith and observance of the rights of Islam, was often built at mosques. On the other hand, in both cases the local community undoubtedly tried to incorporate some African traditions into the established framework of foreign religions in the foreseeable future, which contributed to the emergence of religion referred to later as “African Islam” and “African Christianity”. The internalization of foreign monotheistic religions, however, did not contribute to the integration of a multicultural and religiously diverse society. These differences were already apparent on a symbolic level. For those who accepted Islam referred to


\textsuperscript{29} R. Leurs, P. Tumaini-Mungu, A. Mvungi, Mapping..., pp. 27-28.
themselves as wastaarabu, separating themselves from Christians who are defined as washenzi or uncivilized, or makafiri or non-believers. This division was undoubtedly exacerbated by colonial powers, which explicitly favored one religion\(^{30}\). During the colonization, both German and British colonial rule facilitated the growth of religious activities. The German colonial administration favored Muslims, nominating them as administrators. Under British colonial rule, Christians were favored by being enabled to work in social services and gain financial support from the British colonial administration. Christian mission schools provided activities compatible with the secular policy of the colonial bureaucracy. Following this, children attending Christian schools were trained in a more modern way than children attending Muslim madrasa schools. This reorientation from the East and Islam toward the West and Christianity caused increased tensions between Christians and Muslims, who competed for socio-economic and socio-political influence\(^{31}\). During the struggle for independence Tanzanians, under the mission statement of nationalism, created a movement called the Tanganyika African National Union (TANU) aiming to get rid of the British colonialists. However, after independence, religious discourse has not changed and after some time it was presented as a hidden struggle for power.

THE DEVELOPMENT ACTIVITIES OF FBOS DURING THE NYERERE GOVERNMENT AND UJAMAA SYSTEM

When the nationalist movement under Julius Nyerere started to embark on a national integration project by uniting people of various social identities for the anti-colonial struggle, it adopted various nation-building measures and discouraged discrimination of all kinds, including that on the basis of religion\(^{32}\). The fact was that political leaders perceived religion as a potentially divisive factor in a newly independent state what finally brought the secular state regime\(^{33}\). This standard point of view came from a belief that the colonial rulers were responsible for the present state of the relationship between religion and governance in Tanzania. However, despite being outspokenly secular, in accordance with the social principles of ujamaa, the state encouraged religious organizations to actively participate in the struggle for unity and development. In this way, religious institutions supposed to help Tanganyika African National Union (TANU) which was the only party to consolidate ujamaa and the national project within the society at large\(^{34}\). It seemed that two major religions, Christianity and Is-


\(^{31\text{See: H. Olsson, The Politics of Interfaith Institutions in Contemporary Tanzania, Uppsala 2011, pp. 26-27 (Studier av Inter-religiösa Relationer, 51).}}\)


\(^{33\text{M. A. Bakari, ‘Religion, Secularism...’, p. 3.}}\)

\(^{34\text{Ibid., pp. 28-29.}}\)
lam, did not oppose at that time the ujamaa ideology and supported it by encouraging their followers to obey government orders. According to Abdulaziz Lodhi and David Westerlund, this drive toward the ujamaa could be due to the fact that socialism in Tanzania had many similarities with Islamic socialism. Simultaneously, Nyerere had a Christian background which particularly had an impact on Nyerere’s notion of equality and his conceptualization of socialism. However, as Lodhi and Westerlund noticed, the Christian reactions to the independence movement were mixed; many local and Western church leaders discouraged their followers from joining the movement. Still, during this time religious institutions have had a big contribution in supporting the country’s socialist ideology but also in the provision of social services. The fact is that Christian churches had more developed organizational structures than Islam in Tanzania and thus they were asked to play their part and contribute to the development of the country through their strong social resources in the sectors of education and health care as well as educating Tanzania’s citizens. The importance of the role of the churches consisted on playing an important role as conduit for foreign aid and channeling that aid to programs that reinforced the state’s development. Tanzania’s two major Christian umbrella organizations, the Catholic Tanzania Episcopal Conference (TEC), founded in 1956, and the Protestant Christian Council of Tanzania (CCT), founded in 1934, soon followed this request. According to Jennings, the purpose of the decision was to move away from colonial models of service provision towards a broader and deeper connection with the state’s national development objectives. Nevertheless, these close relationships did not protect the churches from the effects of all government policies. The Nyerere government wanted to nationalize provision and to establish a secular school system. Following this, all government-assisted secondary schools provided by voluntary agencies were nationalized through the Education Act of 1969. The nationalizations were a way to create educational opportunities for Muslim stu-

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35 At independence in 1961, due to the vision of uhuru na umoja (Swahili ‘freedom and unity’), Tanganyika African National Union (TANU) under the Roman Catholic leader named Julius Nyerere elaborated a political vision that later became known as ujamaa. This has been interpreted as an African, state-centred political ideology emphasizing national unity, development through self-reliance, equality, socialism and secularization. For more information see: R. Leurs, P. Tumaini-Mungu, A. Mvungi, Mapping..., p. 15; H. Olsson, The Politics..., pp. 28-29. See also: A. Y. Lodhi, D. Westerlund, African Islam in Tanzania, 1997, at <http://www.islamtanzania.org/articles/islam2.htm>, 23 January 2015.


37 A.Y. Lodhi, D. Westerlund, African Islam...

38 H. Olsson, The Politics..., p. 29.

39 M. Jennings, Surrogates of the State. NGOs, Development, and Ujamaa in Tanzania, Bloomfield 2008, p. 65.


dents by changing the status quo that gave Christians the advantage because of the important role that churches played in providing education in the country. By nationalizing schools the government could ensure that a secular socialist education would be provided to Tanzanian students, eliminating the stigma of attending Christian schools for Muslims\(^\text{42}\). According to Lodhi and Westerlund the Muslims mostly through the East African Muslim Welfare Society (EAMWS), concentrated on building schools and mosques, providing scholarships and promoting literacy. Shiite Muslims, especially the Ismaili followers of Aga Khan, have concentrated on establishing schools, hospitals, libraries, building societies as well as engaging in industrial development\(^\text{43}\). However, Muslim analysts have provided a critical point of view suggesting that the \textit{ujamaa} regime attributed the creation of social divisions to colonial rule\(^\text{44}\). According to some authors, the time after independence was characteristic by Tanzanian state’s anti-Muslim stance. Under Nyerere rules, unwanted Islamic elements, often adhering to orthodox or conservative Islamic way of thinking, were silenced and replaced by the Muslim organizations that have tended to be more pro-government. For instance, in 1968 the most prominent pre-independence Muslim organization, the EAMWS, which had included Muslims of all sects, was dissolved and replaced by the Supreme Islamic Council of Tanzania (BAKWATA)\(^\text{45}\).

**THE DEVELOPMENT ACTIVITIES OF FBOS AFTER ECONOMIC AND POLITICALLIBERALIZATION**

In 1985 Nyerere retired from the presidency and was replaced by Ali Hassan Mwinyi. This marked the end of the \textit{ujamaa} and the beginning of economic and political liberalization. The new president called for decentralization, including the creation of more space for civil society organizations such as religious institutions. Following this, he signed an agreement with the International Monetary Fund (IMF) and the World Bank. This shift from state-centered socialism to market-oriented liberalism guided Tanzania into political reform and existing NGOs were able to mobilize external funds to provide development projects. Finally, the number of registered NGOs in Tanzania witnessed a large increase\(^\text{46}\). According to Lange et al., there were two main reasons


\(^{43}\) A.Y. Lodhi, D. Westerlund, \textit{African Islam}...

\(^{44}\) According to the Islamic view, both German and British rule (though to varying degrees) promoted Christianity at the expense of Islam. At the time of independence, the missions owned and ran two thirds of the schools and half of the hospitals in the country as well. See: M. A. Bakari, ‘Religion, Secularism…’, p. 10.

\(^{45}\) H. Olsson, \textit{The Politics}..., p. 29. For more information about the situation of Muslim organisations during \textit{ujamaa} see also: R Leurs, P. Tumaini-Mungu, A. Mvungi, \textit{Mapping}..., p. 16; M. A. Bakari, ‘Religion, Secularism…’, p. 11.

for the allowance of these organisations. Firstly, national integration had consolidated since independence; secondly, the government had come to realize their own incapability regarding service delivery\(^47\). Following this, the government called upon churches and other non-governmental organizations to play a key role in the provision of education and health care service. At the beginning of the 1990s, the number of the NGOs was a few hundred. However, it was estimated that by 1992-1993, in nine districts, 87 per cent of nursery schools were provided by a mixture of Christian religious organizations, private companies and individuals, while by 1994 Christian organizations were running 154 secondary schools\(^48\). As far as health care is concerned, the state remained the main provider of all services. However, NGO contributions led 43.5 per cent of hospitals that came mainly from religious organizations\(^49\). According to the Lange et al., just shortly after, in 1995 there were already 64 international and 749 local NGOs, while 155 of them where religious organizations\(^50\). In the years that followed sources mentioned about NGOs growing rapidly from 2.7 thousand non-government organizations for the mainland to 4 thousands in 2007\(^51\). However, it is not possible to tell from this database how many of the organizations can be defined as religious. Over one hundred of the organizations listed have religious names. It was also possible to obtain an (undated) list of 61 registered Christian and 35 Muslim organizations from the Vice President’s Office, although no basis for or definition used in the compilation of that list was provided\(^52\). However, according to the World Council of Churches website, there are more than 800 Catholic parishes, 1,800 smaller Anglican parishes and over 1,000 Lutheran congregations in Tanzania\(^53\). Among religious organizations there are a number of “apex bodies” that act as national umbrella bodies for Christian and Muslim religious communities and their institutions, but also which are also directly engaged in various forms of development work. The two most important Christian apex bodies are the Catholic Tanzania Episcopal Conference (TEC) and the Protestant Christian Council of Tanzania (CCT). In 1992, the TEC and the CCT formed the Christian Social Services Commission (CSSC) as an ecumenical body to facilitate

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\(^49\) Ibid., p. 161.


the provision of social services by the churches. They manage roughly 40 per cent of the health care and education services in the country. According to Abel Ishumi’s statement between 1880 and 2001 TEC and CCT have run 119 newly constructed Church schools. The two most important Muslim apex bodies are the Bakwata and Baraza Ku. As well as acting as an umbrella body for mosques throughout the country, Bakwata runs 20 secondary schools, two theological colleges and support numerous madrasa schools. Moreover, it has 110 dispensaries and is active in educational and empowerment programmes, for example HIV/AIDS prevention. However, Bakwata is less well-funded than the TEC or the CCT and therefore only able to work on a smaller scale and exercising less influence on policy. According to Leurs et al. the reason is that Bakwata has different organization (lack of leadership hierarchy) and is artificially imposed by government, whereas the TEC and CCT are part of the churches themselves. However, according to another statement of Ishumi, based on field data, Government Primary school enrolment in Dar es Salaam between 1972 and 1999 averaged 42.9 per cent of Christians and 57.1 per cent of Muslims. At the same time Private Primary school enrolment averaged 43.6 per cent of Christians and 24.7 per cent of Muslims. This shows that regardless of the ownership of the school, access and to education was comparable for both Muslims and Christians.

**FAITH-BASED ORGANIZATIONS AND THE STATE**

Historically, the role of the FBOs in Tanzania has evolved through two phases. The first one has focused on service delivery which has taken place from the pre-independence era and which has focused on charities, self-help initiatives as well as providing schools and health care. The second phase has begun in the early 1990s and has focused on shifting from service delivery to influencing policies and advocating for opportunity. During this phase FBOs (as a part of NGOs and CSOs) criticize the shortcomings of government policies and their implementation. After the adoption of a multiparty political system in Tanzania in 1992, the FBOs started to watch the government closely. Taking under consideration the good governance indicators, FBOs started to impute bad governance to the state. According to FBOs, poor governance is characterized by: lawlessness, poor service delivery, corruption, discrimination on the basis of gender,
race, ethnic, tribal or religious differences, violation of human rights, secrecy, and, last but not least, lack of development. Since the country regained its independence in 1961, Tanzania has been preoccupied with several problems such as poverty, difficult access to both education and health services, and ignorance. In Tanzania 28 per cent of the population live below the poverty line, literacy among adults is estimated at 68 per cent and 75 per cent among young people. Additionally, there is only 35 per cent Health Professionals. The government, development partners and private funds constitute the dominant expenditures in the health sector. However, development partners contributing 44 per cent of Total Health Expenditure (THE) while the Government 28 per cent. FBOs make of course significant contributions, but more in terms of health service delivery and advocacy. Despite the situation, Tanzanian society is characterized by a culture of silence and constraint. The government critics remark that people show relatively little interest in politics largely because of lack of access to the benefits of any political change. Following this, the majority of the people still practice passive politics, in that they are unable to use existing political institutions to influence government policies. There is very weak and fragmented opposition while the civil society is still excluded from the political process of law. The policies of liberalization have created the conditions for greater social differentiation and hence the emergence of social classes as well as religious factions.

Regarding the neutrality or secularism of the state, Article 19(2) provides that "without prejudice to the relevant laws of the United Republic the profession of religion, worship and propagation of religion shall be free and a private affair of an individual; and the management of religious bodies shall not be part of the activities of the state authority." The policy of NGOs in Tanzania is very categorical and according to NGO Act from 2002 (paragraph 5.0 (v): “NGOs are organizations that do not seek political and power or campaign for any political party.” However, when it comes to the elections it has

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62 UNDP, Human Development Report...


64 According to these critics, although there is multiparty system in Tanzania a multipartism is still far from the ideal and exists only in name and by law, but in practice it is still a one party-state with the dominance of Chama Cha Mapinduzi (Swahili ‘Party of the Revolution’). See: The Role of Faith Based Organizations in Good Governance…, pp. 11-12.

65 Ibid., p. 13.


67 The United Republic of Tanzania, Registration of NGOs in Tanzania…
been a practice for FBOs since 1995 to conduct civic education for their followers. The aim of this activity is to enable the citizens to participate meaningfully and effectively in social, economic, political and development-related decisions of their communities and the country at large from an informed position. Involving FBOs in state policy is a two-edged sword regarding the moments when political entities shall try to use the religious leaders of FBOs, very often through the support of them, to maintain the communication lines to the citizens during political campaigns. The first multiparty elections in 1995 showed that the population needed civic education. In Tanzania civic education guidelines related to elections have also been produced and distributed before the 1995, 2000 and 2005 general elections. The government did not have enough resources to conduct such a programme. The task was assigned to a number of NGOs and religious organisations such as CCT and TEC that were obligated to teach the people about their rights and obligations which include, of course, voting. However, despite the law banning campaigning for the parties or candidates in places of worship, some religious leaders were campaigning either directly or indirectly for certain candidates or parties. This has raised suspicion and counter-suspicion, especially between Muslims and Christians. The Koranic Reading Development Council (Swahili: Baraza la Ukuzaji Kurani Tanzania – BALKUTA) for example, was the one that spearheaded the campaign in which they demanded that Islamic political parties be allowed. Such a tendency may be a source of political instability and decline of democracy and good governance if left unchecked. However, besides these individual cases the subsequent elections of 2000 and other were campaigned without any quite controversial cases involving religious organizations. But that does not mean that the elections excluded religious organizations entirely. One of the umbrella election-monitoring organizations – the Tanzania Election Monitoring Committee (TEMCO) – among around sixty involved organizations included some from two main religions such as BAKWATA, ELCT and CCT and so on. At the end of each election the organizations gave their evaluation of the election itself, using the criteria for “free and fair” elections. Mallya concludes that even though religion can influence voter behavior in Tanzania, it is not a major factor. In the last two multiparty elections the president won votes in areas where his own religion dominated as well as areas where other religions dominated. The same applies to other members of

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68 The Role of Faith Based Organizations in Good Governance..., p. 14.
69 Ibid., p. 7.
73 The Role of Faith Based Organizations in Good Governance..., p. XIV.
74 Ibid., p. 408.
parliament. In urban areas voters seem to be more influenced by party/candidate policies than religious, regional or ethnic identity. In rural areas regional identity is more influential than any other identity, including religious identity. Moreover, the results of the campaign are also dependent on other factors such as history, the level of corruption in the electoral process, personalities and so on. Nevertheless, when it comes to policy influence, these religious organizations have markedly some capacities and hence different impacts on policy engagement. One of such examples is the Muslim protest against allowing pregnant schoolgirls to continue their studies, which some human rights activist groups advocate. The Muslim position paper was hailed by all other religious denominations, including Christians, and the position was duly adopted as a consensus by all religious organizations that took part in the policy dialogue. With that common position of religious organizations, the government had to rescind its plan to introduce a new policy relating to schoolgirls’ pregnancies as demanded by human rights and gender equality activists. However, according to Muslim organizations as well as some authors, Christian organizations are much more engaged in policy and advocacy especially through preaching, pastoral letters, and lobbying. Moreover, Christians are generally well-organized and have a well-recognized representative body that acts as a spokesperson for the Christian community. On the Muslims’ side, there is no single organization or authority that could negotiate with the government on behalf of Muslims, while the Christian churches, through TEC and CCT, an umbrella organization consisting of Protestant denominations including Lutherans, Anglicans, and Moravians, collaborate effectively to engage with the government on various policy issues and decisions. One may infer that religion will play a critical part in shaping Tanzania’s development in the twenty-first century and the Muslim and Christian organizations tend to have different positions on a wide range of policy issues and government decisions. It is clearly visible in relations with the state, and attitudes toward the political system, as well as other political and social issues.

RELIGIOUS CONFLICTS IN TANZANIA

The state has also been called to intervene in inter-religious conflicts particularly between Muslims and Christians. The huge increase in the number of development NGOs since the mid-1980 can be seen as a response both to the increasing gaps in

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75 Ibid., p. 414.

76 From June 21 to June 22, 2007, the Ministry of Education held a seminar at Giraffe Ocean View Hotel in Dar es-Salaam. It invited leaders of religious organizations, both Muslim and Christian, to discuss the issue of schoolgirls’ pregnancies. Baraza Kuu’s position was that if the government were to disallow schoolgirls to get married but instead allow them to become pregnant and continue with their studies, which, in effect, would amount to destroying the institution of marriage and the licensing of adultery. See: M. A. Bakari, ‘Religion, Secularism…’, pp. 26-27.

service provision left by the former ujamaa system and as a response to new opportunities to access international funding. However, these political changes had important consequences for religious institutions. Olsson suggests that for institutions such as TEC, CCT and Bakwata, which had been closely affiliated to the ujamaa regime and its principles, liberalization made them face new challenges. This religious institutional pluralism within a reopened civil society increased tensions along inter- and intra-religious lines. One example of how Christian-Muslim tensions are manifested in contemporary Tanzania is the aggressive and polemical public preaching, also known as mihadhara, “open-air” meetings, where speakers from Muslim and Christian groups tried to win converts or strengthen their own faith at open debates. This mihadhara has been seen as a method used by some religious institutions to oppose political power and government legislation in Tanzania. Some religious institutions worked hard to preserve their religion’s traditional worldview. Moreover, some of them complain about the structural marginalization of their own religious groups in favor of other groups. Muslims in Tanzania see themselves as victims of historic marginalization in terms of education, employment and socio-economic development. A significant minority of Muslims seemed to be suspicious of what they refer as “the Christians’ hidden agenda” to Christianize the country or at least to undermine Islamic culture through modernization and westernization. BALKUTA for example, admonished that it was blasphemous for Muslims to be ruled by Christians, and therefore Muslims should not vote for Christian candidates. The availability of external funding appears to have encouraged the formation of local organizations aimed to revitalize Islam. Organizations such as the Jamaat Ansar as-Sunna called upon Muslims to live their lives according to the teachings of the Qur’an and the Sunna. According to this, some Muslims protested against the rearing of pigs and selling of pork in their neighborhoods. Others demanded that female students be permitted to wear the hijab. However, according to the Christian perspective, the predicament of Muslims in Tanzania is caused by internal problems among themselves, as well as the Muslim community’s neglect of education. For that matter, Christians viewed some inequality and discrimination among them from the future government. In 1993, for example, when the country had a Muslim president, Ali Hassan Mwinyi, there were complaints among some Christians that President Mwinyi was favoring fellow Muslims in appointments to high positions in the government.

As Bakari and Ndumbaro noticed, the deepening of religious tensions in Tanzania since the late 1980s can be explained by several factors, where the major ones include

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78 H. Olsson, *The Politics...*, p. 32.
the failure of the *ujamaa* ideology and its welfare policies, which continue to constitute an “ideological vacuum that could be not adequately filled by the market ideology,” 83. The second factor, which contributed to the rise of religious tensions in Tanzania, was a resurgence of religious activism. Revivalism in Islam and Christianity in Tanzania became more pronounced as it provided alternative views or solutions to emerging socio-economic and political problems. The third factor, economic liberalization, created the necessity for redefining the nature of the state and its relations with society. Thereupon the new social forces emerged along diverse lines such as class, religion, ethnicity, and regionalism 84. And finally, the change from single party to multiparty politics has opened up new vistas for socio-economic and political expressions under pluralistic politics. While citizens started to raise their issues, state institutions, mostly security ones, have continued to use the authoritarian techniques of the single party to violently deal with the citizens' legally accepted democratic challenges such as demonstrations 85.

What Bakari and Ndumbaro also argue is that state-religion relations in Tanzania cannot be adequately explained without reference to the role of external forces, the state itself, on which religious organizations significantly depend. For instance, external donors such as Iran, Libya, Kuwait, Saudi Arabia and Sudan have been accused of financing radical brands of Islam. At the same time, some Muslims have accused the United States of sponsoring Christian revivalism, which is intolerant to other religions 86.

Bakari and Ndumbaro presented in their article different perceptions about the relationship between the state and religion in Tanzania 87. While they were asked to assess the relationship between their own religion and state, 86.2 per cent of the ordinary respondents said the relationship was good and 2.4 per cent said the relationship was disharmonious. The main reason given by respondents for the cordial relationship was that FBOs did not involve themselves in politics (31.0 per cent) and both the institutions and the state share the goals of serving the community (27.8 per cent). What is interesting, for those who said the relationship was disharmonious, 96.0 per cent did not know why, and the other answers were that their religion is critical of government policies (2.0 per cent). When it comes to the relationships between Muslim and Christian organizations, 71.2 per cent respondents said that the relationship was good as opposed to 1.4 per cent who characterized it as disharmonious. It is interesting to note

84 Ibid., p. 343.
85 Ibid., p. 343.
86 For example, the bombing of the US embassy in Dar es-Salaam in August 1998 increased the state’s suspicion towards some Muslims in the country. Under the US pressure, the Tanzanian government hastily passed the Anti-Terrorist Act (2002) amid protests by Muslims and human rights activists in the country. See: A. Bakari, L. J. Ndumbaro, *Religion and governance in Tanzania...*, p. 346.
87 This survey involved 839 ordinary people and 200 religious leaders. While 46.6 per cent of the ordinary people and 42.5 per cent of religious leaders were Muslims and 48 per cent of the ordinary people and 55 per cent of religious leaders were Christians. For other religions, 3.5 per cent of non-believers, 1 per cent of African Traditional Religions and 0.8 per cent of other religions. Among religious leaders 2 per cent were leaders of other religions. See the following for the complete survey: A. Bakari, L. J. Ndumbaro, *Religion and governance in Tanzania...*, pp. 350-355.
that the relationship between Christians and Muslims is better than between religious organizations. About 77.9 per cent of the respondents said that the relationship was good while 3.8 per cent said it was disharmonious. However, as Bakari and Ndumbaro noticed, the fact that 16.3 per cent said that there was no relationship between Muslim and Christian organizations shows the serious problem of interaction between those organizations. Another question posed to the respondents was whether they thought some of the religious organizations were favored. About 78.1 per cent of respondents said “no” while 11.2 per cent said “yes”.

These surveys show that there is generally a good relationship between Muslims and Christians. However, their relations between Christian and Muslim organizations are not as good as that of their believers. The authors of these surveys argue that there is a need for establishing a national religious forum where religious leaders representing different religions and denominations could meet to discuss issues of national interest. Some measures already have been undertaken.

CONCLUSIONS

In the article presented above I have attempted to present how religion is related to the governance and all its basic components such as law, politics or social service. Despite the country’s constitution that indicates that Tanzania is a secular state, the religion and politics in general have a special partnership which began in the past. During the Tanzanian socialism, religious institutions were instrumental in the provision of public services mainly in education and health, despite the relations between the state and the Muslims has not always been consistent. Today, FBOs make of course significant contributions, but more in terms of health service delivery, education and advocacy. The Tanzanian government has welcomed organizations that provide service delivery, but has been, and still seem to be, skeptical towards some of the advocacy of the FBOs. Nowadays, religion and governance are the topical issues in Tanzania. Even so, Tanzania is a secular state, according to some government critics, it is a myth to say that religion is, and must remain apolitical because politics exists everywhere. As they argue, religions face challenges such as poverty, ignorance, diseases, social injustice and inequality that are simply related to state policy. Moreover, in the current political

89 Konrad Adenauer Stiftung (KAS) and World Conference on Religion and Peace Tanzania (WCRPTZ) organized a three day Interfaith Based Organizations in Dar es-Salaam to engage them in a ‘Constructive Interfaith Dialogue’. The dialogue held from 24 to 26 November 2009 was among others, and were equally expected to set a common agenda i. a. on how to influence political direction in non-discriminative and religious harmony. Dialogue Organizers also expected open and constructive discussions with a common agenda on how they could practically contribute to political education beyond narrow rhetoric, by building political competence among Tanzanians especially in crafting citizenship and state leadership. See the following for the complete report: *The Role of Faith Based Organizations in Good Governance...*
90 Ibid., p. XIV.
situation, state and donors should show extra sensitivity regarding religious polarization and be careful not to do anything that may destabilize local communities or the nation as whole. It is easy to notice that the ongoing problem is that Tanzania still has to cope with two different religious conflicts. The first is between religion and state. The second has to do with the conflict between and within religious organizations. There have been no serious confrontations between Muslims and Christians. Probably because the majority of the people still practice passive politics, in that they are unable to use existing political institutions to influence government policies. The great majority of Tanzanians still do not belong to formal organizations. This is because of a political culture inherited from the one-party rule that tended to emphasize obedience and obligations over competence and rights of citizens. It is also important to the government to engage serious problems emerging between Muslim and Christian organizations. In fact, the secular state ought to resolve inter-religious issues. This can happen only if faith-based organizations are independent of the state. The situation in Tanzania is different. While Christian organizations seem to be autonomous and enjoy strong support from the believers, the Muslim organizations have no strong organizational structure and no support from believers, like BAKWATA which was created by government. This, as long as religion-state relations are not equal toward two major religions in Tanzania, Muslim still feel humiliated and oppressed while Christians feel threatened. Tanzania as an non-homogeneous country with more or less equal proportions of Muslims and Christians has to be the platform of co-existence and toleration of different religious views. As a long-term perspective it is important to embrace these ideals in the perspective of ongoing development.

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BETWEEN HIGH HOPES AND MODERATE RESULTS – A DECADE OF THE AFRICAN PEACE AND SECURITY ARCHITECTURE

The aim of the paper is to present a comprehensive analysis of the African Peace and Security Architecture (APSA). This term refers to the set of institutions responsible for conflict prevention, management and resolution that has been established within the framework of the African Union. The APSA is comprised of five elements: the Peace and Security Council (PSC), the Continental Early Warning System (CEWS), the Panel of the Wise (PoW), the African Standby Force (ASF) with the Military Staff Committee (MSC), and the Peace Fund (PF). The paper is organized as follows. First, the origins of the project are presented. Then, the paper focuses on five elements of the APSA with special reference to two of them – the PSC and the ASF. Subsequently, the issue of the relations between the AU and other international actors, in particular the UN, is addressed. The paper concludes with remarks on the adequacy of the APSA to African peace and security challenges. The main finding is that despite extensive agenda, the first decade of the APSA was marked by moderate results caused by the scarcity of resources, lack of experience and opposition of some member states.

Keywords: African Security, APSA, Regional Security
**THE ORIGINS OF THE APSA**

Although the establishment of the APSA started in the first years of the 21st century, the concept itself is a result of processes which lasted for decades. The year 1963 witnessed the creation of the Organization of African Unity (OAU) – a continental body aimed at strengthening cooperation of independent countries and helping anti-colonial movements in their struggle. The most important principles of the OAU included the following: sovereign equality of member states, non-interference in the internal affairs of other states, respect for territorial integrity and peaceful settlement of disputes1. The provisions of the *OAU Charter* put a state in a central and privileged position, thus pushing aside the ideas of Pan-Africanists. All of the OAU institutions were intergovernmental and not supranational. The view presented by the enthusiasts of deeper and wider integration, such as Kwame Nkrumah’s concept of common defence policy with Joint African High Command, were not realised2.

Despite the dogmatic understanding of the principle of sovereign equality and intergovernmental character of cooperation, some conflict resolution initiatives were taken within the framework of the OAU. The main body responsible for the field – The Commission of Mediation, Conciliation and Arbitration – had never considered any international dispute. Its functions were taken over by the Assembly of the Head of States and Governments and – to a considerably lesser extent – by the Council of Ministers. The primary motivation behind these activities was to resolve a dispute by African leaders so that it would not be dealt with by non-African states and organizations. This strategy aimed at keeping the continent away from Cold War rivalry had been relatively successful until the mid-1970s. Later on, the engagement of foreign powers had become more and more visible. Together with the growing number of conflicts, this had led to a significant decrease of the OAU role as a conflict resolution platform. From 1963 to 1983, eighteen out of twenty eight international disputes (in the form of both armed confrontation and diplomatic skirmishes) were resolved as a result of OAU actions. In the next decade, the Organization proved successful in only four cases while failing in nine3. A relatively active role in international disputes did not mean the same scope of engagement in the internal conflict. Some limited initiatives were taken only incidentally, most notably in the Congo, Biafra (Nigeria) and Chad4. In the last case, the OAU authorized its first peacekeeping operation – a remarkable but unsuccessful

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3 Ibid., pp. 41-45.

4 Ibid., pp. 45-47.
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precedent\(^5\). At the same time, the Organization did not assume any position toward fierce crises in the Sudan and Ethiopia (Eritrea).

The transformation of the OAU into the African Union took place from 2000 to 2002, yet the reforms in the field of peace and security had been proposed by member states much earlier. In 1977 Nigeria submitted a project of a standing committee tasked with international conflict resolution. In 1978 the concept of the Peace and Security Council had been first announced. The PSC was supposed to have fifteen members, three from each of five sub-regions. Additionally, in the 1980s some other security institutions had been proposed, including: African Defence Forces, a Defence Council, a Committee of Chiefs of Staff and a Force Commander. None of them had been realised but the political will to reform the OAU peace and security policy was palpable\(^6\).

The end of the Cold War accelerated the processes of institutional change. The increase in number and intensity of internal conflicts sparked a discussion about the urgency to adapt to a new security environment. In 1990 the Assembly adopted the Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World. The OAU leaders committed themselves to conflict resolution efforts, referring to both internal and external crises\(^7\). In 1991 a group of leaders with Yoweri Museveni of Uganda as a mastermind prepared the so-called Kam - pala Document composed of four calabashes: security, stability, development and cooperation. Essentially, the authors stated that “the concept of security goes beyond military considerations; it embraces all aspects of the society including economic, political and social dimensions of individual[s], family, and community, local and national life”\(^8\). It can be perceived as one of the first manifestations of the end of state-centric model of security (like in The OAU Charter) and a turn toward a commitment to [a] wider sense of security “constructed in terms of the security of the individual citizen to live in peace with access to basic necessities of life while fully participating in the affairs of his/her society in freedom and enjoying all fundamental human rights”\(^9\).

Early 1990s witnessed not only political declarations – in 1991-1992 two observer missions in Rwanda (Neutral Military Observer Group I and II) were established\(^10\). In 1992 the Conflict Management Division was created within the OAU Secretariat. In the same year Secretary-General Salim Ahmed Salim proposed that the AU should have a right to conduct a humanitarian intervention when a country faces a state failure situation or a major humanitarian crisis. The leaders agreed only partially and – in 1993 – stated that should such circumstances occur, they will consider every possible

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9 Ibid.

option, including humanitarian intervention. This assurance remained only a declaration of will. A more important decision was made during the 1993 Cairo summit where the Mechanism for Conflict Prevention, Management and Resolution was created. The MCPMR with the Central Organ (based on the Assembly Bureau) was meant to be a comprehensive answer to the post-Cold War security challenges. The Central Organ decided to deploy two peacekeeping operations – Observer Mission in Burundi (OMIB) and Observer Mission in the Comoros (OMIC). Additionally, the OAU Peace Fund was established.

The creation of new institutions went hand in hand with a growing awareness of the need to establish an African peacekeeping force. This process should be seen as a reaction to the reluctance of the UN to assume a proactive position toward crises on the continent. After the bitter failure in Somalia, the Security Council favoured diplomatic initiatives, resigning from authorizing multidimensional peacekeeping and peace-enforcement operations. One of the answers to the unwillingness of the UN was the concept of “African solutions to African problems”. According to this idea, African states themselves should take over a bigger portion of responsibility for conflict prevention, management and resolution on the continent. This thinking was supported by the concept of “African Renaissance” aimed at accelerating the socio-economic development in Africa and institutionalized in the form of the New Partnership for Africa’s Development (NEPAD).

The abovementioned processes were crowned by the transformation of the OAU into the African Union. During the Sirte summit in 1999 Muammar Gaddafi urged the establishment of the United States of Africa. This advanced proposal was criticised by some other states, most notably Nigeria and South Africa. Their leader, Olusegun Obasanjo and Thabo Mbeki had been the masterminds of a narrower African Union project. The 2000 Lome summit adopted The Constitutive Act of the AU. New organization has been launched in July 2002.

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13 W. Lizak, Afrykańskie instytucje..., pp. 207-236.
“O” from the OAU acronym. The AU is significantly different from its predecessor – it has new organs (Commission, Parliament), a modified view on economic development (the OAU approach of common self-sufficiency has given way to mainstreaming Africa in global economy) and a set of peace and security institutions. The AU differs from the OAU also in the sphere of guiding principles. Most notably, sovereignty and non-interference in internal affairs are no longer absolute, although they occupy high positions on the list. Article 4(h) of the Constitutive Act provides for “the right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity as well as a serious threat to legitimate order to restore peace and stability to the Member State of the Union upon recommendation of the Peace and Security Council”17. Moreover, Article 4(j) gives a Member State the right “to request intervention from the Union in order to restore peace and security”18. At the same time, article 4 confirms the role of sovereign equality and non-interference as guiding principles of the AU19. It should also be seen as highly symbolic that these principles are put before the right to conduct a humanitarian intervention20.

The provisions of Article 4(h) are connected with three ideas that have somehow dominated the global security discourse in the post-Cold War era: human security, responsibility to protect (R2P) and humanitarian intervention. The first of these provisions is usually associated with the Human Development Report. New Dimensions of Human Security published in 199421. According to human security, the core value is the security of an individual, defined very broadly as: economic, food, health, environmental, personal, community and political security22. In the context of institutional transformation from the OAU to the AU the crucial element of the concept is the change of a central subject of security. In traditional discourse, the state is a core actor. Concurrently, human security puts the human being first and defines it as a fundament of state security23.

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19 Ibid.

20 Ibid.


22 Ibid. It should be noted that some elements of the concept of human security had appeared much earlier, i.e. in the above-mentioned Kampala Document.

The second significant idea is the responsibility to protect, disseminated by the 2001 report of the International Commission on Intervention and State Sovereignty (ICISS). According to the document, sovereignty gives states many rights but at the same time numerous duties\(^{24}\). The core one is to protect the citizens: “where a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure, and the state is unwilling or unable to halt or avert it, the principle of non-intervention yields to the international responsibility to protect”\(^{25}\). The three components of the R2P are the following: the responsibility to prevent (addressing both root and direct causes of a conflict), responsibility to react (responding in a crisis situation, with military intervention as an ultimate measure) and the responsibility to rebuild (assisting in recovery, reconstruction and reconciliation)\(^{26}\). The above-mentioned Article 4(h) of the Constitutive Act clearly refers to the R2P concept as it gives the AU the right to react.

When discussing the new AU approach to peace and security on the continent, the term humanitarian intervention should also be mentioned. According to J. L. Holzgrefe, it is “the threat or use of force across state borders by a state (or group of states) aimed at preventing or ending widespread and grave violations of the fundamental human rights of individuals other than its own citizens, without permission of the state within whose territory is applied”\(^{27}\). Such an action is hedged around some conditions, namely: just cause, right intention, last resort, proportional means and reasonable prospects\(^{28}\). The legality of humanitarian intervention is disputable. According to the ICISS interpretation (not binding for any international body), only the UN Security Council and UN General Assembly can authorize it, while any regional organization willing to take such action is obliged to seek UN consent before the commencement or immediately after starting it\(^{29}\).


\(^{28}\) L. Chitima, ‘Balancing the responsibility...’, p. 184.

\(^{29}\) The Responsibility to Protect..., pp. XII-XIII.
THE ESTABLISHMENT OF THE APSA. THE RELATION BETWEEN THE AU AND SUBREGIONAL ORGANIZATIONS

The Constitutive Act contains highly ambitious peace and security goals but does not give any specific institutional framework for realizing them. Thus, the Assembly of the Union during its first session in Durban in 2002 adopted The Protocol Relating to the Establishment of the Peace and Security Council of the African Union. The document entered into force in December 2003, the date that can be seen as a starting point of the African Peace and Security Architecture. The organs of the APSA are: the Peace and Security Council, the Continental Early Warning System, the Panel of the Wise, the African Standby Force with the Military Staff Committee and the Peace Fund. The APSA has two main levels – continental and subregional. The first one is constituted by the AU and its organs, especially the Assembly and the Commission. The subregional level is composed of eight Regional Economic Communities (RECs): the Arab Maghreb Union (AMU), the Community of Sahel-Saharan States (CEN-SAD), the Common Market for Eastern and Southern Africa (COMESA), the East African Community (EAC), the Economic Community of Central African States (ECCAS), the Economic Community of West African States (ECOWA), the Intergovernmental Authority on Development (IGAD) and the Southern African Development Community (SADC). In 2008 the AU and the above-mentioned organizations signed the Memorandum of Understanding on Cooperation in the Area of Peace and Security between the African Union, the Regional Economic Communities and the Coordinating Mechanisms of the Regional Standby Brigades of Eastern Africa and Northern Africa with an aim of strengthening partnership in peace and security, as well as in the operationalization of the APSA. What is important is that not only the AU and the RECs signed the document. Two other parties are independent regional coordination mechanisms (RMs) – the structures responsible for the African Standby Brigades in the east (East Africa Standby Brigade Coordination Mechanism, EASFCOM) and in the north (North Africa Regional Capability, NARC) Africa.

The role given to subregions in the APSA derives from the concept of security regionalism, defined as “attempts by states and other actors in a particular geographical area – a region in the making – to transform a security complex with conflict-generating interstate and intrastate relations towards a security community characterized by cooperative external (interregional) relations and internal (intraregional) peace.”

importance of the subregional level is also connected with the notion of a regional security complex: “a group of states whose primary security concerns link together sufficiently closely that their national security cannot realistically be considered apart from one another”\(^{34}\). According to both concepts, the states of a given subregion could be very effective in keeping peace and security as they are highly motivated to do so because of their vital national interests. The political will is clearly bigger once it is closer to the events. Thus, regional and global actors are potentially less willing to engage their valuable resources for a long period of time (see: inconstant US engagement in the Somali crisis in the early 1990s).

Within the APSA there are five subregions on the continent (northern, western, central, eastern and southern) but the 2008 MoU has been signed by 8 RECs and 2 RMs. This fact implicates some problems, mainly in the process of the establishment of the ASF. According to international law, subregional organizations are not subordinated to the AU. In practice, the crucial right to authorize a humanitarian intervention is given only to the AU Assembly, and peace support operations request the decision of the Peace and Security Council. RECs and RMs can only conduct regional standby force operation – a term defined insufficiently as an action consistent with the AU guiding principles\(^ {35}\). A certain level of autonomy given to subregional organizations seems reasonable when one takes into account the potential and the speed of reaction of the subregional body. For instance, during the Mali crisis in 2012, the ECOWAS was first to suspend this country in the membership rights; the AU only followed. This case is significant also as a sign of a trend to delegate tasks to subregional organizations. In July 2012 the AU Peace and Security Council authorizes the ECOWAS to conduct an intervention in Mali in order to fight terrorism and strengthen the control of the government in the north\(^ {36}\).

The next issue related to subregional division is that some states are members of more than one RECs/RMs. Tanzania is a part of the eastern subregion and a member of the EAC but also has taken part in the establishment of the southern African Standby Brigade. The case of Angola is similar – it is a country that was supposed to constitute a fundament of the Central African Standby Brigade but has given preference to join the southern brigade. The ambivalence of these states is an obstacle to the operationalization of the APSA but yields some profits to the government concerned. Primarily it gives them a possibility to choose structures that serve best their national interests\(^ {37}\).

\(^{37}\) Ibid., p. 102; African Peace and Security Architecture (APSA). 2010 Assessment Study, Report Adopted by the Third Meeting of the Chief Executives and Senior Officials of the AU, RECs and RMs on the Implementation of the MoU on Cooperation in the Area of Peace and Security, 4-10 November 2010,
ELEMENTS OF THE APSA

This part of the paper is devoted to a detailed analysis of the elements of the APSA, namely: the Peace and Security Council, the African Standby Force, the Military Staff Committee, the Continental Early Warning System, the Panel of the Wise and the Peace Fund. The focus would be on their accomplishments and weaknesses.

THE PEACE AND SECURITY COUNCIL

The central organ of the APSA is the Peace and Security Council. This has been emphasized in 2003 by including the PSC to the group of the AU organs\(^38\). According to Article 2 of the \textit{PSC Protocol}, the Council is a “standing decision-making organ for the prevention, management and resolution of conflicts”\(^39\) with membership based on five subregions. Fifteen members of the Council are selected for a period of two (10 members) or three (5 members) years by the Assembly according to subregion division. Southern, Central and Eastern Africa have three seats each, Northern – two and Western – four seats (as the subregion with the biggest number of states)\(^40\). The one-month chairmanship in the PSC is rotational\(^41\). Despite the propositions of continental powers, the permanent membership and veto power were not introduced.

According to Article 5 of the \textit{PSC Protocol}, a state that is willing to become a PSC member has to meet several conditions, most notably the “capacity and commitment to shoulder the responsibilities entailed in membership, […] contribution to Peace Fund […], respect for constitutional governance, in accordance to the Lome Declaration, as well as the rule of law and human rights”\(^42\). These criteria are not absolute, for instance in the years 2004-2006 when the crisis in Darfur was particularly fierce, the Sudan was a PSC member. The financial contribution of some other members of the Council (another criterion) was also minimal (see Lesotho in 2004-2006 and Mali in 2008-2010)\(^43\).

\(^{38}\) W. Lizak, \textit{Afrykańskie instytucje…}, p. 284.
\(^{39}\) \textit{Protocol Relating…}, art. 2.
\(^{41}\) \textit{Protocol Relating…}, Art. 8 p. 6.
The competences of the body and the importance of the issues discussed during the PSC meetings implicate the high value given by the states to the membership. The biggest countries aspiring to the role of regional powers are quasi-permanent members of the Council, for instance a representative of Nigeria has taken part in the meetings continuously since the establishment of the PSC in 2004. Equally symptomatic is the growing number of the meetings – from 23 in 2005 to three times more in 2008. The Council discussed many controversial matters (such as the Darfur crisis) and took several important decisions (i.e. on the authorization of African Union Mission in Somalia – AMISOM). At the same time, the PSC has been largely disengaged from other crucial issues, such as Somaliland independence ambitions and the conflict in the Niger Delta.

Some of the most essential rights of the PSC include: taking actions in conflict prevention, peacemaking and peacebuilding, authorizing peace support operations and determining their mandates, recommending to the Assembly the conduct of humanitarian intervention, imposing sanctions on the AU members, pursuing a common defence policy, promoting partnership with the UN, and supporting humanitarian activities in case of conflicts and natural disasters. Although the decisions in above-mentioned matters are made with 2/3 qualified majority, the provisions of Article 8 (Paragraph 13), as well as practice stemmed from the OAU, promotes consensual decision-making. This fact limits the freedom of action in particularly controversial cases. Despite the lack of formal veto power, some influential states, acting independently or in a group, are able to block a decision. “Although debate within the Council meetings is often heated, the communiques issued afterwards are carefully worded to reflect consensus.” Another principle – the exclusion from the discussion of a state engaged in a debated matter – is not completely maintained as well. For instance, in 2007 an Ethiopian representative did participate in the meeting on the Ethiopian intervention in Somalia.

One of the central problems in the work of the PSC are unconstitutional changes of government. The Lome Declaration clearly states that coups are “unacceptable developments” but focus on the way of assuming power. At the same time, in many cases the leaders win democratic elections but then change constitutions and manipulate election results to maintain power despite the will of citizens. Such situations were condemned in the 2009 Ezulwini Document. Thus, the AU has adopted a wider per-

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45 Protocol Relating..., art. 7.
47 Ibid.
spective on unconstitutional changes of governments but again the possibilities to introduce such a policy are limited due to the number and relative significance of states with undemocratic leaders. The PSC reacted in the cases of the coups, i.e. in 2005 it condemned the coup in Togo and in 2008 it suspended Mauretania and imposed sanctions on the main figures of the junta. From 2000 to 2010 there were twelve unconstitutional changes of government while in the last decade of the 20th century this number was sixteen. As both numbers are quite similar, the conclusion that the introduction of the Lome Document improved the situation in the area does not hold.

According to Kwesi Aning, an important problem is the insufficient institutional background of the PSC. Since 2005 the Council has its own Secretariat tasked with administrative support of the PSC. In practice, the organ is highly dependent on the Commission which gives the latter an influence on the PSC activities. The predominant role of the Commission stems from The Constitutive Act and The PSC Protocol, as well as from everyday practice. The latter document says that the Council takes many actions “in conjunction with the Chairperson of the Commission”. Moreover, the Special Representative of the Chairperson of the Commission is the head of a peace support operation, authorized by the PSC. When it comes to organizational practice, in the face of minor capabilities of the PSC Secretariat, the Commission has taken over a significant part of agenda-setting activities. The vigorous activity of the Commission determines that the body has had far greater influence on the APSA than could be expected judging from the Constitutive Act and the PSC Protocol.

The assessment of the first decade of the PSC is somehow ambiguous. The Council is now well-grounded in the AU institutional landscape. Regular meetings, heated discussions and numerous communiqués prove the importance given to the PSC by member states. The Council has taken numerous crucial decisions, reacting on the lack of initiatives of the UN Security Council in the cases of Darfur and Somalia with authorizing peace support operations (AMIS and AMISOM, respectively). Sanctions imposed on undemocratic regimes are signs of growing attachment given to democratic principles. At the same time the Council is a field of rivalry. Its actions are the results of a clash of major powers that have quasi-permanent membership in the PSC. Although the veto power has not been granted to any state, the political culture of

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54 Protocol Relating..., art. 7.

55 Ibid., art. 13 p. 6.

56 K. Aning, ‘Understanding...’, p. 35.
consensus limits the freedom of action. Moreover, the problem is the underdeveloped institutional infrastructure of the Council and the influence of the Commission on its everyday work.

THE AFRICAN STANDBY FORCE

The idea of continental armed force could date back to the 1960s. The Cold War logic undermined these efforts. In the 1990s the concept gained the attention of leaders again. The main impulse to intensify the process of the establishment of a peacekeeping force was the more and more passive attitude of external powers toward African crises. The alarming symptoms were the withdrawal of U.S. forces from Somalia after the October 1993 debacle and the lack of reaction during the genocide in Rwanda. During the 1997 meeting of African chiefs of staff in Harare the participants proposed the establishment of rapid reaction forces able to take action in case of threats to peace and security on the continent. The structure was supposed to be based on five subregions, each providing one brigade \(^{57}\). Hopes that such a project was realistic were strengthened by the ECOWAS experience – in 1990 this subregional body created its own peacekeeping force in the form of the ECOWAS Monitoring Group (ECOMOG) \(^{58}\).

The preparations have gained a new impetus as The Constitutive Act entered into force. The above-mentioned provisions of the document, especially those related to humanitarian intervention, required the establishment of the relevant implementation mechanisms. Moreover, in the face of UN reluctance toward conducting peace operations in African failed states (like Somalia), the need for independent African force able to take actions in such environments had become even more evident. In the PSC Protocol, adopted in 2002, the African Standby Force was established. According to Article 13, ASF “shall be composed of standby multidisciplinary contingents, with civilian and military components in their countries of origin and ready for rapid deployment at appropriate notice” \(^{59}\). The details of the project are outlined in the 2003 Policy Framework for the Establishment of the African Standby Force and the Military Staff Committee, as well as in three Roadmaps for the Operationalization of the African Standby Force, adopted in 2005, 2008 and 2011 \(^{60}\).


Political control over the ASF is performed by the PSC and the Assembly. The Council authorizes peace operations, such as advisory, observer, peacekeeping and peacebuilding missions, and determines their mandates. What is important is that decisions are made by a 2/3 majority; thus, there is no need for unanimous voting. Once the conditions described in Article 4(h) occur, the Council recommends to the Assembly a humanitarian intervention in a state in question. The chiefs of states and governments decide unanimously or – if reaching a consensus is not possible – by a qualified 2/3 majority. After an African force (either as a peace support operation or humanitarian intervention) is deployed control shall be taken over by the Special Representative of the Chairperson of the AU Commission. Until a SRCC appointment is made, his/her duties are performed by the commander of the military unit.

The Political Frameworks and Roadmaps contain details related to the ASF tasks. Once full operational capacity will be reached, the Force will be able to conduct six types (scenarios) of the operation:
- AU/Regional Military advice to a political mission,
- AU-Regional observer mission co-deployed with UN mission,
- Stand-alone AU/Regional observer mission,
- AU/Regional peacekeeping force for Chapter VI and preventive deployment missions,
- AU peacekeeping force for complex multidimensional peacekeeping missions-low level spoilers,
- AU intervention in cases of i.e. genocide where international community does not act promptly.

The main advantage of the ASF should be swiftness of reaction in crisis situations. In the first four scenarios, peace force is planned to be deployed no more than 30 days after the PSC decision. Complex multidimensional operation (scenario 5) will start in 30 days (military unit) and reach full operational capacity after next 60 days as police and civilian units will arrive. Humanitarian intervention (scenario 6) is assumed to start no more than 14 days after authorization by the Assembly. These short periods of time should be considered while keeping in mind that a decision to deploy the ASF should be preceded by several steps, including a fact-finding mission. These preparatory measures postpone the deployment but simultaneously give some time for necessary arrangements.

Such brief periods of deployment indicated in six scenarios basically mean that each ASF brigade would have to maintain full operational capacity in a permanent manner.

61 Protocol Relating..., Art. 7 p. 1(c) and 1(d).
62 Ibid., Art. 7 p. 1(c).
65 Ibid., p. 2.8-2.9.
Assessing that in the first stages of deployment some basic tasks (such as protection of civilians and core infrastructure) can be fulfilled by a limited number of personnel, the concept of Rapid Deployment Capacity has been developed. RDC is supposed to be used at the beginning of operations from scenarios 4-6. In the first 14 days after authorization, 1000 troops, police officers and civilian personnel should operate in the area, followed by the next 1500 members of the personnel after the next 14 days. Four weeks after the deployment decision, RDC will be replaced by or strengthened with “regular” ASF67.

The ASF is based on three levels: continental, subregional and national. On the highest one, the most prominent roles are played by the Assembly, the PSC and the Commission. The Chairperson of the Commission appoints a Special Representative that heads AU peace support operations (just as the Special Representative of the Secretary-General in the UN peace operations). Moreover, within the Peace and Security Department a special unit – the Planning Element (PLANELM) – harmonizes, coordinates and supervises the cooperation between regional brigades. The Planning Element is authorized to modify the ASF doctrine, operational procedures and other similar guidelines. PLANELM is also tasked with maintaining and developing partnerships with the UN and other regional organizations willing and able to support the ASF68.

The next level of the ASF structure is based on the division on five subregions, each of which is supposed to prepare one brigade composed of military, police and civilian component. As mentioned above, the brigades have been created within the framework of RECs (centre, west and south) or by specially established RMs (east and north). In Eastern Africa, there are two regional organizations – the IGAD and the EAC69. Because of the fact that the Authority has eight members and the Community – five, the governments of the subregion decided to establish independent Regional Mechanism – EASBRICOM (since 2010 – EASFCOM)70. In the north of the continent, as Egypt is not a member of AMU and would be excluded from the brigade should it be constructed within the Union, the North African Regional Capacity was created71. The states of three other subregions – western, central and southern – tasked the Regional Economic Communities (ECOWAS, ECCAS and SADC, respectively) with the establishment of the ASF brigades72. Each of five subregions make decisions about the number of personnel in a brigade, for instance the Force Multinationale de l’Afrique

67 Ibid., pp. 126-127.
72 Ibid., pp. 43-45, 47-52.
Centrale (FOMAC) will have 4800 soldiers, policemen and civilians, whereas the ECOWAS Standby Force (ESF) is to have a personnel of 6200\(^73\).

Member states constitute the lowest level of the ASF structure. They are responsible mainly for providing personnel for subregional brigades\(^74\). For a multinational force to be fully operational there is a need to follow the same or largely similar training procedures. This is a huge challenge, taking into account the different models of armed forces within every subregion. What is important is that the differences in the military potential of states (i.e. in Eastern Africa – Ethiopia and Djibouti, in Southern Africa – South Africa and Swaziland) make equal burden-sharing virtually impossible. It is particularly visible in Western Africa where the efforts to operationalize ESF have been dominated by Nigeria.

Both the wide scope of tasks and short timeframe of deployment, as well as some political factors, have impeded the implementation of the ASF Roadmaps and Framework. Initially it was assumed that full operational capability would be reached in 2010. In the latest roadmap, adopted in 2011, the date has been postponed until 2015\(^75\). Given the current state of play, this deadline should be assessed as a rather unrealistic one. Eastern, western and southern subregions are relatively advanced in the process but the centre and the north subregions are clearly falling behind\(^76\). The Arab Spring has delayed any progress within the NARC. One of the main advocates and sponsors of the ASF, Muammar Gaddafi, lost power. A regional military power – Egypt – has been in turmoil since the fall of Hosni Mubarak. Central African states struggle with internal weakness and none of them has enough potential to assume the role of a leading nation in the establishment of FOMAC. The progress in the ASF project is more visible in Southern, Western and Eastern Africa. The ECOWAS and the SADC are relatively efficient subregional structures, although the dominance of Nigeria and South Africa causes some fears among minor states in both subregions. The engagement of several states is limited by the lack of human and financial resources. The related issue of the ownership of the ASF will be addressed in the subsequent parts of the paper.

The case of the Eastern Africa Standby Force requires a more detailed analysis\(^77\). As mentioned before, the lack of common subregional organization resulted in the establishment of a regional coordination mechanism, the EASBRICOM (since 2010 – EASFCOM). This structure proved to be effective. The EASFCOM members have created the Planning Element, Logistic Base and Brigade Headquarters\(^78\). The person-


\(^{74}\) B. Franke, ‘Steady but Uneven Progress...’, pp. 181-182.

\(^{75}\) A. Vines, ‘A Decade...’, p. 103.


nel from several countries conducted field exercises, for instance in May 2013 in Uganda more than 1200 people from 10 states took part in *Mashariki Salam* training. Slow but steady progress has also been made in the development of the civilian unit, a feature not observed in other brigades. The police component with more than 200 officers took part in the AMISOM. The EASF has also participated in the work of the United Nations Political Office for Somalia (UNPOS) and the United Nations Support Office for AMISOM (UNSOA). This optimistic view is disturbed by several problems, the most important of which is that only 10 out of 15 states participate in the EASF-COM. From various reasons, South Sudan, Eritrea, Tanzania, Madagascar and Mauritius do not fully participate in the process, preferring to stay out of any ASF brigade, joining groups other than the Eastern one or being unable to take part because of internal weakness. On the other hand, Burundi and Rwanda contribute to the EASF.

A more general problem of the ASF has to do with the tense relations within the subregion and the underdevelopment of the army and the police in virtually every country. The process of the establishment of a continental peace forces which would be able to react in conflicts and crises is a consequence of the provisions of *The Constitutive Act*, specifically the one related to humanitarian intervention. The ASF project is complex and ambitious. Six scenarios cover a wide array of operations ranging from military advice to peacekeeping and peace enforcement. However, a closer look indicates several obstacles in the operationalization of the ASF and the concept itself. The short deployment time would probably be difficult to meet even for a well-trained and well-equipped force; at the same time, most African armies suffer from the lack of human and financial resources.

Another problem could be the hesitancy of African leaders about the structure and tasks of the ASF. During the 2013 Addis Ababa summit heads of states and governments made a decision to establish the African Capacity for Immediate Response to Crisis. The ACIRC has been planned as a temporary measure in order to give the AU military capacity until the ASF will reach full operational capacity. However, given the limited progress in the operationalization of the ASF, the ACIRC – if they succeed – they may be seen as an alternative to the ASF. It should not be seen as impossible, as the new project seems far more favourable to several countries. First, the occasional character of the ACIRC leaves a bigger portion of control on armed forces for troop contributors. Second, a new initiative – based on *ad hoc* contingents – gives the states an excellent oppor-

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80 J. Bouhuys, ‘The Eastern Africa Standby Force...’


tunity to attract foreign aid for their armies. It should be noted that the ASF receives attention (and resources) from external donors, assistance the particular governments are willing to see as a reinforcement of their own national military sectors.

Another weakness of the ASF concept has to do with a relatively small number of personnel. Supposing that each brigade will have 5000-6000 soldiers, policemen and civilians, the entire ASF will count no more than 30,000, a number far too small to meet the needs. The AMISOM case is somehow symptomatic. Somalia has ten millions inhabitants and the AMISOM area of operation is populated by a smaller number of people (the Mission does not operate in Somaliland). In the first half of 2014, the AMISOM had 22,000 troops and police officers, that is – three/four ASF brigades84. On the very basic level it means that one long-term and complex crisis could deplete entire the ASF for years to come, leaving no operational reserves for other urgent situations. The AMISOM experience also shows that the exit strategy of the ASF is a risky one. The concept assumes that the ASF would be deployed for a limited period of time (no more than two years) during which it would control a crisis to an extent which would allow the UN to take over85. At the same time, the AMISOM operates in Somalia since 2007 and despite the UN Security Council resolutions and PSC communiqués calling for the UN peacekeeping force to be established six months after the commencement of the AMISOM, no such action has been taken so far86. This shows that over-reliance on the UN engagement could be bitterly misleading.

THE MILITARY STAFF COMMITTEE

Article 13 of The PSC Protocol, related to the establishment of the ASF, provides for the creation of the Military Staff Committee. The MSC is an advisory body of the PSC87. Specifically, it can propose modifications to the concept of operation (CONOPS), undertake a fact-finding mission in the area of deployment of a peace support operation (as in 2006 in Darfur, Sudan) and submit recommendations on the practical aspects of such operations88.

The strong link between the MSC and the PSC stems not only from tasks; both organs are bound by the membership. According to Article 13 of the PSC Protocol, in the Committee there are staff officers from states-members of the PSC, participating

in meetings “as often as required”\textsuperscript{89}. When matters of great importance are discussed, the MSC may meet at the level of the Chief of Defence Staff of the PSC members\textsuperscript{90}. In practice, the meetings are attended by military attaches accredited by the relevant embassies in Addis Ababa\textsuperscript{91}. The establishment of the MSC coincided with the authorization of the African Union Mission in Darfur (AMIS) aimed at containing the conflict in western Sudan. During the first meeting of the Committee in October 2004, the military aspects of AMIS were discussed\textsuperscript{92}. Later on, the initial impetus clearly decreased, a fact connected mainly with the lack of human resources. Not all members of the PSC have their military attaches in the Ethiopian capital. Therefore, the MSC meetings are often attended by civilian personnel which is not well-prepared to conduct purely military deliberations. The second problem is that whereas current peace support operations required police and civilian participation, the Committee excludes experts from fields other than the military. Another issue is the lack of political will of some states. Moreover, the exclusive language of many meetings is English which discriminates French-, Arab- and Portuguese-speaking countries. The stagnation of the MSC is partially deepened by the Commission that provides necessary information just before the Committee meetings, thus impeding proper preparation of the representatives\textsuperscript{93}.

THE CONTINENTAL EARLY WARNING SYSTEM

The Continental Early Warning System is another element of the APSA. The introduction of the CEWS is a sign of importance given to the conflict prevention measures. According to Article 12 of the \textit{PSC Protocol}, the purpose of the System is to monitor crisis situations that could potentially escalate in armed conflicts. In order to fulfil its tasks, the CEWS “shall develop an early warning module based on clearly defined and accepted political, economic, social, military and humanitarian indicators, which shall be used to analyse developments within the continent and to recommend the best course of action”\textsuperscript{94}.

The structure of the CEWS is based on two levels: continental and subregional. In the AU headquarters in Addis Ababa the Situation Room collects and analyses the data related to crises and conflicts on the continent\textsuperscript{95}. According to Article 12 of the

\textsuperscript{89} Protocol Relating..., art. 13 p. 10.
\textsuperscript{90} Ibid., Art. 13 p. 11.
\textsuperscript{91} D. Lecourte, ‘The Military Staff Committee...’, pp. 74-77.
\textsuperscript{92} Ibid., p. 73.
\textsuperscript{93} Ibid., pp. 75-76, 80-82.
\textsuperscript{94} Protocol Relating..., Art. 12 p. 4.
PSC Protocol, similar units shall be established at the subregional level with the aim of monitoring the situation in respective countries and proposing solutions adequate to subregional security complexes. Such centres have so far been created only within the ECOWAS (ECOWAS Early Warning System, ECOWARN), IGAD (Conflict Early Warning and Response Mechanism, CEWARN) and SADC (Regional Early Warning System, REWS). The lack of similar structures in two remaining subregions has limited the effectiveness of the entire early warning system.

The establishment of CEWS is a complex and long-term enterprise. Although the PSC Protocol became effective in 2003, the framework document for the operationalization of the CEWS was adopted three years later. 2008 saw the publication of the CEWS Handbook – a set of methodological guidelines on how to collect and analyse the data. In the meantime, the relevant IT tools had been developed. After the signing of the 2008 Memorandum of Understanding on AU-RECs/RMs cooperation, the work on closer coordination of action of continental and subregional systems has gained new momentum. From 2008 to 2010 seven meetings between the representatives of the AU and RECs/RMs were held whose purpose was to enhance coordination and information sharing.

Despite some accomplishments, the CEWS is still far from being fully operational. The main problem of the System is the scarcity of human and financial resources. The centre is clearly understaffed, not only with experts from the field of early warning and conflict prevention, but also with IT specialists. Moreover, there is an urgent need of establishment of subregional units in Northern and Central Africa. The above should be seen as basic conditions for the CEWS to become operational and effective.

THE PANEL OF THE WISE

The next element of the APSA, responsible for peace-making activities, is the Panel of the Wise. This organ derives its legitimacy not only from the PSC Protocol but also from traditional African cultures. In precolonial times, an important part of many socio-political structures was the council of elders. Such a council, tasked with the peaceful resolution of disputes, usually adapted a long-term perspective and took into account both the root causes and triggers as well as potential implications of a given judgement.

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96 Ibid., art. 12. p. 2.
99 Ibid., pp. 50-53.
“The Panel of the Wise is a contemporary rendition of the traditional institution of the council of elders”\textsuperscript{100}.

The legal basis of the Panel of the Wise is Article 11 of the \textit{PSC Protocol} which says that it “shall advise the Peace and Security Council and the Chairperson of the Commission on all issues pertaining to the promotion, and maintenance of peace, security and stability in Africa”\textsuperscript{101}. The Panel could act on its own initiative or at the request of the PSC or the Chairperson. A general provision of the \textit{PSC Protocol} was detailed in the \textit{Modalities for the Functioning of the Panel of the Wise} adopted in 2007. The document states that the main aim of the Panel is to “facilitate the establishment of channels of communication between the Council and the Chairperson of the Commission, on the one hand, and the parties engaged in a dispute, on the other hand, in order to prevent such dispute from escalating into conflict”\textsuperscript{102}. The Panel could also carry a fact-finding mission in countries or regions where the risk of conflict is particularly high. Moreover, the members of the Panel are entitled to make mediation efforts aimed at enhancing the peaceful resolution of disputes\textsuperscript{103}.

The tasks of the Panel are concentrated on mediation and shuttle diplomacy. Any success of such initiatives relies heavily on personal skills of the mediators. Thus, the Panel is “composed of five highly respected African personalities from various segments of society who have made outstanding contribution to the cause of peace, security and development on the continent”\textsuperscript{104}. The Panellists shall not be active politicians. They serve for a period of three years and are appointed on the basis of regional representation by the Assembly once recommended by the Chairperson of the Commission. The Chairperson of the Panel is selected by the Panellists from among themselves for a period of one year\textsuperscript{105}. The first composition of the Panel was appointed in 2007 with the former Algerian president, Ahmed Ben Bella, as the Chairperson\textsuperscript{106}.

As the number of disputes on the continent had been high, in 2008 the Panel has determined five criteria of engagement. The Panel would take action when most or all of following criteria are fulfilled:

\begin{itemize}
\item a dispute has not gained sufficient international attention,
\item an action of the Panel could serve as a support to PSC initiatives,
\end{itemize}

\begin{itemize}
\item T. Murithi, Ch. Mwaura, ‘The Panel of the Wise’ in U. Engel, J. G. Porto (eds.), \textit{Africa’s New Peace and Security Architecture…}, pp. 79-80. The authors point four differences between the traditional council of elders and the Panel of the Wise: (1) The PoW does not have any measures to implement its decisions; (2) mediations are not held in public; (3) The PoW has limited human and financial resources and (4) in the PoW there are not only men but also women.
\item Protocol Relating…, Art. 11 p. 3.
\item Ibid.
\item Protocol Relating…, Art. 11 p. 2.
\item Modalities for the Functioning…, part IV p. 1.
\item T. Murithi, Ch. Mwaura, ‘The Panel of the Wise…’, p. 84.
\end{itemize}
– a dispute is long-term and there is a risk of escalation,
– a dispute declines suddenly,
– there are obstacles in the implementation of a signed peace agreement\textsuperscript{107}.

The assessment of the Panel’s activities is not an easy task. As noted by Jamila El Abdellaoui: “no detailed information is available on the various missions that the Panel has undertaken thus far, except for the mission of Dr Salim A. Salim to South Africa in the context of observing the country’s four democratic elections in April 2009”\textsuperscript{108}. The Panel considered e.g. the conflicts in Somalia and coups d’état in Madagascar but it is not possible to determine if the engagement of the Panel went beyond deliberations\textsuperscript{109}. Under the auspices of the PoW, seminars and workshops on various crises are organized, for instance in 2008 the topic was post-election violence, whereas in 2010 – the issue of women and children in conflict situations\textsuperscript{110}. However, the Panel shows considerably lesser interest in the most important African crises as the preference is still given on \textit{ad hoc} mediations of active politicians.

THE PEACE FUND IN THE LIGHT OF THE APSA OWNERSHIP ISSUE

The peace and security activities within the APSA are very expensive. The lack of financial resources remains one of the most prominent problems of the entire African Union and impedes the achievement of ambitious goals set in the \textit{Constitutive Act}. Thus, Article 21 of the \textit{PSC Protocol} provides for the establishment of the Peace Fund supplied by the AU budget, voluntary contributions of member states and donations from both the private and the public sector\textsuperscript{111}. As shown by recent experience, the Fund would probably be highly dependent on the support of several states. In the first decade of the 21st century, \(\frac{3}{4}\) of the entire AU budget came from five countries: Algeria, Egypt, Libya, Nigeria and South Africa\textsuperscript{112}. More than 40 other states contributed only symbolically.

Despite the existence of the Fund, the AU has not been able to finance its most important peace and security initiatives. The costs of peace operations of the AU have been covered almost exclusively by external donors. For instance, in 2007-2013 period the EU funded the AMISOM with over 444 million euro\textsuperscript{113}. The AMIS in Sudan

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\textsuperscript{107} Ibid., pp. 83-84.
\textsuperscript{109} Ibid., p. 62.
\textsuperscript{110} Ibid., p. 64.
\textsuperscript{111} Protocol Relating..., art. 21 p. 2-3.
was dependent on the EU, U.S., Canadian and Japan support. The external-internal funding ratio is meaningful – in 2008-2011 period only 2% of the Fund came from Africa. It can be interpreted in a way that the APSA in not a truly “African solution to African problems”.

The crucial problem of ownership is connected with an issue of the financing of the APSA. The Architecture is certainly owned by African states at the ideological level as the project is supported by both former and current leaders, as well as by the provisions of numerous documents. The principles and goals set in the Constitutive Act and the PSC Protocol have not been criticized openly by any country. Political ownership, on the other hand, is not so clear. Only a small number of states have contributed troops and equipment to the most difficult enterprises, such as AMISOM and AMIS. The so-called socio-logical ownership – the identification with the project of people responsible for its implementation on the lower levels – seems limited as well. Only a very tiny number of AU and RECs/RMs personnel deeply share the belief in the APSA. Another level of ownership – the technical one – is also not well-developed. Lastly, the financial ownership is not present – in terms of funds, the Architecture is more an external than an African project. To sum up, the APSA is an “African solution to African” problems to a limited extent – the fact that makes it vulnerable for external influences and internal critics.

THE APSA AND NON-AFRICAN STATES AND INTERNATIONAL ORGANIZATIONS

As a project that touches the core aspects of international relations on both continental and global levels, the development of the African Peace and Security Architecture is carefully observed by external states and international organizations. Of particular importance is the stance of the UN, most notably – the Security Council. Article 17 of the PSC Protocol stipulates that the PSC should cooperate with its UN counterpart as the Security Council “has the primary responsibility for the maintenance of international peace and security”. Moreover, the PSC and the Chairperson of the Commission shall stay in close contact with the UNSC and the Secretary-General, i.e. attend regular meetings on the highest level. The very first meeting of this kind was organized in 2007.
In 2010, the United Nations Office to the African Union (UNOAU) has been established\textsuperscript{119}. The UNOAU “integrates the various UN peace and security presences in Addis Ababa: the UN Liaison Office, the AU Peacekeeping Support Team, the UN Planning Team for the AU Mission in Somalia and the administrative functions at the Joint Support and Coordination Mechanism of the AU-UN Hybrid Operation in Darfur\textsuperscript{120}. The Office became operational in February 2011\textsuperscript{121}. Moreover, the PSC could ask the UN for political, military, financial and logistical support of its activities\textsuperscript{122}.

The \textit{PSC Protocol} does not determine certain controversial issues, particularly the one related to the situation in which the PSC would authorize a humanitarian intervention without prior UNSC consent. According to Article 39 of the \textit{UN Charter}: “the Security Council shall determine the existence of any threat to [the] peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security”\textsuperscript{123}. What is more – according to Article 53 – “no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council\textsuperscript{124}. Both provisions mean that the PSC touches the matters reserved for the UNSC every time it authorizes peace support operations or humanitarian interventions, and even when it states that a particular situation constitutes a threat to continental or subregional security. Legally, no actions of this kind shall be taken without prior consent of the Security Council. In some controversial cases, when the state of play within the UNSC would limit the possibility of any meaningful action, there could be a conflict between the “passive” UN and the AU, willing to take ambitious decisions. Regardless of such considerations, the UN has actively supported the AU. In 2006 the UN Secretary-General and the Chairperson of the Commission signed the document called the \textit{Declaration on Enhancing UN-AU Cooperation: Framework for the Ten-Year Capacity Building Programme for the African Union}\textsuperscript{125}.


\textsuperscript{120} Briefing on UN Support...

\textsuperscript{121} Ibid.

\textsuperscript{122} \textit{Protocol Relating...}, art. 17 p. 2.


\textsuperscript{124} Ibid., Art. 53.

Another important international partner of the AU is the European Union\textsuperscript{126}. The EU has stressed that the cooperation is more a partnership and less a donor-beneficiary relation\textsuperscript{127}. In reality, the AU has been rather the receiver of EU assistance. The APSA has been supported particularly through the African Peace Facility. The APF financed the AU actions in Madagascar, Somalia, Sudan, the Comoros, as well as provided funds for capacity building of the AU and RECs\textsuperscript{128}. The second tool of EU support is the Instrument for Stability whose purpose is to enhance a variety of activities, i.e. a security sector reform in countries such as the DRC and Guinea-Bissau\textsuperscript{129}. Moreover, the EU conducted short-term peace support operations in the DRC (2003 and 2006) and Chad/Central African Republic (2008-2009)\textsuperscript{130}.

Some level of support has been given to the AU, RECs/RMs and African countries by individual states. In the 1990s the U.S. limited their engagement in African affairs in a direct manner while promoting and supporting continental peace and security initiatives. In 1996 Washington initiated the African Crisis Response Initiative (ACRI), terminated in 2004 and replaced by the African Contingency Operations Training and Assistance (ACOTA)\textsuperscript{131}. African states have also benefitted from the Global Peace Operation Initiative (GPOI). The purpose of the ACRI/ACOTA and the GPOI is to provide training for African peacekeepers\textsuperscript{132}. Independently from these programs, the United States Africa Command (AFRICOM) has supported various AU actions, for instance in 2007 eighty million USD were granted for training, equipment and logistic assistance of the AMISOM\textsuperscript{133}. The Architecture has also been supported by Canada, France, UK, Germany, Denmark, Norway, Italy, Japan and some other countries\textsuperscript{134}. Interestingly enough, China, which is very active in economic cooperation, has been far less engaged in the peace and security partnership. The situation could possibly change in the near future, as in July 2012 Hu Jintao announced the establishment of Initiative on China-Africa Cooperative Partnership for Peace and Security, as well as financial assistance for the ASF\textsuperscript{135}.

\textsuperscript{127} O. Bachmann, \textit{The African Standby Force…}, pp. 54-55.
\textsuperscript{128} Ibid., p. 55.
\textsuperscript{132} O. Bachmann, \textit{The African Standby Force…}, pp. 43-44.
\textsuperscript{134} O. Bachmann, \textit{The African Standby Force…}, pp. 45-54.
The assistance of states and international organizations in the process of the establishment and strengthening of the APSA shall be perceived as a sign of importance of the initiative. The limited resources of African states make it virtually impossible to operationalize the APSA completely without external support. At the same time, foreign engagement does not go without any risks and disadvantages. First of all, it limits the AU independence in implementing its agenda, for instance without the EU and NATO assistance the conduct of AMIS and AMISOM would not be possible. The overreliance on external support allows the questioning of the character of APSA as an “African solution to African problems”. The Architecture, whose purpose is to give to the AU the autonomous capacity in the field of peace and security has not achieved its main goal. Moreover, there is an urgent need for the determination of some controversial issues related to UN-AU relations.

THE APSA – A COMPLETE PROJECT ADEQUATE TO PEACE AND SECURITY CHALLENGES?

The Architecture has been constructed on the basis of the catalogue of the instruments for peace and security proposed in the 1992 UN document entitled *Agenda for Peace*. According to the most recent UN document – *United Nations Peacekeeping Operations. Principles and Guidelines* – the international community could take the following course of action: conflict prevention, peacemaking, peacekeeping, peace enforcement and peacebuilding. The elements of the APSA could be assigned to these groups of activities as follows: the Continental Early Warning System is responsible for conflict prevention, peacemaking activities are undertaken by the Panel of the Wise and the African Standby Force provides a capacity to conduct peacekeeping and peace-enforcement actions. The Peace and Security Council makes decisions while the Peace Fund finances the entire structure. It is clear that despite the provisions of Article 14 of the *PSC Protocol*, the missing element is peacebuilding. One of the ASF scenarios has some peacebuilding elements but short-term of deployment (maximum two years) makes such activities – long-term ones by their very nature – virtually impossible. Moreover, within the UN system such tasks are fulfilled mostly by civilians. At the same time one of the most notable problems of the ASF is the slow pace of the development of the civilian unit. As Cedric de Coning puts it: “the overall awareness of the role of the civilian dimension remains very poor. This lack of understanding of the role that civilians play in African peace operations is having a negative effect on the progress of this important aspect and, as a result, the overall development and operationalization of the ASF is affected.”


The lack of peacebuilding capacity should be seen as a disadvantage of the entire APSA project, considering the recent conflict trends on the continent. The “big” conflicts over the control of major states are over – the civil war in Angola and the Sudan ended in 2002 and 2005, respectively. In the first years of the 21st century, the continent has witnessed mainly low-intensity, localized conflict with rebel groups as main actors, for instance Boko Haram in Nigeria, Al-Qaeda of the Arab Maghreb in Western Sahel and the Lord’s Resistance Army in Uganda and the Central African Republic. Most of these groups show no ambitions to take over entire countries; instead, they promote religious fundamentalism occasionally augmented by secessionist claims. What is significant is that they are supported by marginalized parts of respective societies from peripheries and sometimes receive the assistance of international terrorist organizations. There are also some “purely” secessionist conflicts in Cabinda, Angola, Niger Delta, Nigeria and Casamance, Senegal with economic underdevelopment as the cause.

The trends mean that emphasis should be placed on long-term peacebuilding, occasionally supported by peacekeeping and peace enforcement operations. Thus, the APSA seems partially incomplete and partially inadequate to current and possibly future peace- and security-related challenges on the continent.

CONCLUSION

The APSA is the first comprehensive set of tools whose purpose is to foster peace and security in the post-colonial history of the continent. The Architecture has its roots in the concepts of human security and responsibility to protect the foundations for the right of the AU to conduct humanitarian intervention in a member state that violates basic human rights. The relevant decision is made with a 2/3 majority by the Assembly which proves a fundamental change in thinking on sovereignty in comparison with the OAU. The non-interference in internal matters of the member states has been replaced by the principle of non-indifference.


The introduction of new regulations is not an equivalent of the establishment of an effective security regime. A new approach to peace and security requires an internalization of new concepts and ways of thinking by the leaders – a process which is much longer and more difficult than the adoption of the documents. It is important to keep in mind that the AU remains an intergovernmental body. The members of its central organs – the Assembly and the PSC – are representatives of the governments\(^{141}\). For numerous authoritarian regimes the provisions of Article 4(h) of the *Constitutive Act* is a source of concern. Therefore, the decision on humanitarian intervention seems rather unlikely. The AU freedom of action is also limited by the traditional consensual way of decision-making. In 2004, when the AMIS was discussed, the states did not over-vote the Sudan. As a result, the AMIS had a relatively weak mandate that made it ineffective and vulnerable\(^{142}\). At the same time, the adoption of new documents that emphasize human rights, democracy and good governance could mean that the level of support for such values would grow steadily\(^{143}\).

Within the APSA, there are elements responsible for conflict prevention (CEWS), peace-making (PoW), as well as peacekeeping and peace-enforcement (ASF). The lack of a relevant peace-building institution that could consolidate the effects of the CEWS, PoW and ASF actions could potentially decrease the effectiveness of the entire Architecture. Moreover, the enhancement of the financial fundamentals of the APSA is the most urgent need. The lack of ownership resulted from overreliance on external donors (mainly the UN, EU, U.S. and other Western states) means that the Architecture is not an “African solution to African problems”. However, it is possible that such state of play will uphold for a considerable period of time, as it yields profits for both sides. The African countries can transfer their peace and security expenses on external donors. On the other hand, the support for the Architecture acts as a shield for non-African states and organizations as they can show their engagement in African matters. More than twenty years ago the Americans suffered a bitter defeat in Somalia. Today, by supporting the AMISOM, the U.S. reduces the risk while demonstrating their assistance to stabilization efforts and the idea of peace and security on the continent.


\(^{142}\) S. Schmidt, ‘Through the Lens…’, pp. 32-33.

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Rape and other forms of sexual violence have been inseparably linked with the ongoing military conflicts. Despite the condemnation of war rape in modern times, its penalization arrived extraordinarily slowly. The last twenty years brought about a huge progress in the approach to the penalization of international crimes of sexual nature, which was developed in a hitherto unprecedented range in the jurisprudence of the international criminal tribunals, especially in Africa. The aim of this article is to present the cases of the International Criminal Tribunal for Rwanda (ICTR) which had a significant influence on the penalization of war crimes of sexual nature in the Statute of the International Criminal Court and two trials of the Special Court for Sierra Leone (SCSL), concerning the penalization of forced marriage. It shows how the African juridical traditions contributed to the problem of the penalization of sexual war crimes.

Keywords: war crime, sexual assault, international criminal tribunal, Rwanda, Sierra Leone
Sexual violence is one of the types of violence which is present during all armed conflicts, regardless of their intensity, extent or duration. Irrelevant to its presence remains also the nature of the war, the region of the world in which it takes place, and whether or not the conflict involves government troops, armed forces or paramilitary groups. However, these factors somewhat affect the diversity of the types of sexual violence, its purpose and the substrate. It is not in every conflict that we have to deal with all its incarnations, among which we can distinguish: rape, sexual torture, mutilation, sexual slavery, forced prostitution, forced sterilization and forced pregnancy. In certain conflicts, this violence is aimed at women of a certain ethnicity, while in other conflicts affiliation does not matter. Disparities are also subject to whether the acts of sexual violence are directed against women only or also against men; whether they committed by all parties to the conflict, or they are one-sided; whether they are committed individually or collectively; whether they are culturally alien in the area, or maybe they were already known there before the war. Each conflict is different as the intensity of the occurrence of acts of sexual violence.

Nevertheless, rape and other forms of sexual violence have been inseparably tied to the ongoing military conflicts. Despite the condemnation of war rape in modern times, its penalization arrived extraordinarily slowly. For centuries, rape and other forms of sexual violence were considered spoils of war, justified by the law of prey, which resulted primarily from the recognition of women as the property of a man (father or husband). In ancient times the woman was subject to a man completely without power even over her own body and sexuality. The social position of women in the Middle Ages, has not changed considerably. And although Grotius was the first to say that rape is incompatible with the law of nations, almost two and a half century after his death, we still cannot find any regulation forbidding it expressis verbis. The problem was also passed over in silence during the Nuremberg trials, and barely mentioned in the judgments of the International Military Tribunal for the Far East after WWII.

It is the last twenty years that brought about a huge progress in the approach to the penalization of international crimes of sexual nature, which was developed in a hitherto

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unprecedented range in the jurisprudence of the international criminal tribunals, particularly in the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR). The conclusions contained in their findings were thereafter further developed in the regulations of the Rome Statute and other legislative acts of the International Criminal Court (ICC), as well as the jurisdiction of the Special Court for Sierra Leone (SCSL), which hitherto only judged in cases regarding crimes committed in Africa.

To say that Africa has had a significant impact on the penalization of war crimes of sexual nature does not exclusively mean that the only way the continent contributed to the said phenomenon was the place of the crimes. Indeed, all the cases investigated by the ICTR and SCSL referred to crimes committed in Africa, but the African juridical traditions contributed significantly to the penalization of the crimes, as shown in the decisions of the Tribunals, penned by the following African judges: Navanethem Pillay from RSA, William Hussein Sekule from Tanzania, Andrésii Vaz from Senegal, Julia Sebutinde from Uganda, Rosolu Johna Bankole Thompson from Sierra Leone and Benjamin Mutangi Itoe from Cameroon. It was their factual findings and decisions based on their own experience and juridical practice in the African legal system that made penalization possible, and not the place at which the crimes were committed. It is also extremely important to mention the efforts of the African scientists, activists and officials, both in the tribunals and outside of them, who fought to ensure careful and thorough investigations, formulating of indictments and conducting lawsuits of people responsible for said crimes.

This aim of this paper is to trace the war criminal lawsuits conducted by the above mentioned tribunals, in order to show the African input into the penalization of sexual war crimes.

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA

Despite many testimonies claiming that rape and sexual violence were alien to the Rwandan culture and tradition, and therefore could not have taken place during the act of genocide⁷, the tribunal took up this issue for as many as 28 of the 75 completed cases. It was established that in the period from April to July 1994, from 250 to 500,000 women were raped or sexually assaulted in other forms⁸.

Almost all the accused before the ICTR were members of the Hutu community, occupying senior positions in the army, police and administration at local and national level⁹, and they committed crimes of a sexual nature in the form of rape, torture, inhu-

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⁹ UN, Review of the Sexual Violence Elements..., p. 47, par. 100.
mane acts and persecution as a crime against humanity, rape and attacks on personal dignity as war crimes and rape and serious bodily or mental health as genocide.\footnote{Ibid., p. 47, par. 98.}

Thus, despite the fact that sexual violence was not expressly mentioned in the 2nd article of the Statute, the ICTR established in its case-law that rape and other forms constitute genocide, like any other act, as long as they are committed with the specific intent to destroy, in whole or in part, a specific group.\footnote{Ibid., p. 48, par. 104.}

**CASE ICTR-94-4 – JEAN PAUL AKAYESU**

In the original accusation against Jean Paul Akayesu, the governor of Taba, also responsible for the police activities and other uniformed services, there was a substantial lack of references to any sexual acts committed. It was not until one of the witnesses' statement, the involvement of judge Pillay – the only woman present in the adjudication panel, and the pressure from human rights organizations, that the charges were modified\footnote{D. M. Amann, ‘Prosecutor v. Akayesu. Case ICTR-96-4-T’, *American Journal of International Law*, Vol. 93, No. 1 (1999), p. 196.} to include rape as crimes against humanity, as well as attacks against personal dignity, including: rape, degrading and humiliating treatment and indecent assault and sexual assault as war crimes and acts of sexual violence as an element of genocide.\footnote{Prosecutor vs. Akayesu, ICTR-96-4-I, *Amended Indictment*, 6 June 1997, par. 12, counts 1-3, 13-15.}

ICTR decided that rape, being an act of aggression, cannot be defined with merely the tools and body parts involved in the act. Appealing to the provisions of the Convention regarding the ban on the use of torture and other cruel, inhumane or demeaning treatment and punishments, in which the definition of torture does not contain a specific description of acts that bear the traits of torture, the Tribunal decided that rape, committed in order to intimidate, degrade, discriminate, punish, dominate or destroy the victim and being an attack on personal dignity, may be defined as “a physical violation of sexual nature, committed upon another person without consent”. Sexual violence, as a broad category to which rape can be added, was defined as “every sexual act committed unto another person without consent”. Sexual violence, according to the court, does not necessarily imply a direct physical contact between the perpetrator and the victim. It can also mean forcing the victim to publicly strip naked, and the coercion may involve both threats and intimidation. Acts bearing the properties of sexual violence can be recognized as “[an]other inhumane act” in Art. 3(i) of the Statute, “attacks on personal dignity” in Art. 4(e) and “inflicting severe physical damage and mental disorders” in Art. 2(2)(b),\footnote{Prosecutor vs. Akayesu, ICTR-96-4-T, *Judgment*, 2 September 1998, para. 687-688.} and therefore be war crimes, crimes against humanity as well as crimes of genocide. This very broad definition allows rape to also mean acts such as

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the penetration of a woman’s sexual organs not only with a penis, but also with other items like a stick or the barrel of rifle.

The Tribunal, referring to the first three charges regarding genocide, first considered the issue of putting the Tutsi under the protection of the UN convention regarding the Prevention and Penalization of Genocide.

An ethnic group is defined as a group whose members share a common language and culture\textsuperscript{15}. According to the Tribunal, even though the Tutsi and the Hutu belonged in fact to the same cultural and linguistic group, they were distinguished in Rwanda as two separate ethnic groups. In accordance with the Rwandan civil code, one of the identifying features of a person is their ethnicity. The distinction of Tutsi and Hutu was present in multiple administrative documents, e.g. IDs\textsuperscript{16}. The affiliation with a certain group was inherited patriarchally, and the distinction between groups was strongly linked to the social norms\textsuperscript{17}. Hence, the Tribunal decided that the Tutsi and the Hutu were permanent groups, in which membership was based solely on birth. Even though they were not in any definition for groups directly protected by Convention for Prevention and Penalization of Genocide, it can be extrapolated that as permanent groups, they are under the protection\textsuperscript{18}.

The Court decided that every act listed in Article 2 of the Statute, if marked with \textit{dolus specialis}, regarding the will to entirely or partially exterminate a group under the protection of Convention for Prevention and Penalization of Genocide, constitutes the crime of genocide\textsuperscript{19}. Their decisions meant that the victims of the acts committed in Rwanda were chosen by the offenders on the basis of their membership to the Tutsi group, with the intent to exterminate them. Hence, these acts are considered a part of said crime\textsuperscript{20}.

According to the ICTR, the rapes and sexual violence that Akayesu was charged with in Par. 12 of the indictment, were an act of genocide, just like every other act committed specifically in order to eradicate the Tutsi. The sexual violence was an integral part of the Tutsi extermination process, inflicting serious bodily and mental harm of the victims, mentioned in Art. 2(2)(b) of the statute as an act bearing the traits of genocide and committed exclusively upon the Tutsi women, resulting in public humiliation directed against the victims, their families and entire societies\textsuperscript{21}.

Despite the fact that Akayesu could not be deemed solely responsible for the committed crimes, with his actions and utterances he allowed and coaxed others to rape and perform other kinds of sexual violence like: forcing to strip, injuring sexual organs, forcible abortions, marriage and prostitution, all in his presence or with his knowl-

\textsuperscript{15} Ibid., par. 513.
\textsuperscript{16} Ibid., par. 170.
\textsuperscript{17} Ibid., par. 171.
\textsuperscript{18} Ibid., par. 511-516.
\textsuperscript{19} Ibid., para. 497-498.
\textsuperscript{20} Ibid., para. 124-126.
\textsuperscript{21} Ibid., par. 731-732.
edge\textsuperscript{22}, he was convicted for contributing acts of sexual violence by ordering, coaxing and assisting in genocide. The acts committed by the accused were deemed a crime against humanity, as they were an element of a large-scale, systematic attack on the civil population\textsuperscript{23}.

However, the accused has not been found guilty under 15, defining the attacks unto personal dignity, including: rape, degradation and sexual assault as war crimes, as the prosecutor was not able to prove the link between the ongoing military conflict and the acts committed, because according to the Tribunal, the accused was not involved in the military activities\textsuperscript{24}.

The Akayesu case showed that rape and other forms of sexual violence can be used as means of war and intimidation and their results affect not only the victims, but also entire societies, and can even lead to total physical extermination. The ICTR sentence was the first case in history to deem an act of sexual violence also an act of genocide and a crime against humanity and to define rape in international law as well as to consider various forms of sexual violence to be an inhumane act\textsuperscript{25}. Excessively high standards regarding a person’s responsibility for war crimes cast a shadow of doubt on this ruling. The war crimes did not allow Akayesu to be convicted for them, even though, as the mayor, he supported the government’s military efforts\textsuperscript{26}. The errors in the interpretation of war crimes seem to be the cause for the revocation of the charges in most of the cases hitherto recognized by ICTR\textsuperscript{27}.

CASE ICTR-95-1 – CLÉMENT KAYISHEMA AND OBEĐ RUŽINDANA

The accusation against Clement Kayishema, the prefect of Kibuye and Obed Ružindana, a businessman, contained no charges as to sexually-oriented crime, mostly regarding murder, extermination and other inhumane acts such as genocide, crimes against humanity and war crimes\textsuperscript{28}.

The judgment made by the ICTR on 21st May 1999 contains many references to acts of sexual nature, including the link between these acts and the crime of genocide.

The Tribunal decided that soon after the crash of the presidential plane, the Hutu began to persecute the Tutsi in Kibuye, mostly by setting their houses on fire, killing

\textsuperscript{22} Ibid., par. 416-460.
\textsuperscript{23} Ibid., par. 692-734.
\textsuperscript{24} Ibid., par. 643.
\textsuperscript{26} D. M. Amann, ‘Prosecutor v. Akayesu...’, p. 199.
\textsuperscript{28} Prosecutor vs. Kayishema, ICTR-95-1-I, Amended Indictment, 29 April 1996.
the cattle and calling them “cockroaches” and “enemies”. Armed by the representatives of the local government, the aggressor commenced the banishment of the Tutsi from their homes, wounding them and raping the women. Afterwards, the Hutu murdered the Tutsi, while chanting songs that urged the Tutsi extermination.

The court called for the testimonies of many witnesses, confirming that several rapes occurred during the massacre. They mostly concentrated on group rapes, committed in front of the victims' families, in order to humiliate the Tutsi and inflict serious wounds and mental damage to the members of the group, which constituted an act mentioned in Art. 2(2)(b) of the Statute. Rape and other forms of sexual violence were also part of the deliberate creation of an environment aiming to cause the partial or total eradication of the members of the group, which in turn bore the traits of an act mentioned in Art. 2(2)(c).

Both of the accused were convicted with committing and assisting in genocide, which also consisted, according to the Tribunal, of acts of sexual violence. Kayishema was also found guilty of the superior's responsibility, based on the art. 6(3) of the Statute.

The Kayishema and Ruzidana case showed how the proven crimes of sexual nature can be reflected in the decision, even if they were not in the accusation. Even though it could not convict the accused of rapes and other forms of sexual violence, the Tribunal explicitly said that these acts, together with the assaults and death threats were causing serious injuries and had a significant impact on the intention to exterminate the Tutsi, becoming a part of the genocide.

CASE ICTR-97-20 – LAURENT SEMANZA

Laurent Semanza had been the governor of Bicumbi for over twenty years, as well as a member of the MRND Central Committee – a Hutu party, ruling Rwanda from 1975 to 1994. During the genocide, he de iure and de facto led the army, the police and the Interahamwe squad, responsible for the initiation of the crimes committed in 1994.

Semanza was accused of committing and inciting to commit the crime of genocide in the form of murders, and inflicting severe damage or mental health disorders among

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30 Ibid., par. 299, 532.
31 Ibid., par. 547.
32 Ibid., par. 116.
33 Ibid., par. 568, 571.
34 Ibid., par. 569.
36 Prosecutor vs. Kayishema, ICTR-95-1-T, Judgment, par. 108.
37 Prosecutor vs. Semanza, ICTR-97-20-I, Third Amended Indictment, 12 October 1999, par. 3.6.
the members of the Tutsi, with the purpose of their complete or partial eradication and assistance in the crime of genocide. These accusations regarded the planning, initiating, organizing and active participation and assistance in the acts such as rape and other forms of sexual violence. According to the prosecutor, Semanza coerced, ordered and encouraged the fighters to rape the Tutsi women and to perform attacks against their personal dignity, due to which these acts were in fact committed. The charges regarding genocide were based also on Art. 6(3) of the Statute, i.e. the superior’s responsibility.

The charges of persecution as a crime against humanity, cruelty i.e. rape as a war crime, rape as a crime against humanity and attacks against personal dignity of women, i.e. degrading, rape and assault, regarded the same acts of sexual nature.

According to the prosecutor, in April 1994 Semanza ordered a small group of men to rape a Tutsi woman before they were to murder her in the town of Gikoro, due to which three offenders raped two women and one was murdered. For this, the accused was charged and convicted of rape, torture and murder as crimes against humanity, as well as cruelty as war crime.

The Court deemed the charge number eight, regarding the incitement for one of the rapes, as crime against humanity, too unclear and violating the right of the accused for defense. For this reason, the Tribunal in no way touched upon the issue of the responsibility of the accused for the crime he was charged with.

The prosecutor failed to prove the rapes and assaults of sexual nature that supposedly took place during the massacre of Mwulire, in the Musha church and the mosque in Mabare, constituting the charges 1-9. A witness, who was not present when the events took place, only heard about them, also testified about the committed sexual crimes. The Tribunal managed to determine that the rapes and other forms of sexual violence really did take place in April 1994 in the towns of Bicumbi and Gikoro and that they could be included in the description of the charges by the prosecutor in paragraphs 3.15 and 3.16 of the indictment. However, in this case they were too unclear, due to which the Tribunal decided to ignore them. Despite the fact that the accused was found guilty of the collaboration in genocide (charge 3), the verdict in no way referred to the crimes assigned to him, to genocide, rapes and other forms of sexual violence. For the same reasons, he was acquitted from charges 8 and 9, the

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38 Ibid., counts 1-2.
39 Ibid., count 3.
40 Ibid., par. 3.14.
41 Ibid., par. 3.15.
42 Ibid., par. 3.16.
43 Ibid., counts 6-9.
44 Ibid., par. 3.17.
47 Ibid., par. 250-251.
ones regarding rape as crime against humanity and attacks against personal dignity as war crime.

In the case of inciting to rape (charges 10-14), despite Semanza’s assurance and defense testimony claiming that rape is not known in Rwandan tradition and culture and the accused himself never ordered the fighters to rape the Tutsi women, the Court determined that on 13th April 1994, around 10 AM, Semanza ordered a group of fighters to rape the women before murdering them. It was decided that, due to an order, one of the women was raped, but it was impossible to determine if the other one was as well, before she was murdered. A victim who survived the genocide released testimony from which it transpired that Semanza addressed the people who gathered with the following words: “Are you sure you’re not killing Tutsi women and girls before sleeping with them…. you should do that and even if they have some illness, you should do it with sticks.” Three men then entered the room with the witness and her cousin. Two of them dragged the other victim outside, while the third remained with the victim and informed her that they have official consent to rape them. The man ripped her clothes off and proceeded to sexual intercourse, threatening her that if she resisted, she would be killed.

The ICTR concluded that the act of rape upon the victim was an element of a widespread, systematic attack on the civilian population, and it possessed the characteristics of torture, because it led to severe mental suffering of the victim and was committed with discrimination in mind. Because the accused realized that he was inciting to perform an act fulfilling these criteria, he was found guilty under charges 10 and 11, i.e. incitement to rape and torture as crimes against humanity. Due to the lack of majority in voting (Judge Ostrovsky failed to find a connection between the crimes and the ongoing military conflict, while judge Dolenc decided that the opportunity for the right combinations of crimes did not occur), the accused was acquitted in the first instance from charge number 13, in which the prosecutor attempted to assign the responsibility for cruelty as a war crime to him. However, the Court decided that assigning responsibility for war crimes, which required further proof of link with the ongoing military conflict, cannot be decided on the basis of assigning responsibility for genocide, which does not require these traits to occur. Since it was overruled with the majority of votes

48 Ibid., par. 436, 474, 539.
49 Ibid., par. 257-262.
50 Ibid., par. 253.
51 Ibid., par. 254.
52 Ibid., par. 481-485.
54 Prosecutor vs. Semanza, ICTR-97-20-T, Separate and Dissenting Opinion of Judge Pavel Dolenc, 15 May 2003, par. 35.
55 Prosecutor vs. Semanza, ICTR-97-20-T, Judgment and Sentence, par. 552.
that this connection did occur, the Court decided to eventually convict the accused with rape as a war crime\textsuperscript{56}.

The ICTR decision showed that even a single rape can constitute a crime against humanity, on condition that it is an element of a widespread, systematic attack on the civilian population.

CASE ICTR-01-64 – SYLVESTRE GACUMBITSI

Sylvestre Gacumbitsi, the governor of Rusumo, was charged with genocide and alternatively with the participation in the crime of genocide (charges 1 and 2), as well as extermination, murder and rape as crimes against humanity (charges 3-5). All of the charges, except number 3, regarding the murders, were based mainly on the crimes of sexual nature, because during the organization and conduct of the attack on the Tutsi, he was aware or should be aware of the fact that sexual violence against women is or can be a common phenomenon, and his subordinates, who take part in the genocide, following orders and instructions, may be found guilty. The act of incitement to rape has also been emphasized as one that Gacumbitsi had committed, driving around Rusumo and shouting through a megaphone to rape the Tutsi women. The rapes became an element of the genocide charge due to the fact that most women were raped right before being murdered and many died because of the injuries inflicted during the rapes. In the case of all the charges regarding crimes against humanity, Gacumbitsi was also accused of the superior’s accountability\textsuperscript{57}.

The Tribunal determined that on 16th April 1994, the accused, driving through the Nyarubuye district, spoke through a megaphone to the young Hutu men, telling them to rape the Tutsi girls, who rejected marriage, and, in case of their resistance, to cruelly murder them. This resulted in the rape of eight women and killing one of them by impaling her. It was determined that sexual violence constituted a part of a widespread, systematic attack on the civilian population and was a direct result of the incitement of the accused\textsuperscript{58}. The decisions mentioned above were the basis to convict the accused of genocide through inciting to rape, as this act caused severe physical damage to members of the Tutsi and his aim was their total extermination\textsuperscript{59}.

Referring to the charge of rape as a crime against humanity, the ICTR at first referred to the arrangements regarding its definition of the case against Akayesu and ICTY’s case against Kunarac. Determining that rape can involve penetration with a penis as well as any other item, it decided that the acts committed in the Nyarubuye district bore the traits of said crime. Despite the fact that one of the raped women was of Hutu descent, ICTR determined that the real target of the attack was her Tutsi husband, hence all the

\textsuperscript{58} Prosecutor vs. Gacumbitsi, ICTR-01-64-T, \textit{Judgment}, 17 April 2004, par. 200-228.
\textsuperscript{59} Ibid., par. 259, 292-293.
victims were chosen on the basis of their origin or any other ties with the Tutsi. All of the victims were also civilians. The instructions of the accused, saying that in case of resistance the women were to be killed cruelly and the fact that the women were assaulted by the people from whom they had been trying to hide, was sufficient proof of lack of consent for partaking in sexual intercourse. Due to the fact that the previously proven rape of eight girls was a direct effect of the instructions of the accused and took place in a widespread, systematic attack on the civilian population, he was found guilty of rape as a crime against humanity. It was not possible to assign other rapes committed in the area of Nyarubuye to the accused, because the direct link between them, and the words uttered by Gacumbitsi through the megaphone was not proven.

Neither was the accused charged with the superior’s responsibility, because his superiority over the fighting groups committing the crimes could not be proven.

During the appeal, Gacumbitsi accused the Tribunal that only single instances of rape were proven, and they could not possess traits of crimes against humanity, being of more of a group crime. The court once again confirmed what already transpired during the ICTY’s trial against Kunarac, which is that not the rape itself, but the attack of which rape is an element must fulfill the criteria of a widespread, systematic attack against any civilian population.

An incredibly significant element of the Court ruling in the Gacumbitsi case was the fourth charge, in which the Tribunal’s prosecutor asked the ICTR to clarify the norms regarding rape as crime against humanity and genocide within the scope of consent for sexual intercourse. According to the prosecutor, the lack of victim’s consent and the offender’s awareness of it, should not bear the signs of an act that has to be proven by the prosecutor during the lawsuit, because the tribunal’s jurisdiction only covers cases of rapes committed during genocides, military conflicts, or widespread, systematic attacks on the civilian population. In these circumstances, consent is not possible. That is why the crime of rape should be considered similarly to the crime of torture or slavery, i.e. there should be no demand for providing proof for the lack of consent. According to the prosecutor, this viewpoint is also supported by the rule number 96, which burdens the accused with proof.

Despite the fact that the Tribunal’s decisions in the Gacumbitsi case did not leave any doubts as to the existence of coercive circumstances, rendering any consent impossible, the Board of Appeal decided to take care of the prosecutor’s appeal *motu proprio*, as an issue in the general sense.

The ICTR noted that in the ICTY court statement from the Kunarac case, the circumstances in most of the war crimes and crimes against humanity are almost always coercive, hence true consent was not possible.

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60 Ibid., par. 324-333.
61 Ibid., par. 243.
63 Ibid., par. 147-149.
64 Ibid., par. 150.
65 Ibid., par. 151.
It was determined, however, that the victim’s lack of consent and the offender’s awareness of it are both aspects of rape. For this reason, it is up to the prosecutor to prove these aspects and erase any doubt. Otherwise, it is up to the prosecutor to provide evidence of consent right from the start. The lawsuit and evidence rules do not influence the traits of crimes defined in the Tribunal’s Statute or in international law, merely specify the circumstances in which proof for consent is allowed\textsuperscript{66}.

The prosecutor is allowed to prove beyond all doubt the lack of consent by proving that certain circumstances, rendering it impossible to express consent occurred during the act. However, according to the ICTR, it is not essential to quote the words said by the victim, their behavior, the connection with the offender or the use of force. Evidence of the lack of consent can be extrapolated from general circumstances of the act, such as the act of genocide or enslavement. The awareness of lack of consent on the other hand can be proven by assuring that the offender knew or should know about the particular circumstances that rendered it impossible for consent to occur\textsuperscript{67}.

The files against Gacumbitsi contain a lot of evidence for the use of sexual violence during the genocide in Rwanda, such as: individual and group rapes, sexual slavery or mutilation of sexual organs. The statements provided some guidelines, useful for preparing indictments in the following cases regarding crimes of sexual nature, indicating above all that the proof of lack of consent during the act is sufficient premise for proving that the act was in fact rape\textsuperscript{68}.

**SPECIAL COURT FOR SIERRA LEONE**

Special Court for Sierra Leone (SCSL) was established under the agreement between the UN and the Government of Sierra Leone of 16 January 2002, as a mixed tribunal, which includes both international and domestic judges. Although the case law of the Court, in comparison with the ICTY or ICTR, is relatively poor, because it focuses only on those who bear the greatest responsibility for violations of international humanitarian law and national law committed during the Sierra Leone civil war (1991 – 2002)\textsuperscript{69}, it contains a very significant finding for the development of the penalization of crimes of a sexual nature. Namely the penalization of the forced marriage, which was not heretofore recognized in any legal act or case pending before any international tribunal, as well as in the Rome and SCSL Statutes\textsuperscript{70}.

\textsuperscript{66} Ibid., par. 153-154.

\textsuperscript{67} Ibid., par. 155, 157.


CASE SCSL-04-16 – AFRC

The accused in the case regarding the crimes committed by the Armed Forces Revolutionary Council (AFRC) were: Alex Tamba Brima – one of the most significant leaders of the organization, being at the forefront of its supreme council and the forces attacking Freetown in 1999; Brima Bazzy Kamara – taking part in the coup in 1997 as well as the attack on Sierra Leone capital, and Santigie Borbor Kanu – member of AFRC supreme council, responsible for the military actions directed against the civilian population.\(^{71}\)

Among the fourteen charges of crimes against humanity and war crimes, charges 6-9 regarded crimes of sexual nature, describing the use of various forms of sexual violence, including violent rapes and forced marriages by the members of the AFRC and Revolutionary United Front (RUF).\(^{72}\) Due to carefulness in the lawsuit, the term “forced marriage” appears in the indictment in alternative to sexual slavery, because it had not yet been deemed an international crime. That is also why, aside from charge number 6, regarding rape as a crime against humanity, the indictment contains three charges for this act: sexual slavery and other forms of sexual violence as a crime against humanity (charge number 7), other inhumane act as a crime against humanity (charge number 8) and attack on personal dignity as a war crime (charge number 9)\(^{73}\).

The court, considering the issue of forced marriage, decided that it would not create a separate category for acts constituting crimes against humanity, not unlike sexual slavery.\(^{74}\) According to the judges’ understanding, to be able to qualify the behavior described in the indictment as other inhumane acts, they could not bear the traits of sexual crime, because such felonies were listed in Art. 2(g) of the Statute (rape, sexual slavery, forced prostitution, forced pregnancy and other forms of sexual violence). The “other sexual act” could not therefore be defining a crime of sexual violence.\(^{75}\) The prosecutor failed to provide sufficient proof to justify the theory that forced marriage does not fit the category of crimes against humanity, listed in Art. 2 of the Statute.\(^{76}\) According to the tribunal, the offenders referred to their victims as “wives” not in order to marry them, but in order to emphasize their ownership rights, while the proof quoted by the prosecutor confirmed the sexual nature of the act. In conclusion, it was decided that it bore the traits of sexual slavery.\(^{77}\)

\(^{71}\) K. Stasiak, Trybunały umiędzynarodowane w systemie międzynarodowego sądownictwa karnego, Lublin 2012, p. 244.

\(^{72}\) Prosecutor vs. Brima, Kamara & Kanu, SCSL-04-16-PT, Further Amended Consolidated Indictment, 18 February 2005, para. 51-57.

\(^{73}\) Ibid., counts 6-9.

\(^{74}\) Prosecutor vs. Brima, Kamara & Kanu, SCSL-04-16-T, Judgment, 20 June 2007, par. 713.

\(^{75}\) Ibid., par. 697.

\(^{76}\) Ibid., par. 713.

\(^{77}\) Ibid., par. 711.
Judge Doherty did not agree with the majority, and noticed that forced marriage contains non-sexual elements, like moral, mental and physical suffering, hence a general violation of accepted norms, according to which both parties must express consent to marriage. Most of the “wives” were rejected by their societies, rendering it impossible for them to return. According to judge Doherty, forced marriage constitutes the “other inhumane act” through bearing the traits of “words or other acts aiming to achieve marriage by force or coercion, inducing fear of violence and using unfavorable circumstances to force the victim’s consent for marriage.”

The Appeals Chamber decided that a wrong interpretation of an inhumane act has occurred during the lawsuit. In many other proceedings before the international criminal courts it was deemed fulfilled through acts of sexual nature. The Chamber decided that in the lawsuit it was proven that the offenders wanted to have a sort of a compulsory marital relationship with their victims rather than execute ownership rights over them, and the act itself did not have to be of sexual nature. Women fell victim to terrible violence, were forced to relocate with the troops and to do various other things, like regular sexual intercourse, housework and giving birth to children for the offenders. In return the “husbands” provided them with provisions, clothes and shelter, including protection from rapes other men could commit. This behavior is difficult to observe in the case of sexual slavery. Additionally, the offenders caused physical and mental suffering in women, e.g. by forcing them to give birth to children, lack of medical care and by terrorizing them. The Appeals Chamber agreed with Judge Sebutinde’s opinion that forced marriage should not be confused with “arranged marriage”, which does break the international law norms, such as the ones in the convention aiming to end all discrimination against women, but it was never tied with imprisoning women and inflicting mental and physical suffering to the extent it is done in the case of forced marriages. According to the Appeals Chamber, it could not be rationally determined whether forced marriage and sexual slavery are the same acts, because aside from the common elements, i.e. deprivation of freedom and forcing to perform sexual intercourse, the former is also characterized by a “perpetrator compelling a person by force or threat of force, through the words or conduct of the perpetrator or those associated with him, into a forced conjugal association with a another person resulting in great suffering, or serious physical or mental injury on the part of the victim”, as well as the exclusive relationship between the offender and the victim, whose violation may lead to punishment. This makes forced marriage a crime not of purely sexual nature and is not equal to sexual slavery.

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80 Ibid., par. 190.
81 Ibid., par. 192.
82 Ibid., par. 194.
83 Ibid., par. 195.
Therefore the Appeals Chamber decided that the act of forced marriage is “a situation in which the perpetrator through his words or conduct, or those of someone for whose actions he is responsible, compels a person by force, threat of force, or coercion to serve as a conjugal partner resulting in severe suffering, or physical, mental or psychological injury to the victim.” According to the Chamber, this act was of similar importance as the other crimes against humanity listed in the Statute and bore the traits of the other inhumane act.

Due to lack of basis for the cumulative conviction for the same crimes based on charge number 8 and 9 (attack on personal dignity), despite the fact that forced marriage was deemed a crime against humanity as the other inhumane act, the accused were not convicted of it.

Despite the eventual lack of indictment for forced marriage, the SCSL initiated the penalization of another crime, which is almost always tied with the use of sexual violence. It turned out, however, that despite the theories of Appeals Chamber, the catalogue of crimes of sexual nature is not a closed one and the behavior with hitherto unknown traits can be categorized as other inhumane acts.

CASESCSL-04-15 – RUF

The original indictment against Issa Hasan Sesay, Morris Kallon, and Augustine Gbao, the three out of five main leaders of RUF, did not contain any mention of forced marriage. This was added afterwards, according to Art. 15(4) of the Statute in response to the rising need to punish people committing crimes of sexual nature during the Sierra Leone conflict. The Appeals Chamber referred in this case to the nature of forced marriage, noting that it is linked to crimes of sexual nature, like rape, sexual slavery, and other forms of sexual violence.

Acts of sexual nature in the indictment have been qualified as: rape (charge number 6), sexual slavery and other forms of sexual violence as a crime against humanity (charge number 7), other inhumane act as a crime against humanity (charge number 8) and attack on personal dignity as a war crime (charge number 9). Charge number 8 regarded exclusively forced marriage. It is worth mentioning that forced marriage is included in the indictment as an alternative to sexual slavery, which is a sign that the penalization of the former act is still unsure.

84 Ibid., par. 196.
85 Ibid., par. 200.
87 Ibid.
88 Prosecutor vs. Sesay, Kallon & Gbao, SCSL-04-15-PT, Decision on the Prosecution request for leave to amend the indictment, 6 May 2006, par. 50-51.
89 Prosecutor vs. Sesay, Kallon & Gbao, SCSL-04-15-PT, Corrected amended consolidated indictment, 2 August 2006, par. 54-61.
During the lawsuit, the differences between rape, characterized by sexual penetration, and forced marriage, characterized by the particular, coercive and exclusive “marital” relationship of the offender and victim, were presented. Then forced marriage was distinguished from sexual slavery, based on the premises described in the AFRC case by the Appeals Chamber, i.e. the difference between the relationships of the offender and victim in each case.

The said trait of forced marriage has been confirmed by many witnesses testifying in the case and it became a common practice by the RUF soldiers. According to the witnesses’ statements, the soldiers chose the most attractive women from the occupied villages and automatically, without giving them a chance to object, made them their “wives”. The Tribunal confirmed that the women, in return for “protection” were forced to take care of the rebels’ personal belongings, having sexual intercourse whenever the offenders wished it and doing housework, while many of them gave birth to the offenders’ children. The occurrence of sexual slavery in the described cases was not an obstacle to considering these acts a forced marriage. It was also determined that the crime possessed traits of an attack on personal dignity, as the offender’s “wives” fell victim to systematic acts of sexual nature and lived in difficult and coercive conditions.

It is worth mentioning that the sexual violence applied by the RUF was deemed an act of terror by the tribunal aimed at the civilian population, particularly women. This was done through violent rapes, inserting various items into victims’ sexual organs, rapes on pregnant women and forcing civilians to perform sexual intercourse with each other. The way the women were treated by the rebels in the occupied villages induced fear among the civilian population and it was the main aim of the offenders. Sexual violence during the Sierra Leone conflict was a widespread occurrence, touching upon entire societies, as the women were raped and forced to “marry”, falling victim to social exclusion, without any chance of rebuilding any relationship within their own societies. The forced marriages were also considered an element of this kind of crime. It stigmatized women, living in shame and fear of returning home after the end of the conflict.

It was decided that all the crimes charged, including crimes of sexual nature, including forced marriage, were committed in order to claim control over Sierra Leone, as part of a criminal organization. Because the accused knew about the participation in sexual relationships by the members of RUF without the victims’ consent, the tribunal decided that their existence was part of the tactical plans of the leaders, in order to as-

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93 Ibid., par. 2307.
94 Ibid., par. 1154-1155, 1178-1179, 1211-1213, 1295.
95 Ibid., par. 1410-1412.
96 Ibid., par. 1413.
97 Ibid., par. 1462-1473.
98 Ibid., par. 1474.
99 Ibid., par. 1346-1356.
100 Ibid., par. 1982, 1985, 2070.
assist the troops and help them to achieve their criminal goal\textsuperscript{101}. All of the three accused were found guilty of all charges regarding crimes of sexual nature, presented to them in the indictment\textsuperscript{102}.

The verdict regarding the RUF case was the first case in history to result in the conviction of the accused for the crime of forced marriage as other inhumane act, constituting a crime against humanity. While deliberating on many aspects of the crime that were not included in the ruling regarding AFRC, the tribunal noticed that the word “wife” was used by the offenders to amplify the enslavement and manipulation of women\textsuperscript{103}.

\section*{SUMMARY}

The cases presented had a significant influence on the penalization of war crimes of sexual nature in the Statute of the International Criminal Court, signed in Rome, July the 17th, 1998. Its attachment, entitled “Elements of Crimes”, which defines the traits of crimes and circumstances in which an act must be punished, contains many references to ICTR decisions. While defining rape, the authors of the “Elements of Crimes” drew from the definitions contained in the \textit{Akayesu} and \textit{Gacumbitsi} cases, determining that\textsuperscript{104}:

1) The perpetrator invaded the body of a person by conduct resulting in penetration, however slight, of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body,

2) The invasion was committed by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or another person, or by taking advantage of a coercive environment, or the invasion was committed against a person incapable of giving genuine consent.

The inspiration by the ICTR’s decision is clearly visible in the annotation 16, saying that “It is understood that a person may be incapable of giving genuine consent if affected by natural, induced or age-related incapacity”\textsuperscript{105}, and containing direct references to the Gacumbitsi judgment.

Thanks to ICTR efforts together with the ICTY, it was possible not only to increase the international sensitivity for crimes of sexual nature, or decide on their final and clear penalization in international criminal law, but also to break an age-long and

\textsuperscript{101} Ibid., par. 2107, 2148, 2151.

\textsuperscript{102} Ibid., IX. Disposition.

\textsuperscript{103} Ibid., par. 1466.


\textsuperscript{105} Ibid., note 16.
erroneous interpretation, saying that these acts were merely violating the dignity of the victim, while in reality they are infringe every person’s right to decide what happens with their bodies and sexual freedom.

The effect of the forced marriage penalization in the SCSL judgments was to charge identical accusations in the ongoing trials of the Khmer Rouge in Cambodia, and the decisions made by the tribunal can serve ICC in the future, which, despite the fact that the crime is not to be found in the Rome Statute, can still investigate it considering the charges of other inhumane acts. It is also worth mentioning that acts of a sexual nature are counted among the acts of terror106.

Furthermore, the judgments of the SCSL proved that despite the detailed descriptions of committed crimes in the Rome Statute and the Elements of Crime of the International Criminal Court, the development of this penalization has not run its course and we can still expect new decisions which will enrich and improve these rulings. In this case, particular attention must be given to the efficiency of the investigation regarding the responsibility of the described crimes. The verification of the efficiency of the contribution to the proceedings of highly specialized employees of the Office of the Prosecutor, Office of Public Counsel for Victims, witnesses and judges offices and special court instruments, referring to witnesses and victims of crimes of sexual nature is still pending.

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**DAD DAD BUU DUGSADAA DUGAAGNA GEED¹ – THE SOMALI DIASPORA IN THE UNITED STATES AND THEIR IMPACT ON THE AMERICAN DOMESTIC, SOCIAL AND SECURITY SITUATION**

**ABSTRACT** The paper is dedicated to the Somali diaspora in the United States and its influence on the American domestic, social and security situation in relation to: 1) Somali cultural, historical and religious background, 2) history and patterns of U.S. Somali immigration, 3) analysis of the Somali cultural adaptation to American society, 4) analysis of the remittances sent from diaspora back home and certain associated patterns 5) potential among Somalis, especially young Somalis, when it comes to the Islamic radicalization, 6) analysis of the Somalis as part of Black African immigration. However, Somalis are not even close to being the largest migration group from Sub-Saharan Africa, for sure they are a significant one. Settled mostly in Minnesota (mostly the Minneapolis urban area), Columbus (Ohio), Seattle (Washington), Virginia, Washington D.C. metropolitan area, New York City metropolitan area, San Diego and Georgia, they created a unique minority with significant impact on the whole picture of American society and the American domestic and security situation.

**Keywords:** Somali diaspora, United States of America, migrations

¹ The Somali proverb meaning: “Humans seek shelter with other humans, whereas animals seek forests or trees for protection”. See: C. M. Abdi, *Elusive Jannah. The Somali Diaspora and a Borderless Muslim Identity*, Minneapolis 2015, p. 57.
INTRODUCTION

According to the U.S. Census, there are 30,000 Somalis currently living in the United States. However, community leaders’ estimates claim the number is much higher and may rise up to 150,000 people\(^2\). Although classified by the U.S. authorities as the African migration, Somalis usually do not fit the typical success story of most African U.S. minorities. This phenomenon is related to the economic, social and cultural roots of the Somali diaspora.

The aim of the paper is to present the Somali diaspora in the United States and its influence on the American domestic, social and security situation through the relation to 1) Somali cultural, historical and religious background, 2) history and patterns of U.S. Somali immigration, 3) analysis of the Somali cultural adaptation to the American society, 4) analysis of the remittances sent from diaspora back home and certain patterns behind it, 5) potential among Somalis, especially young Somalis, when it comes to the Islamic radicalization, 6) analysis of the Somalis as part of Black African Immigration. Hence, the following research questions have been formulated:

1. What are the main difficulties associated with the Somali cultural adaptation to American society?
2. What are the main patterns between remittances sent by the U.S. Somali diaspora?
3. Are American Somalis prone to Islamic radicalization?
4. Does Somali migration differ much from the rest of Black African immigration in the USA?

Most of the counterfactual material was collected during the author’s research stay and expert interviews conducted by the author with the researchers in migration studies, security studies and African Studies at the African Studies Program at the Edmund A. Walsh School of Foreign Service at Georgetown University in Washington D.C., awarded by The Ryoichi Sasakawa Young Leaders Fellowship Fund, (Sylff), and implemented by queries conducted during the author’s research stay there.

The inductive approach was used, based on the formulation of general conclusions from conducted detailed research (critical analysis of the sources, documents, literature of the subject as well as consultations and interviews with the researchers and specialists in the field of the refugee, migration and security studies in order to receive the verifiable factual material), knowledge synthesis method. The proposed research was founded on both actors and institutional-oriented methodology. As far as the proposed theoretical approach is concerned, the author used behavioural analysis\(^3\) of the

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Somali group in the United States, supported by constructivism⁴ and the ‘scapegoat theory’ introduced by René Girard⁵.

CULTURAL BACKGROUND

It is believed that the Somali territory was inhabited around 1000 years ago by the Arabic families who arrived in the territory of what now is referred to as the Horn of Africa.⁶ Islam arrived in these territories together with the Persian and Arabic merchants in the 11th-12th century, but still between the 13th-16th centuries, Somalis did participate in religion-motivated fights between Christians and Muslims⁷. Yet, today 99% of Somalis are Sunni Muslims and religion constitutes one of the most important parts of their identity. According to Raynel M. Shephard, Islam is one of the two most important identification factors for the Somalis in the United States, the other one is ethnicity. However, the second one is slightly more complicated in many cases, and especially among young people, religion might play a far more important role⁸. For Somalis, ethnic identification is rather attached to their clan or even sub-clan. Somalis are divided into the nomads (Samalle) and the minority herder population called Sab. Therefore, the Somali language is divided into two basic dialects: the northern one, Maha, and the southern, Mai. Those distinctions are very often the reason why Somali community members first identify themselves as Muslims and then by their ethnicity. The Muslim tradition is also important when it comes to gender identification. A lot of effort and community work have been put into gender awareness among Somali women in the Somali community. However, still despite the economic factors or language abilities that in some cases should empower women, the traditional model is visible in distributing roles between men and women in the family, favouring males. Gender issues are very often the obstacle for access to education among Somali women as it is not acceptable for them to attend gender-mixed schools⁹.

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⁶ By using the term Horn of Africa for the purpose of the article, the author will refer to its broader definition (sometimes also called as the Greater Horn of Africa) including: Somalia, Ethiopia, Kenya, South Sudan, Yemen, Eritrea, Djibouti, Sudan.
⁹ Ibid.
THE HISTORY OF THE SOMALI MIGRATION TO THE UNITED STATES

Despite undertaken studies, Somali immigrants are still one of the least recognized minorities in the United States. It is the combination of African geographical background, Arabic-derived tradition, and the unique refugee experience that constitutes Somalis as a group that rarely fits any of the heretofore established frameworks related to the diaspora studies. It is commonly believed that the influx of Somalis into the United States started after the fall of Siad Barre’s regime and the outbreak of the Somali civil war in 1991. However, the first Somalis arrived in the United States back in the 1980s after the introduction of the Refugee Act. The group mostly included the political opposition of the former dictator and inhabited the region of San Diego, which might be slightly surprising taking under consideration the present location of the majority of the Somali diaspora. Despite that, still the U.S. migration was rather small when compared to other African groups. A few factors might have affected this situation. Firstly, although Barre’s rule was no more than a dictatorship, still he introduced a lot of reforms – like land reform that put some social groups in privileged positions (like Barre’s sub-clan: Mareehaan) at the cost of the others.10 Secondly, the introduction of The Refugee Act of 1980 that created The Federal Refugee Resettlement Program.11 Thirdly, the economic situation in Somalia, due to the hyper-militarization and Barre’s reforms, was getting worse and the state itself was on its road to collapse. Lastly, during the drought that occurred in the Horn of Africa in 1980s, it was easier and cheaper for most Somalis to make their way to Kenya or the Somali Region in Ethiopia and seek shelter there especially since some of them already had relatives living there and the community within the United States had just began to establish. The real outbreak of Somali migration waves to the United States erupted after the outbreak of civil war. It continues today, many of the Somalis first make their way to Kenya or Europe and from there decide on further asylum seeking or migration to the North American continent.12 Typically, people follow the already existing communities when it comes to the place of their final destination in the United States of America. They choose to settle in Minnesota (mostly the Minneapolis urban area), Columbus (Ohio), Seattle (Washington), Virginia, the Washington D.C. metropolitan area, the New York City metropolitan area, San Diego or Georgia, because of the Somali communities which

12 C. M. Abdi, Elusive Jannah..., pp. 169-229.
exist there already. In the case of Minnesota, it was also the prosperity of the 1990s in this state that encouraged Somali migration.

Somali migration to the United States follows three general patterns:

- **Resettlement** – many of the refugees are being resettled in American territory through the Office of the Refugee Resettlement (ORR) and agencies in Kenya that are cooperating with it. According to the UNHCR, resettlement is defined as “the transfer of refugees from an asylum country to another state that has agreed to admit them and ultimately grant them permanent settlement”. In essence, the resettlement process creates a new beginning for the refugees in the third country. Somali refugees are often resettled to USA, Canada, Australia or Scandinavian countries.

- **Family reunification process** – many Somalis are being sponsored by their family members already living in the United States. However, the definition of family differs according to the American and Somali perspectives. According to U.S. Immigration Law, family reunification is divided into two basic categories: (1) immediate relatives of U.S. citizens (non-native spouses of U.S. citizens, unmarried minor children (aged 21 or below) of U.S. citizens, orphans adopted by U.S. citizens, and the parents of U.S. citizens over the age of 21) – this category does not have any number ceiling, and (2) family sponsorship according to preference categories (Unmarried, adult (age 21+) sons and daughters of U.S. citizens, spouses and unmarried sons and daughters of U.S. permanent resident aliens (“green card holders”), married sons and daughters of U.S. citizens, brothers and sisters of adult U.S. citizens) which is a numerically limited category and hence no single country can account for more than 7% of total admissions.

- **Some Somalis arrive as asylum seekers after making their way to one of the American airports. They ask for asylum and enter the U.S. territory as asylum seekers. According to UNHCR, asylum seekers are defined as people who claim to be refugees, but they have not been granted refugee status yet, therefore under the international law they are not refugees yet. Therefore, most of the future diaspora members arrive in Kenya first, but due to the harsh living conditions and poverty among Kenyans themselves they decide to leave for the United States, very often paying enormous sums of money to be smuggled. As observed by Cawo M. Abdi, the rate did rise drastically since the beginning of the 2000s, on average 10 times more. In contradistinction to the American or European migra-

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13 Source: author’s expert interviews with Dr. Lahra Smith (1 December 2015, Georgetown University, Washington D.C.) and Dr. Terrence Lyons (24 November 2015, George Mason University, Washington D.C.), Joshua Project, *Somali in United States*.


tion, those of the Somalis who choose to make their way to the Middle East (Saudi Arabia, United Arabic Emirates or in the past, Yemen) or South Africa usually avoid the Dadaab refugee camps’ complex and make their way directly to these destinations. The dominant population trend in the Somali U.S. migration are the Gosha people (Somali Bantu) and Benadiri Somali. Both groups are excluded from the main Somali clan structure and hence were forced or chose to leave Somalia.

(NOT) A JANNAH

When it comes to the United States, the place most associated with the Somali immigration is Minnesota. According to the 2000 census, the number of Somalis living in this state was 11,000 At the same time, the Minnesota Demographic Center estimated that there might be 25,000 Somalis living in Minnesota in the period between 2010-12 (including children) and the American Community Survey claimed that 21,200 people of Somali origin lived in the state during that period of time. According to Ms. Abdi, Somali community organizations give numbers reaching 70,000 for the Minnesota and St. Paul area. Despite the numbers, the Minnesota diaspora is still the heart of the U.S. Somali community, especially so because back in the 1990s the state was an example of economic prosperity with the reinvention of Minneapolis and St. Paul, therefore it was an ideal option for Somali resettlement. However, job opportunities were not easily open to the Somalis due to certain limitations that included the following: 1) language skills, 2) education, 3) cultural background, 4) gender issues, 5) family affairs. These limitations influence the decision about the place of settlement – it seems easier to follow already existing patterns or relatives living in the United States rather than trying to build up new communities, especially since Somali families are big and family ties are really strong. Looking after other family members, even distant ones is considered as a moral obligation, so it is not a rare situation that one person provides for a few others back home. Somalis who made their way in the USA feel obliged to help their relatives who remain in Somalia, Kenya or the Middle East to get access to the land of opportunities. Although American immigration laws facilitate the family reunification program, in many Somali cases applications are still rejected, because even if some are considered family by Somalis themselves, they cannot be accepted by the U.S. law.

Most Somalis arrive with no knowledge or very poor knowledge of English. Due to their financial situation, they usually cannot afford to attend language courses, and hence undertake low paid jobs that require low qualifications. Very often, it is only one person in the broad definition of family that is providing for all the people living inside the household. However, in many cases it is unacceptable for men to be supported by

19 The word: jannah means paradise in Somali.
20 Following data collected by: C.M. Abdi, Elusive Jannah..., p. 174.
22 C.M. Abdi, Elusive Jannah..., pp. 169-229.
women, even if they finish some courses or are engaged in programs that allow them to get better qualifications in English or any job profession. It is especially hard for them due to the gender equality model that is being promoted in the U.S., which differs from the traditional Somali model of roles in which the man provides for his family. Furthermore, it is not a random situation that a Somali man has a wife or even two wives back in Somalia or Kenya, so if the woman takes up the male role, she has to provide for them as well. This very often leads to marriage conflicts or even divorces. Similar situations occur in reference to the access to education. Many Somalis do not have access to education because of their financial situation and family obligations to work or take care of the younger siblings. Also, poor language skills make Somalis unable to access schools. Young Somali people very often have a problem with cultural adaptation among other peers. This is especially visible among young Somali women who were the hijab and who often meet the opposition of the families in going to the co-educational schools. As a consequence, they are more exposed to the adaptation problems as well as lack of acceptance from other students. Moreover, wearing traditional clothes forbids the undertaking of some activities or even factory work that might expose women to additional danger. Thus, consequently, it is very often opposed by some of the employers and teachers. Both professional and educational lives of Somalis depend on their cultural background and family ties as well as the traditional role of men and women. After arriving in the United States, the traditional model and values are confronted with the modern, gender equality of American reality. Still, many young women manage to combine tradition with education, professional experience and community work. Hence, most of the Somalis declare that USA is not their final destination and one day they would like to return home. For many of them, United States turned out to be a disappointment, and the living conditions did not reflect their ideas. On the contrary, to many immigrant groups, perhaps because of their nomadic roots, most of the Somalis see their presence on the American soil as temporary. Nevertheless, they cannot define the term “temporary”; usually when they are asked about that they point at their: 1) material situation – they plan to stay until they will be able to improve their financial situation 2) until the security in Somalia improves and they will be able to go back home. The security paradox is that even though Somalis seek shelter in the USA, to some extent they are very often perceived as a threat by the public opinion (the consequence of the terrorism threat and confirmed cases of Islamic radicalization in the Somali community in Minnesota).

REMITTANCES

According to Andrés Soliman, remittances are: “a growing and relatively stable source of development finance which are the complement for national savings, bring foreign exchange and provide a source for capital formation (especially small-scale projects)”.

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65% of all remittances go to developing countries, proportionally to the migration rates from the regions such as Sub-Saharan Africa (SSA), MENA (Middle East and North Africa), Latin America and the Caribbean, East Asia and Pacific. Every year, around 1.3 bln U.S. dollars are being sent back home to Somalia, accounting for between 25-45% of the Somali economy, so more than humanitarian aid, development aid and foreign direct investment combined. Most of these resources flow to Somalia directly from: Nairobi, Minneapolis, Melbourne, Toronto, London, and Copenhagen. Money Transfers Operators (MTO) estimates that 80% of the small businesses in Somalia is being started due to the money transfers from the diaspora. MTOs themselves formatted due to the lack of a banking system in the conflict-torn Somalia. They evolved from the informal money transfers systems, hawalas, and were to some extent expected by the foreign governments of the countries from which the diaspora was sending money, especially Kenya and the United States. As both, Kenyan and American authorities have been long interested in hawalas activities due to the suspicion of terrorism support. First warnings of the possibilities of closing the U.S.-Somali financial corridor were announced after the 9/11 attacks, but no serious actions were undertaken until 2011 when Sunrise Community Banks announced that it would close the Somali MTOs. In 2015, USA closed some of the hawalas offices at which they suspected undocumented money transfers or direct and indirect transfers to al-Shabaab. From the economic perspective, money transfers support dependency of the Somali economy, especially that one out of three Somalis back in Somalia claims that without remittances they would be unable to pay for basic facilities and provide for the education of their children. On the other hand, for women remittance flows are very often the only possibility to get access to the family money and in their case might be seen as an element of empowerment.

In the case of American Somalis, firstly, they see financial transfers as their moral obligation towards their relatives back in the refugee camps in Kenya or those living in Somalia. Secondly, they are seen as investment into one’s future and building trust between the migrant and his/her relatives in the case of the future return. The relation between immigrants-relatives and transfers is often seen as a form of contract and thus one can differentiate between two main forms of contracts:

- Loan repayment – as usually it is the family that invests in the education and journey of one of their relatives, the person being granted the money is obliged to repay after he or she settles abroad.
- Co-insurance – a family member who was sent abroad becomes the economic insurance for his/her relatives as especially in the developing countries, the economic situation and hence bank institutions and money insurance are really unstable or do not exist at all.

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24 Ibid., p. 2.
26 Ibid., p. 2.
27 Ibid., pp. 1-9.
Generally speaking, remittances can be divided into two main categories: 1) monetary transfers and 2) in-kind. Money transfers measured in U.S. dollars directly increase the availability of foreign exchange in the migrant’s country of origin, whereas in-kind save foreign exchange for the recipient country. Transfers are made not only in cash, but also as the donation of goods. Furthermore, they are not always sent to the relatives’ households, but also can be transferred as donations to various organizations – charity, mosques, religious institutions or even organizations related to suspicious activity (with crime or terrorist links), especially that transferring goods instead of money makes it even harder to follow. Moreover, not all the remittances are sent through the official channels, which causes difficulties in following the exact appropriation of the funds. There is also one more important distinction between the remittances: 1) they might be sent regularly throughout the duration of the migrants’ stay in another country or 2) they might be brought back home from emigration as one time cash/goods inflow.

In general, remittances are considered as a good impact on the Somali economy both in the short and long-term run. In theory, they could be a basis for investment by the Somalis themselves which is a highly desirable model for the developing countries, and a stimulus to consumption. However, in the case of Somalia as well as other developing states, the mechanism is not working as it should. The reasons behind for this state of affairs are usually believed to be the lack of sustainability in this output, especially with the new migration – when the immigrants are not yet well adapted in the new country and their income is fluid. Thus, the American diaspora is still the biggest provider of the remittances, but transfers lack the proper mechanisms of financial control, especially after their arrival in Somalia.

**AMERICAN SOMALIS AND THE POTENTIAL TERRORISM THREAT**

Remittances are only one of the sources of the terrorism paranoia that grew around the U.S. Somali population throughout the years. On the other hand, one cannot exclude certain risks that are present especially among the young members of the diaspora. However, these are not related particularly to the Somali group but rather are the result of certain socio-economic factors. In many cases, the radicalization is related to the phenomena that Oliver Roy referred to as re-Islamization – therefore a secondary turn towards the traditional values that are missing among Muslim immigrants, or their children who have American citizenship, but rather redefine themselves as radical Muslims instead of Americans or even Somalis, and hence they try to fit themselves into the global jihad movement. However, the emphasis must be placed on the understanding of the term radicalization itself. According to Mitchell D. Silber and Arvin Bhatt radi-

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28 Ibid., pp. 2-13.
29 Ibid., pp. 2-13.
Radicalization should be understood as the progress in searching, finding, accepting, cultivating and developing the extreme belief system to the moment where it might be used as the catalyst for the terrorist act. But still radicalization can be motivated not only religiously, but also ideologically or be the effect of other experiences. In the case of Somalis the main reasons behind the radicalization of young people are:

- Economic exclusion – as poverty is very often the cause for many extreme instances of behavior.
- Social exclusion – sometimes the feeling of social exclusion plays an even more important role than the economic one. In the United States this is related to the difficulties in cultural adaption and acceptance by the peers as well as racism.
- Moreover, United States’ foreign policy and the security precautions undertaken by the authorities were the source of conflict. For a very long time, also U.S.–Somali relations were suspended and still, Washington has been investing money in training and arming the AFRICOM. It is especially for young people whose parents were forced to leave the country of origin, the lack of progress in the situation in Somalia, but still enormous engagement of the U.S. military in the region that might be confusing.

In the period of 2007 and 2012 there were several confirmed cases of the American Somalis who went back to Somalia in order to radicalize themselves and join al-Shabaab. Such cases were mostly manifest among the second and third generation of the Somalis, so the people already born on the U.S. territory. The most famous example was Omar Hammami, born in Minnesota and killed in Somalia after becoming a ‘freedom fighter’. Hammami helped to develop al-Shabaab’s media strategy. The new media became the main source of recruitment giving the young people know-how and further convincing them that training and fighting in Somalia will be the complement of their hijrah.

According to Peter Neumann, after 2012–2013, al-Shabaab noted a visible decrease in the amount of the recruits. There are some concerns that...

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33 *Hijrah* in Islam is a religious pilgrimage in order to protect and preach Islamic principles. It is modeled on Prophet Muhammad’s escape from Mecca to Medina.

the interest of those of the Somalis who might be potentially interested in the Islamic radicalization switched to ISIS.

**SOMALIS AS A PART OF THE SUB-SAHARAN AFRICAN MIGRATION**

Although Somalis are geographically and culturally placed somewhere between SSA and MENA regions, they still are classified by the American authorities as the part of the Sub-Saharan migration. Somalis are one of the smallest African migrations in the United States. They are also relatively a young migration. Generally speaking, the African migration is one of the fastest growing migrations in the United States with the relatively high employment and education rates, although that varies between particular groups. Only in 2009, 74% of African migrants identified themselves as Black and the number of the Black African immigrants increased in the period between 2000 and 2008-09 by 88%. The biggest minority from Sub-Saharan Africa are still 1) Nigerians who in 2000 constituted 23% of all SSA migrants, whereas in 2008-09 the number slightly decreased to 19%, followed by 2) Ethiopians (12% in 2000 and 13% in 2008-09), Ghanaians (11% in 2000, 10% in 2008-09), Kenyans\(^35\) (5% in 2000 and 6% in 2008-09) and Somalis (6% both in 2000 and 2008-09)\(^36\). The Migration Policy Institute estimates that in 2007 there were 39,000 Somalis in the U.S. from whom 44% have not completed high school, 19% had a two-year college degree, 7% completed the master’s program and only 3% received a doctoral degree. At the same time, only 6% of Somalis spoke English at home, 10% declared no knowledge of this language, but still 35% spoke English very well. When it comes to the employment rate, 54% of the Somalis in the ages of 18-64 were employed, the rate was at the level of 66% for men and 44% for women. The median annual earnings for Black African Immigrants was $27,000, but still for Nigerians they reached the level of $36,000, while for Somalis only $18,000. As far as the overall unemployment rate among the representatives of the Black African Immigration compared to other regions in 2009 is concerned, the rate was 36% for the recent immigrants, compared to 45% among Latin Americans and 22% in the case of the long-term immigrants, comparing to 35% in the case of immigrants from Latin America. Therefore the data about manual annual earnings and the unemployment rate might be inconsistent as a great number of Black African Immigrants work on the Black Market\(^37\). In conclusion, the Black African Immigrant group has a better position than the group from Latin America. However, there is a considerable degree of variability within the ethnic groups that constitute the group and therefore the Somali migration usually has a worse position

\(^35\) Nowadays, young Kenyans are the fastest growing short-term SSA professional migration, coming to the USA on professional contracts or at the universities.


\(^37\) Ibid., pp. 14-18.
and is not as educated in comparison to the other Black African Immigrant groups in the USA. Somalis differ also in their cultural and adaptation patterns and face certain difficulties in this aspect. They usually undertake blue-collar jobs and although they intended differently, they are a long-term immigration. It might be the effect of the conflict-thorn collapsed state experience\(^{38}\), in many cases the refugee experience and lack of the educational opportunities among the first generation emigrating from Somalia, Kenya or Ethiopia.

**CONCLUSION**

Although Somalis are a small African community within the huge melting pot of immigration coming every year to the United States, it is certainly an important one. However, they usually earn less and are less educated than other representatives of the Black African immigration from Sub-Saharan Africa, they are still coping well, considering their number and comparatively recent immigration history. Certain patterns occur among diaspora in both settlement and cultural adaptation. As far as the settlement is concerned they certainly follow family ties in places which were mentioned earlier e.g.: Minnesota (especially Minneapolis), Ohio (especially Columbus), Virginia, Georgia, the New York City metropolitan area, the Washington D.C. Metropolitan area, San Diego, therefore very often the family relations are far more important than the economic calculations. Most of the Somalis arrive to the USA: 1) as asylum seekers and refugees 2) due to the family reunification programs 3) for economic reasons with the intention of returning to Somalia or Kenya as soon as possible. U.S. Somali immigration has been developing in a more or less stable manner throughout the years, although the younger generation has easier access to the English language and education. As for the cultural adaptation, the Somali group faces some difficulties especially in relation to the gender issues and changes of the roles of men and women. As a result, many divorces occur. Adaptation is also difficult for female students as it happens very often that wearing traditional clothes is not accepted by their peers (the same case is related to the workers who want to hire Somali women). As most of the Somalis are blue-collar workers, it is also difficult for many women to find someone to take care of their children when they are working\(^{39}\). There are also certain controversies that are still present around the Somali group when it comes to the female cir-

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\(^{38}\) The conflict-thorn collapsed state seems to describe the Somali state condition in the most appropriate way, especially so because according to Abdulahi A. Osman and Isaaka K. Souaré, Somalia was mostly an authoritarian regime (Siad Barre’s regime) but until a certain point it was a functioning state after it regained independence in 1960. See: AA. Osman, I. K. Souaré (eds.), *Somalia at the Crossroads...*; R. Klosowicz, ‘Państwa dysfunkcyjne w Afryce Subsaharyjskiej’ in: idem (ed.), *Państwa dysfunkcyjne i międzynarodowe wysiłki zmierzające do ich naprawy*, Kraków 2014, pp. 11-64 (*Studia nad Rozwojem*); The Fund for Peace, *Fragile States Index 2005-2015*, at <http://fsi.fundforpeace.org/>, 29 January 2016.

cumcision, which is not accepted by the majority of the Western societies and hence by the American society as well.

In the case of the remittances, both money and good transfers are seen as the moral obligation towards the relatives that were left in Somalia, Kenya or even Ethiopia, the same case as the family unification. However, not least important is the perception of the remittances as the contract between one person and his/her relatives in order to improve the overall financial situation in the family, or as the investment for the future, especially that many of the Somalis consider the possibility of a permanent return home as soon as they earn enough money and/or the security situation in Somalia improves.

There is no evidence to believe that Somalis are more prone to radical behavior such as Islamic radicalization. Usually, if the incidents occur, they are related to the personal cases and experiences such as trauma, sense of exclusion or socio-economic patterns. It seems that at certain point Somalis were scapegoated by the public opinion as well as many other Muslim groups in the United States. As always, in the case of security, certain government activities such as the Patriot Act together with the occurring terrorist incidents both in the state and around the world, might result in extreme behavior of some part of the population towards the other. This issue should certainly be improved in the future by both local, federal authorities and non-governmental organizations.

Last but not least, we still do not know much about the clan and sub-clan structure of the U.S. Somali diaspora and the distribution of the people from different clan groups, including the six important clans: Digil, Rahanwayn, Dir, Darood, Hawiye and Isaaq. Similar to the case study of Ethiopians, even in the immigration those groups occur as defragmented and divided and therefore not many Somali organizations are operating within the United States. Somalis usually gather in the organizations and centers dedicated to the assistance of all immigrants, African immigrants groups or refugee centers. The only exception are Somali Bantus and Benadiri Somalis whose immigration to the United States as the persecuted groups started during the period of Siad Barre’s regime. Together with the Benadiri Somalis a great number writers, poets, artists and clergymen arrived. Consequently, the Benadiri Community of Minnesota is one of the best organized Somali groups in the United States, working through various organizations on the local community level40.

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Ghana is regarded as a leader of democracy and stability in Sub-Saharan Africa. Owing to two decades of rapid economic growth and relatively peaceful transitions of power after elections, it is also one of the fastest developing and safest countries in the region. However, some challenges for internal stability and development are still to be addressed, for instance: the quality of leadership, poverty, environmental problems or inadequate and ineffective regulations. While solving these problems Ghanaian politicians and citizens have to either choose between or bring together both tradition and modernity. One of the aspects to analyse is traditional form of governance, in particular the role of traditional leaders, such as chiefs and queen mothers, in development, as well as their relationships and coexistence with the local and state government institutions. Therefore, this article focuses on understanding how traditional ways of thinking and acting, especially in the case of traditional leaders, influence Ghana's strive for national development. The main questions are: whether they can be used as resources or rather constitute impediments? and how are they changing to address contemporary challenges?

Keywords: Africa, Ghana, development, traditional leadership, chieftaincy
INTRODUCTION

Achieving national development is a primary goal of all African countries. Ghana is one that is regarded to be relatively successful in realizing it, as it has managed to avoid major internal conflicts or instability and reduce the level of poverty in the country. Since the independence in 1957, Ghana has gone through almost all possible stages of state management and development pathways, from military regimes to democratic governments. Success in establishing and maintaining democracy made Ghana a paragon of good governance in the West African subregion, which over the two decades or so had been better known for a spiral of violent conflicts.

With the territory (land and water area) of over 238.5 sq km and a population of over 26 million people (July 2015 est.), Ghana is a relatively small country, however it plays a significant role in West Africa and the whole African continent as a promoter of democracy, free speech and, what is most important, peace. Although Ghana possesses a huge economic potential and is developing fast, it has performed very poorly in comparison to some other states, which were on par with Ghana at the beginning of 1960s, for instance Singapore and Malaysia, and which since that time managed to improve their situation significantly and left Ghana far behind. A part of the reasons for this is that it lacked continuity in both political and economic sense. Intermittent military and civilian regimes created an unstable political situation, which led to a decrease of foreign investments. Subsequent governments usually did not continue the policies introduced by their predecessors. Moreover, Ghana followed either the West or the East, depending on the changing governments’ ideological leanings.

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5 Ghana’s real growth rate was: 7.3% (2013 est.), 4% (2014 est.) and 3.5 % (2015 est.). The following years are expected to have a higher growth rate again. See: Ibid.

A factor which is usually important in other African countries i.e. huge ethnic diversity seems to be of less significance in Ghana. However, if it is followed by or mixed with political polarization, it may cause problems, as ethnic affiliations can be used for political reasons. If we assume that language and culture are the main criteria in the categorization of ethnic groups in Ghana, it can be estimated that there are over 90 different linguistic and cultural groups, belonging to eight major ethnic groups⁷: Akan, Ewe, Ga-Dangme, Mole-Dagbane, Gurma, Grusi, Mande-Busanga and Guan⁸. People belonging to all these groups, including some elites, still cultivate traditions⁹ from the pre-colonial period, differentiate themselves according to their clans and are loyal to traditional leaders. Diversity of these groups is additionally reinforced by religious¹⁰ and regional differences – the predominantly Christian south (around 69% of the population) and the mainly Muslim north (about 16%). Devastated by colonial exploitation, the “Northerners” (“Mabians”) are still economically backward in comparison to more ethnically diverse and more populous south¹¹.

Bearing in mind this cultural and religious diversity, as well as political freedom and a democratic system of governance, Ghana seems to be one of the few African multi-ethnic countries which live in peace. However, although there are actually no major conflicts or violence in the country, it would be far from the truth to say that there are no conflicts at all. The same statement pertains to Ghana’s development – although the country is developing in comparison to the situation a few decades ago, the challenges which remain are still vast and overwhelmingly difficult. One of the challenges is how to accommodate and harmonize traditional forms of lifestyle and modern ones, and more importantly how to face the growing problems resulting from the globalizing world.

An epitome of tradition in political system of Ghana is the institution of chieftaincy. This traditional authority has existed long before the colonial times in many parts of today’s Ghana and it would not be an overstatement to say that despite various historical vicissitudes, it managed to survive and still plays a key role in the socio-political and economic development of the country. Somehow, the institution of chieftaincy is a link between the past and the future, because as it adapts itself to new times and challenges it is still serving as a point of reference of social norms and decision-making for local communities. Moreover, chiefs and queen mothers or female chiefs, by maintaining their traditional roles of agents for development are crucial actors in the process of

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⁷ Or using local categorization (used by informants): eight tribes.
⁹ Yet, at the same time they are also acquiring all positive and negative forms of life activities regarded to be representative for the so-called modern times and Western cultures.
¹⁰ Although Ghanaians are mainly Christians (about 71%), with around 17% Muslims, about 5% believers in traditional religions and about 5% admitting to follow none of the religions (2010 est.). See: CIA, The World Factbook, ‘Ghana’.
¹¹ S. Tonah, ‘Democratization...’ p. 66.
national development. Any attempt at understanding Ghana and its development path is not possible without considering the role of chiefs and their position in the society, as well as their influence on the political scene in the country.

This article presents an analysis of Ghana’s struggle between tradition and modernity on the example of chieftaincy institution. One of the aspects studied is the role of traditional leaders, such as chiefs and queen mothers, in the development, as well as their relationships and co-existence with the local and state government institutions that can be regarded as a modern form of governance. The author attempts to understand how traditional ways of thinking and acting, especially in the case of traditional leaders, influence Ghana’s strive for national development. The main questions asked are: whether the institution of chieftaincy can be used as resource or rather constitute impediments to development of the country? And how is it changing to address contemporary challenges?

As far as the structure is concerned, the article is divided into four parts and ends with a conclusion. The first part is introductory in character, as it explains the main concepts and presents the philosophical background for the discussed problem that is the struggle between tradition and modernity. The second part reflects on the importance of chieftaincy and traditional roles of chiefs in the past, as well as in the contemporary Ghanaian society. The part which follows features an analysis of relationships between traditional authority and modern state and local governments. A subsequent fragment refers to the chiefs’ role as development agents, and involvement of migrants and foreigners in the chieftaincy institution and development in Ghana. In the conclusion, the author refers to the friction between tradition and modernity and the chiefs’ role on how to manage this eternal struggle for the benefit of national development.

In terms of methodology, it should be stated that this article is a reflection on a very small part (only one of the aspects examined) of a bigger research project that is about the analysis of internal and external factors influencing development paths in Sub-Saharan Africa – Ghana and Rwanda being two case studies. It is based on the review and synthesis of secondary data coming from a variety of sources: scholarly journals, textbooks and the Internet sources, as well as articles from news websites. The findings were supported by conclusions drawn from field research during a research stay in Ghana – observations, interviews conducted, mostly among academics, and information obtained from everyday discussions with people met on the streets or means of public transport.

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12 The text of the article is the result of research done within the doctoral project (PRELUDIUM 5), entitled “Opportunities and risks in the quest of internal stabilization of an African state and enhancing of its role on the international arena. Case study of development paths of chosen Sub-Saharan African countries after 2001”, realized by the author at the Jagiellonian University. The project was financed by the National Science Centre (No. DEC-2013/09/N/HS5/04269).

13 The whole research stay in Ghana lasted from 8th February to 20th March 2016. Research used for this article was conducted during the first three weeks of the stay.
THE MOST IMPORTANT CONCEPTS
AND PHILOSOPHICAL BACKGROUND

What is meant by tradition and what is meant by modernity? How to achieve modernity? How to manage the relations between tradition and modernity? These questions, though not new, seem to be some of the major and most discussed ones by the philosophers, sociologists, political thinkers, anthropologists or representatives of developmental studies if we take into consideration only human sciences. This short introduction into the problem does not give an answer to all of these questions rising from the debate on the struggle between tradition and modernity, nor does it intend to do so. It only signals certain tendencies and points to the fact that this problem has been widely debated also among African intellectuals, and especially among African philosophers.

In order to clarify the conceptual framework, it would be good to start with arbitrarily selected\textsuperscript{14} definitions of the terms: tradition and modernity. According to the Oxford Dictionary of Sociology, tradition (traditions) is \textit{a set of social practices which seek to celebrate and inculcate certain behavioural norms and values, implying continuity with a real or imagined past, and usually associated with widely accepted rituals or other forms of symbolic behaviour}.\textsuperscript{15} As for modernity, it is often contrasted with traditional forms of society that were built upon homogenous and closely regulated communities, in which people hold strong beliefs, values and norms. The transition from tradition to modernity involved a variety of aspects: migration from rural to urban areas, rapid growth and specialized division of labour, loosening of social relations and solidarity and growing individuality and freedom\textsuperscript{16}.

Taking into consideration only these definitions, not delving into a wide range of other interpretations and scholarly works, it is possible to notice that African societies, and Ghana specifically, seem to be still somewhere between tradition and modernity, although at the same time we cannot say that they are not modern at all, as they experience all the aspects of modernity with its positive and negative consequences. However, they are also cultivating old traditions and maintain various customs and beliefs of the past.

One of the prominent African philosophers of Ghanaian origin, Kwasi Wiredu, claims that: \textit{Contemporary Africa is in the middle of transition from a traditional to modern society. This process of modernization entails changes not only in the physical environment but also in the mental outlook of our peoples, manifested both in their explicit beliefs and in their customs and their ordinary daily habits and pursuits. Since the fundamental rationale behind any changes in a world outlook is principally a philosophical matter, it

\textsuperscript{14} Because of the limits of this work, as well as its main topic, it is not possible to present a wider representation of definitions or to make any comparisons.


\textsuperscript{16} Ibid., p. 484.
is plain that the philosophical evaluation of our traditional thought is of very considerable relevance to the process of modernization on our continent\textsuperscript{17}. As others also observe, modernity is introduced into African societies by a continual processes of adapting the familiar and the new to each other. The boundaries and competition between the two visions of the world are not sharp and undergo a constant change\textsuperscript{18}. It is not difficult to agree with these two statements, especially when there is an opportunity to make simple observation just on the streets in towns and villages of African countries.

To provide an example, when walking or going along the streets in Accra and its neighbourhoods, the capital of Ghana, it can be easily noticed that, although it is probably the fastest developing and modernizing area in the country, there are still traces and manifestations of old customs and ways of behaviour. Along a huge highway or streets close to main bus stations there are small shops or stalls with a variety of food (one can see men selling whole cocoa nuts directly from trolleys or women offering baked fish from huge bowls carried on their heads) and other goods for trade; this way of trading is the same as at the huge old markets such as the Makola market in Accra. Next to expensive luxury cars there are also old and used tro-tros\textsuperscript{19} regarded as the cheapest and typical means of transport in Ghana. People wear world famous brands, but also shirts and dresses made from traditional fabric or with traditional patterns, which is a form of manifesting African identity and can be seen as a very positive trend. On television, it is possible to watch political debates or meetings with the participation of traditional leaders (chiefs or queen mothers) who always wear traditional attires. In public institutions, or even hotels, is also not difficult to notice the great reverence with which people address their bosses or people higher in a hierarchy, which is a manifestation of the traditional way of behaviour based on the respect to the elders. And finally, apart from the official language which is English, people are using a variety of local languages such as Twi, Ga or Ewe\textsuperscript{20}, which also helps them preserve their identities and cultures.

Therefore the next question that arises from these simple observations is whether maintaining traditions is beneficial and whether they can be used for the purpose of national development of African countries and Ghana in particular. Moreover, the question is also how some positive old tradition can be incorporated again into everyday life and political practices. To some extent, there is always a need of some reference to tradition, as without it a society cannot go further and cannot develop in agreement with its past\textsuperscript{21}.

\textsuperscript{17} K. Wiredu, \textit{Philosophy and an African Culture}, Cambridge 1980, p. x.
\textsuperscript{19} A tro-tro is a Twi (one of the commonly used languages) name for a privately owned mini-bus.
\textsuperscript{20} In Ghana people can speak around 80-90 different languages depending on the ethnic group and which region they come.
\textsuperscript{21} Interestingly, one of the traditional Adinkra symbols (symbols representing concepts or aphorisms, originally created by the Ashanti, used in textiles, pottery or even on fences and house elevations),
These questions constitute the basis of a long-lasting debate among African philosophers. Here, it is worth noticing that the conflict between tradition and modernity is the basic problem that defines also various schools of development. The school of modernization theory claims that traditional thinking and institutions are the main causes of underdevelopment, while the school of dependency school rejects this argument, pointing out that the real reason for underdevelopment is the dependency of African societies on Western metropolises. Another school, the mode of production approach, suggests that underdevelopment takes place when *traditional methods and structures batten on advanced systems to perpetuate themselves*\(^{22}\). The friction between what is “old” and what is “new” is therefore one of the most important problems in the history of development.

As for African philosophers, the ongoing debate on the relationship between tradition and modernity concentrates on the question whether traditional ways of thinking and behaving can serve as resources or create obstacles to development and modernization in Africa and how the indigenous African traditions can be applicable to the challenges of contemporary life. Discussion of these questions shows that there are two major perspectives among various schools of African philosophy\(^{23}\). They can be presented even as two conflicting approaches: ethnophilosophy\(^{24}\) and professional philosophy. Ethnophiologists claim that the restoration of African traditions is a condition for successful modernization, while professional philosophers believe that the success is built through exchanging traditional culture for modern ideas and institutions\(^{2526}\).

According to the first perspective, referred to as “cultural revivalism” by Kwame Gyekye\(^{27}\), the effective addressing of contemporary challenges requires reclaiming and

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\(^{24}\) Often called cultural revivalism.


\(^{26}\) To expand the categorization, there are four main schools in African philosophy: ethnophilosophy (represented by Placide Tempels, Alexis Kagame, and John Mbiti), philosophic sagacity (Henry Odera Oruka and his followers), national and ideological philosophy (e.g. Amical Cabral, Julius Nyerere) and professional philosophy (e.g. Paulin J. Hountondji, Kwasi Wiredu, Peter Bodunrin). Ethnophiologists regard the collective worldviews of traditional Africa as philosophy. Representatives of philosophic sagacity search for individuals thinkers with traditional background, but at the same time they are critical of traditional beliefs. National and ideological philosophers emphasize the importance of African collective destiny and the necessity of a theory deriving from traditional African socialism and familyhood as the best recipe for effective liberation of Africa. Finally, professional philosophers argue that only rationality and critical argumentation make works philosophical. See: M. Kebede, ‘Development...’, p 44.

\(^{27}\) He is a Ghanaian philosopher, Professor of Philosophy at the University of Ghana.
revitalizing indigenous traditions that were inhibited by colonialism. Revivalists are frequently sceptical of development and modernization, perceiving them as a hidden continuation of European cultural influence. They do not view their own perspective to be anti-modern, but they underlie that real modernization of Africa can be achieved only if there is the revitalization of African cultural norms. The second perspective is more critical toward the indigenous heritage. Supporters of this perspective claim that cultural revivalism does not address the challenges of contemporary Africa properly. Moreover, they accuse cultural revivalism of distracting attention from crucial political issues, and promoting thoughts that are in opposition to scientific and technological advancement. According to them, modernization requires thinking adequate to the problems of the present, not restoration of ideas from the past.

The most ardent critique of cultural revivalism (ethnophilosophy) is presented in the works of a Beninese philosopher, Paulin Hountondji, who argues that this project is based on mistaken assumptions about African peoples and about the nature of philosophy. He even claims that such an approach does not facilitate the effort to address the challenges of the present. Hountondji takes the position that local knowledges create a foundation for sustainable development in African societies. However, in order to be politically meaningful, they have to continually undergo criticism and modification. According to Hountondji, African people live in a “dual language” world, that is the one in which the “recent” co-exists with the “ancient” in almost every aspect of life. Therefore, they should transform the old indigenous knowledge to address new challenges. Nevertheless, Hountondji does not underappreciate Africa’s indigenous knowledge systems, quite on the contrary, he defends the value of local knowledges, claiming at the same time that they need criticism. He points out also another problem – Africa’s intellectual and scientific dependence on the outside world. In this way, he calls for taking responsibility by Africans for their own intellectual, social, political, scientific and economic life.

Both attitudes have become popular among their supporters throughout the whole African continent. Ethnophilosophy is suitable for those who want to underline their African origin and are very proud of their tradition. However, it lacks recognition that traditions are not always the best solutions for everything, especially if these traditions stand in opposition to rational thinking and, what is more, cannot be used for addressing contemporary challenges. Therefore, the perspective presented by Hountondji seems to be more relevant, as it combines both the “old” and the “recent” in looking for best answers to new problems, especially those that come through globalization process, but simultaneously does not undervalue traditions.

29 Ibid., p. 122.
30 Ibid., p. 127.
31 D. A. Masolo, ‘The Making of a Tradition…’
32 Ibid.
THE IMPORTANCE OF TRADITIONAL AUTHORITIES IN GHANA

As it was already mentioned, one of the main manifestations of tradition in socio-political life of Ghanaians is the institution of chieftaincy. It would not be an overstatement to say that the Ghanaian society is rooted in chieftaincy – people easily identify with this institution and believe that chiefs should be incorporated at all levels of government. Chieftaincy in Ghana is then an important institution on which efforts towards social, economic and political development of the country are firmly anchored and which is linked with almost every aspect of Ghanaian community life. The rank and significance and prestige of the institution of chieftaincy is underlined by the fact that it is a lifetime function. In the past, a chief was also rarely criticized, regarded as a guardian of tradition, he ruled in an aura of holiness.

Ghana has had an indigenous system of governance at executive, judicial and legislative levels since pre-colonial times. 80% of the land in Ghana is managed by various traditional authorities who are also the custodians of the resources within their communities. For ages, traditional leaders have played a significant role in the development of society, serving as guides for societal progress and making decisions regarding peace and conflict and generally contributing to community welfare. These roles are continued to be played also in contemporary national development and, what is interesting, traditional authorities are starting to use innovative and modern tools to address new challenges.

Ghanaian traditional leaders, chiefs, are a powerful and important institution embedded in both local and transnational context of development. Their position was strengthened by the 1992 Constitution of the Fourth Republic which guaranteed further existence of chieftaincy. Chapter Twenty-Two of the Constitution states: (1) The

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36 However, there were cases when an unpopular and unaccepted chief could be removed from his position. See: K. Trzcinski, Demokratyzacja w Afryce Subsaharyjskiej. Perspektywy zachodnioafrykańskiej myśli politycznej, Warszawa 2013, p. 145.


institution of chieftaincy, together with its traditional councils as established by customary law and usage, is hereby guaranteed. (2) Parliament shall have no power to enact any law which (a) confers on any person or authority the right to accord or withdraw recognition to or from a chief for any purpose whatsoever; or (b) in any way detracts or derogates from the honour and dignity of the institution of chieftaincy. Nevertheless, there are still certain conditions that chiefs have to fulfil. It should be emphasised then that chiefs, both in the past and today, are required by the Constitution to be from appropriate families or lineages, and they must be flawless: A person shall not be qualified as a chief if he has been convicted for high treason, treason, high crime or for an offence involving the security of the State, fraud, dishonesty or moral turpitude. And finally what is extremely important, the Constitution states that: A chief shall not take part in active party politics; and any chief wishing to do so and seeking election to Parliament shall abdicate his stool or skin. In other words, chiefs should abstain from any political activities and party affiliation.

As for the structure of traditional authority, it is not homogenous, but one may assume that it consists of the Chief and the Elders. The chief is at the top of the hierarchy of traditional authorities, which varies depending on local culture and traditions. In most cases, the structure goes from the bottom up in the following way: the clan head (Abusuapannin in Akan), the village or town chief (Odikuro; in Akan dialects meaning literally the owner of the village or the town), the paramount chief (Omanhene in Akan) who is the traditional leader at the district level, and finally the head of a tribal

41 One of the interviewees said that in the past this rule was strictly followed – only someone from a royal family could be a chief, but nowadays anybody who has money, but is not from of a royal family can be chosen a chief. In this way, such a chief has no respect for the people and their support. This also causes local conflicts over who should be the chief.
42 According to one of the informants, in the past, a person appointed to be a chief was expected to be “perfect” also physically, that is for instance, not to have any scars or signs of previous illnesses. There was then a time, when children who were coming from royal families and were expected to become chiefs in the future stayed away from school in order to avoid being hurt which could inevitably lead to having scars.
44 Ibid., Art. 276.
45 However, as some of the interviewees claim, there are some chiefs who are involved in the political system in Ghana. There are accusations that they support political parties to gain financial resources for realization of local development projects. Because of this engagement into politics, chiefs have lost their respect. On the other hand, as Nana Arhin Brempong and Mariano Pavanello claim, some chiefs may be pressed to ally with, openly or secretly, with a ruling party and support some Members of Parliament, because there are situations in which an intolerant ruling party may penalize a community by denying it development facilities for what it perceives as chiefly opposition to it. See: N. A. Brempong, M. Pavanello, Chiefs in Development in Ghana. Interviews with Four Paramount Chiefs in Ghana, Legon 2006, p. 35 (Perspectives On Research. Materials and Studies, 1).
group (for example: the King of Asante or the Ga Mantse of the Gas). They are all responsible for their respective areas by protecting their ancestral and community land, customary laws, culture, traditions and history, but main area of their activities is promoting development.\textsuperscript{47,48}

Traditional authority is very strong especially in rural areas, where village chiefs and elders still play important roles. The institution of chieftaincy is important particularly when it can complement or substitute ineffective or non-existing state institutions.\textsuperscript{49} Their organizational structure varies according to tribe or area, but generally villages belong to sub-divisions, divisions and finally paramountcies. All paramount chiefs are members of Regional Houses of Chiefs, while chosen ones constitute the National House of Chiefs. The structures of traditional authority differ mainly in terms of the degree of centralization. The most centralized traditional authorities (kingdoms with chieftaincies down to the village level) can be found among the Akans (especially the Ashanti with their centralized hierarchical society), Dagbon and Mamprugu.\textsuperscript{50} No centralized systems, but rather clan heads-based society can be found among such groups as the Tallensi, the Dagaba and the Kokomba.\textsuperscript{51}

Contemporary chieftaincy is an institution with two sets of functions – statutory and non-statutory. The first ones refer mainly to the settlement of chieftaincy disputes\textsuperscript{52} and the codification of customary laws that requires unification in various regions. Non-statutory functions are to complement the role of central and local government agencies in the field of socio-economic development.\textsuperscript{53} To elaborate more on the roles of chiefs in Ghana, they are supposed to help not only to keep order and maintain law, but also to sustain unity and cultural values of community, such as respect for the elderly, the principles of reciprocity and hospitality. However, their greatest concern is the development of the community.\textsuperscript{54} The responsibilities and the roles of chiefs in their communities are wide and not easy. Being leaders among their subjects, chiefs perform interpersonal, informational and decision-making roles. Their duties include also attending important meetings and ceremonies, transmitting information to their people or serving as spokespersons for their communities. The most crucial is


\textsuperscript{48} According to the Constitution, Omanhene is the head of the traditional area (the traditional state); sometimes there can also be the head of the division (a group of villages of a traditional area) that is called Ohene. See: N. A. Brempong, M. Pavanello, Chiefs in Development in Ghana..., p. 6.

\textsuperscript{49} K. Trziński, Demokratyzacja w Afryce Subsaharyjskiej..., p. 146.


\textsuperscript{51} Ibid., p. 549.

\textsuperscript{52} Chieftaincy disputes are very frequent, especially in rural areas, over who should be the next chief. Sometimes they lead to some local conflicts or even acts of violence and aggression.

\textsuperscript{53} N. A. Brempong, M. Pavanello, Chiefs in Development in Ghana..., p. 6.

\textsuperscript{54} P. Nutakor, ‘Traditional Leadership...’
the decision-making role, as it is according to chiefs to initiate changes, innovations and strategies for the development of the community. Last but not least, the chiefs’ role in settling disputes and managing negotiations between various parties in their communities is also important 55.

Finally, it needs to be emphasized that chiefs are major authorities in the area of traditions and norms, and have capacity to organize and mobilize their people. Most Ghanaians, especially in rural areas, find it easier to turn for help and leadership to traditional authorities than local councils in the case of emergency situations or natural disasters 56. In rural areas, chiefs organize community initiatives – they usually summon people on appointed days to provide labour to local projects. In urban areas, especially wealthier ones, they support local projects more frequently by raising money. One of the ways is organizing durbars that is festivals at which for instance the development plans are presented so that the visitors can contribute financially. What is interesting is that this fundraising is not limited to local people, but it also mobilizes Ghanaians living abroad 57, 58.

Traditional dimensions of chieftaincy are now being supplemented by its modern dimension. There is a trend in Ghanaian chieftaincy that more and more chiefs are chosen from well-educated migrants who returned, accordingly called return chiefs. Their position is not easy, as they are expected to bring development and progress, but at the same time remain guardians of tradition and custom 59. Thus, beside such functions as settling disputes, custody of stool land 60, organization of rituals, ceremonies and festivals or codification of customary law, there are some new functions that require adjusting to contemporary challenges of a novel nature, for instance good governance, information and communication techniques (ITC) or building international networks. In this way, a category of a modern chief able to bring progress and oriented internationally has evolved 61.

56 Ibid., p. 94.
58 Festivals that are held every year are not only an old or revived tradition, some of them are newly invented. They became public relations exercises, as they serve to bring together people from different parts of the country and from outside of Ghana, government officials from various levels, ambassadors and representatives of development organizations. During such gatherings, chiefs inform about local needs for basic facilities (water and electricity), as well as infrastructure, educational and health facilities. Festivals serve then as a way to attract financial support for development needs. See: N. A. Brempong, M. Pavanello, Chiefs in Development in Ghana..., p. 34.
60 In Ghana, the traditional state is called the ‘seat’ (in the central and southern parts – the ‘stool’, in the northern parts – an animal ‘skin’), upon which the chief sits. Therefore, when referring to property or land, the expressions of ‘stool (skin) property’ or stool (skin) land’ are used. See: R. Silverman, ‘Of Chiefs, Tourists, and Culture: Heritage Production in Contemporary Ghana’ in: D. K. Peterson, K. Gavua, C. Rassool (eds.), The Politics of Heritage in Africa. Economies, Histories and Infrastructures, New York 2015, p. 128 (International African Library).
61 N. Kleist, ‘Modern Chiefs...’ , p. 634.
Another interesting form of traditional authorities are queen mothers, but their position also varies across the country. They play a distinguished role among the Akans, as they are said to be the founders of the clans, but the Gur-speaking ethnic groups in the North have no queen mothers, and the people of Dagbon have female chiefs, instead of queen mothers\(^{62}\). Queen mothers are now the major agents in the fights for women’s rights and their safety, acting against female genital mutilation or cutting, against the institution of *trokosi*\(^{63}\), and advocating in campaigns against HIV/AIDS, as well as promoting the education of girls\(^{64}\).

As for the status of traditional leaders in Ghana, although it is still powerful, it also remains very ambivalent. While they are respected as defenders of social values and promoters of development, they can be seen as obstacles on the way to the country’s progress. To some extent, by continuing the recognition of traditional leaders, Ghana involved itself in the struggle between these old political structures and modern nation. What is more, despite constitutional guarantee for the institution of chieftaincy, it is sometimes perceived as anachronistic. Nevertheless, most Ghanaians still believe in the importance of the social role played in their communities by chiefs\(^{65}\).

Another problematic aspect of chieftaincy is its past. Under the British rule, chiefs were recognized and utilized to serve the interests of the colonial administration through including them into the indirect rule system\(^{66}\). Indirect rule empowered chiefs – with the support from the colonial administration they could play many administrative and adjudicative roles as managers of community resources. Throughout native courts they could decide about a variety of cases, e.g. land and property, inheritance, violence or matrimonial cases. In the long run, however, the system weakened chieftaincy, because the society started to perceive chiefs as agents of colonialism. They were strongly opposed, especially by the educated elite\(^{67}\).

It is also worth mentioning that the colonialists manipulated the institution of traditional rule for the purposes of the Empire. There were no centralized authority systems in such parts of today’s Ghana as the Upper-east and Upper-west Region or the Volta Region; people practiced there rather communal consensus. However, the colonialists introduced administrative offices for “chiefs” and gave them the same rights as kings and other traditional leaders had in other areas. They included “Native Authorities”, as they called them, also in the colonial judiciary system, so that they could

\(^{62}\) A. W. Seini, ‘The Role of Traditional Authorities...’, p. 549.

\(^{63}\) Trokosi means a young girl who is made a slave (to the gods) in order to atone for the crimes committed by her male family members. These young girls live in the shrines also called trokosi and usually serve as sexual slaves to the priests. The practice was banned by law in Ghana in 1988, but is still maintained, because the law is not executed. See: ‘What Is Trokosi?’, Trokosi Dictionary/Encyclopedia, at <http://www.trokosidictionary.com/> , 10 February 2016.


\(^{67}\) C. Mahama, ‘Local Government...’, p. 9.
administer justice, but only within the laws approved by the colonial administration\textsuperscript{68}. The installation of a chief or removing him from his position had to be approved by the colonial administration. This, to some extent, weakened the existing bond between traditional rulers and their people and led to the uprooting of traditional rulership from its cultural or customary matrix that led to its alienation from the people (...)\textsuperscript{69}.

However, in contemporary Ghana the institution of chieftaincy is still very influential, despite all past and previous controversial entanglements with power and politics. The thing that has changed\textsuperscript{70}, however is that nowadays people discuss the roles chiefs are playing and debate over the necessity of chieftaincy. In the past it was not frequent to criticize or discuss what the chief was doing. Recent behaviour of chiefs, that is involvement in politics and using money for gaining the stool led to decrease of respect for the institution of chieftaincy. However, it remains a fundamental part of the social system and people are not able to live without it.

TRADITIONAL AUTHORITIES VS. STATE AND LOCAL GOVERNMENTS

Ghana is one of the first African countries that started political decentralization. Local government authorities were established in 1988 through the PNDC1 Law 207. Then, with the 1992 Constitution, a new Local Government Act, Act 462 of 1993, was introduced. Today, there are 170 local government units in Ghana, divided into Metropolitan, Municipal and District Assemblies\textsuperscript{71}. They were created to transfer power to the local communities to encourage people to participate in governance, including decision-making processes. Local governing units serve as the political and planning authorities in their areas of jurisdiction, and are responsible for the development of their communities\textsuperscript{72}.

Therefore the chiefs and the government have the same goals to achieve, that is socio-economic and political development of the country. However, there are significant tensions between the values and practices exercised by the chieftaincy institution and by a nation state\textsuperscript{73}. Still, the institution of chieftaincy is crucial to local government in Ghana in relation to the socio-economic development, as it embodies Ghanaian diverse culture and acts as a catalyst of change. The views that chiefs are obstacles to

\textsuperscript{68} N. A. Brempong, ‘Chieftaincy, an Overview’ in: I. K. Odotei, A. K. Awedoba (eds.), Chieftaincy in Ghana..., p. 28.

\textsuperscript{69} Ibid.

\textsuperscript{70} Information provided by one of the informants.

\textsuperscript{71} Metropolitan, Municipal and District Assemblies are similar in terms of structure and functions, but differ in population sizes: 250,000, 95,000 and 75,000 respectively. They are the administrative and economic hubs and agents of change at the local level, with the main focus on national development. See: C. Mahama, ‘Local Government...’, p. 13.

\textsuperscript{72} Ibid., p. 8.

\textsuperscript{73} R. Silverman, ‘Of Chiefs...’, p. 129.
progress and nation-building and represent no relevance to local government, so prevailing among many post-independent African political elites are therefore not well-founded. Chiefs and government administration has a long history of relationships, although their intensity varied according to the times.

Cooperation of chiefs with the local government started during the colonial period. The British way of indirect rule utilized native administrative institutions to increase local participation. Chiefs played a prominent role in the local government – they maintained law and order, collected taxes, settled disputes and promoted socio-economic development. Later, the first president of Ghana, Kwame Nkrumah, aware of powerful social, economic and political power of chiefs at every level, from national to local, intended to restrain their authority and influence. The position of chiefs was slowly declining, as he excluded them from the local councils and abolished their courts. Moreover, Nkrumah deprived them also of the managing of the stool lands which were to be under the control of the local councils. The regional and district Commissioners could easily accord or withdraw recognition to chiefs, which resulted in manipulation of chiefs on the political arena. In 1961 Nkrumah regulated the chiefs’ role by passing the first Chieftaincy Act. The Local Government Act from 1961 abolished traditional representation on District Councils whose members were to be elected. After Nkrumah was removed from office, chiefs regained their position. The 1969 Constitution established Local, District and Regional Councils and restored the membership of chiefs to the Councils. The membership of chiefs in the Local Councils was recognized also in the 1979 Republican Constitution.

Finally, the 1992 Constitution abolished the representation of traditional authorities in District Councils and District Assemblies. Therefore, in contemporary Ghana traditional authorities are not represented in the Local Government System. The 1992 Constitution on the one hand excluded chiefs from any active exercise of political power (for instance, from candidacy in parliamentary election), but on the other hand it empowered the institution of chieftaincy by making it a sort of consultancy body for the President. The 1992 Constitution of Ghana, guaranteed the establishment of the

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75 Ibid., p. 91.
76 R. Silverman, ‘Of Chiefs...’, p. 128.
78 However, a Paramount Chief was appointed by the Minister of Justice to preside over the first meeting of the District Council to elect the Chairman of the Council.
79 The Republican Constitution of 1969 re-established regional and national Houses of Chiefs and assigned more functions to them. Chiefs were to codify and unify customary laws; they were also granted seats in local and districts councils. However, the government still had the right to make and un-make chiefs. See: K. Asamoah, ‘A Qualitative Study...’ p. 91.
80 The 1979 Constitution recognized the institution of chieftaincy with its traditional councils based on customary law and guaranteed their independence from the government. See: ibid., p. 91.
institution of chieftaincy together with its traditional councils as established by customary law and usage. The main goals of this change were better governance, empowerment of local communities, accountability and efficiency. The role of chiefs is then to provide advice and support to the local government in order to improve the living conditions of the local people. Thus, by assumption, the local government system is a form of partnership of three types of actors: formal government actors and the chiefs and their people. Their cooperation is to ensure that government policies, programs and projects, especially the ones related to development, are properly implemented.

The lack of institutional representation of chiefs in the District Assemblies and the sub-district structures results in misgivings on performance and unwillingness to cooperate both by some chiefs or some District Assemblies’ officials. On the other hand, the exclusion of traditional leaders is a guarantee of their political neutrality. What is more, traditional leaders are also expected to defend local communities’ rights and oppose any excesses by local government that pose the threat of undermining national development. Successful development projects require paramount involvement of chiefs, which leads to the conclusion that chieftaincy is an indispensable institution in Ghana’s developmental efforts. Successful development projects require also community involvement. Traditional leaders are the primary institution of reference for the communities, while the District Assembly is the agent of the national government at the local level. Still, both the DA and the traditional leaders seek to achieve a shared goal – enhancement of national development.

Research conducted in one of the districts in Ghana showed that cooperation between chiefs, their elders and the District Assembly had contributed significantly to the development of the area despite some challenges. Chiefs concentrated on the maintenance of law and order through the settling of disputes, mobilizing people for communal labour and enabling the release of land for infrastructural development. The DA supported the provision of educational and health infrastructure, and other social services, as well as helped to maintain peace and security.

Without the assistance encouragement and support of chiefs, administration at the local level would be more difficult and less effective. Accordingly, without chiefs the central government in Ghana would have problems with realizing the development agenda. It is worth noticing that traditional authorities have always encouraged the participation of the subjects in decision-making related to their communities, such as choosing which development projects should be prioritized. Traditional authorities are recognized and promoted also by international organizations. A good example is the World Bank’s ‘Promoting partnerships with traditional authorities’ project in Ghana.

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84 C. Mahama, ‘Local Government...’, p. 15.
85 Ibid., p. 17.
86 It was an examination of the nature of collaboration between the chieftaincy institution and formal local government actors in the Sissala-East District of the Upper West Region of Ghana.
(a $5 million grant directed to two traditional authorities, the Asanteman Council and the Akyem Abuakwa Traditional Council in order to, among other, improve the standards of health and education in the traditional areas and strengthen the capacities of traditional authorities)\(^{88}\).

The role of traditional authorities in local governance has been enriched also by chiefs themselves who are usually well-educated, top professionals in their fields, among others medical doctors, lawyers, professors, engineers and successful businessmen. They are competent, well-organized and determined to achieve their goals. Therefore, chiefs constitute a really effective part of the local government in the rural areas\(^{89}\).

### TRADITIONAL AUTHORITIES AS DEVELOPMENT AGENTS AND A NEW DIMENSION OF CHIEFTAINCY

The involvement of chiefs in the development process depends mainly on their scope of authority. In more centralized systems (the Akan, Dagbon\(^90\), or Mamprugu), in which chiefs have a strong position and are the owners of the land, they decide about its use and allocation. In non-centralized systems, chiefs can only manage their clan land, but before a piece of land is used for a certain project the clan head has to give his permission\(^91\).

The involvement of chiefs into pro-development initiatives is not limited to local or national scope, but expands into transnational form of activities. Traditional authorities are engaging migrants, NGOs and international donors, realizing prestigious projects regarded to be more efficient than the government ones\(^92\). One of the examples is the Asantehene, Otumfou Osei Tutu II, king of the Ashantis, who in 2000 launched the Otumfou Educational Fund in 2000 and between 2003 and 2006 re-alized a Promoting Partnership with Traditional Authorities Project, funded by the World Bank (a $4.5 million grant)\(^93\). Another visionary tradition leader is Osahene Katekyi Busumakura III (the Takoradiman-Hene), the paramount chief of Takoradi, who launched the Osahene III Sustainable Development Project in Takoradi, the Western Region in Ghana. His plan was also to establish a university, the Takoradi Institute of Science and Technology (TIST) in the Western Region, in order to offer courses in Oil and Gas Engineering, Petro-Chemical Engineering and Biological Sciences to meet the current demands of the market. The Takoradiman-Hene wants to make Takoradi an attractive port city and an investment centre by 2025\(^94\).

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89 Ibid., p. 94.
90 Cheiftaincy among the people of Dagbon is so strong that chiefs control even the economic trees, for instance dawadawa and shea butter tree.
92 N. Kleist, ‘Modern Chiefs...’ , p. 641.
93 Ibid.
94 P. Nutakor, ‘Traditional Leadership...’
worthy example of a traditional leader engaging himself in development and environmental issues is also Okyenhene, Osagyefuo Amaotia Ofori Panin, the paramount chief of the Akyem Abuakwa Traditional Area, who is regarded to be one of the most powerful chiefs in Ghana. He is known for the establishment of the Okyenhene Environmental Foundation Programme and a University College of Agriculture and Environmental Studies in the Eastern Region, all with the cooperation with American and Dutch universities.

Taking such performance into account, chiefs are perceived by the politicians rather positively, as they can cooperate on local development, being at the same time lobbyists for their own communities. In rural areas especially, constituents forward their messages through chiefs or queen mothers to members of parliament. The importance of the role of chiefs, especially in rural parts of Ghana, in motivating communities to participate in local projects, even small ones, such as repairing school buildings or cleaning roads, is visible e.g. in Berekun, a town in the Brong Ahafo Region. Once announced the cleanest town in Ghana, it had difficulties with keeping its cleanliness when there was no one chosen for the position of chief. Before a new paramount chief was installed, there were even street protests during which people displayed slogans: *No chief, no development* and *We need leadership for development*.

As far as development in Ghana is concerned, a very interesting phenomenon is also the so-called development chiefs and development queen mothers – *Nkosuobene* or *Nkosuohemaa* in Akan. These honorary titles are given to people who have significantly supported local development, frequently to international migrants or donors from other countries. For instance, one of the development activists, Bob Geldof was installed as an *Nkosuobene*, with the name of Nana Kofi Kumah in the town of Ajumako-Bisease in the Central Region of Ghana. Among foreigners installed as development chiefs a big group is constituted by Africans from the diaspora, African-Americans and people from the Caribbean who visited Ghana. Some of them are even famous people such as Issac Hayes, Stevie Wonder or Rita Marley.

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95 N. Kleist, ‘Modern Chiefs…’, p. 636.
96 Ibid., p. 641.
98 Ibid., p. 164.
99 Development chiefs were adopted also by other ethnic groups. Thus, it is worth noticing that there are also other names for a development chief: Dangme people use the term Manoryam, Ewe people – Ngoryifia. See: M. Steegstra, “White” Chiefs and Queens in Ghana: Personification of “Development” in: I. K. Odotei, A. K. Awedoba (eds.), *Chieftaincy in Ghana…*, p. 607.
100 N. Kleist, ‘Modern Chiefs…’, p. 645.
101 The example of Bob Geldof shows that the honour of an Nkosuobene/hemaa is often not appreciated by the white Westerners as they either do not fully understand its meaning or do not fulfil their obligations. People from Ajumako-Bisease claim that Geldof used the title for promoting the 2005 Live 8 concerns and forgot about helping them. See more: G. M. Bob-Milliar, ‘Chieftaincy, Diaspora, and Development…’, p. 554.
The concept of Nkosuohene/hemaa was promoted by the late Asantehene Opoku Ware II, who in 1985 created the Nkosuo stool division in Kumase in order to boost development in the region. The first person to be given this title was an Asante businessman E. K. Osei, with the stool name Nana Osei Nkwantabisa. The idea behind Nkosuohene/hemaa is that this title should be given to an accomplished person, capable of motivating the community for participation in development projects. While the title of Nkosuohene/hemaa may not be of much value to foreigners, it is regarded as a great honour for migrants, for diasporan Africans. Enstooling them as development chiefs or queen mothers is at the same time an incentive to be reintegrated into the traditional clan system and chieftaincy institution. The title is also a way of showing that its recipients are people who are excellent leaders in their communities. The appearance of these new titles and changing functions of chieftaincy institution are simply evidence of its flexibility and adaptability to new challenges, but at the same time lead to discussion about the power in modern times.

Awarding traditional titles is only one of the methods devised by Ghana to engage Ghanaian diaspora into development projects in the country. Ghana’s government and its people are also using other policies, such as granting a free land or advocacy for Pan-Africanism. In this way, they Ghanaian diasporans have been transformed from passive visitors to the country into active cultural brokers, marketers, willing ambassadors abroad, and active participants in the country’s economic development efforts. Ghanaian diasporans have contributed to the development of Ghana for a long time, usually by sending remittances to relatives. It is estimated that only official flows rose from 263 million dollars in 1995 to around 753 million dollars in 2001, while informal ones were almost $3 billion. The stimulation of the local economy by returning diasporans through the expenditures on local goods and services (e.g. buying a house or starting a new business) is also very important. Furthermore, the activities of Ghanaians abroad through cooperatives and various kinds of associations also matter. For instance, there is a Ghanaian cooperative in Italy importing pineapples from Ghana. Ghanaian associations in the Netherlands, Sankofa and Sikaman, are raising capital for development initiatives in Ghana.

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103 G.M. Bob-Milliar, ‘Chieftaincy, Diaspora, and Development...’, p. 545.
104 Ibid., p. 545.
105 Ibid., p. 555.
106 M. Steegstra, “‘White’ Chiefs...”, p. 615.
107 According to one of the interviewees, giving chief titles to foreigners is weakening the institutions and the chiefs’ position, depriving them of respect. As it is a sign that local chiefs somehow are not able to do their job, especially to provide development project, and someone from outside has to come and do his job.
110 Ibid., p. 390.
FRICTION BETWEEN THE “OLD” AND THE “NEW”

Chieftaincy in Ghana is driven by tradition. The nature and symbol of chief’s office, the structure of chieftaincy and relations with other chiefs are imposed by tradition. Even the lifestyle of a chief, his meals or clothes are also guided by a code of conduct rooted in traditional norms. From the perspective of ethnosophy it is good as helps to maintain both old customs and identity. However, the question will remain whether it is rational and beneficial for the society? As the institution of chieftaincy somehow seem to overlap (whether it is complementation or substitution), at least in some areas, with modern local administration. If traditional leaders have to support local and central government in their roles, what are then the functions of these “modern” versions of political authorities? There is also the question of how the chiefs are responding to new challenges and what is their own attitude to tradition? Whether they are able to adjust their way of thinking to new circumstances, and at the same time manage to persuade their people that some of the traditions perhaps need revision?

The thing is that some cultural practices can exert a negative impact both on the society and country’s development. An example of such practices are highly-cost funerals and long period of mourning. It could be a problem especially in poor rural areas when during the mourning people stopped going to the farms, which affected their productivity, usually already very low due to lack of mechanization. Another example of cultural practices impeding economic development in Ghana is the land tenure system. Because of this investors are not able to acquire enough land for large-scale economic activities.

Moreover, the problem in Ghana is that traditional leaders are somehow caught between tradition and modernity on the one hand, and between self-interest and community interest on the other hand. As for traditions, there are certain regulations and a circumscribed space of power within which chiefs can operate. Any introduction of innovations has to be negotiated with the subjects (the community) and other chiefs as well and meet their expectations. Overstepping these rules and limits can endanger a chief’s status.

Furthermore, traditional leaders in Ghana are not willing to support any reforms and abolish traditions that are not beneficial for development, even though many of these leaders are highly educated people. There has been a failure of leadership in Ghana since independence, as successive governments were unable to find solutions to some national problems. In relation to culture, there was also a failure of traditional lead-

112 Ghanaian funerals are exceptionally interesting social events (they usually last even up to three days, frequently cost more than weddings, always bring together family and friends from across the country and abroad, always require time for preparations and travelling, etc.). So at the same time, there is a need to continue this tradition due to its social significance.
113 K. Asumadu, ‘The Role of Traditional Rulers...’
114 N. Kleist, ‘Modern Chiefs...’, p. 636.
ership as many modern and educated chiefs continue some antiquated customs and norms, usually suitable for their own interests. Moreover, preserving old traditions ensures them the position and the access to wealth, power and influence in society.\(^{115}\)

What is then missing is a modern chief, the one who has the ability to simultaneously master the statutory, leadership, and development aspects of the chieftaincy institution – and, not least, the ability to successfully negotiate what should be seen as praiseworthy traditions to be celebrated and respected\(^ {116}\). However, this ability to determine the boundaries between tradition and modernity depends on the degree of power – more powerful chiefs are supposed to have a greater say\(^ {117}\).

### CONCLUSION

The problem of the struggle between tradition and modernity – the older ways of governance, familiar beliefs and antiquated styles of life clash with the new and frequently foreign ones – is not recent and it not limited to Ghana as it is shown in the works of philosophers and development studies experts. It would not be an overstatement to say that it is a problem of all or the majority of African countries, and even all developing parts of the world. Ghana’s search for equilibrium in this matter, in order to achieve success in national development, is yet not representative, but it is one of many varieties and just a case study of this struggle between tradition and modernity on the African continent.

Two questions that were guiding the whole analysis, that is whether the institution of chieftaincy can be used as a resource or rather constitute impediments to development of the country and how it is changing to address contemporary challenges, are not easy to answer. It seems that although chieftaincy itself does not constitute an impediment to development, as its fundamental role is promoting development, there are certain aspects of chieftaincy, especially the behaviour of chiefs, such as involvement in politics and money-oriented approach that may lead to counterproductive effects. The same applies to chieftaincy’s changing character. As it is embedded in tradition and simultaneously is drawn to new and more modern solutions, it can both be beneficial and result in deterioration of the current situation in the national development of Ghana.

However, the best summary would be to refer again to one of the commonly known Adinkra symbols in Ghana, *Sankofa*. Using traditional wisdom can always help society to build its future prosperity. Ghanaians should not give up chieftaincy, and certainly they will not, as it is a basic and deeply rooted institution of political power that is socially accepted. However, this reference to tradition, in this case the existence of chieftaincy, has to be in accordance with the needs and expectations of the people.

\(^{115}\) K. Asumadu, ‘The Role of Traditional Rulers...’

\(^{116}\) N. Kleist, ‘Modern Chiefs...’, p. 637.

\(^{117}\) Ibid.
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The state is often considered a necessary condition for the existence of social order and economic development. However, except for the group of developed countries, most states are incapable of providing services which are commonly attributed to them. In this paper an approach, according to which the state is the best possible form of political organisation, is confronted with the case of stateless Somalia. Without government since 1991 this country provides an opportunity to investigate the emergence of institutions and supply of public goods in a stateless society. Using the comparative institutional approach the situation in Somalia is compared with the period before the collapse of the state as well as with the situation in other countries of the Horn of Africa region, showing a relative economic improvement after 1991. Considering economic development as an essential indicator describing the stability of social institutions, this corroborates the argument according to which a hierarchical form of political organisation not only may destabilise social order, but also that anarchy can be more successful than the state in providing stabilisation and economic development.

Keywords: anarchy, economy, Somalia, stability, state
INTRODUCTION

Somalia is probably the best known example of a state without an effective government capable of controlling its territory. From many years Somalia has been classified on the top positions of The Failed States Index – the list of failed states formed by the Fund for Peace. What is important is that this list presents a correlation between the degree of a state’s failure and the level of its poverty. A significant fraction of governments incapable of fulfilling its role is located in poor and least developed regions of the world, mainly in Africa. This rises the questions about the relation between the functioning of the state and economic development and about the performance of economy in a country deprived of central governance apparatus. Additionally, it provides an opportunity to consider alternatives for the existing inefficient state structures.

Somalia has lacked any form of effective government since the fall of the dictatorship of Siad Barre in 1991. This moment is the climax of the civil war that erupted in 1988. However, internal fights that endured after the collapse of state structures did not lead to the emergence of new central authority. Simultaneously, a devastating famine resulting from political chaos and the drought in the region caused humanitarian intervention in Somalia in 1992. In 1993 the United Nations (UN) decided to change the character of its involvement, transforming it into a peace-keeping operation, the aim of which was political and economic restoration of the country. However, the inability of the UN to restrain fights among various factions and clans caused the termination of the mission in 1995. Surprisingly, withdrawal of the Blue Helmets contributed to a significant decrease of the intensity of fighting. This had its source from the fact that the UN’s involvement sustained the perspective of the establishment of a new government. This, in turn, fuelled disputes between various fractions. Due to international attention which the situation in Somalia received, many local militias found upholding hostilities more profitable than finding a peaceful solution to the conflict, as it was seen as an opportunity to gain political recognition.

Renewed increase of tensions occurred in 2006 along with attempts of the international community to establish a new Somali government. The Ethiopian military intervention in Somalia that occurred in the same year together with the later founding of the Transitional Federal Government in Mogadishu led to escalation of fighting.

Due to the external character of the above factors (military interventions, international attempts to form a new government), which impacted on the stability of the considered country and region, this article focuses mainly on the period before the Ethiopian inter-

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1 A failed or dysfunctional state is a state which lacks the ability to execute certain functions as well as is incapable of the realisation of these functions through market mechanisms, that is unplanned by a state grassroots supply of these functions by private entrepreneurs. Embracing in the definition the possibility of market supply of services attributed to the state is connected with an assumption that is chosen that it is the realisation of functions as such and not the agent realising these functions that constitutes notion of the failed state. The Fund for Peace, Failed States Index, at <http://ffp.statesindex.org/>, 20 January 2015.
vention. Although it precludes a proper evaluation of the present situation of the Somali economy, it seems to be appropriate in the context of the general problem of how the lack of government influences economy. Moreover, the evaluation of the Somali economy takes place in the form of a comparative analysis, as it is compared with the period before the collapse of the state as well as with the situation in the neighbouring countries. This allows us to avoid the error known as the nirvana fallacy\(^2\). This term refers to the situation where real-world constraints are ignored and imperfect reality is compared with the ideal, hypothetical state. Such an erroneous approach accepts, often in indirect or unverbalised way, unreal or false assumptions, which are a result of idealised views derived from the subjective worldview of a researcher. In particular it means comparing an existing state of affairs with the perfect state based on the Western notion of the social contract and liberal democracy\(^3\). Meanwhile, as indicated by Peter Leeson and Claudia Williamson, in many cases the alternative for anarchy is not the Western model of liberal democracy, but the failed state.\(^4\) This is confirmed by the considerable part of African states, where forms of governance differ significantly from the ones present in the developed countries. Even if we assume that the part of states to some extent realise the functions which are attributed to them, then still a considerable part of states can be described as dysfunctional. Moreover, following George Ayittey, many of the latter can be described as the vampire states or the predatory states, as they enrich rulers by draining productive indigenous institutions\(^5\).

THE STATE

The question of whether the state is a necessary condition for the existence of social order is one of the most basic questions of political philosophy as well as of political economy. It refers not only to formation and continuity of legal order, but also to the influence the state exerts upon the economy. In the contemporary world the state is the primary and dominant institution of political order. Therefore, in the context of the above considerations, an analysis of examples of disintegration of state structures seems to be especially interesting.

The considerations regarding relations between state and economy should begin with the identification of the former. For the purpose of this article we consider the state as a hierarchical institution possessing monopoly on the use of force on a given territory\(^6\). Reference to monopoly, understood as legal exclusiveness, implies that the definition suggests the existence of a strong relation between the state and law. It is

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convergent with contemporary and relatively common perception of the state as an institution responsible for establishing and executing the law. Such an approach points at the legal aspects as the fundamental sphere of discussion regarding the role of the state.

The contemporary debate regarding the necessity of the state and the stability of mono- and polycentric systems of law follows two main issues. The first focuses on the argument formulated by Tyler Cowen that the supply of police and legal services presents network behaviour and has inclinations toward cartelisation. The second refers to the baseline problem introduced by James M. Buchanan. In his criticism of anarchism Buchanan points out that this system requires the existence of a pool of norms, common to all agents, forming a reference point for negotiations between those agents. Therefore the lack of common criteria of just norms hinders or precludes conducting negotiations, which may lead to violence and the collapse of the system. In this sense, the state is considered as the primary structure allowing coordination of various aspects of human interactions and ensuring the functioning of society.

Opponents of the above approach argue that it does not take into consideration the possibility of grassroots formation of social order. Various institutions, such as law, language or money, are examples of spontaneous structures, which have emerged without deliberate planning. As Friedrich A. Hayek writes, because of the complexity of social processes the faith in human abilities to design social order is illusive. He names it ‘the fatal conceit’. Because of this some researchers propose anarchy, understood as the lack of a monocentric system of law formation and execution, as an alternative for the state. Such an approach concentrates on the analysis of the phenomenon in question on the basis of political economy. It tends to show that law, as well as other public goods, could be provided without a redistributive political system.

Considering the fact that the above discussion developed mainly in the sphere of economic sciences, arguments criticising the role and efficiency of the state are often based on market mechanisms. Proponents of this approach argue that the dispersed character of knowledge and complexity of economic processes preclude central planning in economy. Such a standpoint is represented especially by the Austrian School of Economics. The theory of dynamic efficiency which was developed by the Austrians emphasises the dynamic character of social interactions and the entrepreneurial and cre-

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ative character of the individual, understood as his ability to discover opportunities for profit\(^\text{12}\). It also points out the role of the individual as an entrepreneur, whose creativity is the fundamental aspect of any economic activity\(^\text{13}\). Entrepreneurship is a process of forming and discovering of new, often subjective and tacit, information. Due to this creative character it enables recognition of new ends and means, and thus allows individuals to foster coordination in society by identifying opportunities for profit, understood as maladjustments appearing in the social environment. Following this approach, the actions of authorities as based on coercion limit the entrepreneurial freedom of individuals. In this sense, state interventions into economy decrease the efficiency of entrepreneurs by constraining creation and transmission of information between agents, and thereby constraining self-coordination abilities of society. Simultaneously, by precluding the emergence of new information, the central authorities themselves do not possess this information, which makes them incapable to deliberately coordinate the economy through central planning. What is important is that this problem of knowledge is not restricted to the sphere of economic activity. The dispersed and dynamic character of knowledge as well as complexity of social processes are more general phenomena, therefore supporting an argument in favour of polycentric political systems.

**LEGAL ORDER**

The state is not a necessary condition for existence of legal order, and therefore of social order as such. In its current form based on the idea of sovereignty and nation it is a relatively recent institution\(^\text{14}\). Moreover, the fact that the state is nowadays a dominant form of political organisation does not exclude the existence of alternative orders. In particular, the emergence of the modern state should not be treated as an inevitable result of institutional evolution. According to Hendrik Spruyt, the state cannot be treated as a natural successor to the feudal system, as it was only one of many institutions formed in reaction to the dramatic changes in the medieval economic environment\(^\text{15}\). Simultaneously, it should be mentioned that historical research shows a number of examples of anarchistic structures\(^\text{16}\).

\(^{12}\) The concept of entrepreneurship has here essentially a humanistic character and is perceived in the broadest sense. Each individual in society is an entrepreneur possessing and creating a certain portion of information which may influence the course of social phenomena. J. Huerta de Soto, *The Austrian School. Market Order and Entrepreneurial Creativity*, Cheltenham 2010, p. 25.


In the case of Somalia, legal order is based on the local, customary law *Xeer*. Customary law is a system of enforceable rules that emerges as an effect of repeated use of customs for solving disputes\(^\text{17}\). In this sense, laws do not emerge in a planned way, but rather as an effect of general recognition of particular solutions achieved through their repeated use in juridical processes. According to Bruno Leoni, it is a form of ‘collaboration between the judges and the judged in order to discover what the people’s will is in the series of definite instances – a collaboration that in many respects may be compared to that existing among all participants in free market’\(^\text{18}\). In other words, laws are discovered rather than enacted. In this sense customary law stands in opposition to law created by the legislature. Also, contrary to the latter, it is a restitutive form of law instead of a retributive one.

The customary type of law corresponds with Somali society which is highly decentralised and based on kinship. Such a structure can be historically associated with a pastoral nomadic culture, to which the majority of Somalis belong. Decentralisation of Somali society manifests itself in the political independence of clans. This means that the social organisation presents a very limited political hierarchy. To protect property rights and economic benefits various groups ally with each other on the basis of lineage ties. Alliances, however, are temporary and their duration depends on the aims that are pursued.

Similarly to law, also the security system in Somali society is based on clan structure. The smallest politically independent institution is the *dija*. It contains a group of families linked by blood ties or by marriages. *Dijas* function as a form of cooperation providing defence to its members, which constitute its political independence. They have between several hundred to several thousand members. Apart from providing defence each group provides material support and legal representation to all its members. This specific social security system is based on contributions in the amount of 10 percent of income\(^\text{19}\).

A decentralised structure means that, contrary to other regions of Africa, most clans in Somalia do not have an institution of the leader. Power is executed by the elders. As noticed by Michael van Notten, Somalis are independent both in the individual aspect and in the context of the communities they form\(^\text{20}\).

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\(^\text{20}\) M. van Notten, *The Law...*
THE ECONOMY

The fall of Siad Barre’s regime in 1991 caused disintegration of all state structures. However, this did not lead to deterioration of the economy. On the contrary, the situation improved compared to the situation before 1991\(^\text{21}\). This may be partially explained by the total collapse during the period of Siad Barre’s dictatorship. His politics of central planning led to the economic destruction of the country. Apart from destructive features inherent to any socialist economy\(^\text{22}\), this was a result of the predatory character of the state apparatus which was used by rulers to keep power and to provide themselves with material benefits. This free-riding tendency led to the fall of the economy and simultaneously strongly constrained any economic activity of individuals. This means that the state not only fulfilled no functions which could be considered necessary for economic development, but also hampered any private initiative. In this sense, the collapse of state institutions in 1991 led to elimination of all administrative barriers. Therefore it freed private initiative and entrepreneurship. Simultaneously, lack of any state regulations and control could not lead to any negative implications for economy, as they already had been a pure fiction from many years. All relations between agents on the market were based on the customary law, which already had been a legal framework for the unofficial economy during previous decades.

In should be noticed that the Somali economy after 1991 developed regardless of internal disputes and lack of political stability. Although an entrance into a territory controlled by a given local militia required payment, such a contribution was lower than taxes that had been levied by the state. Simultaneously, most of internal fights which also had negatively influenced the economy ceased after the withdrawal of the peacekeeping force in 1995.

A positive influence of the changes after 1991 may be observed on the example of the cattle market – the biggest branch of Somali economy – which experienced an increase in both production and export. This fact is especially worth noticing due to the fact that in the 1980s Somalia was the biggest exporter of cattle in the world. In Garissa, a major market in Kenya for Somali cattle, the aggregated value of cattle sales grew 400 per cent between 1991 and 1998 and 600 per cent between 1989 and 1998.\(^\text{23}\) In the north part of the country cattle from Somalia and Ethiopia were transported abroad through Somali ports. Two of them – Bossaso and Berbera – in 1999 accounted for 95 per cent of goat export and 52 per cent of sheep export for East Africa\(^\text{24}\).


\(^{22}\) J. Huerta de Soto, *Socialism...*, pp. 49-98.


\(^{24}\) Ibid., p. 131.
Economic development occurred also in the spheres of commercial activity in urbanised areas. Analysis of this phenomenon seems to be even more important than of the pastoral sector, because the dysfunctional character of the Somali state affected the population outside the main urban areas only to a minor degree. In cities it was much easier to execute decisions of the state apparatus.

The civil war in the early 1990s strongly constrained the undertaking of entrepreneurial activity. However, as the stabilisation proceeded, increase in investment in urbanised areas followed. Somewhat surprisingly for a poor African country, Somalia has attracted a number of major corporations, such as Dole Fruit Inc., Coca-Cola, DHL and General Motors\(^{25}\). In 2004 Coca-Cola opened a soft drink plant in Mogadishu\(^ {26}\). The above-mentioned examples are interesting because apart from intergovernmental agreements based on political guarantees for investors, many companies tend to avoid investing in African states. This, in turn, stems from lack of stability and absence of the rule of law. In this sense the case of Somalia indicates the capability of local structures to provide minimal economic freedom and security of private property.

The leading example of the possibility of conducting commercial activity without any administrative structures is the telecommunication sector. The fall of the central institutions in 1991 caused the disappearance of state monopoly in telephone services together with all regulations and restrictions. This caused the dynamic development of the market of private telecommunication services. There was rapid growth in the number of telephone subscribers and in the percentage of the population with internet access. Free market competition also influenced the quality of services and its price competitiveness. In Somali it takes three days for a landline to be installed, while in Kenya which is politically much more stable the waiting period for the same service is counted in years\(^ {27}\).

The phenomenon that contributed substantially to the development of telecommunication networks is *hawala*. It is a system based on an international network of brokers and is used to transfer money. *Hawala* is used by the representative of the Somali diaspora who are scattered all over the world, in order to financially support their relatives in Somalia. Information about transfers is sent using telecommunication networks. Thereby it forms a system of international money exchange, independent from the official international banking system. Due to its informal and unofficial character the *hawala* is based mainly on mutual trust between participants. It is estimated that in the first decade of this century approximately 1 billion USD was transferred through the *hawala* system each year\(^ {28}\).

Another curious aspect of Somali economy is its currency. The collapse of the state apparatus implied, among other things, the disappearance of the central bank, which was responsible for the monetary policy and which was entitled to issue the Somali shilling – the state fiduciary money. In the central bank system the value of the currency is not based

\(^{25}\) Ibid., pp. 166-167.


on any material good, such as gold. However, its use as the binding means of exchange is guaranteed by the state. Therefore, with the collapse of the state the Somali shilling has lost its position as the legal tender. Without any binding rights to this currency, anyone could print it. What is interesting is that in Somalia, regardless of the collapse and thereby disappearance of the said state guarantees, the Somali shilling remained in common use as a medium of exchange. It was used in small transactions on the daily basis. For bigger transactions the Somalis used the US dollar. What is interesting is that the introduction of new banknotes to the market often occurred to be a part of initiatives supporting particular politicians. Despite these periodic disturbances the stability of the Somali shilling turned out to be higher than in previous years. Compare to the US dollar, it lost its value over three hundred-fold during the 1980-1991 period, while between 1991 and 2001 its value dropped only fivefold. For comparison’s sake, in the analogical period (1991-2001) the Polish zloty lost three quarters of its value, while between 1992-2001 two-thirds of its value. Despite printing additional amounts of banknotes the Somali shilling preserved a relative stability. Bearing in mind the possible rejection by the market, issuers have never decided to issue banknotes of higher nominal value than of those being in use before 1991. As a result they only copied the pre-1991 banknotes. This caused that with the course of time the marginal cost of printing and transportation of new banknotes achieved their nominal value, making further emission unprofitable. This led to the stabilisation of the currency, thus enabling it to stay on the market.

The behaviour of the money market in Somalia provides an opportunity, which is nowadays rare, to observe commonly the use of the system of the private supply of money, moreover, a supply which is not supported by any legal system. It does not confirm Hayek’s predictions that the privatisation of money supply constrains inflation and leads to more stable market compared to the state control of money supply. Simultaneously, however, it cannot be considered an argument in favour of the latter. Although after 1991 the value of the Somali shilling dropped, contrary to the prognosis of Milton Friedman, there was no unlimited growth of prices. This suggests that the fundamental factor that allowed the Somali shilling to preserve its role as legal tender was its utility in small, everyday transactions. This, in turn, limited the inflation due to marginal costs of producing new banknotes.

The economic and social situation of Somalia, before and after the state collapse, can be partially provided using selected macroeconomic indicators which describe

29 P. D. Little, *Somalia...*


standards of living. Following these indicators allows us to argue that the economic situation in Somalia in the post-1991 period improved in comparison to the pre-1991 period. In particular, this statement is compatible with the indicators of life expectancy, access to physicians, infant mortality rate or the extreme poverty rate.

One of the most basic macroeconomic indicators – GDP per capita – decreased in the 1990s. In the second half of 1980s it estimated value was 836 USD\(^{33}\), while in 2010 it was approximately 600 USD\(^{34}\). It should be noticed that these numbers do not illustrate the economic situation of the country in question properly. As Jesus Huerta de Soto argues, presumptions upon which notion of GDP is based do not consider the existence of the heterogeneity and structure of capital, thereby ignoring expenses attributed to various levels of production of goods. As a result the method of GDP calculation excessively raises the importance of consumption and reduces the role of investments\(^ {35}\). Contrary to the above-mentioned position, in the case of Somalia investments are especially important after 1991, as they were necessary for dragging the economy from collapse. Moreover, in planned economy companies tend to overstate their achievements to reach level of production demanded by the planners. Admittedly, such a situation took place in Somalia in 1980s. Additionally, during that period a considerable part of expenses forming the Somali GDP was used to maintain the military forces\(^ {36}\). Simultaneously, Siad Barre’s regime was one of the biggest beneficiaries of foreign aid. In the mid-1980s it constituted 58 per cent of country’s GNP. In particular, it financed the entire Somali education system.

**Table 1.** Chosen indicators for Somalia

<table>
<thead>
<tr>
<th></th>
<th>1985-1990</th>
<th>2000-2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extreme poverty  (% &lt;1 USD per day)</td>
<td>60</td>
<td>43</td>
</tr>
<tr>
<td>Physicians (per 100,000)</td>
<td>3,4</td>
<td>4</td>
</tr>
<tr>
<td>Life expectancy (years)</td>
<td>46</td>
<td>48,5</td>
</tr>
<tr>
<td>Infants mortality rate (per 1000)</td>
<td>15,2</td>
<td>11,5</td>
</tr>
<tr>
<td>Infants with low birth weight (%)</td>
<td>16</td>
<td>0,3</td>
</tr>
<tr>
<td>Population with access to water (%)</td>
<td>29</td>
<td>29</td>
</tr>
<tr>
<td>Adult literacy rate (%)</td>
<td>24</td>
<td>19</td>
</tr>
</tbody>
</table>


\(^{36}\) P.T. Leeson, ‘Better off Stateless...’
Although GDP does not provide a basis for evaluation of the economic situation of Somalia after 1991, research conducted using various indicators shows an improvement of standards of living compared to the pre-1991 period37. This is connected with the economic development of the country. Among other things, life expectancy increase and infants mortality rate decrease were observed. There was also an increase in the rate of immunisation of children and improvement in access to physicians and medicaments38. Simultaneously, the percentage of the population living for less than 1 USD per day decreased. Although access to education decreased directly after the collapse of the state, lately also this sector recorded progress39.

When considering the issue of the role of the state in the economy, apart from comparing data from different periods of time, it is crucial to provide comparison with other countries from the region. Regardless of the fact that the standards of living in Somalia diverge from the standards of the Western welfare states, it occurs to be comparable with the situation in other poor states. Comparing values from 1990 to 2005 we can state that Somalia improved its position among Sub-Saharan African countries in terms of the mortality rate (from position 37 to position 17 on 42 countries on the list), life expectancy (from 37 to 18) and tuberculosis (from 40 to 31). A decrease was observed in infant mortality (from 32 to 38) and immunization (from 38 to 42)40. Additionally, in 2005 Somalia was in the first half of African countries in terms of access to the internet and number of mobile phones. What is interesting, an improvement in life expectancy, infant mortality and access to sanitation facilities was bigger than in the case of Kenya or Djibouti41.

Table 2. Changes in the selected development indicators between 1990 and 2005

<table>
<thead>
<tr>
<th></th>
<th>Djibouti</th>
<th>Ethiopia</th>
<th>Kenya</th>
<th>Somalia</th>
</tr>
</thead>
<tbody>
<tr>
<td>Life expectancy (years)</td>
<td>-15.4</td>
<td>9</td>
<td>15.6</td>
<td>5.4</td>
</tr>
<tr>
<td>Population with access to water (%)</td>
<td>1.4</td>
<td>-4.3</td>
<td>35.6</td>
<td>0</td>
</tr>
<tr>
<td>Adult literacy rate (%)</td>
<td>-</td>
<td>-</td>
<td>3.7</td>
<td>-20</td>
</tr>
<tr>
<td>Telephones mainlines (per 1000)</td>
<td>40</td>
<td>-</td>
<td>28.6</td>
<td>1150</td>
</tr>
</tbody>
</table>


38 It should be noticed that all medical services are provided by the private sector.

39 P. T. Leeson, ‘Better off Stateless...’

40 B. Powell, R. Ford, A. Nowrasteh, Somalia after State Collapse...

41 P. T. Leeson, ‘Better off Stateless...’
The above data do not corroborate the hypothesis according to which the existence of state fosters economic stability and improvement of the standards of living more than its lack. Despite the fact that in terms of access to water or adult literacy Somalia represents itself worse than other states of the Horn of Africa, most of the presented data indicate a similar or better situation than in the neighbouring countries. This suggests, along with the comparison with the pre-1991 situation, that the disintegration of the state structures in fact contributed to the development of the free market and saved the country from economic collapse.

Without doubt the period after the collapse of the central government is characterised by political instability and internal fights, which negatively influenced local communities and economy. Strong clientelism and founding support for the regime based upon clan divisions contributed to the emergence of tensions between various groups. This together with attempts of the international community to create a new government after the fall of Siad Barre led to intensification of fights. Decades preceding the collapse of the state promoted a perception of the state as a prize-system and an instrument to protect the interests of groups in power. Additionally, because such a patronage system functioned at the expense of other groups, centralisation of power is perceived by groups which are oriented toward consensus and are politically independent as something which deprives them of the possessed freedoms in and of itself. Together with the high level of external costs formed by the Somali state apparatus this led to recognition of the existence of the central government as a win or lose situation. In this sense pursuing control over state institutions was necessary not only to gain political power, but also for self-defence against the domination of others. This, in turn, encouraged clans to engage in more aggressive actions, supporting the adaptation of non-cooperative solutions. Consequently, the internal fights in Somalia after 1991 appear to be not as much a result of the lack of the state, but rather of the state’s previous existence.

The commonly known negative aspect of Somali economy which emerged after 1991 is piracy. This activity gained intensity especially after 2008. It was a result of various factors, such as the internal fights and the lack of central institutions responsible for protecting Somali territorial waters, which led to disappearance of any control over Somali maritime area. This, in turn, caused the rapid growth of illegal fishing conducted by fishing companies from various countries. Another effect steaming from the lack of maritime surveillance was the illegal disposal of toxic waste off the Somali coast. All this contributed to an impoverishment of fauna and moti-

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activated a reaction of the local seaside communities, for whom fishing was an important source of revenue. Somali fishermen started to attack foreign trawlers as well as to capture them in order to demand ransom. However, over time the original motivation changed and piracy itself became an important source of income. For a part of Somalis it turned out to be much more profitable than fishing44. Simultaneously, the decline of pirates’ activity which started in 2012 was possible mainly due to patrol and anti-piracy maritime operations conducted in the Horn of Africa region by the international community45.

CONCLUDING REMARKS

Economic development is admittedly an important indicator describing the social situation in a given country. The social and political stability implies reduction of risk and uncertainty connected with entrepreneurial activity. In this sense it fosters investment and economic growth. Simultaneously, economic development fosters further stabilisation, as it promotes cooperation between entrepreneurs. This leads to lowering the risk connected with decision-making. In this sense Somali economic development creates an opportunity for further political and social stabilisation. Simultaneously, it suggests that the state is not a necessary condition for economic development.

The economic situation in Somalia after the fall of Siad Barre’s regime improved compared to the period before 1991. It also presents itself relatively well comparing to the situation in other states of the Horn of Africa. This corroborates the hypothesis that the lack of a centralised institution of political power is not a cause of instability. Economic processes allow us to observe how social order can emerge in spontaneous way based on existing, customary rules, as well as newly formed solutions. Although Somalia has not become an anarchistic utopia similar to these described by Murray Rothbard or David Friedman, it simultaneously illustrates weaknesses of constructions based on the assumption of the necessity of the state and the idea of social contract understood as the ground for any social order46. The state is one of possible political systems formed within the social order. Admittedly, it is currently the most widespread system, but not the only one. Moreover, its effectiveness in the realisation of functions which are attributed to it and in respecting socially accepted moral rules is question-

44 It should be noted that an important catalyst of piracy development was the tsunami which hit East Africa in 2004. It caused huge losses destroying, among others, facilities and equipment used by local fishermen. Additionally, the toxic wastes washed ashore led to pollution of water and soil. In such a situation work for criminal groups turned out to be the only solution for many people. UNEP, After the Tsunami: Rapid Environmental Assessment, at <http://www.unep.org/tsunami/reports/TSUNAMI_report_complete.pdf>, 15 January 2015.


46 D. Friedman, The Machinery of Freedom...; M. N. Rothbard, For a New Liberty...
able. It is the state structure that are partially a source of destabilisation and conflicts, both internal and external ones. Except for the group of the developed countries, most of the states have a dysfunctional character, which undermines any assumptions considering the state as the best possible solution. It is especially apparent in Africa. The situation in Somalia during the dictatorship of Siad Barre provides here a suggestive example. Simultaneously, it shows the negative impact of state-building initiatives on the economic and political stability of the country. This is because attempts to restore the central authorities are strongly based on models according to which these authorities possess exclusiveness for law creation and use of force. At the same time these attempts tend to ignore the possibility of the existence of alternative, polycentric political systems. Therefore state-building processes often lead to conflict with the social order. As a source of power and means of redistribution the state becomes the object of competition between various groups. Together with the substantial role of kinship in Somali society this leads to recognition of the state as an object of competition. In this sense a struggle for gaining control over governmental institutions changes voluntary cooperation, typical for decentralised societies, into a compulsory rivalry. This undermines mutual trust and creates incentives toward non-cooperative behaviours. It is such a situation, rather than lack of the state, that is closer to a Hobbesian state of war of all against all.

The above considerations also refer to the notion of failed state. Rejecting the central role of the state, the approach presented in this article provides a wider perspective to the problem of state’s failure. It treats the failed state as a comprehensive term describing a wide spectrum of social phenomena connected with the instability of legal and social structures. In this sense such a state is not understood as a necessary condition for the existence of any formal system of norms within which social order is placed, but as a factor interfering with other social institutions functioning in a given territory.

The above remarks do not imply that the international community should undertake no actions toward Somalia. Many phenomena which emerged after the collapse of the government, such as piracy and the emergence of warlords, have caused erosion of clan structures and the reduction of the role of the elders. This, in turn, has constrained the abilities of traditional, local structures to stabilise the social and political situation. It also has created space for development of various extremisms which, together with the piracy, form threats to the international community. Although this suggests an existence of the necessity to undertake some adequate countermeasures, it does not necessarily imply a top-down shaping of Somali political and social order, as such attempts have already proved to be counterproductive. It is crucial to provide support for local communities, which does not collide with grassroots solutions and customary rules.

F. A. Hayek, *The Fatal Conceit...*
REFERENCES


**Piotr SZAFRUGA, M.A.** – PhD candidate in Political Science at the Jagiellonian University in Kraków. MA in International Relations and MSc in Mathematics from the Jagiellonian University, MA in Economics of the Austrian School from the King Juan Carlos University, Madrid. His research interests focus on the phenomenon of spontaneous order.
The aim of this article is to present the crisis in the Republic of Mali, a country with the largest democratic advances in West Africa in the nineties. However, in 2012 and 2013 Mali experienced a crisis which had led to a military coup. The collapse of state institutions in Mali destabilized the entire region. The author of the article devoted particular attention to the process of decentralization of power in the nineties. A series of reforms that gave hope to alleviate the Tuareg issue. The author tried to describe the origins of the crisis in Mali in 2012/2013. She focused on the issue of the Tuareg returning from Libya and an accurate description of the course of events. The declarations of independence of Azawad, the military coup, Tuareg denial by the Islamists or the entry of the French army to Mali are the key points of these events. The author mentioned also the presidential elections that bring a chance for stabilization in Mali. As the events in the Sahel have an impact on other countries in the region the author would like to present the effects of the crisis on the situation in Niger, Mali and Libya. The author’s aim was to present a forecast of opportunities and threats for Mali and the region. This topic is very dynamic, the situation in Mali seemed to stabilize but the violence erupted further in the northern part of the country.

Keywords: Mali, the Tuareg, crisis, uprising
The aim of the article is to present the transformation of Mali from the country which made the greatest progress in democratic transition in western Africa to a domestic strife-torn state. The purpose of this article is also to show the impact of the Malian civil war on the situation in other countries of the Sahel.

From 1993, when the process of decentralization of power started, until the events of 2012, Mali was supposed to be an example of blooming democratization, a role model for other African countries of how to accomplish democratic changes successfully. Among all of the West African countries, Mali has been given the highest mark in terms of democratization in the Freedom House Index over a long period of time. In 2012 Mali occupied the 79th place in the Failed State Index. Nevertheless, this West African Republic has been struggling with numerous Tuareg rebellions and turbulence in the north ever since it regained its independence. One of them took place in 2012 when within two months Tuareg separatist groups from the Azawad National Liberation Movement (MNLA) overran the northern part of Mali. The event contributed to the military putsch and to a takeover by frustrated soldiers in March 2012. On April 6, Tuareg rebels from MNLA declared their independence from Mali and announced the formation of the Azawad state in the north of Mali. The Islamic groups such as Ansar Dine or al-Qaeda in the Islamic Maghreb (AQIM) started the fight with the Tuareg in order to establish a country in which daily life would be subordinated to restrictions of the Sharia law. The central authorities of Mali promptly asked France and the ECOWAS (Economic Community of West African States) nations for a military intervention. Despite the initial difficulties, the military action succeeded. Regardless of such a serious domestic crisis, the Republic of Mali was ranked 38th in the Failed States Index.

Mali started to regenerate only a few months after the intervention of the French army, when the presidential elections were held and the new government was established. The new authorities are looking for ways to cope with the economic problems, famine, and migration and are also trying to find alternative sources of income. However, there are still many obstacles on the way to Mali’s stability, of which corruption, the dynamic model of the market for drug trafficking and fundamentalism are the primary ones.

The crisis in Mali also had a serious impact on other nations of the region, some of which waited passively like Algeria or involved its armies to fight with the Tuareg and the Islamists in Mali, as in the case of Chad. Due to the relocation of terrorists, the situation in the south of Libya or Nigeria is still unstable. In my opinion it was the people’s movement after the Malian civil war that largely contributed to such a strong position of Boko Haram in Nigeria and influenced to some extent the destabilization of Libya which is still in chaos.

1. DECENTRALIZATION

Soon after assuming the presidential office in the Republic of Mali in 1992, Alpha Oumar Konaré decided to implement a nationwide decentralization policy. Army revolutions and riots had taken place before Konaré won and Mali was ranked as a Third Wave Democracy. Even though the new government led by Konaré proposed numerous initiatives, it is worth to mention the decentralization programme due to its deep and comprehensive features.

The law established at the local level obliges the provinces to hold administrative and fiscal control over the health care system, education and some parts of infrastructure. Each of the 682 provinces used to choose a council of representatives and a mayor (who holds the most power in the given region) until 1999. Although the provincial elections were postponed many times after the controversial elections of 1997, the decentralization programme seemed to succeed after all.

The Malian programme of decentralization was very ambitious, both in the realm and at the level of transferring power. Locally elected provincial councils had an obligation to collect taxes and to control the budget of three main areas: the health care system, education and development. Earlier each of these things were managed by the central authorities. The newly formed provinces have a privilege to cooperate with other provinces and regional development agencies in order to render better public service.

The presidential government was forced to ring the changes owing to numerous political reasons, especially because of the threat of Tuareg separatist groups in the deserted north areas of Mali. The decision of the president was a pragmatic, political answer not only to the risk of losing territorial sovereignty, but also to the political consequences of the Tuareg threats.

Decentralization is always seen as a tactical move but the political context plays a key role as well and is more important than a project of such a programme. Did the transfer of power to municipal administration become a prerogative of the democratic reformer or a hidden attempt to reassert the power of the central government?

Konaré started his leadership in June 1992 and the Decentralization Mission (DM) was formed six months later. A mandate of that Mission was to start, propose and simplify the process of decentralization within one year. The first action taken by the DM was to demarcate the administrative boundary of the provinces. Apart from their renaming, the DM offered small towns to group into the provinces. This process, more than other processes, extended the mission from one to three years. The actions consisted in getting a group of people together and their task was to teach Malians about de-

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4 Ibid., p. 500.

centralization. The DM was disposing neighbouring towns to come to terms with the issue of demarcating the new boundaries and was helping to choose a main, supervising town for a given province. In the urban area, neighbourhoods were grouped into the provinces. The DM required the provinces to be economically efficient, geographically-integrated, inhabited by 10 to 25 thousand people\(^6\). Taking into consideration some of the northern underpopulated regions and some prosperous, agricultural areas where the small micro-provinces were financially efficient, those criteria were changed. In the bottom line, at the end of 1996, 627 rural and 20 urban provinces were able to manage themselves. The new provinces were regrouped afresh into districts and these were further divided into eight regions. There was a council at each province’s head with 11-45 members, depending on how the province was populated, and the council was elected every 5 years. Its task was to nominate a mayor who was supposed to serve as a provincial executive. Similar councils and executive bodies were formed at the level of districts. Each council is allowed to resolve issues. There are government officials whose main task is to monitor the state interest in every aspect, however the new law instructs to transfer the full range of competences into the areas which are supposed to be controlled by the newly formed authority organs\(^7\).

The new local authorities responsible for executing reform programmes are glad to control the health system, education and a part of infrastructure. They collect taxes and the money is spent according to the budget plan compiled by the councils. This system is different from the previous one when local taxes had to go through Bamako first. Local authorities are also given a free hand in negotiations with entitlement agencies and in raising cash from other sources. Offices which spend development-oriented money more efficiently can be rewarded with extra financial means without fear of losing them on behalf of the central government. The new system also enabled horizontal coordination between all levels of administration and government\(^8\).

In terms of education, the provinces became responsible for kindergartens, primary schools and also they are in charge of literacy programmes. In the scope of infrastructure, the provinces in a given region are in charge of water and energy facilities and also of the public transport, roads, communication, local markets, sporting and cultural events and tourism. However, profit sharing gained by taxes resides in the councils.

At the beginning of his term, Konaré had to come to grips with many challenges. First of all, the peace concluded with the Tuareg was still recent and unstable\(^9\). The president inherited a peace treaty with the Tuareg from his precursors and he had to indicate that he championed the cause of amity and integration. Second of all, the government had to drum up support from the elites in the face of numerous, necessary political changes. Subsequently, Konaré’s government encountered the issue of adjust-

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\(^7\) Ibid.

\(^8\) Ibid.

ing the structures to economic aims and of rationalizing the economy. Fourthly, the president had to make citizens distinguish his initiative from those taken in the past. It was believed that this would guarantee him success. Decentralization was a calculating, political answer to all challenges and in this environment the reforms had a future.

The aim of decentralization was to fight with the “Tuareg problem”, to give more autonomy to the north region and to attend to the problem of the protests of separatist groups. The Tuareg independence movement was a threat not only to the electoral success of Konaré but also to the territorial sovereignty. In May 1993, the president spoke about the “risk of civil war”. From that point on, owing to better administration of the regions by the local elite, the administration in the north could satisfy some claims of the disgruntled people. Many Tuareg groups did not sign the National Pact in April 1992, but over time plenty of groups suspended their military actions and signed the settlement. Decentralization was validated and all groups declared peace until June 1995. The distribution of power aimed at co-opting the groups of the Tuareg by re-admitting them under the umbrella of the central government. The government handed over the administration authority to the local units and by doing that it wanted to show its allegiance to the idea of democratic distribution of power to the Tuareg groups.

The voice from before the civil war about the willingness to stop the process of decentralization betokened that not all sections of the society of Mali wanted the change. Reforms were accepted in the north and amid the rural communities but still they carried a political risk. A great deal of Mali citizens still expressed their opposition to greater administrative autonomy of the Tuareg. Decentralization had many political opponents. According to them, there was no guarantee that the newly elected members of the provinces’ councils would keep the spirit of reforms and that they would serve people better than the government officials. Other politicians said that the reforms could end in taking further privileges from the local authorities. With the course of time it turned out that not all of the reforms worked out; combating the threats of Tuareg separatist groups went astray.

2. THE BREAKOUT OF THE CIVIL WAR

This West African Republic has been struggling with numerous Tuareg rebels and turbulence in the northern part of the country since it regained its independence. Therefore it was in the beginning of 2012 when within two months Tuareg separatist groups of the Azawad National Liberation Movement overrun the northern part of Mali.

The portion of northern Mali (to the north of Timbuktu) claimed by the Tuareg rebel movement is now called Azawad. The name derives from the Berber word Azawagh and refers to a dry basin covering what is today north-western Niger, parts of north-eastern Mali and southern Algeria. It is often said that the word Azawagh is translated

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11 Ibid., p. 518.
into a land of transhumance which is the seasonal movement of people with their livestock between fixed summer and winter pastures12.

Since the indigenous Tuareg population has regained its independence, Azawad is accepted to be the last territory which should be claimed as an independent country. The Tuareg were pursuing an independent country because they have long complained of being marginalized by the government which favoured sedentary agriculture. In 1960 the French adjoined Azawad to Mali.13

The Tuareg are nomads, the population is over 5 million and they have a very strong separatist tradition which does not allow them to recognize connections with countries governed by sub-Saharan population and to which they are subordinated due to decisions of the colonial authorities.

From the point of view of history, the claims of the Tuareg people to gaining autonomy date back to colonial times. In 1890, the French colonial forces had to check the military resistance in the north of Mali. The Tuareg spearheaded resistance to colonial rule and numerous rebellions incited especially due to the drought that took place in 1910 in today’s Mali and Niger. In the late 50s, within the process of independence transformation, the Tuareg were disappointed that their separate country would not be established. The revolt in 1963-64 reflected their discontent against post-colonial governance, their desire for independence and the division among the Tuareg from Kidal. The brutal suppression of these protests by Mali’s army still provokes anger in the Tuareg nation. The fathers of current commanders of separatists such as Mohamed Ag Najem, Ansar ad-Dina or Iyad Ag Ghali died in that conflict14. The drought occurred in northern Mali in 1970 and the government’s insufficient help and violations of international aid caused another wave of anger and mass migrations to Algeria and Libya in search of work. Further Tuareg separatist rebellions took place in 1990 and again 2006. Various peace settlements, development programmes or even decentralization was not able to improve the standard of living of the Tuareg and to de-escalate their separatist claims15.

The authorities of Algeria and Libya managed to scotch the Tuareg revolts, even though these countries are multitudinously inhabited by the rebels. Especially in Libya, Col. Muammar Gaddafi assumed the approach of supporting the Tuareg movement outside of the country in return for internal peace. In Libya the Tuareg were better accepted than in Mali, especially after Muammar Gaddafi’s statement in 1982. When Col. Gaddafi announced that Libya is home and the place of origin of the Tuareg, which gives them undeniable right to return to Libya16. In fact the Tuareg in Libya

13 Ibid.
15 Ibid.
were faced with racism and discrimination. Many of them were arrested or mistreated. They were able to have only the most inferior jobs and it was difficult for them to receive legal documents. However, many of the Tuareg choose the life of illegal immigrants instead of Libyan citizenship which will not allow them to travel abroad. The Libyan army willingly recruited the Tuareg. Those expatriated men were trained not only militarily but also ideologically. They were taught the identity which differed from the ethnicity and traditional political structures in consonance with the premise of “the Tuareg nation based on the mythological foundations.” The colonel’s failure and the conflict between the African population and the Arabic majority in Libya led to the reappearance of militarized Tuareg rebels in their countries. First they fought in the Libyan armed forces and then they joined separatist movements. The return of Gaddafi’s soldiers caused new conflicts and demands. The reunion of the Tuareg coming back from Libya and their brothers from Tuareg Movement of Northern Mali, Ibrahim Ag Bahangi, started the National Movement for the Liberation of Azawad (MNLA) in October 2011. A former colonel of the Libyan army, Mohammed Ag Najem, assumed leadership of the MNLA and joined the Tuareg in the region of Kidal together with his considerable armoury (the Soviet BTR-60 eight-wheeled personnel carrier, a BM-21 missile launcher and surface-to-surface missiles) and about 400 soldiers from Libya. The Tuareg dignitaries, who were involved in politics and had advocated the “national peace policy” before, now started separatist actions. Many soldiers deserted from the Malian army.

Baz Lecocq from Ghent University prepared a comparison of Malian and Tuareg nationalism. Both the state of Mali and the Tuareg linked the nation with the state. The Malian political elite and the Tuareg leaders imagined that the nation had a right for political sovereignty and independence. They often mentioned the fact that their nations were independent before the colonial era. The only difference is that the Malian elite equated the Malian nation itself as connecting diverse ethnic groups that should take care of the common interest, whereas Tuareg politicians imagined the nation as homogenous striving for independence from a different nation. Thus, within the Malian state there clashed two views on the nations, having a completely different purpose.

In their rhetoric, the Tuareg refer to the slaughter, exaction of humanitarian aid and violations in its dispensing in 1963, 2006 and 2010. They claim that the Malian indulged in “inhumanity” using the drought in 1967, 1973, 1984 and 2010 to get rid of the people of Azawad. The Tuareg also argue that when they asked for and received the essential humanitarian aid from abroad, the government allocated it to the south of the

21 B. Lecocq, Disputed Desert..., p. 27.
country. Many researchers note that the Tuareg community was not involved in politics in independent Mali. They did not participate in elections due to the lack of interest and did not see any benefit in them. For the same reasons none of the Tuaregs leaders took an active part in elections.\textsuperscript{22}

The Tuaregs claimed in their statements that over 50 years of wrong governance, corruption, and political, military and financial conspiracy endangered the existence of the Azawad population. It also jeopardized the stability of the sub-region and international peace.\textsuperscript{23}

Baz Lecocq says that “the main reason for the rebels’ success is that their adversary, the Malian government and army, has “collapsed.” During the fighting early this year, government forces were continually losing ground. Disillusioned with the leadership of President Amadou Toumani Touré in response to the Tuareg rebellion, army forces staged a coup d’état. The new leaders hoped that the putsch would improve the army’s capacity to fight the rebels. However, the disorder in the capital only strengthened the relative power of the MNLA and the other groups operating in Azawad.”\textsuperscript{24}

On March 21, a number of military units of an army of eight thousand men from Mali took over the capital city of Bamako, recalled the upcoming presidential elections and put the outgoing president Amadou Toumani Touré under house arrest.\textsuperscript{25} Meanwhile, within less than two months, the Tuaregs took control over half of the country. The northern part was taken without any serious fights by the separatists who had been starting the rebellions before demanding independence. They were supported by the until then unknown organization Ansar Dine, often regarded as a faction of Al-Qaeda in the Islamic Maghreb.\textsuperscript{26} It is a group of Algerian origin but today it features combatants from at least a few or so African countries, it is also suspected of having ties with Al-Qaeda. Due to the dysfunction of the central government the division of Mali took place in April/May.

It is necessary to note that the coup in Mali, contrary to stereotypical opinions explaining lack of respect for constitutional rules with specific regional conditions, happened in the country which is considered to have made the greatest – next to Senegal – progress in democratic transformation in Africa. The reasons of the military coup can be traced to two factors: the frustration of soldiers caused by the loss of the northern territory and control of smuggling routes taken over by Tuaregs.\textsuperscript{27} The coup in Mali happened when all the Maghrebi countries were facing the consequences of the Arab Spring, which limited their regional activity. Some countries as e.g. as Tunisia passed...
the process of political transformation, while other countries such as Algeria or Morocco did everything to defend themselves against social rebellion. Another important factor was associated with the change of government in France and the reluctance for another (after Libyan) international intervention in North Africa.

On 6th of April after several months of fighting in Northern Mali representatives of National Movement for the Liberation of Azawad declared independence of the state of Azawad in Northern Mali in a statement signed by the General Secretary of the Movement-Bilal Ag al-Sharif. MNLA called the international community to recognize this new state. The statement also announced the recognition and respect for borders of neighbouring countries. The New state was announced on an area of 850 thousand square kilometres. Timbuktu was the last town in the north in hands of government troops so when it was taken over by the MNLA they decided to announce independency. The MNLA secretary announced that the proclamation of independence took place after consultation with the representative bodies of the Tuareg.

What distinguishes the National Movement for the Liberation of Azawad (MNLA) from other organizations operating in northern Mali is the fact that this movement refers to “the right of nations to self-determination”. MNLA also ensured that “the new independent state of Azawad didn’t want to expand their territory to southern Mali and wanted to announce [a] democratic constitution.” Fearing that the strong influence of Muslim fundamentalists among the Tuareg would lead to the establishment of religious law in the territory which is under the control of the MNLA they decided to ensure freedom of religion in the constitution.

The declaration of independence of Azawad was supposed to be a confirmation of a unilateral end of military action. MNLA promised to cease fighting because the Tuareg had already achieved their goal which was “to put an end to Malian occupation.”

The European Union, the African Union and former colonial metropolis immediately rejected the declaration of independence of Azawad.

However, the MNLA quickly felt into conflict with Islamist groups such as Ansar Dine and AQIM. the MNLA and the Islamists had completely different goals. The MNLA wanted to establish a secular, independent state but Muslims organizations urged to introduce Sharia law and to create a Muslim state.

To understand what makes Islamists groups so strong one has to trace their origins: 1) The AQIM is the oldest of Islamist organizations in the Maghreb. It comes from the insurgent Islamist movement (GIA-Armed Islamic Group) which fought against secular Algerian military government in 1990. Many soldiers of the GIA were trained in Afghanistan during the war with the Soviet Union. They learned then about the doctrine of Salafism, a kind of Islamic fundamentalism, and

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30 Ibid.
learned the basics of the struggle against secularism, which then they brought to Maghreb. After that Al-Qaeda of the Islamic Maghreb broke away from the GIA and since then is a part of a larger movement of Al-Qaeda. The MUJAO had broken away from the AQIM at the end of 2011, setting the expansion of Islam in Africa as its goal31.

2) Ansar Dine is composed of natives and the goals of its leader Iyad Ag-Ghaly are unclear. Ag Ghaly started as a Tuareg insurgent and ultimately helped negotiate a peace settlement with the Government of Mali in the 1990s. Later, as an employee of the government, he visited Saudi Arabia where he made contact with extremist groups. Gradually he changed from a person who liked alcohol and women to a devoted Muslim. During the meeting with the leaders of the Tuareg in October 2011 he offered to lead the MNLA. However, his desire to introduce Sharia law made his candidature unacceptable. It is difficult to establish whether his fight is conducted with religious or personal-political reasons32.

Various Islamists groups are connected with it. For example, the MUJAO (Movement of Unity and Jihad in West Africa) has links with Boko Haram, another fundamentalist group operating in northern Nigeria.

On 27th June a battle took place in Gao. Armed contingents of Al-Qaeda and the MUJAO tried to assume control of the city by attacking the headquarters of the Interim State Council of Azawad, MNLA provisional government.

After the battle of Gao MNLA withdrew from major cities and started preparing to rebound territories. Members of the MNLA were afraid of trying to rebound Gao because the Islamists took dozens of the Tuareg, both civilians and members of the MNLA, into captivity. They threatened that they would kill the hostages if the MNLA attacked. After the battle in Gao on 27th June which MNLA forces, the Islamists gained the upper hand over Tuareg insurgents. Cities that were previously occupied by the MNLA such as Gao, Kidal and Timbuktu fell into the hands of Ansar Dine and its allies. In Timbuktu members of Ansar Dine destroyed the ancient tombs of Muslim scholars from the fifteenth century, acknowledging the worship of people as a violation of Sharia law. Islamists enjoyed their increasing authority. Many researchers wondered how the MNLA managed to win battles with the government but lost with Islamists groups. The success of the Tuareg rebellion was due to the weakness of the Malian state, not to the organizational or material advantage of the MNLA. But in fact the insurgents did not really strengthen their forces since the last rebellion in 200933. Their weakness was exploited by Islamists.

The MNLA planned to regain power in Azawad. However, there were rumours that those Islamists movements in Azawad: MUJAO, AQIM, Boko Haram, Ansar Dine, benefit from financial support from Algeria and Qatar. The MNLA decided to

31 M. Dissler, ‘A Mirage...’
32 Ibid.
33 Ibid.
ask the international community for support in the fight against jihadists and to rid the country of terrorists.

Numerous movements and organizations fighting for power in Azawad and the fact that there were domestic conflicts between secular nationalists from various Islamists groups led to misinformation and misunderstanding of the situation in Mali34.

Islamists managed to change the plans of France. Earlier French forces were too confined to logistical support and intelligence, without using ground forces. However, the French government was forced to take part in war, mobilizing the land forces, intelligence, logistical support and air forces. They also asked for the support of neighbouring countries and the entire international community.

With the arrival of soldiers from armed Islamists movements on the outskirts of Mopti, their invasion on the city of Konna and military incompetence of Malian troops, France was forced to fulfil its earlier promise and to accelerate the dispatch of troops in Mali in order to prevent Islamists from gaining Bamako. When on 11th January the armed Islamist movement reached the outskirts of Bamako French troops sent a contingent of 2,500 to support the African Standby Force. On the first day two French helicopters were shot down and two French soldiers were killed. The French were forced to withdraw combat helicopters after it turned out that the Islamists had the ability to shoot them. French troops focused on using gliders: Jaguar, Mirage, Rafael.

France gained the legitimacy of their military actions in Mali using the request of the Mali government for assistance in maintaining sovereignty in the wake of Islamist attacks. It was also supported by United Nations, which issued resolution 2085 of 12th December 2012. The resolution facilitated the establishment of an international force to assist Mali in the fight or to regain the northern part of country. Another justification was to prevent the occurrence of the Salafists operations zone which could become a threat to the region and international community35.

The French intervention in Mali was associated with the protection of French interests in the region and an attempt to promote French presence in this part of Africa in reference to the colonial past. This region is important for France because of the mineral resources in Mali. Significant deposits of oil, gas and minerals located near the Algerian border are in the area of French interests because they are close to their deposits exposed in Mauritania. Explaining the intervention, President Francois Hollande said that France did not have any alternative and had to intervene in order to prevent the creation of a state dominated by terrorists who could affect the safety France and other western countries. The collapse of the state and the inability of Malian armed forces to defend the country and to stop the separatists and Islamists combined with the lack of action on the part of African troops forced France to act with the consent of the international community including Russia, China and the regional actors. The legality of the French intervention was not challenged ever because France was obliged to respond to the request of the interim president of Mali for support and intervention in order

34 Ibid.
35 Ibid.
to end the crisis, although the interim president did not have a democratic mandate of any kind. France sent a total of 4,000 soldiers and a well-equipped air force, which won the support of 6,000 ECOWAS soldiers involved in African-led International Support Mission to Mali. Moreover, other key players such as the United Kingdom, Belgium, Canada and the United States provided military support, logistics and intelligence.

President Hollande’s decision to intervene in Mali had a positive impact on the social support for him and on the image of France in the international area. During the first year of his reign president Hollande was criticized for his too gentle way of governing. The French intervention in Mali had helped to improve the image of the president.

President Hollande declared that the one and only goal of France was to fight the terrorists, what seems a bit controversial. Many researchers believe that the real goal was to protect the French economic interests in Mali and especially in neighbouring Niger. The spread of the conflict to Niger could have serious consequences for French interests. France runs a significant mining business in Niger, they import uranium from Niger to ensure France’s energy security.

Regaining the region of Mopti from Islamists was the main aim of the French intervention called operation “Serval”. French forces helped Malian, Chadian and ECOWAS forces to regain the biggest cities of northern Mali in January. After that they focused on ensuring security in the northern part of the country.

In February 2013, most cities had already been taken over from the hands of rebels by the French and Malian army. The first stage of the French military intervention was characterized by quick regaining of cities. It was followed by a series of guerrilla attacks made by Islamist militants including the first suicide bombing in the history of Mali which took place on 8th February 2013 in Gao. Foreign ministers of the European Union on 18th February approved the deployment of military training mission in Mali (EUTM – European Union Training Mission in Mali). The aim of this mission was training and assistance in the reorganization of Malian army. Once it was accepted, the mission was to be attended by approximately 200 military instructors and would last 15 months. Military action resulted in rapid regaining of the strategic position. It seemed that ensuring stability in the country would be more difficult.

In February during his visit to Mali president Hollande presented a plan for the withdrawal of French troops. In April parts of French troops started retreating and they had being replaced by the forces of ECOWAS whose aim was to help Malian troops in maintaining security and stability. It seemed that France had achieved all the direct and short-term goals such as: preventing the acquisition of Bamako by Islamists and the creation of a religious state, ending the secessionist uprising in northern Mali and assisting government of Mali to restore control and sovereignty over territories. This


37 Ibid.

38 Ibid.
short-term success of the French intervention led to calls from France to deploy African troops and the UN peacekeeping force to replace the French forces. On 18th June Malian authorities failed to sign an agreement with Tuareg separatists. However, the immediate ceasefire was announced. Rebels agreed to hand over control of the town of Kidal, the last town which was previously entirely subordinated to them. The Malian army with the approval of the Tuareg according to the agreement are stationed in the northern part of country. To do this a committee consisting of eight Tuareg members and government representatives was set up. The committee was also composed of six members of the international organizations involved in the resolution of the conflict. The goal of this committee was to develop transfer of control of the Azawad to Malian military security forces within 10 days. Improving security has led to announcement by Malian government of the return of democratic and constitutional rules by holding the presidential elections on 7th July 2013.

3. MALI AFTER THE CIVIL WAR

On 7th July 2013 the presidential elections were held. During the elections there were news about gradual stabilization of the country and the return of people who emigrated from Mali during the military coup and uprising that shook the country more than a year ago. Malians are slowly returning from areas of Burkina Faso, Mauritania and Niger. Just over 8,000 returning people had been registered in the regions of Gao, Mopti and Timbuktu between 25th June and 12 July 2013. It was the most significant number of returnees since the United Nations Office for Coordination of Humanitarian Affairs began to prepare such reports.

In Mali there were still many traces of the war. Robberies occurred frequently, a sense of mistrust was common but less violence was reported in August since April 2013. The active presence of the army, the government and the local administration encourage people to return. More than 175,000 Malian citizens in 2013 were still refugees in neighbouring countries and 353,000 people were still displaced because of the coup of March 2012. Neither the state nor the UN agencies were trying to encourage Malians to return but rather to meet their immediate needs, such as providing food. International organizations reported a high degree of malnutrition in the region of Gao and the situation was likely to worsen with the large number of returning people.

In the beginning of the year 2013 the crisis in Mali had forced up to 300,000 people (other sources say 400,000) into exile, as announced by the office of the United Nations High Commissioner for Refugees and Displaced People Monitoring Center. Among these 300,000 people 200,000 to 230,000 were displaced within Mali, 40,000 in Bur-

39 Ibid.
41 Ibid.
Kina Faso and 50,000 in Niger\(^\text{42}\). Many people had also fled to Mauritania where more than 70,000 were in the camp Mbera in April 2013 as the Doctors without Borders reported\(^\text{43}\). An unknown number of people fled to Algeria and other countries in region. Those who had been displaced are living in terrible conditions. The International Committee of the Red Cross announced that the displaced people who are currently located northeast of Mali were suffering from lack of food and water.

Along with the elections in Mali there is a real hope for change, the government had plans to allow voting in the neighbouring countries. Reasons for returning in addition to the desire to participate in the elections were to see what happened to Mali, and to find if it was possible to receive assistance from international organizations. However, emigrants suffered from the lack of adequate food and they needed help to rebuild their homes. Children often had the problem of coming back to schools and regional economy which had been affected by the unrest was not able to provide an adequate standard of living for the returning population.

The first elections in Mali since the coup in March 2012 aimed to show the international community the return of Mali to democracy. The Electoral Commission reported a few minor problems in the conduct of the vote but no manifestations of violence in the northern part of the country during the elections.

Since the morning, long queues lined up before the electoral commissions. There were 27 candidates reported but Ibrahim Boubacar Keïta was the favourite, predicted that he would even reach an overwhelming majority of votes\(^\text{44}\). Elections were held under the observation of the European Union and the United Nations and the turnout was 50%. Reasons for the low turnout were not only an insufficient number of ballots but also intimidation on the part of the MNLA. Youth supporters of MNLA protested against electoral commission in Kidal region. Despite the fact that in the region of Azawad still dominant forces are MNLA and the High Council for Unity of Azawad (HCUA) electoral commissions were opened and protected. Although the Tuareg approached voting unfavourably they announced that they would promote the idea of peaceful elections. The Malian authorities reported that the Tuareg had kept their word\(^\text{45}\). In the first round of elections none of candidates won the required 50% of the votes, a second round were scheduled for 11th of August 2013. Two candidates were taking part in the second round: former Prime Minister Ibrahim Boubacar Keïta (40% in the first round) and former finance minister Soumaïla Cissé\(^\text{46}\). The second round was won by Ibrahim Boubacar Keïta after the resignation of Soumaïla Cissé.


\(^{45}\) Ibid.

Ibrahim Boubacar Keïta was faced with the difficult task of pulling the country out of the crisis. Referred to as IBK, Keïta is popular especially in southern Mali and in the capital. In the first round of elections he won by an overwhelming majority in all the districts in the area of Bamako. Supported especially by young people, he has a reputation of being fair and equitable, he enjoys trust as a person who can improve the situation in the country. Keïta was a prime minister from 1994 to 2002 and a speaker for parliament from 2002 to 2007. Before that he studied history and international relations at the University of Dakar and at the Sorbonne. After graduation he worked in the French think tanks and NGOs. During the democratic transition in Mali in 1990 he supported president Alpha Oumar Konaré, serving as his spokesman. Firstly, he was appointed ambassador to Ivory Coast, the Minister of Foreign Affairs (1993-1994) and later held the position of prime minister. Keïta took part in the presidential elections twice. He also has good contacts with foreign authorities. He is well known in the European Union and among Malian donors. This knowledge may be helpful more than ever because after the coup in March 2012 the economy is stagnant and many foreign investments were stopped, what was the reason for the European Union to grant Mali with 520 million dollar aid in 2013-2014. Mali really needs this money to return to the path of development. Many citizens hope for more, they want a permanent peace with the MNLA, on the list of priorities there is also a stronger army.

The state can be also enriched thanks to the contract signed in 2013 for the production of oil in the Taoudeni basin which extends from Mauritania to Algeria through Mali. Czech company New Catalyst Investment is to invest 51.7 million Euros in exploration in the Malian part of the basin. The Irish Company Circle Oil will allocate 7.7 million in another part of the Malian Taoudeni basin. It is believed that attracting investment is an important step to ensure peace and stability in the region. According to a political analyst from Mauritania – Ould Habib, “Mali is in the moment of being in the spotlight of foreign corporations but most companies interested in the region are afraid to invest in it because of the safety reasons. Perhaps the Malian government realized that due to the large international interest in fight against terrorism Mali has the ability to draw attention and to attract investments as soon as stability is restored.” The country is becoming stable due to the fact that the Tuareg lean towards an agreement with the government. Consent requires that local communities will receive a part in the management of natural resources. A proposal of employing the Tuareg in the protection of oil installation had appeared. Money can help fight violence and begin of a string of investments in the Taoudeni basin, which will have an impact on economic growth, increasing the income of residents and protecting the work of young people. It can also affect better cooperation between Mauritania, Algeria, Mali and Niger – four countries each of which have to deal with terrorism.

47 Ibid.
48 Ibid.
50 Ibid.
The main challenges which Mali faced after the elections were the solution of difficult security problems in Northern Mali, including the armed Tuareg groups, as well as Arab and Songhai militants. In this regard, the national dialogue should cover the following topics: administration in northern regions, the strategy for regional and local integrated development, reorganization of the defence, security forces and the socio-economic programs related to disbarment, demobilization and reintegration of armed groups in northern Mali. It is also necessary to improve administrative, economic and political governance, addressing the issue of refugees and their resettlement, protection of human rights and justice. President Keïta also planned to convene a national conference on northern Mali. This conference would be a prelude to negotiations on a final peace agreement. Another important task is to continue the introduction of democratic institutions, including the renewal of the National Assembly. The aim is also to achieve economic recovery, which in addition to the international community support is also dependent on the ability of the new government to create the conditions for development of economy also in peripheral areas. It is also important for the future to communicate with the opposition and to minimize the risk of protests and uprisings during the parliamentary elections.

4. THE IMPACT OF THE CRISIS IN MALI ON NEIGHBOURING COUNTRIES

It is a common fact that each country of the Sahel is a project under constant construction. Malian neighbours must endeavour if they do not want to cope with the same problems as Mali. Without a willingness on the part of three or four strong regional players to take urgent action to make cooperation with its neighbours closer, there is a concern that the management in the region may cease to be a regional issue and will become an international problem. In the Sahel as in any other region of the world security is closely related to the external political events.

Boko Haram continues its activity in Nigeria but also in neighbouring countries. The situation in Libya is still unstable; there is a strong conflict between the Tuareg and the Arabs. The passivity of Algerian diplomacy leads to its isolation. All these factors contribute to the activities of Islamist groups.

Algeria

Islamist groups in Mali were serious threats to the security of Algeria because most of them were organized at the time of the Algerian civil war in the 1990s. Islamists set up training and logistical bases in mountainous regions of Ageulhok and Tessalit near the

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52 Ibid.
Algerian border. Therefore, it did not seem strange that with the outbreak of the crisis in Mali the Algerian government opposed the military intervention in Mali because of fear of escalation of terrorist insurgency and possible destabilization of areas of Algeria\[^{53}\]. The fear that armed Muslim rebels would retreat towards the border had become a major security problem of Algeria. Therefore, at the beginning of the crisis Algeria closed the border with Mali. These fears seemed justified as armed Islamists were fleeing the French air raids on Timbuktu and Gao by retreating into the mountains near the town of Kidal at the Algerian border. The anxiety of Algerian authorities became justified during the attack of Islamic extremists at the Amenas refinery. Kidnapping and murder of hostages supposed to be retaliation for the French intervention in Mali. The taking of hostages in Algeria led international key actors such as the United Kingdom to become more involved in the fight against terrorism and extremism. Two years of unrest in the Sahel have shown the scale of Algerian government’s problems with the adaptation to changes in regional and international politics. Without a clear vision of more realistic, geostrategic strategy, the position of Algeria is the subject of speculation. Some Algerian neighbours believe that during this double game Algeria firstly wants to keep the internal state of the terrorist threat which is to discourage citizens to protest modelled on the Arab Spring and secondly, it wants to secure a supply of external funds to finance the military. Diplomacy which was once a pillar of Algerian prestige in Africa became obsolete in the face of today’s challenges. The old elites are ignoring the effects of globalization and the way in which Arab and Tuareg uprisings radically changed realities of the region. Algerian authorities are reluctant to accept the new regional balance and thus they were unable to take advantage and fill the gap that was created after the elimination of Gaddafi\[^{54}\].

Niger

The crisis in Mali has a direct impact on the Niger, where the same problem was the influx of armed Tuareg and Islamists from Libya. Niger troops involved in the ECOWAS intervention in Mali which aimed to stabilize the situation in Mali before the crisis would move abroad from Niger. The main concern of the authorities of Niger came not only out of fear that the influx of separatists from Mali would worsen the tense situation with Niger’s Tuareg community but also out of fear that Muslim militants could use the territory of Niger to carry out guerrilla attacks against French forces in Mali and West Africa. There were numerous indications that the crisis in Mali could move on to Niger, which has a similar internal situation as Mali. However, it seemed doubtful that France would allow Niger to fall into such a chaos as Mali because of its strategic importance for the French energy security. On the other hand, many researchers thought


that the crisis in Mali would not repeat in Niger where the government took demands of the Tuareg into account. In Niger the Tuareg have been more involved in shaping the political and economic reality of the country. Encouraged by the situation in Mali, Niger increased military spending to improve its security. However, this emphasis on security leads to the relocation of resources at the expense of social investments.

Libya

During the first half of 2013 former Tuareg insurgents from Niger moved to the borderland between Libya and Niger what was then done by several members of extremists groups fleeing from northern Mali. Since Gaddafi’s fall southern Libya has become an integral part of problematic issues of security in the Sahel and Sahara. There is a variety of forces fighting to control southern Libya. Many of them are a nominal part of emerging security system but they really pursue their own interests and their members are recruited from various ethnic and tribal groups. These individuals are officially entrusted with the task of controlling the borders. However, they often engage in lucrative cross-border activities. Smuggling drugs, weapons, alcohol, subsidized goods is flourishing and northern Niger has became an important transit area. Armed groups organize themselves in southern Libya or use these as a place of training. The significance of the number of links between groups was demonstrated during the attack on the pipeline in Amenas in southern Algeria in January 2013. Several reports suggested that the attackers came from northern Mali, northern Niger and southern Libya where they gained weapons.

The influx of armed militants caused a difficult situation in Libya. Now two governments (in Tripoli and other one in the east) are fighting to gain control over the whole country. As Leon Bernardino, U.N. Special Representative and Head of United Nations Support Mission in Libya announced on 28th May 2015, stated, Libya is close to economic collapse due to the conflict between two rival factions. The tough situation in Libya made this country’s coast a jumping off point for migrants’ travels through the Mediterranean Sea.

Nigeria

Although Nigeria does not have a border with Mali, it is one of the countries in the region which is seriously affected by the Malian crisis. The Nigerian government perceived the crisis in Mali as a national security problem. Nigeria is currently struggling with Muslim extremist groups, notably the Boko Haram. It is believed that members of


56 Ibid.

AQIM have trained members of Boko Haram in northern Mali. The Nigerian initiative to deploy forces in the African-led International Support Mission to Mali was supposed to be a pre-emptive intervention to break the extremists in Mali and to prevent them from granting their support for the Boko Haram\textsuperscript{58}. The Government of Nigeria like most Western countries and Malian neighbours was afraid of the establishment of a terrorist state in Mali and the base from where the terrorists would attack Nigeria and threaten the unity of the internally divided country.

Unfortunately, it happened, Boko Haram became really strong and poses a direct threat to the unity of Nigeria which in April 2014 cost already more than 4,000 lives and caused internal migration of about half a million. It also devastated the economy in the northeastern part of the country and ruined hundreds of government buildings\textsuperscript{59}.

5. THREATS AND OPPORTUNITIES

Nowadays, Mali is at the turning point in its history. With the leadership of democratically elected president and government it starts a long and laborious process of the reconstruction.

The elections on August 11 in 2013 lived up to the expectations of the Malian and external actors about the legal transit of power. President Keïta has to face many challenges. The biggest problems concern four hundred thousand displaced Malian people, conducting permanent peace with MNLA, negotiations about the role of Islam in the public life and getting the credit from legitimate government among all the Malians. Additionally, the new government has to come face to face with the terrible state of national economy and with the problem of corruption which led to citizens’ loss of faith in the public institutions upon crisis.

Even if the effort of the European Union and United States repays and the Malian army will brace it to deal with domestic problems, it will not be able to handle the problems arisen over an international location. And those regard fighting with enormous network of political, military and economic ties. As it is public knowledge, senior military officers and soldiers are connected with organized crime\textsuperscript{60}. The drug trafficking business still flourishes in the neighbouring countries of Mauritania and Niger. In both of these countries, groups of drug dealers are very influential. Mali is a transit area of marijuana and soft drugs. Crime network groups of the Moroccan, the Sahrawi, the Algerian and the Libyan people are involved in the drug traffic in Mali as well.

There are many trans-Saharan drug trafficking and smuggling routes within the Sahel. The most popular smuggling routes lead to seaside resorts – through Guinea and


\textsuperscript{59} Ibid.

Mauritania, northern Mali, Algeria, Libya and Egypt all the way to Europe. Drug trafficking in each of those countries is linked with the great network of drivers and the service that use the protection of civil and military power.

Some of the international key players still send their economic and military support in order to fight against drug trafficking, even though those who are involved are unwilling or unable to deal with the problem. For instance, growing international response to the problems in Mali led to dramatic growth of organized crime. It is crucial for the international community to estimate if the country is ready to take up that help before it is sent.

International support with empowering national institutions’ suitability is not enough. State entities must be ready to thwart the actions of drug traffickers or gun-runners and to control an illegal cash flow. Without government determination, all the external efforts to equip the executive and its army, police or the judiciary could backfire. It is believed that a country which lacks suitable institutions but has a leader who is determined to combat terrorism and organized crime is the best candidate to build future potential.

The French actions to establish military control in the north of Mali and to drive jihadists and armoured criminal away from their lairs in Ifoghas and in Tigharghar mountains will not extirpate the endangerment in Mali. Even though Al-Qaeda in the Islamic Maghreb and its allies were defeated in Mali, the main threats will sustain as long as the government will not show the volition to pre-empt the terrorist and criminal activity.

Due to the crisis in Mali new possibilities to recruit the new members to terrorist groups and to run guns appeared after the civil war. The biggest concerns grow over the refugee camps in the neighbouring states. In April 2013, Secretary General of the United Nations advised caution about the radicalism of the Sahrawi people in the refugee camps located in north-western Algeria which are under Polisario control. It was the first time for the senior office of the United Nations to forewarn against something that has been mentioned for many years by the experts who call those camps from Western Sahara a “ticking bomb”. The same concerns apply to the refugee camps in Mauritania and Niger where Malian refugees live in terrible conditions. Organized crime and extremist groups will still use the weakness of countries, frozen conflicts such as in Western Sahara and lack of regional cooperation in terms of state security.

Another important threat applies to how the radicalism of mood influences the local stability. Extreme ideologies imported from the international Islamic organizations


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which justify armoured warfare permeate into society and lead to radicalization of religi-
on discourse and to extremism.\textsuperscript{65} Drug trafficking and the local network of terrorist
groups has its influence on the growing popularity of the Islamic ideologies within the
country. It is necessary to recognize not only the determining factors of radicalization
but also the reasons which led the extremist groups to settle in northern Mali. What
impelled the young Malian men not only from the Tuareg tribes but also the Fula or Songhai
people to join the MUJAO? Plenty of them do it obviously for the financial or local reasons (diverse society, no access to education, common sense of injustice). Others join the terrorist groups out of strictly ideological inducements.\textsuperscript{66} For the same reasons, Tuareg rebels willingly join the Ansar ad Din group. Many of them believe that only Salafi ideology can unite various Tuareg clans, sundry ethnic groups or even the whole Mali. The leader of Ansar ad-Din, Iyad ag Ghaly, proposed: “an alternative to both the Malian nation-state, riddled with corruption and nepotism, and the political ideal of Tuareg independence, which so far has been unable to overcome the divisive clan structures within Tuareg society.”\textsuperscript{67} Such words sounded compelling before the civil war and will for sure draw men to join extremist groups after it. Therefore, in order to provide security development in Mali, the first step is to understand who seeks to join these violent extremist movements and why.

The crisis in Mali and damage which armoured Islamic groups caused to the Malian
community gives the political leaders an opportunity to marginalise extremists and to
discredit their narrations and ideologies.\textsuperscript{68} Applying repression against the extremists
would be unsuccessful in the long run and could give the voice to frustration and dis-
content. The bigger the gulf between the expectations of the youth and the willing-
ness of the government to meet them, the higher the risk that those young people will
turn to various crime groups which draw them with the vision of acquiring some basic
goods.

The roots of the crisis in Mali are deep and complex. The internal causes of insta-
bility include weakness of institutions, corruption, poverty and obvious society differen-
tials. The authorities have not consulted the national identity and that led to deeper
fragmentation of the society. What is more, that split is worsening by the legacies of past abuses and military actions. Yet it seems unfair to blame Bamako for conduct-
ing a discriminatory policy against northern Mali and especially against the Tuaregs.\textsuperscript{69} A few governmental, economic projects (primarily in terms of infrastructure) were northbound, but their impact on the population’s life standards was limited due to gross negligence in the area of fund management, lack of responsibility and expanding


\textsuperscript{67} B. Lecocq et al., ‘One Hippopotamus…’

\textsuperscript{68} \textit{Mali: sécuriser}...

\textsuperscript{69} Ibid.
local corruption. Powerful local elites, including the Tuareg were complicit in inaccurate fund managing and in embezzlement of financial funds allocated to the region by the authorities\textsuperscript{70}.

Decentralization and local community willingness to govern were supposed to be an answer to the internal conflicts and an example of good governance, but they led to high level of corruption instead. According to some of the researchers, it is not an exaggeration to claim that electing the Tuareg to the local authorities contributed to the criminalization and delegitimiszation of the state\textsuperscript{71}. Today’s challenge is to reduce corruption and improve the redistribution of public goods. The crisis of 2012-2013 showed that the democracy in Mali was built on unreliable foundations and exposed the greatest challenges which the government has to face. In order to stabilize the country, the concrete anti-corruption measures must be taken as well as actions against human rights abuse and legal empowerment. The authorities must force Malian society, especially the elites, to take responsibility for good governance which would avert future crisis.

There is a threat that army militarization in the northern Mali can reassert the past state of affairs. Supporting the political reconciliation and sending signals to the society that peaceful cohabitation between all the northern communities is in fact possible, should a priority. The process of reconciliation is and will be crucial for the return of hundreds of Malian refugees.

Owing to the events of May 17 in 2014, the conflict in the north of the country triggered a conflict again. Then, the anti-government protests associated with Prime Minister’s visit in Kidal turned into acts of violence in which the civilians and government officials suffered. 36 people died and 87 were injured in the riots. Kidal went under MNLA control again. 20 Malian soldiers died in the fighting over control of this key location\textsuperscript{72}. Moreover, 30 officials were taken captive and held in the governor’s office until May 19 when they were released\textsuperscript{73}. The fighting over Kidal caused mass emigration. It is estimated that 4,5 thousand people fled the city\textsuperscript{74}.

Due to the acts of violence in Kidal, on May 20 2014, special Emissary of General Secretary together with the leader of MINUSMA conveyed a message to the Security Council that certain measures must be taken to save the country from the spiral of violence.

On May 24 2014, three main Tuareg tribes signed a cease-fire agreement with the Malian government. After 4,5 hours of negotiations, three armoured groups: MNLA,

\textsuperscript{70} Ibid.
\textsuperscript{71} W. Lacher, Organized Crime...
HCUC and Arab Movement of Azawad (MAA) signed an agreement with the presence of the president of Mauritania and the leader of African Union, Mohamed Ould Abdel Aziza.\(^7^5\)

Parties of the Malian conflict, which were not involved in the main dialogue, allowed the drawing up of the document that was created mainly by international mediators and in part reflects the interests of mediators. Prioritizing restoration of order and stability rather than making changes that will affect the population of northern part of Mali. The agreement contained only scant mention of such important matters as access to basic social services, labour, which are main topics of the demands of the population of northern part of the country. Putting safety first obscures the need for reconstruction of basic social functions of the state\(^7^6\).

A report of the International Crisis Group from 10th January 2014 warned that “the urgent need to stabilize the [security] situation should not detract from implementing meaningful governance reforms and a truly inclusive dialogue on the future of the country\(^7^7\). The authors from the International Crisis Group wrote in a report that there were also many promises regarding development and strategy of local autonomy but the Malian government aimed to persuade the leader of the Tuareg rebellion and did not concern real causes\(^7^8\). Due to International Crisis Group people should derive some sort of profit from being part of society and that unfortunately did not happen.

The president of Mali, Ibrahim Boubacar Keïta, proposed the Tuareg to step back to their original positions before the acts of violence recurred on May 17 2014 but they rejected it. This means that the separatists were still in control over Kidal and Ménaka. However, both sides agreed to free the prisoners, to help United Nations and respect

\(^7^5\) Ibid.
\(^7^8\) Ibid.
human rights, to form international commission which task is to examine the late conflict and finally to cease any acts of violence.\textsuperscript{81}

Separatist groups and the representatives of Mali’s central authorities met on May 29, 2014, in Burkina Faso, during negotiations which were supposed to be the first step to restore peace in Mali. The members of MNLA agreed to meet with the president in Ouagadougou in the presence of the local mediator.\textsuperscript{82}

The fighting ended on July 24, 2014, the cease-fire was in the effect from then on. Yet, two MAA factions clashed on October 9, 2014, in Lerneb. Eventually, the MAA deviationists formed the Popular Front for the Salvation of Azawad (MPSA). On August 1, 2014, the French army of three thousand soldiers launched an operation under the codename “Barkhane”, which replaced the previous Operation Serval which had lasted since the invasion in Azawad. On August 10, 2014, the French launched an air-raid against the extremists in Essakane. On August 16, 2014, two soldiers of MINUSMA died in Ber in the car-bomb attack. The peace talks in Algeria were resumed on September 1, 2014.\textsuperscript{83} Further that month, on September, 12 Tuareg organizations signed a federal solution for Azawad. Unfortunately, in October 9, 2014 United Nations soldiers were killed in the attack on the United Nations military base. There was another event of that kind on January in which one Chadian soldier died and another was seriously wounded.

More measures should be taken to motivate the national media and civil society to promote reconciliation. The authorities in Bamako should encourage the local representatives both in the south and north to fight against violence.\textsuperscript{84}

In conclusion, the road to stability in Mali is still long and fraught with dangers. The fact that the democratic elections took place is important but will not provide quick solutions to Mali’s problems. Unifying the country will require a widespread dialogue and international support. The internal security of Mali requires an international community and main local entities to harmonize their views, put great effort to fight with international terrorist groups, drug traffickers and gun smugglers.

An international interest in investments in Mali seems to be optimistic. Moreover, the global community conveys the impression of knowing how important it is for the safety of the country and the whole region to deal with the problem of Islamic groups in northern Africa. Community involvement, efficiency in concrete anti-corruption and anti-smuggling measures will be of fundamental importance to the stability of Mali and the entire Sahel region. Further passivity of the state power in reference to the issue of home rule power abuses, such as: corruption, social rejection, in-group favouritism or government corruption results in the subsequent success of extremist groups in


\textsuperscript{83} W. Lacher, \textit{Organized Crime...}

\textsuperscript{84} Ibid.
The influence of the crisis...  

The Sahel\textsuperscript{85}. The Tuareg problem was attended to only temporarily. It is interesting how strong further claims of autonomy will be and what influence it will have for Mali and the Sahel.

The quick regeneration of Mali after such a serious crisis seems to happen owing to the previous reforms. This phenomenon is very interesting and surprising, and therefore I made an attempt to explain it by describing and analysing the details of transition in the 90's, the period before the civil war and the events of the last two years. The purpose of this article was also to show the impact the Tuareg rebellion had on unrest in neighbouring countries such as Libya, Niger, and Algeria.

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\textsuperscript{85} Ibid.


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