Master of Science in Peace, Leadership and Conflict Resolution

Conflict Resolution Processes

Module MSPL508

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Module MSPL 508
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The demand for skills and knowledge and the requirement to adjust and change with changing technology, places on us a need to learn continually throughout life. As all people need an education of one form or another, it has been found that conventional education institutions cannot cope with the demand for education of this magnitude. It has, however, been discovered that distance education and open learning, now also exploiting e-learning technology, itself an offshoot of e-commerce, has become the most effective way of transmitting these appropriate skills and knowledge required for national and international development.

Since attainment of independence in 1980, the Zimbabwe Government has spearheaded the development of distance education and open learning at tertiary level, resulting in the establishment of the Zimbabwe Open University (ZOU) on 1 March, 1999.

ZOU is the first, leading, and currently the only university in Zimbabwe entirely dedicated to teaching by distance education and open learning. We are determined to maintain our leading position by both satisfying our clients and maintaining high academic standards. To achieve the leading position, we have adopted the course team approach to producing the varied learning materials that will holistically shape you, the learner to be an all-round performer in the field of your own choice. Our course teams comprise academics, technologists and administrators of varied backgrounds, training, skills, experiences and personal interests. The combination of all these qualities inevitably facilitates the production of learning materials that teach successfully any student, anywhere and far removed from the tutor in space and time. We emphasize that our learning materials should enable you to solve both work-related problems and other life challenges.

To avoid stereotyping and professional narrowness, our teams of learning materials producers come from different universities in and outside Zimbabwe, and from Commerce and Industry. This openness enables ZOU to produce materials that have a long shelf life and are sufficiently comprehensive to cater for the needs of all of you, our learners in different walks of life. You, the learner, have a large number of optional courses to choose from so that the knowledge and skills developed suit the career path that you choose. Thus, we strive to tailor-make the learning materials so that they can suit your personal and professional needs. In developing the ZOU learning materials, we are guided by the desire to provide you, the learner, with all the knowledge and skill that will make you a better performer all round, be this at certificate, diploma, undergraduate or postgraduate level. We aim for products that will settle comfortably in the global village and competing successfully with anyone. Our target is, therefore, to satisfy your quest for knowledge and skills through distance education and open learning.
Any course or programme launched by ZOU is conceived from the cross-pollination of ideas from consumers of the product, chief among whom are you, the students and your employers. We consult you and listen to your critical analysis of the concepts and how they are presented. We also consult other academics from universities the world over and other international bodies whose reputation in distance education and open learning is of a very high calibre. We carry out pilot studies of the course outlines, the content and the programme component. We are only too glad to subject our learning materials to academic and professional criticism with the hope of improving them all the time. We are determined to continue improving by changing the learning materials to suit the idiosyncratic needs of our learners, their employers, research, economic circumstances, technological development, changing times and geographic location, in order to maintain our leading position. We aim at giving you an education that will work for you at any time anywhere and in varying circumstances and that your performance should be second to none.

As a progressive university that is forward looking and determined to be a successful part of the twenty-first century, ZOU has started to introduce e-learning materials that will enable you, our students, to access any source of information, anywhere in the world through internet and to communicate, converse, discuss and collaborate synchronously and asynchronously, with peers and tutors whom you may never meet in life. It is our intention to bring the computer, email, internet chat-rooms, whiteboards and other modern methods of delivering learning to all the doorsteps of our learners, wherever they may be. For all these developments and for the latest information on what is taking place at ZOU, visit the ZOU website at www.zou.ac.zw

Having worked as best we can to prepare your learning path, hopefully like John the Baptist prepared for the coming of Jesus Christ, it is my hope as your Vice Chancellor that all of you, will experience unimpeded success in your educational endeavours. We, on our part, shall continually strive to improve the learning materials through evaluation, transformation of delivery methodologies, adjustments and sometimes complete overhauls of both the materials and organizational structures and culture that are central to providing you with the high quality education that you deserve. Note that your needs, the learner's needs, occupy a central position within ZOU’s core activities.

Best wishes and success in your studies.

Prof. Primrose Kurasha
Vice Chancellor
As you embark on your studies with the Zimbabwe Open University (ZOU) by open and distance learning, we need to advise you so that you can make the best use of the learning materials, your time and the tutors who are based at your regional office.

The most important point that you need to note is that in distance education and open learning, there are no lectures like those found in conventional universities. Instead, you have learning packages that may comprise written modules, tapes, CDs, DVDs and other referral materials for extra reading. All these including radio, television, telephone, fax and email can be used to deliver learning to you. As such, at the ZOU, we do not expect the tutor to lecture you when you meet him/her. We believe that that task is accomplished by the learning package that you receive at registration. What then is the purpose of the six hour tutorial for each course on offer?

At the ZOU, as at any other distance and open learning university, you the student are at the centre of learning. After you receive the learning package, you study the tutorial letter and other guiding documents before using the learning materials. During the study, it is obvious that you will come across concepts/ideas that may not be that easy to understand or that are not so clearly explained. You may also come across issues that you do not agree with, that actually conflict with the practice that you are familiar with. In your discussion groups, your friends can bring ideas that are totally different from yours and arguments may begin. You may also find that an idea is not clearly explained and you remain with more questions than answers. You need someone to help you in such matters.

This is where the six hour tutorial comes in. For it to work, you need to know that:
- There is insufficient time for the tutor to lecture you
- Any ideas that you discuss in the tutorial, originate from your experience as you work on the materials. All the issues raised above are a good source of topics (as they pertain to your learning) for discussion during the tutorial
- The answers come from you while the tutor's task is to confirm, spur further discussion, clarify, explain, give additional information, guide the discussion and help you put together full answers for each question that you bring
- You must prepare for the tutorial by bringing all the questions and answers that you have found out on the topics to the discussion
- For the tutor to help you effectively, give him/her the topics beforehand so that in cases where information has to be gathered, there is sufficient time to do so. If the questions can get to the tutor at least two weeks before the tutorial, that will create enough time for thorough preparation.

In the tutorial, you are expected and required to take part all the time through contributing in every way possible. You can give your views, even if they are wrong, (many students may hold the same wrong views and the discussion will help correct the errors), they still help you learn the correct thing as much as the correct ideas.
You also need to be open-minded, frank, inquisitive and should leave no stone unturned as you analyze ideas and seek clarification on any issues. It has been found that those who take part in tutorials actively, do better in assignments and examinations because their ideas are streamlined. Taking part properly means that you prepare for the tutorial beforehand by putting together relevant questions and their possible answers and those areas that cause you confusion.

Only in cases where the information being discussed is not found in the learning package can the tutor provide extra learning materials, but this should not be the dominant feature of the six hour tutorial. As stated, it should be rare because the information needed for the course is found in the learning package together with the sources to which you are referred. Fully-fledged lectures can, therefore, be misleading as the tutor may dwell on matters irrelevant to the ZOU course.

Distance education, by its nature, keeps the tutor and student separate. By introducing the six hour tutorial, ZOU hopes to help you come in touch with the physical being, who marks your assignments, assesses them, guides you on preparing for writing examinations and assignments and who runs your general academic affairs. This helps you to settle down in your course having been advised on how to go about your learning. Personal human contact is, therefore, upheld by the ZOU.

The six hour tutorials should be so structured that the tasks for each session are very clear. Work for each session, as much as possible, follows the structure given below.

**Session I (Two Hours)**

Session I should be held at the beginning of the semester. The main aim of this session is to guide you, the student, on how you are going to approach the course. During the session, you will be given the overview of the course, how to tackle the assignments, how to organize the logistics of the course and formation of study groups that you will belong to. It is also during this session that you will be advised on how to use your learning materials effectively.
Session II (Two Hours)

This session comes in the middle of the semester to respond to the challenges, queries, experiences, uncertainties, and ideas that you are facing as you go through the course. In this session, difficult areas in the module are explained through the combined effort of the students and the tutor. It should also give direction and feedback where you have not done well in the first assignment as well as reinforce those areas where performance in the first assignment is good.

Session III (Two Hours)

The final session, Session III, comes towards the end of the semester. In this session, you polish up any areas that you still need clarification on. Your tutor gives you feedback on the assignments so that you can use the experience for preparation for the end of semester examination.

Conclusion

In conclusion, we should be very clear that six hours is too little for lectures and it is not necessary, in view of the provision of fully self-contained learning materials in the package, to turn the little time into lectures. We, therefore, urge you not only to attend the six hour tutorials for this course, but also to prepare yourself to contribute in the best way possible so that you can maximally benefit from it. We also urge you to avoid forcing the tutor to lecture you.

BEST WISHES IN YOUR STUDIES.

ZOU
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Overview

The mastery of conflict resolution skills is at the centre of this module. These skills are discussed in Unit 1. Also discussed in this unit are African traditional approaches to conflict resolution and conflict resolution methods.

In Unit 2, the conflict resolution methods are discussed in more detail.

Unit 3 focuses on strategies for dealing with conflicts in Africa. The unit begins with a recopulation of the characteristics of conflicts then pays particular attention to the various interstate conflicts on the African continent. The land conflicts in Zimbabwe and South Africa are also discussed in detail.

Unit 4 looks at the role of Civil Society Organisations in conflict resolution processes, particularly the role played by Non Governmental Organisations and Civil Society Organisations. The unit concludes by a brief discussion not the challenges of preventative diplomacy.
Conflict arises for many reasons and one of them is that there is dissatisfaction with how certain institutions operate. In Unit 5, the issue of institutional reforms is discussed with a view of how it can be implemented as a conflict resolution measure. The Unit focuses on reforms in electoral institutions, the security sector and local government.

Unit 6 discusses the role of International Community in the conflict resolution processes. In particular, the unit looks at the role of International Community and in conflict resolution. Unit 7 looks at the role of women in conflict resolution and the United Nations Security Council Resolution 1325. The module concludes by analysing conflict resolution models adopted in specific African conflict situations.
1.1 Introduction

In this unit we discuss some of the important methods used in resolving conflicts. It is widely believed and argued that public, governmental level, good governance is the most basic method of conflict prevention. However, besides good governance other methods have also been seen as equally important, some of these are communication, conciliation, mediation, arbitration, litigation and alternative dispute resolution.

The unit also looks into the definitions or meanings of conflict resolution as viewed by the United Nations and some of the regional bodies in an attempt to come up with effective and efficient conflict prevention mechanisms.
1.2 Objectives

By the time you finish reading this unit, you should be able to:

- discuss the various types of conflict resolution methods
- explain Alternative Dispute Resolution (ADR)
- describe the following:
  (a) Conflict management
  (b) Conflict resolution
  (c) Conflict transformation

1.3 Categories of Resolving Conflicts

In most civilized societies of the world there is growing resort to the peaceful settlement of dispute or voluntary conflict resolution. The methods are available at the individual, family, group, community and international levels.

Methods of resolving conflicts have in most cases been discussed under two broad categories namely; Proactive category which entails methods targeted at preventing conflicts in the first instance. Among these are Community Based Trust and Confidence Building Measures, Communication, Good Governance, Inter- party collaboration among others.

The second category known as Reactive deals with responses to situations that have turned conflictive or are potentially so. These include third party interventions like Mediation, Conciliation, Arbitration, Litigation and Communication among the others.

1.4 Definitions

Conflict Resolution as discussed by Miller (2003:8) "Refer to a variety of approaches aimed at terminating conflicts through the constructive solving of problems, distinct from management or transformation of conflict”.

Miall (2001:21) indicated that by conflict resolution, it is expected that the deep rooted sources of conflict are addressed and resolved, and behaviour is no longer violent nor are attitudes hostile any longer.
Mitchel and Banks (1996) have referred to Conflict Resolution as an outcome in which the issues in an existing conflict are satisfactorily dealt with through a solution that is mutually acceptable to the parties.

Some people have used the term "conflict resolution" to refer to a specialized field of study and practice.

In principle it is generally agreed that Conflict Resolution connotes a sense of finality, where the parties to a conflict are mutually satisfied with the outcome of a settlement and the conflict is resolved in a true sense.

Conflicts especially those over resources are permanently resolvable from needs point of view, a conflict is resolved when the basic needs of parties have been met with necessary satisfires and their fears have been allayed. Conflicts over values may be non-resolvable and can at best be transformed, regulated as managed.

The term "Conflict Management" is perhaps an admission of the reality that conflict of the reality that conflict is inevitable but that not all conflicts can always be resolved. Therefore what practitioners can do is to manage and regulate them. The term can also be used synonymously with 'conflict regulation". It covers the entire area of handling conflicts positively at different stages including those efforts made to prevent conflicts by being proactive. It encompasses conflict limitation containment and litigation. According to (Burton 1990) the term Conflict Management also connotes "conflict prevention". He also used the term to connote containment of conflict through steps introduced to promote conditions in which collaborative and valued relationships to control the behaviour of conflict parties.

1.5 Conflict Transformation

(Miall et al 2001) indicated that the aim of conflict transformation is to change the parties, their relationships and the conditions that created the conflict.

Conflict transformation was introduced by John Paul Lederach (1995), who worked at one of the schools of peace building. He assumed the conflict transformation goes beyond conflict resolution to build longer standing relationships through a process of change in perceptions and attitudes of parties. John Lederach (1995), sees conflict transformation as a change. He went on to say conflict transformation takes place at different levels and has a number of dimensions. At personal, level it involves emotional, perceptual and spiritual
aspects of change desired for the individual. It also affects relationships touching on communication between parties that needs to change to positively affect poorly functioning communication.

Change also needs to affect structures that generate conflict through deprivation, exclusion and other forms of injustice. It also seeks to understand cultural patterns and values of parties. It was summarized that the idea of conflict transformation stems from the recognition about the inevitability of change. Conflict transformation recognizes the neutrality of conflict as such, and that conflict can be either be negative or positive,, but parties can transform it into positive to maximize opportunities.

Finally there is the continuity element, meaning that parties and interveners continue to work on problem areas to achieve continuous change.

### 1.6 Alternative Dispute Resolution

Alternative Dispute Resolution is specially meant to serve as an alternative to the official conventionally means of settling disputes, mainly through litigation and the courts, but with preference for non-violence.

The conflict resolution and transformation consists of a range of operations that can be employed to resolve conflicts in non violent way. These can be classified into two namely: the voluntarily processes and the involuntary, processes. Voluntary processes are those in which parties have some control over the outcome. These include fact finding, in depth research and case studies, facilitation, negotiation, conciliation, mediation and brokerage. The non-voluntary processes are more often than not, outside the control of the parties to the conflict. Even though they may be non-violent, the third parties who broker the process may sometimes hand down outcomes which the parties have to accept either in principle or in law. These options include arbitration adjudication and law enforcement (otherwise called crisis management) using the coercive apparatus of state.

### 1.7 African Traditional Dispute Resolution

Africa is made up of people from different social and cultural backgrounds the diversity affects the approaches to dispute and conflict resolution in the traditional settling. African approaches differ from the western alternative
dispute resolution in several respects. In Africa, the approach may also differ from one culture to another.

The universal religions of Christianity and Islam have also impacted on the approaches used in Africa in the same ways they have impacted on the culture of the people.

In Islamic societies the religion prescribes the ways conflicts involving believers are to be resolved.

Approaches differ as one move from one level of conflict to another. There are variations in conflicts involving property, land, family, marriage, communities, communities as well as those between Muslim parties and Muslim and non Muslim parties on the other. In some African societies, the universal religions have nearly completely displaced the traditional methods of dispute resolution.

In others, the principles of Islam and Christianity have affected parts of the tradition, redefined and reshaped and left some intact. In other parts of Africa there are paramount traditional leaders known as chiefs or by some other names as well as sub-chiefs.

The venue for the resolution of conflicts could also be village or community adjudication centres such as the village square, market square etc. Those that have religious and spiritual dimensions and which require ancestral intervention may be conducted at a traditional community shrine.

Traditional dispute resolution attaches more importance to community interests than individual needs and interests. Under alternative dispute resolution women are usually left out or kept out of shrines.

Decisions taken, however, would also include and affect women and children also. The African Alternative Dispute Resolution process varies from culture to culture. Normally invitations would be sent to appropriate persons, materials would be gathered for rituals such as sacrificial animals, local brew for libation and for others to consume thereafter, selection of dates that does not normally clash with other activities like market days. If the society is a religious one, as most African societies are, there is invocation of pledges or reference to ancestors and ancestral spirits and the pouring of libation, sacrifice of live animal, and so forth.

In West Africa in Yoruba society for instance, the spirit of gods such as Ogun (god of iron), Sango (god of thunder and storm) could be invoked to wreak
calamity on guilty persons who want to lie or interfere with the process or enemies that may involve the wrath of the gods against the community as the case may be.

Christianity, Islam and modernization do affect the processes, sometimes there could be either Christian or Muslim prayers or both said at the beginning of such sessions. In some countries like Ghana, it is a combination of the Christian, Muslim and African traditional religion prayers. The saying of prayers in different religions implies that resolutions may be conducted according to their beliefs. In some settings there is toasting of local wine or the breaking of kola by the elderly person.

The Ibo society in Nigeria is a key example where the breaking of kola, among other rites, conducted by the very senior male members of the community, symbolizes the commencement of any such event.

Elders in the community have the duty to give their verdict. Sometimes they receive inputs from other members of the community. The focus mainly is to promote community solidarity but with emphasis on non violence when the process ends, other activities follow, such as sacrificial lamb or chicken (black or white) this varies from culture to culture. This would be eaten by most senior men followed by local alcohol that accompanies the process and such drink will be brewed by women. The deal is assumed to be completed and sealed.

In certain family disputes, third party interveners anxious to find solutions to a situation may be required to look for solutions without blaming either party. The above has been documented by Uwaze (2000) in a study of dispute resolution in Ibo society of South-eastern Nigeria.

Activity 1.1

1. Alternative Dispute Resolution is one of the many methods of resolving conflicts. (Discuss).
2. What advantages does the Alternative Dispute Resolution (ADR) method have over other methods of resolving conflicts?
3. Research on and discuss at least three examples that could be used to resolve conflicts.
The Alternative Dispute Resolution in most African societies is conducted as a means to ensure that subsequent generations in the community learn the process and value the systems. It is a socialisation process for younger generations. In most cases young people will be doing the observing and listening whilst seniors undertake the processes.

The African alternative resolution differs with the Western alternate resolution in that the African might combine negotiation, arbitration, adjudication and some other methods put together. The Western methods have elements such as confidentiality, the right and freedom to disagree with the mediators, flexibility and emphasis on a 'win-win' outcome, gender sensitivity, trained and professional mediators, assurance of neutrality on the part of mediators, signing of agreements and so forth. African alternative resolution in most cases is often for men. Some communities might tolerate the presence of female members. The African (ARI) in most cases employs spiritual and community powers and traditions. The focus is more on community rather than individual.

Activity 1.2

1. What in your view are the major differences between African Alternative Dispute resolution (ADR) and Western alternative dispute resolution western?

1.8 Conflict Resolution Methods

1.8.1 Conciliation

A good number of authors such as Salam M (2000) have defined it as a third party intervention strategy that helps the disputing bodies identify the cause of their differences and the importance of various issues at stake. Parties are left to agree on a resolution to the dispute. Conciliators do not impose or recommend solutions. The two are encouraged to establish alternative solutions and their various implications develop and agree a mutually acceptable settlement.

The conciliator acts as a catalyst for the continuation of dialogue aimed at leading the parties to an agreement without interfering in the actual process. The main aim is to reduce tension between parties in a conflict situation.
1.8.2 Mediation

Mediation refers to a process through which a third party provides procedural assistance to help individuals or groups in conflict to resolve their differences. In most Western countries the mediator is usually an independent, important person who has no decision making authority.

Miall Ramsonbathan and Woodhouse (1999:22) cited in Peace and Conflict Studies in West Africa explained median as "the intervention of a third party, it is a voluntary process in which the parties retain control over the outcome (pure median) although it may include positive and negative inducements (mediation with muscle)". The mediators' role is to create the enabling environment for the parties to carry out dialogue sessions leading to the resolution of a pending conflict.

Mediation is a popular process in the Western context of conflict management. In the African context some of the principal characteristics of the mediation are absent. Africans do more of arbitration in traditional settings.

The mediator who is normally a facilitator is there to guide rather than direct the process, by helping the two sides to listen to each other, communicate more clearly, reach a common understanding of the problem and come up with their own solutions to conflict.

1.9 Mediation

Mediation could be done in stages:

1.9.1 Introduction

Participants introduce themselves. The objectives of the meeting are explained and participants are requested to listen carefully to each other and never to interrupt.

1.9.2 Story telling

Each side would be given an opportunity to explain the situation from their point of view. The mediator would give a summary for each side's views, hopes and concerns. People feel better when they know they are being heard.
1.9.3 Problem-solving stage

The mediator notes points of agreement and points of disagreements. The mediator notes issues that are the centre of conflict. He or she would ask participants to propose ways of resolving the conflict and list all different possibilities.

The two sides would assess all options. They are encouraged to come up with solutions acceptable to all.

1.9.4 Agreement stage

When both sides agree on a solution the mediator asks each side to sign the agreement, express their commitment to the plan by saying some few words and let go of the past and face the future hopefully. The two sides would agree on date of next meeting.

In the year 2008, after disputed election results, the former South African President Thabo Mbeki was requested to mediate between ZANU PF and the two MDC formations on challenges facing Zimbabwe which was signed on 15 September 2008. Whilst the agreement has not fully resolved the conflict, the agreement which includes promise to stop violence has gone a long way in minimizing conflicts, although some issues are still considered outstanding.

In the Inter-Congolese Dialogue between the warring parties in the DRC, the former President of Botswana Sir Ketumile Masire was chosen as a mediator. Former South African President Nelson Mandela was chosen to mediate in the Burundian crisis.

Activity 1.3

1. What qualities in your view should a mediator have to be acceptable to the negotiators?
2. Can you think of situations in or outside Zimbabwe where a mediator was called upon for mediation? Why do you think the particular mediator was chosen and what was the reaction of the parties to the mediation outcome?
1.10 Negotiation

Fisher et al (2000:115) cited in 'Peace and Conflict Studies in West Africa' defined negotiation as a structured process of dialogue between conflicting parties about issues in which their opinions differ”. Miall and Woodhouse (1999:21) define it as "the process whereby the parties within the conflict seek to settle or resolve their conflicts. According to the University of Peace, negotiation is seen as communication, usually governed by pre-established procedures between representatives of parties involved in a conflict or dispute". Various authorities have described negotiation as a direct process of dialogue and discussion taking place between at least two parties faced with a conflict or dispute. Both parties are aware that by talking to each other they can find a solution to the problem. It is believed that the benefits of compromised solution outweigh the losses arising from refusal to negotiate. The whole idea of negotiating is to reach agreement through joint decision making between parties. It is believed that communication is a critical process to negotiation.

Two types of negotiation have been identified by Shedreck Gaya Best (2001). The first is positional negotiation while the second is collaborative negotiation. Positional negotiation is said to possess an element of aggressive pursuit of interest by parties and typically competitive. Demands made by parties can be in considerate of interests and needs of others, parties perceive themselves to be in a competition, positional negotiations tend to break down easily.

1.11 Collaborative or Constructive Negation

Parties make an effort to educate each other about their needs and concerns and both search for the best ways to solve their problems. The emphasis is on mutual understanding and feeling all aimed at building sustainable relationships. However, the exercise might have its own challenges as some people might enter into negotiation without much commitment and interest to reach a solution.

Negotiation is understood universally as a principle of conflict management based on dialogue. People around the world and almost all societies and cultures talk and negotiate their interests. Negotiation is considered one of the key approaches to peaceful resolution of disputes and conflicts that may arise among parties.
1.12 Arbitration

Arbitration is another popular formal third party dispute settlement method whereby one or more impartial persons (arbitrators) determine the issue on which the parties are unable to agree. Unlike other forms of dispute settlement methods, where the disputing parties have control over the outcome of the dispute, in arbitration the third party is given the power of determination. The arbitrator is required to make a decision wholly in favour of either party's final position. Arbitration is usually used in disputes between businesses and union-organised workers.

In Zimbabwe the Ministry of Labour offers arbitration services in both labour and commercial disputes.

The following is an example of a case where arbitration was exercised:

*In the border dispute between Botswana and Namibia - the case was sent to the International Court of Justice (ICJ) at The Hague, Netherlands for arbitration. A ruling was made in favour of Botswana.*
References


2.1 Introduction

The world has had infinite conflicts whose interventions have been diverse. Their failure or otherwise to mitigate on the effects have led to other peace practitioners to come up with more conflict resolution measures. This unit therefore introduces you to the concept of Sustained Dialogue (SD).

In this unit, we take you through some of the basic concepts around this initiative by Saunders. The unit is structured in a way that helps you to conduct SD effectively and efficiently.
2.2 Objectives

At the end of this unit, you should be able to:

- define Sustained Dialogue (SD)
- discuss its background and use
- conduct a Sustained Dialogue effectively and efficiently

2.3 Sustained Dialogue

Sustained Dialogue is a change process that involves negotiations and peace-oriented talks over a period of time. Sustained Dialogue is a continuing series of meetings among citizens outside government. It involves the same people meeting again and again. This concept of building peace was developed by Harold Saunders over a 13 year period.

In Sustained Dialogue there are participants who need equal treatment and these are:

- Convenor
- Moderator
- Initiating team
- Participants (Dodo 2010)

Sustained Dialogue differs from most other change processes in two ways:

- It focuses on transforming the relationships that cause problems, create conflict, and block change. Sustained Dialogue works within a carefully defined concept of relationship, both an analytical and an operational tool for Sustained Dialogue moderators.

- Since relationships change only over time, Sustained dialogue is presented as a five-stage process (www.sustaineddialogue.org).

Stage One: People in conflict or in change-blocking relationships decide to engage in dialogue as a way of changing those relationships. They select Sustained Dialogue because they feel they need to act and Sustained Dialogue is something they can do that would make a difference. This decision can take a long time and may involve a citizens' organization to help (VOA 2006).
Stage Two: Participants come together to talk, map and name the elements of those problems and the relationships responsible for creating and dealing with them. In early meetings, this talk can be diffuse, and participants vent their grievances and anger with each other.

Stage Three: In more disciplined talk, participants probe specific problems to uncover the dynamics of underlying relationships with these aims:

- to define the most pressing problems;
- to probe the dynamics of the relationships that cause them;
- to identify possible ways into those relationships to change them;
- to weigh those approaches to come to a sense of direction;
- to weigh the consequences of moving in that direction against the consequences of doing nothing; and
- To decide whether to try designing such change.

Stage Four: Together, they design a scenario of interacting steps in the political arena to change troublesome relationships and to engage others. They ask five questions:

- What resources do we have?
- What are the obstacles to moving in this direction?
- What steps could overcome those obstacles?
- Who could take those steps?
- How could we sequence those steps so that they interact, one building on another, to generate momentum behind the plan for acting?

Stage Five: Participants devise ways to put that scenario into the hands of those who can act on it and ways of judging achievement (ibid).
Activity 2.1

1. In groups of four each, role play how Sustained Dialogue is conducted. Make sure each one of you is assigned a specific role as: Convenor, Moderator or simply participant. Make short notes on your observations.

(Adapted from Dodo 2010:19)
2.4 Application

The Sustained Dialogue concept has lately been applied in various countries including in the Arab-American-European dialogue. Individuals from some Arab countries, United States and Europe are progressing with their meetings under the Sustained Dialogue. The aim of this dialogue is to work together to find ways to end conflicts and move toward better relationships. Sustained Dialogue is also helping citizen groups in Tajikistan, Russia, South Africa and Puerto Rico.

Sustained Dialogue in Harare, Zimbabwe helped young people who were in opposing political parties begin to talk to each other. The aim was to reduce youth involvement in political violence. In some cases, the dialogue groups have worked together to establish new economic development projects in agriculture and home crafts. In South Africa, IDASA also got involved with the South African Council of Churches to help organize dialogues in local churches to discuss race relations (VOA 2006).

Activity 2.2

1. What are the key concepts and issues concerning the formulation of sustainable dialogue in Zimbabwe?

2.5 Relationships in Sustained Dialogue

Social and political life is a multi-level process of continuous interaction among significant elements of whole bodies politic across permeable borders.

The concept of relationship is both a diagnostic and an operational tool; diagnostic as it helps form a picture of a relationship from the unfolding exchanges in dialogue; operational as it helps us get inside an interaction to change a relationship.

Relationships combine five elements. The overall mix, their continuously changing interactions, characterizes a relationship. Changes in any element and changes in the combination of elements help explain why a relationship changes. Each is a point of entry in efforts to change conflictual relationships.
Identity: Each party in a relationship is described most simply in terms of physical characteristics; a group's size, ethnicity, demographic composition, resources. But it is also essential to understand what human experiences have shaped a person's or a group's mindset and ways of acting in relationships with others. We often define ourselves in terms of who we are not; parents, enemies.

Interests: We have commonly defined interests in material terms; how much money or property we need, what positions we want to control. But interests are defined in human terms as well as our need for acceptance, inner security and dignity.

Power: is defined normally in physical terms; economic resources, military force, institutions controlled, and as one's ability to force another to do what it does not want to do, power "over." But citizens without those raw forms of physical power have come together to change the course of events, marches of the civil rights movement, the anti-Vietnam War movement, Wenceslas Square, Solidarity, the "vote no" campaign against Pinochet. Citizens generated power by acting together.

Perceptions, misperceptions, stereotypes: familiar to us all often define relationships. Because you have black or white skin, some think that you are likely to act in a predictable way.

Patterns of interaction: confrontational, collaborative, combative, argumentative, problem-solving; become characteristic of any relationship. As we understand identity and interests, we may limit interactions to respect them.

Once we analyze interactions between or among groups using such headings, we can actually change interactions through dialogue. Identities don't change, but respect for another's identity can become real; no longer mindless hatred fueling deep-rooted conflict. Realization of others' interests can reveal shared interests. People can see how they need each other to fulfil their own interests. Power over can become power with. Stereotypes fade as people sit together. People stop talking at each other and begin talking with each other to solve a problem and actually learn to work together.
2.6 Summary

In this unit, we managed to look at the broader concept of Sustained Dialogue where we specifically focussed on its background, its uses and how it can be applied in African situations.

Sustained Dialogue is a relatively new concept, which is still being learnt by most of the local practitioners hence its lack of practical examples locally and regionally. However, in this unit, we managed to cite a few cases where it has been successfully applied.
References

Sustained Dialogue: Solving Conflicts Among People dated 17/01/06.
3.1 Introduction

The study of Peace, Leadership and Conflict Resolution requires that one understands the question of real life conflicts: the ones that are being waged on the ground without being theoretical, the ones that are influencing the under-development of the continent and the ones being perpetrated by Africa's greed and repressive leaders. This is what this unit is all about hoping that at the end of it, the student will have grasped the main concepts behind the question of conflicts in Africa.

This unit will focus on, amongst others conflicts in Africa, their nature and causes. In particular, we focus on political conflicts in: Sierra Leone, Democratic Republic of Congo, Rwanda, Burundi, Somalia and Sudan. We will also focus on land conflicts in Zimbabwe, South Africa and Mozambique before discussing conflicts around water and wildlife in the generality of Africa.
3.2 Objectives

By the end of this unit, you should be able to:

- define African conflicts distinct from non-African
- discuss the causes and influences of these conflicts
- identify and categorise them in their classifications
- design/recommend possible conflict resolution measures

3.3 Conflicts in Africa

Wars have erupted in African states since colonial independence from Western European countries in the 1960s. The end of the Cold War in 1989 and the changing nature of international politics did not bring about political stability in African states either. These intrastate wars were by-products of historic disputes kept hidden during the Cold War. When the ideological confrontation ended, they surfaced again. Intrastate wars and irregular warfare are not new phenomena on the African continent and these led to the collapse of state institutions in countries such as Liberia, Somalia, Sierra Leone, the Democratic Republic of Congo (DRC), Uganda, Sudan and Burundi. The postcolonial period was characterised by different kinds of regimes, ranging from one-party states to several military regimes frequently governed by ruthless dictators.

3.3.1 Characteristics of conflicts

Conflicts based on domestic grievances may be:

- Closed political systems where democratic transition has failed and restrictions on human rights deprive people of the opportunity to elect a government democratically. Non-state organisations and rebels do not recognise their governments as legitimate (Botha 2007)

- Weak and failed African states providing favourable conditions for warring factions to plan, train and launch attacks on government and the local population. The absence of local authority can bring about the growth of safe havens for powerful non-state elements, such as organised crime, human and drug traffickers, and violent extremists. As a result of these fertile circumstances, irregular warfare can be expected to grow and develop into widespread conflicts
Control over territories associated with border control: Weak states do not have the human and technological resources and capacity to monitor borders, which then become open and permeable.

Ethnic motivations where heterogeneous groups, such as the Tutsi and the Hutu of Rwanda, clash over superiority and self-determination and the current government does not adequately represent the specific ethnic group. Feelings of marginalisation led to conflicts as well as genocide in Rwanda in 1994.

Conflict over natural resources, for example, in the DRC, Angola, Sudan and Liberia, which causes instability. Minerals such as diamonds, oil and uranium, as well as hardwood are sometimes used as profitable "grey trade" to prolong the conflict unnecessarily.

Religion used as a political tool in mobilising irregular warfare. This extends over national borders and rallies support, for example, in Sudan and Somalia, where Muslims and Christians are involved in conflict. In combination with poverty, marginalisation and political ideologies, this is an important motivation for irregular or asymmetric warfare.

Economic circumstances where the local population is unemployed and extremely poor. Sometimes the population is involved in smuggling and "grey trade" to sustain themselves and so prolong the conflict. Widespread conflict creates a breeding ground for alienation. In other cases, prolonging conflict holds benefits for social groups or segments of society (Botha 2007).

Collier and Hoeffler (2002:1) call these causes, "motivations" for civil war adding that greed outperforms grievance as a motivation for civil war, because the factors determining the financial and military viability of a civil war are more important than grievances. To maintain a rebel force, rebels have to be paid and military equipment needs to be purchased.

Two contrasting models, the grievance and greed models were constructed by Collier and Hoeffler (2002) to explain the difference in motivations. The grievance model refers to inequality, political oppression, ethnic and religious motivations for conflict, and it corresponds with the domestic grievances cited by Botha (2007), while the greed model refers to the sources of finance to maintain the civil war. Collier (in Berdal 2005) holds that the key to understanding why such wars erupt lies in greed and the quest for loot by rebel actors. African intrastate wars are mostly driven by economic (greed) motivations in mineral-rich countries; conflict over valuable scarce resources.
Wars usually focus on globally traded commodities, such as diamonds, oil and gun smuggling over open or permeable borders. Economic activities such as these in the DRC spilled over into Sudan, Uganda, Rwanda and Burundi. Border regions provide havens for insurgents, gangs and smugglers in the sense that these regions provide escape routes or exit strategies for armed groups, which are beyond the reach of conventional security forces (Jackson 2007).

### 3.4 Asymmetric Warfare

This refers to a significant disparity in power between opposing forces in conflict, a strategy, a tactic, or a method of warfare and conflict. Buffaloe (2006:17) defined it as:

"Asymmetric warfare is population-centric non-traditional warfare waged between a militarily superior power and one or more inferior powers, which encompasses all the following aspects: evaluating and defeating asymmetric threat, conducting asymmetric operations, understanding cultural asymmetry and evaluating asymmetric cost". This is typical of the war between the US and Iraq.

Conventional symmetric warfare focuses on the government, the military and the people. Irregular asymmetric warfare focuses on the people (population-centric) and not the military. In both cases, the goal remains to influence governments. In symmetric warfare, two powers have similar military power and resources and rely on tactics that are similar overall, differing only in detail and execution, while in asymmetric warfare the tactics and military power of forces are dissimilar.

The concept of asymmetric warfare arguably could relate to the concept of "Fourth Generation Warfare", which refers to conflicts in which one of the parties in the conflict is not a state and where the state loses its monopoly to wage war against decentralized non-state actors not adhering to the rules of conventional warfare. Most African conflicts are waged by a mixture of groups such as non-state actors, state organisations, militaries and informal groups. Examples of the latter include "warlords", ethnic entrepreneurs - even pirates or smuggling networks. These groups range from organised revolutionary movements to local cells of global insurgency movements and even localised criminal gangs.
Activity 3.1

1. From your understanding of conflicts, in groups, list five types of conflicts that your country has experienced in the last ten years.

3.5 Inter-state Wars

After independence from colonial powers in the 1960s, disputes over natural resources such as diamonds, gold and cobalt often led to armed conflict that evolved into guerrilla warfare. These wars were by-products of historic disputes kept hidden during the Cold War.

According to Skalnes (1995), there have been several wars in Africa of varying magnitudes that amongst others include: Somali and Darfur crises, the protracted conflict in the DRC, Southern Sudan, Rwanda and Northern Uganda. In West Africa, safe havens are created along the Mano River countries of Liberia and Sierra Leone, as well as Guinea-Bissau and Côte d'Ivoire, providing shelter for insurgents, gangs, smugglers and syndicate networks. The Uganda-Kenya border also supports violence by giving cattle-rustlers the opportunity to cross the permeable border regions sometimes crossing into Somalia.

3.5.1 Sierra Leone

In Sierra Leone, civil war began in 1991 between the government and the Liberia-backed Sierra Leonean Revolutionary United Front (RUF), mercenary fighters and soldiers from Burkina Faso, who invaded Eastern Sierra Leone and the Mano River Bridge linking Sierra Leone and Liberia. Reports also suggested that Charles Gange Taylor of Liberia had organised and armed his troops for involvement. In 1996, Nigerian troops under ECOMOG and the US private security force, Executive Outcomes, defeated the RUF leading to the real end of the war with the signing of the Lomé Peace Agreement in July 1999.

3.5.2 Democratic Republic of the Congo

The DRC with its vast areas rich in resources such as diamonds and gold, suffered armed insurgency since 1997 by a multitude of belligerents from nine other African states, which were all involved in the civil, asymmetric warfare. The Lusaka Ceasefire Agreement ended the war in 2001 seeing the withdrawal of all the foreign participants.
3.5.3 Rwanda

In Rwanda in 1994, the genocide of Tutsis was perpetrated by the majority Hutu. The causes of the genocide were mostly ethnic clashes over superiority and self-determination.

3.5.4 Burundi

Like Rwanda, the long-standing ethnic conflict between the Hutu majority and Tutsi minority engulfed the country. Burundi was seen as part of the spill-over effect of the DRC conflict, as well as the crisis affecting the Great Lakes region. The Arusha Peace Accord for Burundi was signed in August 2000 under the mediation of former President Nelson Mandela. Under the auspices of the AU, 700 South African troops were sent in 2001 to protect 150 Hutu politicians returning from exile to negotiate Burundi's transitional government.

3.5.5 Somalia

Somalia slid into factional conflict in 1991 after the repressive regime of President Siad Barre had collapsed. It can be argued that this conflict was characterised more as irregular than asymmetric. Somalia collapsed into a state of chaos and civil war where regional aggressors chose to use their population as assets to be expended by starving them. With lawlessness, banditry, mass starvation rife and no organised government in place, humanitarian problems became serious. Somalia is still plagued by renewed conflicts that started in 2006 between Muslim extremists and the Mogadishu government being financed by the US and dubbed Transitional Federal Government (TFG).

3.5.6 Sudan

In Sudan, the root causes of the long-standing conflict stretching over three periods: 1955-1972, 1975-1982 and 1983 to date, refer to cultural, religious, historical, ethnic and political diversity between North and South Sudan. The south considers itself African, mainly Christian, while the north considers itself an economically more advanced Arabic, Muslim entity. The colonial history developed the two parts separately. The north was treated as part of the Middle Eastern world, whereas the south was part of the British East Africa territories.

Democracy does not prevail in closed political systems, where several other conditionalities remain absent. Researches have established the following attributes/ influences to African conflicts:
Weak governance in failed African states results in favourable conditions for belligerents to assume new attacks on government and the local population, for example, in Liberia and the DRC.

Open, uncontrolled borders give belligerents free access to neighbouring states without being detected, e.g. in Burundi, Rwanda and the DRC.

Ethnic groups clash over self-determination and superiority, while feelings of marginalisation led to genocide in the case of Rwanda's Hutu and Tutsi population in 1994, as well as ethnic conflict in Sudan and Somalia.

Natural resources such as gold, diamonds, oil and uranium are always a cause of conflict because profitable "grey trade" is used by belligerents to fund and prolong the conflict, e.g. in Sierra Leone, Sudan and the DRC.

Religious conflicts between Muslims and Christians are relevant in countries such as Somalia, Nigeria and Sudan.

Long-standing conflict creates economic hardship for the local population as well as the belligerents.

Smuggling and illegal trade occur frequently in war-torn countries where poverty is rife, for example, in Somalia and Sudan.

3.6 Land Conflicts

Land issues in Africa are in the forefront of policy agendas both in African countries and in the international donor community. Land is of paramount importance for economic development, and as it is becoming an increasingly scarce resource in many parts of Africa, it is often the source of conflict. The majority of Africa's populations depend on access to arable land and/or pastures for their livelihood. Improved access to and utilisation of land and other natural resources is therefore important for increasing economic growth and poverty reduction. Equally important is the development of better conflict handling systems (Skalnes 1995).

The great number of land reform processes and changes in land policies and land legislation presently sweeping the African continent reflects the importance assigned to land issues.
3.6.1 Zimbabwe’s land conflict

At independence in 1980, around two-fifths of the total land area was occupied by the minority white commercial farmers, while the majority black peasants remained in less arable communal areas. In 1990, the Government of Zimbabwe (GOZ) amended the constitution so that enforced land acquisitions were possible, but by 1999, eleven million hectares of the best agricultural lands were still owned by 4,500 white commercial farmers. The Fast Track Land Reform Programme which began in 2000 was intended to redress land inequality (Sachikonye 2003).

3.6.1.1 Land distribution

Land distribution in Zimbabwe is categorized into five Natural Regions (NR) in descending order of productivity. NR I is in the Eastern Highlands where coffee, tea, and fruit are cultivated. It also supports livestock production. NR II, located in Mashonaland, is good for maize, tobacco (cash crop), cotton and wheat, as well as cattle. NR III is prone to drought so crop production is riskier, and NRs IV and V are generally only used for cattle and drought-resistant crops.

Table 3.1 Distribution of Land By Sector and Natural Region (%).

<table>
<thead>
<tr>
<th>NRs</th>
<th>All Land</th>
<th>Large-scale Commercial</th>
<th>Small-scale Commercial</th>
<th>Communal Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>1.8</td>
<td>3.0</td>
<td>0.5</td>
<td>0.7</td>
</tr>
<tr>
<td>II</td>
<td>14.8</td>
<td>28.6</td>
<td>17.8</td>
<td>8.7</td>
</tr>
<tr>
<td>III</td>
<td>17.8</td>
<td>17.5</td>
<td>37.9</td>
<td>17.1</td>
</tr>
<tr>
<td>IV</td>
<td>36.3</td>
<td>25.2</td>
<td>36.9</td>
<td>47.6</td>
</tr>
<tr>
<td>V</td>
<td>26.1</td>
<td>25.7</td>
<td>6.9</td>
<td>25.9</td>
</tr>
</tbody>
</table>

*Source: Moyo (1986)*

Fast track land reform began in July 2000. The first goal was to acquire more than 3,000 farms for redistribution; by February 2001, there were 2,706 farms listed for compulsory acquisition. By October, 2001, the government had listed 4,558 farms, covering a total of 8.8 million hectares. By 2005, according to the government technocrats, enough land for the indigenous
people had been successfully acquired. It is, however, important that at this level of studies we clearly distinguish acquisition from farming competence. The question is, are the new owners managing to farm as expected?

3.6.1.2 Effects

Economic: Land reform in Zimbabwe has affected tobacco production, which plays an important role in its economy as the country's top foreign exchange earner. Maize production has decreased as well.

The Famine Early Warning System Network (FEWSNet) estimated that the number of rural Zimbabweans in need of food aid increased from year 2001 up to the present 2010 largely due to reduced production by the 'new owners'.

Unemployment has increased considerably since the land reform. When land was seized from commercial farmers, their farm workers were chased away as well. More than 300,000 farm workers were left unemployed and displaced due to land reform. The Zimbabwe Vulnerability Assessment Committee (ZIMVAC) reported that 72 percent of the urban population was generally below the poverty datum line between 2001 and 2009; double what it was in 1995.

Social: More than 300,000 farm workers were displaced as a result of land reform. Displaced workers ended up setting squatter communities on the outskirts of their former places of work, where shelter, sanitation facilities, and basic health care were lacking. Children of the displaced workers were also left with no access to education since their parents could no longer afford to pay school fees.

Political: The land reform programme was vilified by the former colonial power in Zimbabwe. This vilification went on to have 'ripple effect'.
Activity 3.2

Why was it important for Zimbabwe to construct a coherent land reform programme? Was it possible anyway?

3.6.2 Land Conflict in South Africa

The land question should be understood in the context of post-effects of colonialism and natural resource exploitation throughout Africa. Two-and-a-half centuries of conquest and settlement by European colonists deprived Africans of most of their land in South Africa. Economic and legal instruments were used in the late nineteenth century, and most of the twentieth, to exclude African farmers from increasingly lucrative urban markets. At the same time, the authorities started to make it first difficult, then impossible, for Africans to use land outside reserves in the more remote areas that had been set aside for them.

Since the mid-1950s, when the African National Congress (ANC) led a process of adopting a visionary document for South Africa called the Freedom Charter, the ANC had put nationalization forward as the mechanism necessary to redress decades of dispossession and destruction of black property and economic rights. It only had to abandon its ideas of nationalization in 1992, two years before it was elected the majority party in South Africa's first democratic election. Fears of nationalization had caused widespread concern among white farmers, business people and foreign governments. Returning exiles also opposed nationalization and expropriation because of negative experiences that had been witnessed in Mozambique and the Soviet Union (Fraser 2001). However, within ANC, there have been some die-hards who kept the idea of nationalisation behind their heads and are pushing for the infamous policy. Interestingly, SA is copying most of the policies that have led to the collapse of the Zimbabwean economy: Land reform and the Indigenisation Policy, which the misdirected little fellow of the likes of Julius Malema (ANC Youth leader) are pushing.

Land law in South Africa addresses the following aspects: land claims, land tenure and redistribution. When the first democratic government was elected, whites owned about 71 percent of agricultural land (not including state land...
or other land in urban areas) despite being only 11 percent of the population. Since then, land reform has reduced white landholding by only 1.75 percent. The slow progress in delivering land reform is due in part to the inadequate resources allocated to land reform. The land tenure and related conflicts can be classified as follows:

- More than two-thirds (71 percent) of South Africa consists of commercial farming areas outside the ex-homeland areas. In these areas, land conflicts often relate to the tenure rights of occupiers who do not own the land and the eviction of occupiers.

- About 14 percent of the land used to form part of the ex-homeland areas, where the land is usually held communally. Here land conflicts often relate to overlapping rights or use of land, intra-community issues such as chieftainship and the tension between the systems of traditional leaders the elected local government.

- Less than 5 percent of the land has been transferred to land reform beneficiaries over the past 16 years. Much of the land conflict is within the communities or between the communities and the government regarding the provision of resources and services, but some of it concerns the differences between the beneficiary communities and their neighbours, often white farmers.

- The remaining 15 percent of land is urban or state land. State land is often occupied and conflicts may arise regarding tenure rights or illegal occupation of the land (ibid).

Most citizens had been stripped of land rights before 1994. For this reason, the process of formulating the above statutes focused on identifying appropriate new land rights, establishing their content and their appropriate level of priority. This was of key importance, but may also have reflected an overemphasis on land rights as against addressing people's needs and interests in obtaining access to land.

The new democratic government sought to avoid counter dispossession of white landowners, partly because of the destabilizing effect this may have had. A process of negotiating land disputes and land reform was favoured. The strong emphasis on land rights meant that much time had to be spent in assessing and identifying people's land rights. Because of the complexities of land occupation and earlier dispossession, a very complex set of land laws was developed.
These laws recognized conflicting rights and provided for the mediation of these conflicting rights. This led to the relatively extensive experience of rights-based land mediation processes in South Africa.

Another reason for the rights-focus in land policy is the South African's distrust of the state, especially at the time that the Constitution was negotiated. Linked to this was the belief that the ordinary courts were not equipped to deal with the complexity of land matters. Therefore, the Land Claims Commission (originally the Commission on the Restitution of Land Rights) was established, with the main task of investigating land claims and facilitating their resolution with an emphasis on negotiation and mediation (ibid).

### 3.6.2.1 The National Land Reform Mediation and Arbitration Panel

In 1995, the DLA designed and constituted the National Land Reform Mediation and Arbitration Panel (NLRMAP, or "the land panel"). This formed the key element of a strategy to manage the conflict that the proposed land reform programme was expected to generate. The terms of reference for the NLRMAP were to:

- establish a national panel of mediators, trained and accredited as a resource in preventing and resolving land disputes
- interventions should aim to promote consensus
- facilitate fair community participation
- ensure efficient use of financial and human resources
- the provision of arbitration and balloting services on behalf of the DLA
- the enhancement of the capacity of departmental officials and panel members to manage and resolve land reform conflicts effectively

### 3.6.2.2 Case Studies

**The Makuleke Land Claim**

**Background**

_The Kruger National Park was established in 1926 based on exclusionist principles: the area was fenced off, people were removed forcibly, and_
benefits went primarily to whites. This was common to conservation throughout South Africa and resulted in a relationship of hatred and suspicion between black communities and the primarily white conservation authorities. In 1969, the Makuleke community was removed forcibly from its ancestral lands in the Pafuri area (between the Limpopo, Mutale and Luvuvhu rivers) and surrounding state-owned land when the Kruger Park was extended northwards. In terms of apartheid policies, the Tsonga-speaking portion of the community was relocated to Ntlhaveni, in the then Gazankulu homeland, and Venda-speaking members to the then Venda homeland.

The Makuleke land claim was lodged in terms of the Restitution of Land Rights Act in December 1995. The claimed Pafuri area is an environmental hotspot from a biodiversity viewpoint and, in the initial stages, opposition was forthcoming from conservation circles with some saying that "if the Makuleke claim is upheld in respect of the land within the park, all conservation areas will be under threat" (Makuleke and Steenkamp, 1998).

After two years of intensive and complex negotiations a settlement agreement was reached and the Land Claims Court ordered the restoration of the Makuleke community's ancestral land, subject to various conditions aimed at ensuring that both the land's conservation status and the community's rights are protected. Under the terms of the agreement, a contractual park between the community and the South African National Parks (SANParks) was established for 50 years on 22 734 ha of pristine conservation land in the Pafuri area. The members of the community agreed to remain in Ntlhaveni, where they currently live, but aim to benefit from restitution of their land through ecotourism development.

A joint management board (JMB), consisting of members of SANParks and the community, is responsible for managing the land. SANParks has been contracted as an agent by the Makuleke to conduct day-to-day conservation management for an initial period. The Makuleke have full rights to develop the land for ecotourism ventures for their own financial benefit.

The mediation process and lessons learned

The mediation process ran from December 1996, involving as many as 13 parties, until a written agreement was signed in May 1998. The
mediators facilitated this process until final agreement was reached in December 1998.

The mediation included joint sessions with the key parties, and later with all parties, individual sessions with each of the key parties, community hearings and rights enquiries. Many lessons were learned from the process.

The first relates to the fact that, for mediation to be an appropriate process, there must at least be the possibility of a settlement between the disputing parties. At the beginning of the Makuleke mediation, a dispute arose that could not be settled. Chief Mhinga claimed that the community fell under his authority and that, in traditional law, the community must act through him as chief when making the land claim. For this reason, the chief lodged a claim to the same land and on the same basis in parallel with the Makuleke community itself. The members of the community denied that Mhinga was their chief, maintaining that they had their own chief who had been stripped unfairly of his chieftainship owing to apartheid related actions against groups that opposed the government. After an initial period of deadlock, the Regional Land Claims Commissioner rejected Mhinga's claim because the Restitution Act empowers a community to claim, not a chief. This allowed the detailed mediation with the key parties to start in earnest.

The second lesson is that all the important parties must participate. Otherwise, any eventual settlement could be undermined or challenged by one not participating. However, what if a distinct but small section of the originally displaced community refuses to participate? A small group of Venda-speaking families were removed from the Pafuri to the Venda homeland, and were located about 50 km from where the Makuleke community was located. There they fell under the authority of Chief Mutale. This chief refused to allow members of his community to participate directly in any settlement discussions. He insisted that he must represent the community. The Commissioner again refused on the basis of the Mhinga ruling.

Despite many attempts to convince the members of the Mutale community to participate, and the passing of many months, they declined. Their non-participation could have prevented the conclusion of an agreement that took 18 months to negotiate. With the concurrence of the Land Claims Court, a mechanism was therefore designed to give the right to become members of the landholding entity to people who can
show that they or their ancestors were removed forcibly from the Pafuri area around 1969. This allowed the finalization of the settlement agreement and the eventual transfer of the restored land in 1999; 30 years after the Makuleke community had been dispossessed.

Adapted from Botch (1999)

3.6.2.3 The Khomani San and Mier Land Claims

Background

In 1995, descendants of various San families, who later decided to call themselves the Khomani San, lodged a land claim to an area in the northwest of Northern Cape Province. This claim was not for landownership but for use rights to more than 4000 km² of land (calculated using an internationally applied reduction formula of 4:1 for hunting-gathering territory - see Chennels, 1998) in the area now known as the Kgalagadi Transfrontier Park and the Mier Municipality, which their ancestors had used in a nomadic way.

Their land claim is unique in South Africa because the San people are acknowledged as one of the first peoples of South Africa, having lived in southern Africa for more than 20 000 years. In the early 1990s, they and their language were thought by many to be extinct. The lodging of the claim brought together 300 initial land claimants. This number is expected to expand to about 1 000 as the verification process of people claiming to form part of this community is finalized. The San people were originally not one community with a joint structure of governance. They were descendants of various San clans or family groups, which historically had only occasional contact with each other. During the twentieth century, the San were "scattered all over South Africa in search of refuge ... Their centuries old culture, one of the oldest known to mankind, was gradually disintegrated." The descendants of the erstwhile occupiers became a disparate group of people, some now living hundreds of kilometres away from one another.

The San claim overlapped with a claim of another community in the area, the Mier community. The Mier community came to live in the Northern Cape from about 1865 when members of the "bastervolk" fled British rule in the Cape Colony, thereby displacing many of the San. The Mier community claimed areas within the Kgalagadi Transfrontier Park from which they were displaced when a nature reserve was first established in 1931.
The settlement had to be negotiated between four main parties: the San community, the Mier community, SANParks and the Land Claims Commission. The negotiations ran for four years. A settlement framework was concluded in 1999, and a detailed agreement settling all San and Mier claims was reached in 2002.

The 1999 agreement resulted in the transfer of about 37,000 ha of land to the San community and 42,000 ha to the Mier community, each area to be used and occupied by the respective communities under rules to be established by each community. In accordance with the terms of the final 2002 agreement, the South African Government transferred the ownership of 28,000 ha of land in the Kgalagadi Transfrontier Park, called the San Heritage Land, to the San community. The government also transferred ownership of 30,000 ha of park land, called the Mier Heritage Land, to the Mier community.

Lessons

There are three distinct areas regarding which lessons can be learned from this process: handling of competing claims to the same land; designing joint institutions that allow for different approaches; and resolving difficulties within one community regarding allocation of rights and management of community assets.

The issue of handling competing claims to the same land arose in a context where there were concerns that one or other of the parties may not always be able to engage, because of lack of capacity or differences in priorities. The process of mediation was complicated by the fact that there were competing claims to the same land. The following can be learned from this:

➢ Aim to achieve a compromise that both parties can live with.

➢ Facilitate an agreement that respects the differences between the parties.

The need to design joint institutions that allow for different approaches arose in relation to managing adjacent areas of land. All three main parties to the agreement, SANParks and the Mier and San communities, own or manage land adjacent to one another.

A JMB was created to manage the overlapping issues, but allowing for differences in approach. The following lessons could be learned from the design crafted by the parties and their representatives:
➢ Require agreement of all where another party's rights are affected; and provide the opportunity to engage, but with no veto, where another party's interests are affected.

➢ Design institutions for future decision-making that are robust and can function even where one of the parties shows no interest or is incapacitated. The parties agreed on the following:

- Where a JMB meeting is attended by only two of the parties, the JMB may make a binding decision provided that the rights of only those two parties are affected materially.

- The JMB would be able to make decision in the absence of the other party, even if its rights were affected, where a meeting had been postponed at least twice, and the chairperson had taken steps to: (i) establish why it was absent; (ii) bring the importance of the next meeting to the attention of the party; and (iii) canvass the issue with that party’s representatives.

The third area concerns difficulties within one community regarding the allocation of rights and management of community assets. Since the transfer of the first land to the San community in 1999, allegations have been made that: farm infrastructure has collapsed; the community has no motorized transport and virtually no livestock; much of the game on the land has been sold or poached, and the remaining game is dying of thirst because water pumps are broken; leading community members have occupied farmhouses earmarked for community tourism initiatives; and some others have occupied other parts of the land through self-help. Possible ways of avoiding such problems in the future are:

➢ Allocate rights within the communities using clear and agreed criteria before transfer of land

➢ Complete the verification of those persons who are and who are not to be considered to be members of the community before transfer of the land

➢ Ensure that there are real means available for the management of the land concerned

➢ An appropriate government agency should provide adequate backup and monitoring, especially in communities with low levels of capacity.

Adapted from Bosch and Hirschfeld (2002)
Activity 3.3

3.6.3 Mozambican Land Conflict

Before independence black Mozambicans did not have land owing to colonial repressive laws. After independence Mozambicans started with the former land law to get access to land but this land law did little in terms of gender issues, land transmission, land rights, and property ownership. In other words, all the land was nationalised.

According to Mozambican laws, land cannot be sold, though many people do sell it. Because of poverty within the people, those who are on pieces of land are tempted to sell to big companies which need land close to towns for their industrial expansion. As a result, the government's policy has been defeated and any attempts at empowering the people fail as they at the end of the day indirectly hand that land back to the former white owners (Suca 2001).

3.7 River Basin Management

With over 50 significant international river basins, Africa has the second largest number of such basins in the world, providing opportunities for regional cooperation and trans-boundary management of the resource. River basin institutions have been established to jointly manage water resources, and some of these institutions date back to the colonial period. For example, Africa's largest river, the Congo, which is over 4,000 km long, had its first treaty adopted in February 1885 as part of the Berlin Conference (AWF 2003).

The Senqu/Orange Basin which includes South Africa, Namibia, Botswana and Lesotho has at least five agreements, four of which relate to the Lesotho Highlands Water Project. This project is possibly Africa's most significant water export-import activity between countries. The agreements between Lesotho and South Africa treat water as a commodity, from which the former earns revenue in foreign currency and the latter imports a much needed resource for human consumption and industrial operations, mostly in the Gauteng Province. The strategic importance of water including for food security, energy generation, and transport among other uses, has caused some to speculate about the possibility of conflict over watercourses in Africa and elsewhere.
The Okavango River rises in the highlands of Angola (Cubango River) and crosses into north-eastern Namibia's Caprivi Strip before flowing into Botswana. The Okavango River is the only exploitable perennial river in Botswana and Namibia, which are extremely arid countries.

### 3.7.1 The Nile Basin

The Nile Basin Initiative (NBI) is an example of a high-level forum that has combined aspects of "high politics" with technical cooperation and information sharing. This is, in part, intended to foster trust and build confidence of the riparian countries in each other. The vision of the NBI is "to achieve sustainable socioeconomic development through the equitable utilization of, and benefit from, the common Nile Basin water resources."

The objectives of the Nile River Basin Strategic Action Programme are to (Nile-COM 1999):

- Develop the water resources of the Nile basin in a sustainable and equitable way to ensure prosperity, security and peace for all its peoples
- Ensure efficient water management and the optimal use of water resources
- Ensure cooperation and joint action between the riparian countries
- Seek win-win solutions
- Target poverty eradication and promote economic integration; and
- Ensure that the programme results in a move from planning to action.

### 3.8 Wildlife and Biodiversity Management

Africa has a long history of cooperation in wildlife management, dating back to old agreements, such as the 1933 London Convention Relative to the Preservation of Fauna and Flora in Their Natural State. Some countries have adopted a trans-boundary approach to wildlife management, establishing Trans Boundary Natural Resource Management areas.
3.8.1 Ai-Ais/Richtersveld Trans-frontier Park

The Ai-Ais/Richtersveld Trans-frontier Park is a trans-boundary park between South Africa, Namibia, and Angola spanning the Orange River boundary to link South Africa's Richtersveld with Namibia's Ai-Ais and Fish River Canyon National Park across the Kunene River in Angola (AWF 2003).

Activity 3.4

It is a fact that land reform will take place in South Africa. Why is it necessary to accurately identify national interests along with threats to those interests and whose privilege is it to do so?

3.8.2 Great Limpopo Trans-frontier Park

The 35,000 km² Great Limpopo Trans-frontier Park connects South Africa's Kruger National Park, Mozambique's Limpopo National Park, and Zimbabwe's Gonarezhou National Park, and is seen as an integral part of the Maputo Development Corridor.

3.9 Congo Basin Forest

Central African countries of Cameroon, Central African Republic (CAR), Congo Republic, Democratic Republic of the Congo (DRC), Equatorial Guinea, Chad, Burundi, Rwanda and Sao Tome and Principe have tried to effectively manage the sub-region's forest resources by entering into a partnership (COMIFAC) and setting the following conditions (ECA 2000):

- Be well-balanced, responsible, transparent and to promote agreement among the parties;
- Reconcile conservation objectives with development requirements;
- Ensure the conservation of the Congo basin forests through implementation of the Plan de Convergence priority actions;
- Help reduce poverty in Central Africa through greater involvement of communities and local nongovernmental organizations (NGOs) in conserving ecosystems;
 Strengthen and develop national capacities; and

 Include all international organizations that are willing to participate in efforts for sustainable management of the Congo basin forests.

3.10 Summary

It has been the desire of this course in general and this module in particular to introduce you to the real aspects of African conflicts in their varying forms. This unit has therefore taken the lead to focus on some of these conflicts that have led to the under-development of Africa.

The unit did take you through amongst others: conflicts in Africa, their nature and causes. In particular, we focused on political conflicts in: Sierra Leone, DRC, Rwanda, Burundi, Somalia and Sudan. We also focused on land conflicts in Zimbabwe, SA and Mozambique. We also discussed conflicts around water and wildlife in the generality of Africa. It is our hope that this to some extent opens your window to the subject of African conflicts. There are however, several other conflicts that this unit could not discuss which you are required to research on.
References


on 09/09/10

4.1 Introduction

After reading and discussing a lot about conflicts, we need to study some of the best measures of managing those conflicts. This unit seeks to achieve that by taking you the student through, amongst others: conflict overview, CSO/NGOs' responses to the conflicts in various parts of Africa and the conflict management strategies themselves.
4.2 Objectives

By the end of this unit, you should be able to:

- define conflict management
- analyse various African conflicts
- discuss the roles of different actors in a conflict
- apply some of the conflict management strategies

4.3 Conflict Overview

Conflict worsens the problems faced in the region, as it impacts directly on economic potential and human well-being, shattering the very foundations of society. The data and information on the impacts of conflict in Africa are staggering: since 1970, more than 30 wars have been fought in Africa, seriously undermining regional efforts to ensure long-term stability, prosperity and peace. More than 350 million people in Africa live in countries that are affected by conflict. This has multiple implications for the real opportunities available to people, and it undercuts their capability to lead lives that they value. There is a strong negative correlation between conflict and human development: in 2005 most of the countries with the lowest Human Development Index (HDI) rankings were also those immersed in conflict or had recently emerged from it. The resources available to people are diminished - for example, through the loss of access to land and other natural resources on which livelihoods are based, and the loss of access to education and health care - and so is their freedom to choose (Norwegian Refugee Council).

In Zimbabwe during the Matabeleland and Midlands disturbances, many people lost their lives and properties. The same calamity faced mainly urban dwellers when the Operation Murambatsvina was launched. In Rwanda, at least 250,000 women were raped during the 1994 genocide contracting HIV/AIDS, 17 percent of internally displaced women and girls in Sierra Leone experienced sexual violence - both war- and non-war-related - including rape, torture and sexual slavery. During South Africa's anti-apartheid struggle, the systematic physical abuse of women prisoners was an important
aspect of that conflict while rape and amputation of limps and hands by the bandits was the order of the day in Mozambique during an insurgency that ended in 1992.

4.4 Non Governmental Organisation/Civil Society Organisations Responses to Conflict

Where do civil society organizations fit in citizens’ efforts to reduce poverty and reduce conflicts? CSO roles are inevitably defined by their diversity, which in turn is reflected in widely differing organizational values, objectives, intervention sectors, organizational structures, interests and resources. But at their heart, effective CSO roles, if understood within a rights framework, promote citizen participation and democracy and reflect the values of seeking socio-economic justice and connecting as global citizens (Sen 1999).

Civil society has been widely recognized as an essential 'third' sector. Its strength can have a positive influence on the state and the market. Civil society is therefore seen as an increasingly important agent for promoting good governance like transparency, effectiveness, openness, responsiveness and accountability. Civil society can further good governance through:

- policy analysis and advocacy
- regulation and monitoring of state performance and the action and behaviours of public officials
- building social capital and enabling citizens to identify and articulate their values, beliefs, civic norms and democratic practices
- mobilizing particular constituencies, particularly the vulnerable and marginalized sections of masses, to participate more fully in politics and public affairs
- development work to improve the wellbeing of the communities

Some of the most important Civil Society Organisation strategic roles identified are:

- **Collaboration and Solidarity.** Civil Society Organisations contribute to development by collaborating with organizations and social movements that are formed by or work in solidarity with, citizens living in poverty or who are...
otherwise marginalized. These organizations, overwhelmingly based in the South, bring together citizen action in self-help groups, in support of grassroots people-centred development, and promote a democratic culture of participatory civic values

➢ **Democratic Governance.** CSOs support democratic governance through the articulation and coalescing of citizen interests (Lavergne and Wood, 2006). CSO work helps mobilize innovative citizen participation in governance at all levels of their society, by promoting the mediation and aggregation of disparate interests within and between communities

➢ **Gender Equality.** Advancing gender equality, with a particular focus on the rights of poor and marginalized women, is a critical and requisite element in effective strategies to make progress against poverty and conflict. Women-centered civil society organizations, in particular, undertake and promote culturally-sensitive women's programmes. These organizations draw the attention of donors

➢ **Citizens' Voices.** CSOs support the articulation of the voice and interests of citizens, particularly those who are poor and marginalized in policy making processes. The interaction of CSOs can reinforce an expanding space for democratic policy dialogue by consciously facilitating the inclusion of domestic change agents from different levels of society. This interaction can also nourish capacities in CSOs to follow more closely policy dialogue processes and build popular support for their advocacy

➢ **Stimulating Innovation.** CSOs have developed and helped scale up innovative approaches to development, particularly in the social services sectors, and forms of social entrepreneurship and income generation, that are grounded in the realities of where poor people live and work. CSOs are risk-takers, often operating in complex situations where outcomes are inter-related and challenging to predict, meeting the needs of people otherwise poorly serviced by government or the aid system. While sometimes stimulated by shared programme lessons, these innovations are largely rooted in the experience of local CSOs. For example, some foreign CSOs have shared lessons to encourage local counterparts to move beyond direct service provision towards approaches that empower poor communities to organize to claim their rights (Lavergne and Wood, 2006)

➢ **Capacity-Building.** CSOs work with national or grassroots mandates, and sometimes local government and national ministries, providing opportunities for learning and training in various areas relevant to social change. CSO linkages
bring exposures to new knowledge and approaches through access to different expertise and networks for ongoing capacity development

➢ **Networking and Learning.** CSOs facilitate information exchange, networking and learning within and across regions and countries. Cooperation can facilitate information exchange for capacity building processes and to support participation in complex international policy processes. Partnerships create space for leveraging CSO knowledge, based on micro-level development experiences, into macro-level policy discussions, at national, regional and global levels. CSO networking also facilitates identification of shared CSO policy perspectives upon which to engage and challenge official policy makers

➢ **Leveraging Resources.** CSOs mobilize and leverage financial and human resources. Resource transfers are potentially flexible, able to target a variety of areas of work for high impact, geographic locations where poor people live, or development approaches disregarded by other development actors, in which the small or medium-sized project still plays a crucial role

➢ **Promoting Global Citizenship.** Canadian and other Northern CSOs are a significant expression of the commitment of Northern citizens to development and global social justice. CSOs are the main implementers of public engagement programmes on global issues. They inform and raise awareness about these issues, create opportunities for people to experience local realities in developing countries, and help to facilitate citizens of the North and the South working and acting together to change the conditions that perpetuate poverty and injustice (ibid).
4.4.1 Imagining situations

DODO-SELF-EMPLOYED WOMEN'S ASSOCIATION

The Self-Employed Women's Association (SEWA) is a trade union of poor women in Chikomba, Zimbabwe.

SEWA draws its membership from three types of workers: petty vendors and hawkers, home-based producers and those who provide casual labour and other services. Although it started in response to the needs of urban women, SEWA now also covers rural women in agriculture and other sectors. SEWA's aim is to enhance women's income-earning opportunities as well as their working environment.

It does this in several ways.

- Savings and credit cooperatives provide working capital to hawkers, vendors and home-based workers.
- Producer cooperatives help women get better prices for their goods.
- Training courses impart such skills as bamboo work, block printing, plumbing, carpentry, ratio repaid and accounting and management.
- Legal services enable women to obtain the benefits of national labour legislation. Until SEWA was formed in 1992, the women in the informal sector were not recognized as workers, either in law or by society.

SEWA has also developed a welfare component. It now gives assistance to its members through a maternal protection scheme, windows' benefits, child care and the training of midwives.

Source: Own concept (2010)
A COMMUNITY CHILD CARE AND NUTRITION PROGRAMME IN BINDURA

A high proportion of Zimbabwe's population lives below the poverty line. In the towns the worst poverty is borne disproportionately by children, who are at risk from malnutrition, illness, neglect, isolation, and violence. To address these problems, the Zimbabwean government and local NGOs developed a system of pre-school child-care that includes a feeding programme and health monitoring.

The target group-children aged 3 to 7 and their parents-is drawn mainly from the poorest section of the population.

A group of parents selects a "community mother" to provide day care and other services for fifteen children in her home. With the help from the Social Welfare Department, the community mother receives training, a small monthly stipend, and a credit to upgrade the home to minimum standards of hygiene and safety. The Department also provides food, including a domestically produced nutritional supplement, to meet 80 percent of the daily requirements of each child. The service is much in demand.

It started on a broad scale in 2000 and by late 2005 had served a million children. Participating children receive improved nutrition and care as well as exposure to preschool learning activities. Community mothers are benefiting from additional income, and parents, often single female heads of household gain an opportunity to seek remunerative employment outside the home. In addition, the program's subsidies are better targeted to the poor; day care centres largely serve a middle-and lower income.

Source: Own concept.
COMMUNITY BASED DISASTER PREPAREDNESS: BRACING FOR THE STORM

The Muzarabani District of Zimbabwe, prone to floods, and droughts, suffered heavy losses of life and property during the recent floods that hit in October 2006. The need was felt for reducing the future vulnerability of communities by strengthening the capacity of government functionaries as well as communities to cope with natural hazards.

During the June 2008 floods, contingency plans developed under the project came into action, thus significantly minimizing both material and human damages. The project also mainstreamed stakeholders’ participation in disaster management activities, thereby enhancing an integrated and comprehensive response network. These initiatives helped the state government to develop a state disaster management plan and policy.

Source: Own (2010)

Activity 4.1

From the imaginary situations given above, how do you think your government could also craft projects that alleviate crises that have a bearing on social conflicts in your area? Justify your answer.

In the sections above, we discussed measures that are employed by CSO/NGOs in attending to conflict and elaborated to some extent. However, below are some of the ways that are also employed to solve conflicts in communities (Paul 2000).
4.5 Conflict Management Requirements

**Political will**

When ever a position is reached and agreed to by all the parties to a conflict there is now the need for consistency and commitment to the deal and pledges made by all the parties. Without that commitment, conflicts never end.

**Campaigning**

Sustained campaigns to ensure fundamental information is available to key networks to draw attention of decision makers is needed in popular languages, to build effective coalitions, to convince media, to change mind-sets of officials and citizens and change priorities and policies. Campaigns have to be critical, educating, inclusive and engaging.

**Monitoring**

Monitoring of progress, not only at international and national levels, but at the local level with focus on gender, social groups, regions, is essential to enhance the effectiveness of the programmes and the adopted approach.

**Policy reform**

Getting policies right is of crucial importance. If economic and social structures are inequitable and if policies are inappropriate, then the conflict or its source may not be eradicated completely.
Governance

Good policy, honourable intentions and plentiful resources produce no results if there are no institutions to implement good policy, convert priorities into action and properly and efficiently utilized financial resources. Lack of effective institutional framework in many countries has led to little or no improvement in the state of the masses, despite the inflow of resources.

4.5.1 Managing conflict

Conflict prevention and management includes a wide range of policies and initiatives. The activities that are considered to be part of conflict prevention include:

- monitoring a tense situation
- intervening to stabilize a potentially violent conflict before its outbreak
- initiating activities that address the root causes as well as the triggers of a dispute
- establishing mechanisms to detect early-warning signs and monitor specific indicators that may help to predict impending violence
- coordinating interventions to prevent the creation of conflictual situations, and
- institutionalizing the idea of preventing conflict at the local, regional, and international levels

The concept and practice of conflict prevention have evolved from being focused almost exclusively on the short-term interventions of preventive diplomacy, to a new, more comprehensive approach that can be defined as structural prevention and includes long-term initiatives targeting the root causes of conflict.

Violence prevention emerged in the 1990s, as an official policy of the United Nations by the then Secretary General Boutros Boutros-Ghali, in his 1992 Agenda for Peace. The focus was on short-term preventive interventions. At about that time, the end of the Cold War had suggested that the international community could intervene flexibly and effectively to prevent the explosion of conflicts, an impression that was reinforced by subsequent failures to prevent violence in Yugoslavia and Rwanda. It was commonly believed that different
behaviour by neighbouring countries, in the case of Yugoslavia, and a limited but robust military intervention in Rwanda, could have saved hundreds of thousands of lives. A subsequent successful U.N. deployment in Macedonia confirmed this idea.

### 4.5.2 Structural prevention

Another way of stopping conflicts is through structural prevention, which has its conceptual roots in part of international relations theory. The concepts of "security community," and Galtung's "Warm Peace," as well as theories of integration and international regimes, identify the structural foundations of a peaceful international community. The structure of such a community does not consist of elements of pure power, but rather of norms, values, and shared interests. Similarly, the peaceful interaction among different groups within a state can be fostered by structural initiatives of constitutional engineering, economic development, institution building, and education.

Some authors do not agree that structural prevention is a necessary part of violence prevention. Lund (1996) focuses on prompt, short-term, interventions to avoid the potential escalation of a dispute to violent conflict. His definition is more focused on preventive diplomacy, and he considers structural prevention to be too broad a concept, difficult to distinguish from more general processes of democratisation or economic development, and eventually closer to the concept of peace building.

### 4.5.3 Early-warning indicators and signs

In order for policymakers to support preventive initiatives, it is necessary to develop frameworks that help predict conflict and suggest the most effective response, based on the nature of the conflict, its context, and dynamics.

In order for third parties and the international community to better predict and prevent violent conflict, we have to know the warning signs that precede it. The earlier the reaction to an incipient conflict, the greater the opportunity to reverse a deteriorating situation. We can be forewarned of impending crises through early warning indicators or signs:

- Indicators are data that, when monitored over time, tell about changes in political and economic conditions. They are long-term in perspective, and include quantitative and qualitative information such as crime rates among certain groups, trends in unemployment, negative attitudes, forms of expression, and political association.
Signs are more extemporal factors that do not necessarily appear regularly, but whose appearance indicates fundamental changes in a country's situation or the deterioration of inter-group relations. They can be, for example, sharp increases in violent crime, vandalism, protest, threats, or rhetoric, as well as increases in ethnically or religiously motivated attacks (ibid).

4.6 Violence-Prevention Models

Various authors have come up with different early-warning systems for conflict-prone regions around the world. Some of the models out of those proposed by scholars are:

- the correlation model focuses on structural indicators and causality, and how these can help us understand why conflicts occur;
- the sequential model focuses on shorter-term early warning, by studying the sequence by which events that can trigger conflicts have occurred in the past;
- the response model is different in that it is "policy-driven" or "consumer-driven." Rather than trying to understand the causes of conflict, it identifies the points in a conflict process at which strategic interventions are likely to affect outcomes.

Early-warning models differ in terms of their objective, structure, manner in which data is collected, and mandate of the monitoring authorities. When choosing a methodology, one must determine whether to use short-term or long-term indicators, take a qualitative or quantitative approach, or collect generic vs. specific information. Most of these choices have to be adapted to the specific context of the region in which the data are collected, as well as to the availability and reliability of information.

4.6.1 Types of indicators and signs

Monitoring programs are formulated to provide the knowledge needed to tackle the issues that eventually lead to violent conflict. General indicators; economic, social, legal, or environmental are monitored by governments in most areas of the world. There is no consensus on which indicators most accurately predict the emergence of a conflict, and in some cases findings are contradictory.
Other researches suggest that military and political conditions serve as triggers for the outbreak of violent conflict, while economic and social indicators reflect the societal background conditions that encourage discontent and political mobilization. Typical signs and indicators may include:

| Demographic                  | Sudden demographic changes and displacement/movement of people  
|                              | Increasing "territoriality" of groups/peoples                   |
| Economic                     | Short-term and long-term changes in economic performance of a country or a region |
|                              | Increase in poverty or inequality                              |
|                              | Rise of unemployment rate                                      |
|                              | Economic shocks or financial crises                            |
| Policy-related               | Deliberate acts of governments against a specific group or region |
|                              | Destruction or desecration of religious sites                  |
|                              | Active discrimination or legislation favouring one group over another |
|                              | Potentially destabilizing referendums or elections              |
|                              | Government "clamp-downs"                                      |
| Public opinion or "social" factors | A rise in "societal" intolerance and prejudice               |
|                              | An increase in numbers of demonstrations or rallies            |
| External                     | Intervention or support on behalf of one of the parties/groups by an external actor |
|                              | "Diffusion" or "contagion" of ideologies or conflicts in neighbouring regions |
|                              | An influx of refugees from a conflict in a neighbouring country |

*Adapted from Clingendael Institute (1996)*

### 4.6.2 Early-warning systems

Early-warning systems are facilities and mechanisms that are used in institutions to foresee and predict the development of events and conflicts. In order for early-warning systems to function properly, they must be integrated into the international framework and preferably the U.N. system. Even more importantly, they must be visible to local politicians and elites, who then have access to the information and can address the situation themselves. After gathering data, a number of additional problems may arise:
Where does the information go once it has been collected? Who has the mandate, willingness, or resources to act in those cases where the risks of impending conflict are unambiguous? Even if systems of early warning are in place there is still often a general absence of political capabilities, resources, and willingness to get involved on the part of international actors. Any violence-prevention system therefore has to be designed and institutionalized in such a way as to commit politicians and governments to certain responses.

4.6.3 Causes of conflict

Knowledge of the originating factors of a conflict is essential for the choice of the tools for prevention and the targets of intervention. Preventive intervention is more effective in addressing some factors rather than others, each entailing different policy implications.

It is possible to distinguish between different categories of causal factors. Brown (1996) distinguishes between:

- Underlying causes or permissive conditions which create the conditions that are necessary for a conflict to develop. Permissive conditions can be of different kinds: structural; political; socioeconomic; and cultural or perceptual. While the presence of these conditions determines whether or not a society is conflict-prone, it does not tell anything about when and how the conflict may escalate to violence. Conflicts are often an integral part of social dynamics and the engine of social and political development. Only conflicts that turn violent are disruptive and harmful.

- Triggers or proximate causes fuel escalation and determine if and when a conflict will turn violent. These are the variables that must be known in order to control escalation, and which must be targeted in a preventive action. Proximate causes can generally be defined as rapid and unexpected changes in any of the underlying causes. Change acts as a catalytic factor causing the ignition of violent conflict.

There is a further distinction between different types of triggers:

- Mass factors, the structural, economic, and cultural forces that influence shared perceptions and diffused hostility.

- Elite factors or the behaviour of specific leaders, who deliberately fuel the conflict for their own ends. These triggers are more easily recognized, and provide a focus for preventive diplomacy to encourage effective, short-term
interventions. Permissive conditions, conversely, would be the target of initiatives of structural prevention.

Activity 4.2

Several other causes have caused conflict on the African continent. Is there an African perspective on these causes?

In every conflict it is possible to define the sources of incompatibilities between different groups, as well as the "swing factors" that determine whether the dispute will be settled peacefully or will escalate to violence. The factors are classified as:

- Structural factors, which produce acts of violence only "remotely and indirectly." The definition of the relevant structural factors is not always helpful to policymakers and practitioners, who must act with limited resources in a limited amount of time.

- Dynamic factors, which are more "direct and immediate," and can "identify strategic points at which interventions can have real results".

On the basis of this distinction, three categories of causes are listed:

- Received legacies and socioeconomic conditions: These are factors that are inherited from the past and cannot be changed in the short term

- Institutions and political processes: Norms and institutions that can be acted upon and changed in the medium term, influencing the behaviour of the conflicting parties

- Actions of protagonists: Show how groups and their leaders perceive the situation, and how they react to it. These behaviours could be influenced and changed in the short term (ibid).

4.6.4 Violence-Prevention initiatives

Initiatives are actions taken by third parties or participants in a conflict, to prevent the development of a destructive conflict, to reverse an escalation or worsening spiral of violence, or to ease tensions that may exist in conflict-
prone regions. The nature of a specific initiative should be determined by the cultural and contextual factors specific to each case, and adapted to address early-warning signs and indicators where such systems are in place.

Initiatives may have one or more of the following goals:

- Suppressing violence
- Removing the instruments and resources through which violence may be carried out
- Addressing the issues in dispute by engaging the parties in dialogue or negotiations
- Creating or strengthening the procedures and institutions through which such negotiations can be regularized in permanent institutions such as governments
- Alleviating the socioeconomic conditions that provide tempting occasions for incitement to violence and
- Modifying perceptions and feelings of mistrust and suspicion among the parties.

4.7 Third-party Incentives

Rothchild (undated) defined Third party-incentives as "Structural arrangements or distributive or symbolic rewards or punishments used by third parties to encourage a target state or movement to shift its priorities in a desired direction".

Conflict is seen as moving through a dynamic series of five phases of conflict activity in relations. The following list identifies problems that need to be addressed at each phase of the conflict, and suggests initiatives that third parties could take to help prevent escalation (Rothchild):

4.7.1 Latent conflict stage

Structural and symbolic aspects of conflict are present under the surface; there may be some expression of grievances; and real or imagined memories of past suffering.
4.7.1. **Incentives:**
- Facilitate communication between parties to prevent information failures
- Build confidence in a common future; facilitate inter-elite reciprocity and exchange
- Finance development among economically disadvantaged groups
- Push for more inclusive resource allocation and a representational political system.

4.7.2 **Early escalation stage**
These are increased politicization of conflict; rising tensions and military mobilization; struggle over control of resources or state; ethnic or group scapegoating; changes in balance of power; decreased space for compromise.

4.7.2.1 **Incentives:**
- Exhort parties to change behaviour through persuasion
- Provide reliable information through early-warning systems
- Use diplomatic incentives: good offices and fact-finding commissions, side payments
- Facilitate negotiation process: conciliation, mediation, arbitration, aid cut-offs, and exclusion from international organizations
- Sanctions
- Humanitarian aid

4.7.3 **Later escalation stage**
Triggering of mass violence and major shifts in conflict relations; increased polarisation and outbreaks of organized violence; rise in rhetoric communicated by elites; group demands increasingly nonnegotiable (ibid).

4.7.3.1 **Incentives:**
- Influence parties by exerting pressure to desist from further provocative acts
➢ Take a traditional role as peace-keeper
➢ Prevent future escalations of conflict by promoting negotiations
➢ Act as strong third-party mediator

4.7.4 Post-conflict phase
Major violence has ended but societal and inter-group relations are missing; uncertainty over commitment and a breakdown in communications; polarization, communal fears, and predatory behaviour; self-interested and ambitious elites.

4.7.4.1 Incentives:
➢ Increase communication and reduce uncertainties
➢ Assist in the rebuilding of institutions
➢ Halt emergence of new rounds of violence
➢ Design strategies that induce cooperation and future interethnic relations
➢ Create "iterative" bargaining environment

4.7.5 Security phase:
Vulnerabilities in ceasefires and demobilization phase; need for the implementation of promises and commitments; lack of economic or institutional resources; inter-group fears and misperceptions.

4.7.5.1 Incentives:
➢ Finance and oversee disarmament and demobilization
➢ Retrain police and army and reformulate role
➢ Reduce vulnerabilities by providing information to reduce misperceptions and by manipulating pressures to alter payoff structures
➢ Generate economic opportunities
4.8 Coercive or Non-coercive initiatives

Third-party incentives can be coercive or non-coercive and their aim is to raise the opportunity costs of continuing on a destructive path, through changing the parties' calculation of costs and benefits. Sometimes "packages" of coercive and non-coercive incentives can be applied, with coercive ones becoming more dominant as the costs of altering preferences and the intensity of conflict rises. Rothchild indicates that non-coercive incentives are more likely to result in a durable peace, and that if coercive methods are applied it is important to follow up with aid and political reforms in order to prevent a relapse of violence.

4.8.1 Non-coercive

There are four main types of non-coercive incentives:

<table>
<thead>
<tr>
<th>Purchase</th>
<th>Side payments that alter payoff structures.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insurance</td>
<td>Promises or guarantees to uphold agreements, especially in relation to the participation of weaker parties.</td>
</tr>
<tr>
<td>Legitimization</td>
<td>Incentives that stabilize commitment to democratization in post-conflict phase.</td>
</tr>
<tr>
<td>Economic support</td>
<td>Promises of financing that can alleviate competition over scarce resources or compensate the &quot;loser.&quot; New findings show that high levels of poverty increase the occurrence of civil war.</td>
</tr>
</tbody>
</table>

4.8.2 Coercive

There are three main types of coercive incentives used by third parties:

<table>
<thead>
<tr>
<th>Diplomatic pressure</th>
<th>Partially coercive but still a &quot;cooperation incentive.&quot; Includes political, economic, strategic, and military policy approaches.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sanctions</td>
<td>A punitive strategy designed to alter behaviour.</td>
</tr>
<tr>
<td>Military intervention</td>
<td>Used by third party especially to strengthen political initiative; can decisively alter the balance of forces.</td>
</tr>
</tbody>
</table>
4.9 Challenges of Preventive Diplomacy

One of the greatest challenges to preventive diplomacy is getting potential interveners involved before the conflict has escalated to the point of a hurting stalemate, which is traditionally the time that is thought to be "ripe" for resolution. So many would-be interveners tend to wait, hoping that the situation will get better, or until they are sure that their overtures are welcome. A general rule of thumb is that intractable conflicts are much easier to prevent than they are to cure (ibid).

4.10 Summary

In this unit, we discussed an array of measures that international scholars and writers consider to be some of the best for application in conflict management. The unit covered an overview of African conflicts including some of the local ones in Zimbabwe. Also discussed was the CSO/NGO response to the conflicts and possible measures employable in different situations. Finally, the unit covered some of the best conflict management strategies ever applied in some of the crises. It is hoped that this unit has introduced you to a mature approach to conflict management.
References


Rothchild, D, S, "Third party incentives and the phases of violence prevention," in Lekham and Wermester (Ed.), International Peace Academy Press


5.1 Introduction

In this unit you will learn about the importance of institutional reforms as conflict resolution measures. You need to understand that one of the reasons why conflict arises is dissatisfaction with the way in which certain institutions operate or how particular issues are institutionally handled. Hence this will provide justification for reform of those institutions to provide an environment that is conducive to address the needs of everyone or any party concerned. Kelman (2006) acknowledges that the world community devotes a lot of resources to deal with the effects of violent conflicts. However, Kelman (2006: 210) goes on to say that "... it has not been effective in preventing or resolving them or in building new relationships that are conducive to stable peace, mutually enhancing cooperation, and reconciliation between the opposing groups". Therefore, there is need to develop institutional mechanisms that are well geared to intervene at a time when a conflict arises to deal with it before its devastating effects.
These institutional mechanisms should also be backed with strong political will, otherwise they will remain ineffective. According to Youngs (2004) the commitment to assist in the building of democratic institutions has emerged into the mainstream of the peace-support agenda since the mid-1990s and that "the institution-building commitment goes beyond the range of established conflict-related issues, such as demobilization, economic reconstruction, refugee return, human rights monitoring, rehabilitation, security-sector reform and electoral assistance" (p526). There are many institutional reforms that need to be implemented in conflict resolution, but in this unit we will focus on four sectors namely: security, human rights, electoral process and local government.
5.2 Objectives

By the end of this unit you should be able to:

- discuss the influence of the institutions in conflict resolution
- describe the nexus between conflict and institutions
- analyse the general concepts of reforms

5.3 Security Sector Reform (SSR)

According to McFate (2008) Security Sector Reform (SSR) is the complex task of transforming the "security sector" - those organizations and institutions that safeguard the state and its citizens from security threats - into professional, effective, legitimate, apolitical, and accountable actors (p1). In the case of violent conflict, the security sector would have broken down and no longer serving its purpose as expected under democratic governance norms, especially with regard to the rule of law. Under peaceful conditions SSR would mean changes to the security sector to further enhance its functions.

The traditional role of the security sector is defence, intelligence and policing of a sovereign state. There are a number of actors in the security sector and these are not only confined to the army, police, ex-combatants, armed groups particularly in their organisational capacities. They also include the institutions that control these actors like the ministries of home affairs, defence, justice and national security councils (McFate, 2008). Ginifer (2006) asserts that these elements of the security sector are fundamental in undermining or obstructing democracy, creating instability, and eventual return to conflict. That is why there is need to 'civilianize' the security sector and establish democratic accountability for states and societies to recover from conflict and finally institute democratic reforms (Ginifer, 2006:792).

McFate (2008) shows the importance of SSR by saying that "... in fragile states, the construction or reconstruction of the security sector is a precondition for development, since no other reform - political, economic, or social - can take root without security" (p3). Sedra (2006) advances the same notion that the immediate period after a conflict provides the best opportunity during which an SSR process can be articulated and institutionalized, by including it as a central element of a formal peace agreement. This actually shows the link and importance of SSR with and to conflict resolution respectively. In this regard Sedra (2006) says that one of the central goals of SSR is to ensure...
that all state security structures are non-political to prevent reactionary elements from entrenching themselves in the post-war security institutions, in a way to go on with their own parochial interests.

SSR can proceed in diverse ways, for example, Law (2006) identifies three phases of reforms in conflict resolution in Serbia, Bosnia and Croatia, facilitated from outside efforts. The first stage was of conflict termination and pacification followed by a phase of institution-building, primarily at the Serbian and Bosnian-Croatian entity levels. The third stage was to build key, country-wide security sector institutions.

However, Sedra (2006) acknowledges that "SSR is a protracted endeavour, and as such, requires long-term commitments of resources and support from external actors to succeed" (p108). Sedra cites the example of Afghanistan where the population remains traumatized by more than twenty years of war and the state is still grappling to establish its authority and legitimacy in a highly factionalized environment. The same challenge exists in Haiti where there is lack of holistic approach to SSR that views it as a long-term process, in conjunction with other economic and social development interventions (Mendelson-Forman, 2006).

Whatever form it takes, the core "to security sector reform is a 'unifying factor of democratic governance" (Sedra, 2006: 29). The OECD (2004) therefore says that, "to ensure this, there are basic principles that should be adhered to. First, it should be 'people-centred' and 'locally-owned'. Second, it should also be carried out to take account of all the security needs of the people and state. Finally, security sector reform should also be implemented 'through clear process and policies that aim to enhance the institutional and human capacity needed for security policy to function effectively' (p30).
Read the following passage on SSR in Sierra Leone and identify some characteristic features of SSR.

Sierra Leone presents a good example of how international agencies, working with national authorities, can intervene and assist in stabilizing states emerging from conflict through re-casting the security sector and instituting democratic reform. Sierra Leone, which experienced a traumatic civil war from 1991 until 2002, and which has received considerable international assistance since, is widely regarded as one of the more successful international interventions in sub-Saharan Africa. Sierra Leone has not returned to conflict since the conflict was officially declared over in January 2002.

Sierra Leone demonstrates that the security sector and its reform remains a pervasive and critical factor in securing democratic transitions that should not be under-estimated. The conflict in Sierra Leone had its roots in chronic poor governance, monolithic rule, the interference of the military in politics, and the collapse among most civilians of any belief in the credibility of state governance.

A feature of the conflict was the inability of the national army to protect civilians; indeed they were involved in abuses. However, a major problem was the politicized and undisciplined armed forces that had been inherited from the (National Provisional Ruling Council) NPRC. Recruitment over the previous three decades had been based on patronage and ethnic affiliation and the army, when under control, had become a tool of the ruling party. The army was seen as a corrupt and ineffective organization and contained renegade elements who looted private property and worked the diamond fields.

From the outset it was realized by stakeholders virtually across the board that the management of the security sector was critical to Sierra Leone's recovery, to democratization, to avert future outbreaks of conflict and abuses against civilians. This was recognized in a series of Memorandums of Understanding (MOUs), recovery plans, and strategies. The UK Strategy for Conflict Prevention in Sierra Leone, for example, set objectives that included building an effective Sierra Leone state, which is accountable and exercises full control over its armed forces. It also set out the importance of building up new, effective, non-political, accountable, and disciplined armed forces and police.
The MOU between the UK government and the Government of Sierra Leone (GOSL) set out agreed GOSL commitments in the security sector and related areas of governance reform. These included: a Sierra Leone Police force, national security systems, and the Republic of Sierra Leone Armed Forces (RSLAF) operating effectively; and accountable and affordable defence systems in place along with improved governance, including an anti-corruption strategy. Underscoring the challenges facing SSR, the Special Security Division, a paramilitary security police created to protect the President, was routinely associated with serious human rights violations. The UN Peace building and Recovery Strategy (PBRS) set benchmarks in terms of: strengthening the capacity, accountability, and loyalty of the Sierra Leone Police (SLP); supporting the reintegration of ex-combatants; limiting the circulation of small arms in Sierra Leone; addressing external security challenges and promoting regional stability; consolidating state authority; strengthening the rule of law; and restoring local governance. The Security Sector Review for the 2001 Interim Poverty Reduction Strategy Paper (IPRSP) postulated developing a national security environment that would ensure national recovery and the reduction of poverty and that would be supported by well-equipped and well-trained security forces.

The UK Department for International Development (DFID) spent £21 million on the Sierra Leone armed forces between 2000 and 2002 alone, working in concert with the UK Ministry of Defence (MoD). Its aim was the restructuring and equipping of the security institutions to enable them to perform their constitutional role in modern state-building and create sustainable peace in Sierra Leone.

Excerpts adapted from Ginifer (2006)

5.4 Human Rights Reform

One of the notable features of conflict is the breakdown in the rule of law and the rampant violation of human rights. There is inadequate law enforcement and low justice administration capacity. So Human Rights Reform (HRR) becomes an important dimension in the conflict resolution process. However, there are different arguments about how the issue of human rights in general and their reform in particular should be handled in order to resolve conflicts (Kaufman and Bisharat, 2002)
On one hand Licklider (2008) notes that the theory of transitional justice is premised on the assumption that societies must learn and accept the truth of what sort of violence occurred in order to build a functioning, united society, and that any solution which omits such policies should be discarded to which he finds no empirical support for this assumption. The Office of the United Nations High Commissioner for Human Rights (OHCHR) (2006) agrees with this view in that "institutions that abused human rights and defended the partisan interests of a few need to become institutions that protect human rights, prevent abuses and impartially serve the public" (p4).

The OHCHR (2006) observes that in as much as a comprehensive approach to institutional reform is critical to ensure its effectiveness and sustainability, there is need to focus on one core area: the reform of an institution's personnel. This is so because the institution acts through its employees and is represented by them to the extent that past malfunctioning and abuses were often the result of inadequacies of an institution's personnel. Personnel reform is, therefore, a central component of any effective and sustainable institutional reform process (for example, in human rights) particularly under the transitional justice framework. The OHCHR (2006) therefore suggests that vetting processes should be instituted. These vetting processes will be having the aim of "excluding from public service persons with serious integrity deficits in order to (re?) establish civic trust and (re?) legitimize public institutions" OHCHR (2006: 4).

There are two ways in which the transitional justice will help in the settlement of a conflict (Licklider, 2008, OHCHR, 2006). One is that it will prevent human rights violations in future and the other one is that it will help with reconciliation of the masses of both parties by creating a common memory of the past and giving the victims a voice.

Conflict resolution theory on the other hand, proposes that all major parties, including those who have committed atrocities, must be involved in the settlement as a condition for it to be stable (Licklider, 2008). The idea is to stop the violence as promptly as possible even with little or no justice and this goes as far as "negotiations with people and organizations with blood on their hands, not because we approve of them but because they often have the power to continue the war" Licklider (2008: 377). Barker (2001) quoted in Licklider (2008) goes on to say that it would be suitable to agree to their demands if this is a way to cease the violence and hoping that progress on other issues pertaining to the conflict can be achieved. This idea of relegating human rights to a post-negotiation period is traditional (Kaufman and Bisharat, 2002).
The human rights perspective is that acceptance of human rights as a binding obligation and the subsequent use of their principles helps to create a common ground (Kaufman and Bisharat, 2002).

In overall the process of HRR can be benchmarked under principles of the UN system of protection of human rights (Stewart, 2008).

Activity 5.1

Discuss at least three International Human Rights instruments and how they could be applied in the Conflict Resolution Process to solve conflicts.

5.5 Electoral Process Reform

The construction of democratic political structures through elections was seen as a key pillar of conflict resolution and they served as a final step to effect a peace agreement after a civil war (Lyons, 2004). In Africa, the crafting of appropriate electoral systems is one of the key factors shaping democratization, (Reynolds, 2009).

Elections provide a way in which those who are going to govern are given the power to do so by the governed. So there is going to be contestation of power which to some extent can mean life or death depending on the environment under which they are conducted.

There are basically two electoral systems, namely Proportional Representation (PR) and First Past the Post (FPTP) or majoritarian system (winner takes all). Each one has its merits and demerits; therefore the choice of which system to adopt is a source of heated debate in the negotiation for peace amongst conflicting parties. The bottom line is that elections seem to work better in situations where there is a large population and with less ethnic divisions (Reynolds, 2009). You can explore the various bases upon which parties end up agreeing on the use of a particular electoral system but Reynolds (2009: 79) holds the following views:

- There are alternative views of how electoral systems can best promote democracy and stability but all successful electoral system design revolves around a series of core principles: (i) that the system is perceived to be fair (usually because all major interests are represented in parliament); (ii) that it avoids anomalies in the results which would lead to illegitimacy; (iii) that space is created for cross-cutting multi-ethnic parties; (iv) that women and minorities are given fair access...
to representation; (v) that internal party democratization is promoted; and (vi) the connection between a voter and her representative is maintained in the interests of accountability.

The crux of the matter when it comes to elections is the electoral process itself, which is simply how the election is conducted. It is through this part that can prove elections to be the foundation for sustainable peace or the situation can precipitate back to crisis. At the outset an election must be conducted in a transparent or foolproof way that is free and fair for its results to be acceptable to both winners and losers.

In the process of electoral reform there is building up new institutions to replace those that were present during the conflict period, or they need to be reconstituted in order to sustain democracy if the subsequent elections are held freely and fairly. There is need to put in place processes to 'demilitarise politics' at the interval between termination of conflict and the final voting (Lyons, 2004: 38). Electoral laws need to be reformed in order to provide the necessary framework for the establishment of new electoral institutions or the existence of reformed institutions. The most important institution that needs to be reformed is the electoral commission, and it is the vehicle through which demilitarization of politics can be achieved by confidence building. The internal electoral commission should institute consultative mechanisms and norms that help to boost confidence and eventually legitimise post-conflict elections (Lyons, 2004).

Lyons (2004: 45) goes on to say that there is no best model of an electoral commission and there is diversity in electoral administration, therefore he contends that:

An electoral commission may be temporary or permanent; partisan, partially partisan or non-partisan; centralized or decentralized; a specialized judicial body or government ministry; or even a mixture of several of these types. In an increasing number of cases, an independent electoral commission manages the process. In other cases, political parties designate representatives for the electoral commission in order to assure that major political actors have representation and the ability to monitor the commission's activities.

For example, countries in the Southern African Development Community (SADC) subscribe to common "SADC Principles and Guidelines Governing Democratic Elections", but in doing so each country has its unique operational mechanisms. However, within the SADC region some countries are experiencing problems with regard to the way they conduct elections. Conflict resolution intervention efforts of this bloc of countries have been directed towards reform of the electoral processes to align them to "SADC Principles and Guidelines Governing Democratic Elections".
Lyons stresses that there are tensions between administrative efficiency, political neutrality and public accountability and that these tensions cause contestation of the way through which elections are conducted. In this regard it is the role of the electoral commission to ensure that there is procedural certainty and reliability.

The following case study can help you to understand some of the ideas that have been highlighted about electoral process reform and its impact on conflict resolution.

**New Measures to Stop Rigging**

**Friday, 09 April 2010 09:14**

ZANU PF and MDC negotiators have in their latest talks agreed on a draft of far-reaching electoral reforms designed to prevent a repeat of the March/June 2008 presidential election fiasco which edged the country to the brink of civil strife.

The proposed new amendments to the Electoral Act, exclusively obtained by the Zimbabwe Independent this week, are designed to prevent the 2008 experience by introducing strict procedures on how the poll is to be conducted and results announced. They are also calculated to stem systematic rigging.

"We agreed to amend the Electoral Act so as to oblige the Zimbabwe Electoral Commission (ZEC) to declare the presidential results by not later than five days after the final date of voting," one of the negotiators told the Independent. "We also agreed to an amendment to the Electoral Act to provide for an audit with respect to presidential election results to verify that the numbers do add up. The verification is to be done at the polling station, district, province and national levels," another negotiator said.

After the reforms, there will be counting of presidential election ballots at a local level to prevent manipulation and vote-rigging. There will also be the creation of presidential constituency centres to collate results at the House of Assembly constituency level. Direct transmission of presidential election results from the polling station to the appropriate House of Assembly constituency centre and straight relaying of the results return from the House of Assembly constituency centre to the provincial command centre en route to the National Command Centre will also be introduced.
As a result, the controversial National Command Centre - manned by state agents accused of manipulating past elections, especially the 2008 one - will no longer be able to fiddle with the results. The changes also seek to prevent parties from using political violence as a tool of winning elections. There will be a special body in the electoral law to deal with political violence.

The parties agreed to the following measures to be incorporated into the Electoral Law:

- Set up a Special Body to receive complaints or allegations of politically motivated acts of violence, to monitor and to carry out investigations of such reports. The special body will closely liaise with the police and with multi-party liaison committees;

- To refer these allegations to police for expeditious investigations and prosecution;

- To empower ZEC to summon candidates, election agents or political parties against whom;

- allegations of violence have been made or on their own initiative where they believe or have;

- reason to believe that acts of violence have been perpetrated;

- To empower ZEC to warn candidates, election agents or political parties against acts of violence perpetrated on their behalf by their supporters;

- Set up special courts at the magistrates' level to try cases of politically-motivated violence committed during the election period;

- Ensure the Attorney-General sets up a special unit to prosecute cases of politically-motivated acts of violence committed during the election period;

- Provide in the law that upon conviction by special courts, the court can make a special order banning candidates from further participation in the election process.

Adapted from Zimbabwe Independent (http://www.theindependent.co.zw/local/26035-new-measures-to-stop-rigging.html) Accessed 8 May 2010
Activity 5.2

1. Discuss the major types of electoral systems that you are familiar with.
2. In your view what are the advantages and disadvantages of each.

5.6 Local Government Reform

Local government is the interface of government and the ordinary citizens within a country. All policies formulated at the national level are implemented at the local government level. Hence local government is important because it gives a measure of the commitment of the state towards addressing issues that relate directly to people's livelihoods, for example, access to basic services to improve the quality of life. In this context, local government should be structured in such a way that it becomes sensitive to the needs of the people and it allows effective and efficient service delivery.

The challenge is that local government offers politicians the most basic source of power and hence they temper around with local government structures and processes in order to secure and maintain that power. This ends up compromising the ability of local government to pay attention to the needs of the people. So in case of conflict, there is always contention on the nature of local government and how it should operate. Therefore local government reform becomes imperative in the whole process of conflict resolution.

Focus is going to be given to local government reform in Mozambique. The country went through a long period of civil war that destroyed infrastructure and disrupted people's livelihoods. Since independence in 1975, there was need to reorient government from colonial systems towards confronting the challenges of a new dispensation. Laws were put in place in 1978 to destroy the old colonial administrative structures which were perceived to serving the needs of the Portuguese and replace them with new government structures at the national, provincial and local levels with an idea to centralise power to meet the needs of the state to consolidate independence (Antonio, 2001).

However, the new structures put in place were proved to be unworkable and the government was forced to reconceptualise its local government systems in the 1980s (Grest, 1995). There was debate on decentralisation and autonomy of the local bodies (Antonio, 2001). As part of this debate Grest (1995) refers to a seminar that was held in September 1988 which was organised by the Ministries of Finance, State Administration, and Water and Construction with help from the World Bank and FINNIDA (Finnish...
International Development Agency). The themes of the seminar were drinking water and sanitation, solid waste management, and municipal administration and finance, and Grest (1995: 160) states that:

Emerging from the proceedings was the view that stronger and more autonomous local governments were needed in order to respond effectively to the crises of the cities and their residents and to contribute to national development. A range of service delivery options involving combinations and permutations of public and private involvement were considered, the paramount criterion being effectiveness in carrying out state-defined goals. It was recognised that the development of more autonomous urban administrations involved the reorganisation of relations between central and local authorities and that this was not a simple technical and administrative matter but involved political struggles between the various levels of the state apparatus.

Another workshop was held in 1991 to start a process of 'social engineering' aiming to rationalise the development of selected urban systems within the country (Grest, 1995: 161). Municipal development projects were implemented in five provincial capitals: Maputo, Beira, Quelimane, Nampula and Pemba (Antonio, 2001). There were amendments to the constitution, between 1996 and 1997 to provide a legal framework for decentralisation and creation of municipalities and as a result there was establishment of local authorities "as population and territorial units ... with administrative, financial and patrimonial autonomy" (Antonio, 2001: 9). According to Antonio (2001: 11) "the new municipal government system is based on [a set of] constitutional principles: the principles of autonomy, which include administrative, financial and patrimonial autonomy; the principle of multi-party democracy and popular participation; the principle of representativeness which allows citizens to elect their municipal councilors and mayors; and the respect for, and collaboration with traditional authorities". Following these provisions Mozambique was able to conduct local government elections for the first time in 33 municipalities though they were marred with voter apathy (Bossuyt and Gould, 2000; Antonio, 2001).

Antonio (2001) describes the general structure of each municipality and its office bearers. The municipal assembly is made up of members elected directly by members of the public in an election. There is the president of the municipal council or the mayor who is also elected by the public. The municipal council is made up of the mayor and councilors that he/she nominates with a minimum of 50% of them coming from the municipal assembly. The councilors play the role of supervising municipal council decisions and policies and also provide guidance to the mayor in the implementation process (in relation to municipal plans, annual programmes and the budget). There was transfer of
responsibilities, functions, personnel, and property to the new councils, but in some instances everything had to start from scratch (Antonio, 2002).

This process of transformation of local government has been gradual and has had its own challenges. Measures have been put in place to consolidate the progress that has been made so far, for example, training programmes for councillors and civic education for the public to harmonise their operations to conform to the new municipal system and stimulate participation respectively. Several milestones have been registered in the process as well. The change from a party system to a multi-party system that is based on public participation is bedrock of good local governance. This has been followed by modest economic growth in Mozambique.

Despite all the effort Bossuyt and Gould (2000) pose a fundamental challenge of whether local government will stand up to the expectations of addressing issues of service provision and fighting poverty. They highlight the difficult position that local government finds itself as follows:

[There is] unclear task division between central and local government structures; weak human, material and financial capacities. This produces a vicious circle of poor performance and mistrust. Central governments 'postpone' the devolution of resources and authority to local government structures, arguing that they lack capacity for accountable management. Local governments are nonetheless expected to meet local demands for service provision and must attempt to mobilize local resources to deliver development goods and services while lacking the human resources and management systems to raise revenue, control private sector operators and attract investment. When citizens fail to see concrete outputs, their faith in local government remains weak, and they are often reluctant to pay rates and taxes. This perpetuates local dependency on (often erratic) resource flows from central governments and donor agencies. The political dominance of centrally nominated officials or civil servants over local decision-making can negate the efforts of democratic bodies to influence local development and thus undermine the legitimacy of statutory structures (Bossuyt and Gould, 2000: 5)

Bossuyt and Gould (2000: 5) are critical of donor agencies in that there is "the tendency of local and international NGO's to occupy the gaps left by an absent State in the provision of basic services". They allege that in Mozambique, the donor agencies started to support local government through sectoral programmes in education and agriculture in a way that bypasses democratic means of control by statutory bodies at the local government level. This has happened with an idea to achieve short-term goals at the expense of the vision of building local capacity for service delivery. This is understandable as part of the broad NGO agenda. Nonetheless the role of local government and the need to reform it where necessary to align it with new developments
remains sacrosanct and Mozambique is held in good regard as a model for local government transformation.

**Activity 5.3**

Central governments and local governments have at times experienced task oriented conflicts; discuss using specific examples, the roles that central government and local government should play.

**5.7 Summary**

The purpose of this unit was to highlight the importance of institutional reforms as part of conflict resolution. The parties to a conflict with the assistance of other agencies like civil society or the international community should be really committed to bring back normalcy. Reform of the institutions may involve disbanding those that presided over the degeneration of a country into conflict. New institutions may be built from scratch to take care of pressing needs that would have been neglected previously resulting in conflict. There is scope of restructuring existing institutions as long as it will be to the satisfaction of the parties to the conflict. Key personnel in old institutions who would have taken part in perpetuating the conflict should not be part of the reformed institutions.
References


6.1 Introduction

In this unit, we are going to focus on the efforts from the international community in resolving a conflict within a country. It can be seen that in all the forms of reforms outlined in Unit 6 there is need for external assistance, for example, there was aid for SSR coupled with other reforms in Sierra Leone (Ginifer, 2006); Haiti (Mendelson-Forman, 2006); Afghanistan (Sedra, 2006); and Serbia, Bosnia and Croatia (Law, 2006).

The motivating factor for external assistance is to restore capacity (that would have gone down due to conflict) of the state to protect and care for its citizenry. There is a broad spectrum of forms of external assistance across the board stretching from government structure and policies to community based projects (Barbanti, 2006).

In the NGO sector, external assistance also takes many forms to cover various sectors that are affected by conflict and Kelman (2006: 219) says that;
... there are typically a variety of NGOs that perform vitally important functions in conflict regions: humanitarian-assistance organizations that provide emergency relief, medical services, psychological services, and help in rebuilding infrastructure, restoring the natural environment, and resettling refugees; human-rights organizations that call attention to the gross human-rights violations which almost invariably accompany or lie at the root of violent ethnic conflicts, and that not only try to deal with accountability for the consequences of such violations, but also promote stable arrangements based on respect for human rights; and organizations offering assistance toward economic development in divided or post-conflict societies, toward the development of democratic political institutions, and toward the creation or restoration of institutions of civil society both within and across the conflicting communities.
6.2 Objectives

By the end of this unit the student should be able to:

- discuss aid in conflict situations
- state how aid influences/benefits other stakeholders

6.3 Incentives for Government

Countries that have been plagued with conflict struggle to revitalise their economies to improve the standards of living of their people. The incentives for governments that are in such a conundrum range from resumption of trade relations with the rest of the international community, balance of payments support, infrastructural development assistance, opening up of credit lines and any forms of support aimed at increasing economic stability and growth. There is need to create conditions that are conducive to the participation of people (particularly the poor) in the economy in order to improve themselves.

The changes should start at the policy and institutional levels where the conditions of a peace agreement are linked with a commitment to pave way for economic reforms as well. Three components of the so-called pro-poor policies of economic development are identified as follows: (1) sound macro-economic policy (fiscal, monetary, and regulatory framework); (2) strengthening of institutions needed for a vibrant market economy; and (3) support of economic entities for private-sector development (Kusago, 2005).

Kelegama, (2005) describes the donor assistance given to Sri Lanka by the IMF (International Monetary Fund), World Bank, European Commission and Asian Development Bank to stimulate economic growth. The IMF provided a poverty reduction and growth facility, and an extended fund facility to the tune of $567 billion from 2003 up to 2006. This assistance was linked to conditions of fiscal policy changes in line with market economic policies that require reduction of public debt and clarifying the role of the state in the economy. The World Bank supported 98 different projects with $2.7 billion, while the Asian Development Bank supplied loans amounting to $2.7 billion. The World Bank lending programme extending up to the year 2006 consists of about four projects per year, totalling $800 million. The European Commission also provided €3.27 million to support Sri Lanka's peace process.

Sedra (2006) also describes the stimulus brought to the economy of Afghanistan with billions of dollars of reconstruction support though the conflict...
still rages on. For example, the gross domestic product (GDP) of the country grew by 28.6 per cent in the fiscal year 2002/03 and by 15.7 per cent in 2003/04. A new currency the afghani, was introduced and other reforms in the economic system were also put in place to provide the first fundamental steps to grow the economy.

You should note that despite all this support, challenges still exist. Therefore support for post-conflict reconstruction and all forms of development should be an ongoing process. Some of the countries, like Afghanistan are still in conflict situations, despite the amount of aid that has been pumped from particularly the USA and its allies. You are challenged to explain why conflict in Afghanistan and elsewhere in the world has become so insoluble amidst all the support. There is a plethora of information to anchor your ideas.

6.4 Incentives for Societies

Development aid is there to uplift the standards of living of poor people, so it is critical to meet their basic needs (food, health care, education, and other needs) and often times these are the people who are susceptible to economic, social and economic downturns that are associated with conflict (Barbanti, 2006). As indicated in the introduction to this unit, there is a broad spectrum of agencies that work in an effort to address cross-cutting issues. This means that these efforts touch on all facets of life in a post-conflict society. The idea will be to restore order and reduce frustration so that the situation does not degenerate into conflict again.

Peace is the ultimate benefit to a society and it will create an environment that is conducive to all other forms of development to take place. Restoration of livelihoods will follow through integration of efforts, for example, by reconstruction of shattered infrastructure. Stimulation of economic activity in a way that allows full participation of all citizens is the most ideal situation. This increases employment and income opportunities to improve the standard of life and eliminate inequality. The bottom line is that members of society should take ownership and control of their lives, so whatever form of development assistance offered should allow space for these ideals. You can imagine of some of the ways in which development aid has made appositive effect in people's lives.
6.5 Incentives for Donors

To address this topic the view of Barbanti, (2006: 238) has been adopted that "development aid may stem from altruism to some extent, but mostly, it reflects donors' social, economic, and political interests. Development means change, and the process of social change is value laden and conflicted". Barbanti (2006) argues that development agencies have pressure to account to their governments on the impact and effectiveness of their interventions. Therefore there is a tendency to focus on short-term projects that have tangible and measurable outcomes. However, peace is a holistic concept which includes intangible and unquantifiable elements that might be crucial to the community or society where the intervention is being implemented. You can recognise this fact with regard to local government reform in Mozambique. Thus the intervention is not suitably rooted in the world view and values of the people who are directly affected by the conflict.

The biggest prize for donors in the conflict resolution process is influence and this reality has a long history, no matter much diplomatically it may be packaged for the recipients. Foreign policies of major powers are actually crafted to reflect the need to exert influence in other countries driven by the social, political and economic interests of the donor. A tip of the iceberg is offered by Daley (2006: 310) in relation to the intractability of the conflict in the resource-rich Democratic Republic of Congo as follows:

Peace and security is high on the agenda of many international development agencies and Western governments, some of whom have peace initiatives outside of the UN and AU peace process, trying to broker deals that will increase their influence with the post-conflict regimes. Regional states acting unilaterally, the European Union, the USA, Canada, European countries, religious organisations such as the Catholic Church and international and regional NGOs are all active in the negotiations. Each has its own agenda for seeking peace in the region, with some operating in an opportunistic way and not necessarily co-ordinating their activities. NGOs tend to take on the role as mediators between state and civil society. The dominance of neoliberal ideas in post-conflict reconstruction has also led to increasing attempts to involve the private sector (security firms and multinational corporations) in the drawing up of blueprints for post-war societies. Peace has become a very profitable industry.

Another example is the role of American foreign policy and the 2003 war in oil-rich Iraq, which was instigated on the need to fight against terrorism on the basis of perceived weapons of mass destruction harboured by the Saddam Hussein regime.
Activity 6.1

Some people particularly with access to resources and have control over it, attempt to control and use aid resources to support their side of the conflict and in the process weaken the other side. Comment on the above using examples of your choice.

6.6 Aid for Conflict Resolution

We have noted the importance of various reforms towards conflict resolution in unit 8. Most of these conflicts occur in developing countries which, in most instances, do not have the capacity and resources to implement those reforms save for their will power. This is when aid is needed to finance those reforms. Examples can be cited to support this idea. In case of the conflict in Sierra Leone the UK Department for International Development (DFID) working in concert with the UK Ministry of Defence (MoD) spent £21 million on the Sierra Leone armed forces between 2000 and 2002 alone, (Ginifer, 2006). The major drive was to restructure and equip the security institutions, so that they are able to perform their mandate and provide a strong foundation for long term peace in that country.

For Afghanistan, the Geneva Process was spearheaded at the 2002 G8 donors' meeting in Geneva to prepare a platform for a multi-faceted donor support strategy and this was divided into five pillars (Sedra 2006). Each of these five pillars was supported by a lead donor nation as follows; military reform (US), police reform (Germany), counter-narcotics (UK), judicial reform (Italy), and the disarmament, demobilization and reintegration of ex-combatants (Japan).

In this regard conflict resolution goes beyond the mere mediation, and negotiation for cessation of hostilities and ultimate peace. The idea is that once a conflict has arisen and particularly it becomes violent and protracted, it would imply that local institutions and conflict resolution mechanisms would have failed to stand up to the challenge. At least one of the opposite parties in the conflict would no longer be confident with those institutions or mechanisms and if the economy is down then it shows that the conflict situation deteriorates causing further damage. In such a situation external intervention finds its way into the country on the basis that internally the country has failed to resolve its own problems. The pretext will be to bring about development, the absence or inequality of which would have been the root cause of conflict. Questions arise in terms of the justification of development aid or the role of external intervention in conflict resolution.
The way in which development aid is administered can also contribute to exacerbate the conflict. In Sri Lanka, delays in the disbursement of development aid to improve the economy as a way of consolidating the peace process has not yielded results that are good enough in a situation where parties to the conflict do not trust each other (Kelegama, 2005). Barbanti (2006: 233) acknowledges the "great complexity of development aid in terms of policy design and projects delivery" and how it contributes to the intractability of a conflict.

In the end Law (2006: 116) says that "a problem common to all these post-conflict environments has been a lack of coherence in the efforts of the various interveners, in large part due to the lack of an overarching decision-making framework. Whichever organization or country has had the lead in a particular situation it has not been able to create a platform where all decisions are taken in a transparent manner. It is extremely difficult to ensure accountability under such conditions". Foreign aid is important only when it is used in a cautious or in the right manner, because there is evidence that countries that experience conflict are the ones also in great need of aid, but in the end they are the ones which expose the negative side of aid (Addison, 2005).

On the positive side Woodward (2002) quoted in Kelegama (2005) contends that according to the World Bank assessment of Bosnia and Herzegovina, donor assisted reconstruction programmes are most effective in sectors where the priorities have been jointly agreed with the local authorities. The rest is up to you to explore further this topical issue of the role of aid in conflict resolution particularly in developing countries.

### Activity 6.2

The statement by Daley (2000:310) says "peace has become a very profitable industry". Give an analysis of the above statement citing examples where necessary.

### 6.7 Summary

Aid is needed in all cases: starting from the conflict situation, for example, for humanitarian purposes; through the conflict resolution process, for example, to facilitate negotiations; to the post-conflict situation, in order to help in reconstruction. Aid is needed because conflict results from the failure of the
state to take care of its citizens. In this case aid touches on cross-cutting issues that affect all facets of people's lives. However, there is a caveat to aid. It is very difficult to discern aid that is meant for making a positive change to a country and its people from the aid that perpetuates their problems. The role of aid and continual dependence of the developing countries on aid are contentious subjects, when it comes to the intractability of conflict, for example, in Africa. The statement that says "peace has become a very profitable industry" by Daley (2006: 310) encapsulates one dimension of the downside of development aid.
References


7.1 Introduction

In this unit you are going to be exposed to some of the mechanisms that are put in place to resolve conflicts, particularly the role of women. A case study is given for you to appreciate the changing role of women in peace building processes in line with new thinking and the emancipation of women. The concepts of the 'rule of law' and 'human rights' are included in this unit as well. Lastly we focus on the need to cater for vulnerable groups in all efforts aimed at reversing the logic of violent conflict.
7.2 Objectives

By the end of this unit you should be able to:

- examine how women enter into the peace domain
- discuss how vulnerable groups are being catered for in peace processes
- state women successes in peace processes

7.3 Women as Peace Makers

The role of women in peacemaking has gradually been recognised. The 1995 Beijing Platform for Action emphasized the role of women in conflict resolution and peace building and this was followed by the adoption of Resolution 1325 on Women, Peace and Security (SC/RES/1325/2000) in 2000 by the United Nations (Nakaya, 2003; Smythe, 2004). Nakaya (2003) goes on further to say that SC/RES/1325/2000 requires (1) the increased representation of women in decision making with respect to peace and security, (2) increased protection of women and girls under international humanitarian and human rights law, and (3) a special dispensation to women wanting to achieve post-war justice, disarmament and demobilisation, and repatriation and reintegration of refugees. Lindsey (1999) asserts that women have equally taken up arms in times of conflict and as such they have also taken the initiatives of peacemaking. These include demonstrations by women against the involvement of their husbands, sons, fathers and brothers in wars.

Perhaps the involvement of women in conflict resolution is critical because they also bear the brunt of war and their role has continually changed outside the family, community and the public arena. In the absence of men during a war, women step in to take over the responsibility of earning a livelihood for the family. Their security situation is further worsened by the absence of men and this requires the women to develop confidence, courage and resilience in order to sustain the families and communities as seen in Sudan (Lindsey, 1999). In Somalia, women played a critical role in peace as delegates because they were the ones with freedom of movement and therefore used as go-betweens the camps of adversaries (Lindsey, 1999).

A study of the impact of training on the conflict resolution ability of rural women in the Niger Delta of Nigeria found out that the rural women were highly committed to the conflict resolution process and since they were satisfied with the training, they were able to use the co-creative conflict resolution process (Ogonor, 2003). The Niger Delta is a volatile region which experiences
intermittent violence due to the dissatisfaction of the locals concerning the exploitation of their resources particularly oil by the transnational companies.

The following passage of women in Liberia helps to exemplify the increased role of women in conflict resolution.

Women's Peace Activism in West Africa: The WIPNET Experience

The Mass Action for Peace and women's participation in the Liberian peace process exemplifies how women can contribute significantly both during peace processes and in the building of post-conflict societies. The rebuilding of the new Liberia continues and at each stage women are included and invited to participate. There is no doubt that the invaluable contribution of WIPNET, MARWOPNET, and other women’s groups is responsible for this development.

Starting in 2001, though, women once again played an important role in shaping events with the Women in Peace building Network (WIPNET), helping to push the reluctant warring factions to reach an agreement to end the war in Liberia. Although Liberia's warring parties reached a settlement in 1997, and Charles Taylor assumed the presidency, the violence soon started again. By early 1999, hundreds of thousands of Liberians were forced to flee their homes. An estimated twenty thousand child soldiers were fighting for both the rebels and the government. Unaccompanied girls were often captured by combatants and civilian men and used either as forced labourers or as "wives." Women also suffered enormously; many as victims of sexual assaults and rape. When they managed to avoid the fighting, they still had the task of raising and fendng for children and the elderly under extremely difficult conditions. Women served in many other roles as well: as combatants, peacemakers at all levels of society, providers of sanctuary, and as informal mediators. Yet women were largely absent from formal peace processes and peace building initiatives implemented by NGOs. Reacting to this marginalization, the West African Network for Peace building (WANEP) decided to establish a women in peace building program in 2001. WANEP was convinced that a better understanding of women's experiences and their contributions to peace was important for developing informed and sustainable peace building strategies.

After thorough consultations with women's groups across West Africa, WANEP launched a regional network called Women in Peace building Network. The goal was to use "women's peace activism" to promote social justice. Women's peace activism was defined not just as antiwar
activism, but as the deconstruction of structural forms of violence existing in everyday society. This activism was built on a particular ideology: that systematic violence against women such as rape, forced prostitution, mutilation, etc., was an expression of a deeper systemic disregard for women existing in West African societies. By using women's numerical strength and their ability to mobilize around key issues, it would be possible to ensure that they could play a central role in formal peace processes and decision making in the region. Following its launch in 2001, WIPNET developed a training manual on peace building; helped to organize numerous regional women's peace networks; organized training workshops, conferences, and other meetings; conducted research; published stories on women's peace building activities; engaged in peace building and democracy-building activities in Nigeria, Guinea Bissau, Senegal, Gambia, and Mali; and undertook a range of other activities to build regional peace and mobilize women.

The role WIPNET played in the Liberian peace process is almost certainly its most significant success. By early 2003, WIPNET-Liberia had a substantial network of community-based women's groups. In May 2003, rebel forces controlled most of the Liberian countryside, and began to close in on the capital, Monrovia. Women under the auspices of WIPNET, recalling the example of an advocacy campaign pursued by the Liberian Women's Initiative (LWI) between 1994 and 1996, decided that they would not sit on the sidelines. The experiences of LWI, whose members had engaged in weapons collection activities and, more significantly, attendance at the peace talks, guided WIPNET. Etweda Cooper of LWI served as WIPNET-Liberia's national adviser throughout this process. WIPNET tagged the campaign Mass Action for Peace. Women from all levels of Liberian society were recruited from displaced camps, churches, markets, schools, ordinary jobs, and NGOs. The campaign chose a simple and effective message: "We Want Peace; No More War." This message soon became a universal mantra and song. Though all women were committed to the campaign, the greatest sacrifice came from women who had lost loved ones, or had been displaced or separated from their families. They said: "We have nothing to lose; we are ready to do what it takes to end this war."

At first no one took the Mass Action seriously, but the women became a constant presence on the streets of Monrovia. Women carried placards and posters in Monrovia and Totota, and every day, rain or shine, Muslim and Christian women dressed in white came together to pray at the airfield. Bishops and imams came to the airfield to show their solidarity.
When a peace conference was organized in Accra, Ghana, the Mass Action for Peace opened a new front. Maintaining a presence in Accra created new difficulties, especially because of the expenses involved. Previously, WIPNET had succeeded in securing funds for the Mass Action, but contributions for the presence in Accra were harder to come by. WIPNET used the media in both Accra and Liberia to excellent effect, and recruited WIPNET members from northern Ghana to join them for a demonstration at the Akosombo Conference Center where the peace talks were to begin. Heads of state and other dignitaries were greeted by the sight of women sitting on the lawn holding placards demanding peace. Other women’s groups such as the Mano River Women’s Peace Network (MARWOPNET) and Liberian Women in the Diaspora were delegates at the talks. WIPNET, in collaboration with other women’s organizations, issued strongly worded statements expressing concern about civilian casualties in Liberia and appealing to the UN Security Council to deploy an intervention force. The spirit of collaboration would continue among the women’s groups for the duration of the peace talks. WIPNET was also meeting with all parties to the conflict, and with the mediators, including the chief mediator, Abdusalami Abubakar. Since the women were seen as speaking for “ordinary Liberians,” all sides, including the rebels, sought to forge alliances with them, which meant that they had extraordinary access.

During the talks, WIPNET also organized a Liberian Women’s Forum alongside the peace talks, where women could reflect on progress at the talks, while stressing the importance of continuing with the campaign and not being sidetracked by the politics that surrounded the talks. As the talks dragged on, there were further funding problems and tensions as some of the delegates worried about their relatives back in Liberia. Eventually, four of the seven women returned home, but they were replaced by Liberian women from the refugee camp.

The talks move several times between Akosombo to Accra, and upon return to Accra the women decided they needed to adopt harsher nonviolent strategies. When the talks reached a stalemate, they barricaded the entrance of the talks preventing the mediators, the warring parties, and other delegates from exiting the venue. The women insisted that the men would not leave until they took the process seriously and committed themselves to reaching an agreement. The new approach was effective, and the women were invited to participate in several meetings exploring strategies for peace with both the rebels and the mediators. Two members of WIPNET represented the women at the political and
security committee meeting, to the surprise and consternation of military officials. For WIPNET, attendance at these meetings, where the basic issues concerning the future of Liberia were discussed represented one of the great successes of the Mass Action for Peace campaign. It had shown that the women were stakeholders in the conflict and had a role to play in the peace process.

On 17 June, a cease-fire agreement was signed, but fighting still raged as the parties worked to reach a comprehensive agreement. The talks stalled several times. It seemed as if the Liberians were being held hostage by the delegates, so the women decided to turn the tables on them. WIPNET mobilized women and barricaded the entrance to the room where the negotiations were going on. The chief mediator pleaded with the women to move but they refused. They held up placards that said, "Killers of our people-no impunity this time," "Butchers and murderers of the Liberian people stop!" and "How many babies do you intend to slaughter?" The furore attracted the attention of the press and the standoff was televised. Partly in response to the publicity, the talks resumed.

On 11 August, to the surprise of many, President Taylor agreed to resign. A week later, a comprehensive peace agreement was finally reached. Seventy-eight days of tumultuous peace talks ended and Gyude Bryant, a businessman, was selected as the interim chairman. It seemed like normalcy might return to Liberia. The WIPNET delegation returned to Liberia.

Through the Mass Action, WIPNET booked several very important successes

Created awareness. The advocacy campaign raised awareness of the Liberian conflict among the citizens of the country. It uniquely targeted women in the rural communities and sensitized them on the important roles they could play in bringing peace to Liberia. For many women, the Mass Action was a training camp; it proved what women could do with their numbers, voices, and strength and catapulted women from behind-the-scenes victims to frontline soldiers for peace.

Gave a human face to the conflict. Peace processes are normally attended by the parties in conflict: government representatives and rebel groups. The presence of the women demonstrating at the talks removed the focus from the warring factions to the real people affected by the
conflict. The Mass Action reminded everyone at the talks, and the world at large, that an entire population was waiting for the outcome and would not settle for anything less than peace.

**Exerted pressure on all sides at the peace table.** The Mass Action was not a "respecer of persons." The women targeted all sides in the conflict, meeting with rebels, government representatives, mediators, and the media and ensuring that the right amount of pressure was placed on each target to guarantee a comprehensive and truthful peace agreement.

**Sustained action over an extended period of time.** Women's nonviolent initiatives often lose steam due to lack of funding, poor morale among members, and frustration that the desired impact is not being achieved. This did not happen in the WIPNET Mass Action for Peace. Though there were daily challenges of poor morale, dwindling funds, and frustration, the women on this campaign were determined not to return to Liberia without a signed peace agreement. They kept referring to "their constituency" in Liberia who were suffering the ongoing bombardments between the rebels and government forces. This commitment sustained the campaign until the peace accord was signed.

### Activity 7.1

With reference to United Nations Resolution 1325 on women peace and security, discuss the role of women in peace and conflict resolution.

### 7.4 Rule of Law (ROL)

United Nations (2004; page not specified) quoted in McFate (2004) says that ROL "refers to a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards." The meaning of the phrase "Rule of Law" has always been contested and that it needs to be understood as a concept that is made up of multiple, complexly interwoven strands (Fallon, 1997). Fallon (1997) identifies three purposes which are central to competing meanings of ROL. The first one is that ROL should protect against anarchy of all against all. The second one is that ROL "should allow people to plan their affairs with reasonable
confidence that they can know in advance the legal consequences of various actions" (p7). Lastly the third purpose is that the ROL should guarantee against at least some types of official arbitrariness (p8).

In addition to these purposes, Fallon (1997) goes on to identify the five basic elements of ROL as follows:

The first element is the capacity of legal rules, standards, or principles to guide people in the conduct of their affairs. People must be able to understand the law and comply with it. The second element of the Rule of Law is efficacy. The law should actually guide people, at least for the most part. In Joseph Raz's phrase, "people should be ruled by the law and obey it". The third element is stability. The law should be reasonably stable, in order to facilitate planning and coordinated action over time. The fourth element of the Rule of Law is the supremacy of legal authority. The law should rule officials, including judges, as well as ordinary citizens (p8).

The final element involves instrumentalities of impartial justice. Courts should be available to enforce the law and should employ fair procedures (p9).

Your understanding of these basic concepts of ROL should help you to interpret how ROL can be used as an important element in the resolution of conflict citing relevant examples.

A common feature of conflict resolution as highlighted in Unit 5 involves reform of various state institutions and systems. In this regard you can observe that ROL also becomes one of the common denominators of those reforms. The challenge is the restoration of credibility and faith of state institutions in the eyes of the public who would have suffered at the hands of the same institutions (Chesterman, 2005). For example, there is always a challenge to restore the integrity if the judicial system, because it is at the core of the implementation of ROL. However, the judicial system does not work in a mutually exclusive manner without the integration with the law enforcement arms of government. Ashdown (2002) quoted in Chesterman (2005: 69) says that "in hindsight, we should have put the establishment of the rule of law first, for everything else depends on it: a functioning economy, a free and fair political system, the development of civil society, public confidence in police and the courts". The nature of the transition from conflict to stability and peace may be different from each case to the other but the need to stick to the ROL remains central for effective conflict resolution.
Activity 7.2

Discuss the five basic elements of the Rule of Law citing specific examples.

7.5 Human Rights as a New Concept

The concept of 'human rights' is a tough one to define and there are disagreements in terms of what these rights are, though they are considered to be basic (Stewart, 2008). Stewart refers to a definition of human rights as 'those rights which the international community recognizes as belonging to all individuals by the very fact of their humanity' (p89). The current thinking about rights in general is tracked back to philosophers like Thomas Hobbes, John Locke and Hugo Grotius in the 16th and 17th centuries, and the relationship between the individual and the state has been a central theme within the human rights discourse (Dahl-Eriksen, 2007).

Human rights feature conspicuously in the Preamble of the Charter of the United Nations (UN) which was formed after the Second World War and the UN has continued to promote human rights since its adoption of the Universal Declaration of Human Rights in 1948 (Stewart, 2008). The UN Office of the High Commissioner of Human Rights has the sole responsibility of overseeing and implementing UN policies on human rights issues. This has provided a framework for the declaration and adoption of human rights at regional and national levels, leading to the development and wide acceptance of international human rights law. The humans have been classified as; civil, cultural, economic, political and social rights which can be further subdivided.

There is a link between human rights issues and conflict resolution (and subsequent peace), but the way how this link is conceptualised varies and it is a source of heated debate. There is contention on the manner in which human rights issues should be incorporated into the mainstream conflict resolution process (Licklider, 2008). In an analysis of Israeli/Palestine conflict Kaufman and Bisharat (2002: 72) suggests that "if both sides generally accept human rights as a binding obligation, then the use of human rights discourse and principles can facilitate the search for common ground as well as point out a way to provide innovative solutions and remind constituencies on both sides of their states' obligations towards accepted and set principles". By adopting the human rights paradigm and shifting from the current territorial framework, both parties would discover new frontiers of consensus (Licklider, 2008), and this shows this growing dimension of human rights in conflict resolution.
However, there has been a new dimension to the concept of human rights and it is the idea of human security. The issue of human security evolved into a new concept that was formally introduced in a 1994 United Nations report called the UNDP Human Development Report: New Dimensions of Human Security (Dahl-Eriksen, 2007). Human security is a new perspective to human rights in that it dovetails state security to the level of the individual. In this regard Dahl-Eriksen (2007) asserts that:

The concept of human security was launched with the recognition that human beings as well as groups could feel their wellbeing (meaning either their survival, their wealth or their welfare) severely threatened, even in situations where the existence of the state was not threatened by other states. State-power in itself, with different forms of repression, could be a threat towards individuals. Serious threats also appeared where neither governmental bodies nor any other legitimate figure could be held responsible. (p17)

The Commission on Human Security formed in 2001 is quoted in Dahl-Eriksen (2007: 18) to define human security as: "protecting the vital core of all human lives in ways that enhance human freedoms and human fulfilment." In my view the subject of human rights is critical, but is taken to a higher level by the concept of human security. Nevertheless the issues of human rights abuses remain anathema to peace-building efforts and they are always the focus of conflict resolution mechanisms. You are challenged to unearth cases of the growing link of human rights and conflict resolution.

**Activity 7.3**

Discuss the similarities and differences between human security and human rights.

### 7.6 Improvement of Vulnerable Groups' Welfare

In a conflict situation, particularly if it is violent, there are groups of people who become more susceptible to the negative effects of such conflict as compared to others, even if we acknowledge that in any way violent conflict is not desirable. In order to improve the welfare of these vulnerable groups, there is need to understand the context through which they become vulnerable. In the mainstream, women are put together in the same group of "women and children", with an assumption that all men are involved in armed conflict, despite the fact that there are boys and elderly men who are not participating directly in the conflict because of their situation (Lindsey, 1999: 28). In addition,
Lindsey (1999) the extent to which women are portrayed as vulnerable overshadows the fact that they show strength as seen by their role as combatants, agents of peace and the fact that they step in the men's shoes as heads of households in the absence of men.

The argument is that this does not mean that women are not vulnerable. The extent to which each group is vulnerable is different depending upon their exposure to armed conflict and the manner in which it occurs. For example, men are more vulnerable as the direct casualties or fatalities of armed conflict since they constitute the majority of the armed forces. On the other hand, women and girls can be vulnerable to sexual violence, while at the same time they suffer when trying to protect and provide for their families. In this context Lindsey (1999) says that the ICRC views vulnerability to be precarious living conditions that individuals, households or communities encounter when circumstances in their environment suddenly change. In overall the welfare of all groups has to be addressed in terms of meeting the basic conditions of life such as safety, food, shelter, water, health, sanitation, education and their freedoms as well.

For safety, the protection of vulnerable groups, particularly for those who are not exactly in the battlefield, is critical. In all instances it can be seen that the situation becomes that of crisis management, and therefore there are a lot of compromises since the attention given to the vulnerable groups will be different from those that are ideal as in time of peace. There is need for monitoring of the situation and offering protection services by humanitarian organisations. These humanitarian organisations usually operate in an armed conflict situation under the auspices and guidance of international humanitarian law. The operational details of provision of any form of assistance are a matter of the expertise within the humanitarian organisations, but the bottom line is that their activities should be adapted to the needs of each vulnerable group.

The ICRC has its ways of responding to special problems of each concerned vulnerable group. For example, its protection services endures to care for those people who are caught up in armed conflict with an idea to retain the rights of those people, give them support and ensure that their plight is heard. They visit the victims and confidentially take note of their account, and they finally pass this information to concerned authorities. The ICRC also offers direct help to victims by affording them treatment. For example, they provide the suitable medicines and care to those with injuries and diseases, and also special assistance to pregnant women, including who are victims of rape. You can also explore the help that is given to refugees who cross national boundaries into a peaceful country. Refer to unit 6 for a general view of the role of aid in
the form of NGOs and other actors in improving the welfare of vulnerable groups caught up in armed conflicts.

Kassa (2004) describes the humanitarian situation in the DRC with an estimated 3.4 million people displaced by August 2003 since the war broke up in 1998. A marked feature of the DRC conflict has been the violence perpetrated by the warring factions towards their civilian compatriots that has resulted in innumerable deaths. The country's geography, with the displaced population dispersed, make it difficult to count and assist those affected. The actors on the ground that include MONUC personnel, the sections responsible for civil affairs, churches, and economic actors are overwhelmed by the daring humanitarian situation in the DRC. The demands made on these actors range from protection against violence, health and food assistance and restoration of infrastructure.

The strategy that has been implemented through joint initiatives by humanitarian actors in this volatile country has been that of drawing a line "between life-saving and transitional activities; between emergency support and the long-term, essential need for support to institution-(re)building, and the maintenance of extant capacities. The notion of saving lives, while countering the logic of war, was the cornerstone of the first Consolidated Appeals (and related humanitarian strategies) elaborated in 1999 and 2000", (Kassa, 2004: 89). On the ground these initiatives have taken the specific forms of intervention to address particular needs depending on the mission of each actor involved, for example MUNOC providing security while other groups working on food security, sanitation, nutrition, health, HIV/AIDS and projects in the Congo forests.

Activity 7.4

Patriarchal societies have contributed to the marginalization of women in some communities. Discuss the above statement using relevant examples.
7.7 Summary

The patriarchal marginalisation of women from all spheres of decision-making is still a challenge, but women are gaining acceptance as credible peace-makers in as much as they can also take up arms to participate in conflict. The vulnerability of people to conflict needs to be contextualised for a better understanding and for crafting appropriate mitigation measures. The same applies to the 'rule of law' and 'human rights' as these are widely debated concepts as to how they should be incorporated into the conflict resolution process.
References


Women's Peace Activism in West Africa: The WIPNET Experience
8.1 Introduction

This unit deals with typical cases of countries that have undergone or still undergoing conflict resolution processes. The idea is to understand theoretical underpinnings of conflict resolution mechanisms, for example, here in Africa. There is need to understand the background to the conflict, its protagonists, causes and effects, followed by the nature of the conflict resolution process, and finally some assessment of the successes, failures and challenges of those processes. In this regard cases of Zimbabwe, the Democratic Republic of Congo and South Africa are put forward for your consideration.
8.2 Objectives

By the end of this unit you should be able to:

- examine to link strategies of conflict resolution to relevant cases
- discuss the basic concept of conflict resolution models

8.3 Conflict Resolution in Zimbabwe's Land Crisis

The land question in Zimbabwe has its origins from the colonial period since the 1890s after Cecil John Rhodes arrived in the country with the Pioneer Column under the British South Africa Company (BSAC). The Shonas and Ndebeles were defeated in the First Chimurenga (liberation war) and the white settlers proceeded to expropriate their land (with the hope of extracting minerals), and imposed a tax, forced labour and racial discrimination against the African population (Gwarazimba, 2008). The Land Apportionment and Land Husbandry Act was instituted in 1930 and its major effect was the allocation of 30.1% of land to majority indigenous population, while 69% was given to the minority white population (Gwarazimba, 2008). In 1969, the Land Apportionment Act allowed the transfer of 50% of arable land to about 150,000 whites and the other 50% referred to as Tribal Trust Land (TTL) was given to 5 million Africans (Gwarazimba, 2008). This imbalance of ownership of land which persisted even after independence in 1980 is the root cause of the conflict in Zimbabwe.

The continual imbalance of land ownership in Zimbabwe after independence can be attributed to a number of factors, and chief amongst them is the nature of the Lancaster House Agreement and the neo-liberal economic policy which
respected the property rights of those who owned the land as a major factor of production. The sunset clause in the Lancaster House Agreement did not allow alterations of the land rights of the whites for ten years in the absence of majority vote by members of the National Assembly of which the whites had a quota seats reserved for them. This made it difficult for the government to acquire enough land under market conditions for the purposes of redistributing it to the majority African population so that they could also participate in the economy productively. This was also because the government did not have adequate financial resources to channel towards land reform given the competing needs of the budget since the country was undergoing reconstruction after a debilitating war. It can be seen that though effort was put towards addressing the land question in Zimbabwe it was not sufficient, even if positive effects were felt with the incorporation of the peasants into the mainstream economy since the early 1980s. The land redistribution programme was hamstrung and therefore painstakingly slow.

The Land Acquisition Act and subsequent resettlement programmes did not achieve much in terms of ameliorating the mounting land crisis which got to its peak with the invasion of white commercial farms across the country that started with villagers from the Svosve clan in Mashonaland East province. Poor economic performance following the Structural Adjustment Programmes (SAPs) of the 1990s increased the pressure on the government to address growing poverty and inequality. This precipitated into the rise in dissent powered by organised labour and civil society and the emergence of a powerful challenge from a new party, the Movement for Democratic Change (MDC) in 1999. Constitutional reform did not succeed as witnessed by the rejection of the new constitution at the referendum of February 2000. This culminated into violent land seizures, gross human rights abuses, the breakdown in the rule of law, tightly contested and violent elections coupled with further economic downturn. Therefore the land question took a new turn that developed into a multi-faceted national crisis.

Gwarazimba (2008) gives a good account of the land question in Zimbabwe with respect to the Lancaster settlement and its effect on the subsequent contestation for this scarce resource. She puts forward the argument that "... getting politically expedient agreements that do not take into account the structural and root causes of the conflict (in this case, the historical injustices and legacy of land dispossession), invariably set the stage for future conflict" (p120). Gwarazimba (2008: 120) links the Lancaster settlement with a need to exit "the mutually hurting stalemate" (MHS) where the parties to a conflict cannot achieve a unilateral solution, and hence they seek an alternative which is convenient to both of them in order to avoid a catastrophe. In this case the
Lancaster agreement addressed on the surface the issue of political independence without being rooted on the need to reverse the inherent inequality of land ownership.

Moyo (2010) agrees that the crisis in Zimbabwe needs a broad look at the nascent development of confrontational strategies resulting from the polarisation relating to structural problems based on land, race, wealth, and power differences that were not attended to at the independence settlement and the neoliberal SAPs adopted in 1990. This conflict escalated because internal institutional mechanisms failed to solve the impasse.

Even though the conflict and its theatrics were manifested on the local scene due to domestic interests, it also had its international relations dimension for which Moyo (2010: 248) says;

The Zimbabwean 'crisis' unfolds through the polarisation of two broad social and political interests and/or 'movements', organised around the ruling Zanu-PF party and the [opposite] MDC. It is mediated through struggles and conflicts over control of the state apparatus, the political process and policy-making, which use contradictory and competing frameworks of reformism and radical change. On the one hand, those who support largely rural peasants and aspiring indigenous agrarian and other capital are aligned through Zanu-PF to various liberation movement associations. These include war veterans, ex-detainees and mujibas (war collaborators). On the other hand, there are forces that have been mobilised by the MDC, which include trade unions, largely urban NGOs, urban working-class and unemployed people, and sections of the urban middle classes. The MDC has received material and ideological support from key Western nations (including the US, UK and the EU).

In the conflict milieu of these intertwined issues of land, the economy and politics Moyo (2010) acknowledges that there has been a tendency to look at them from a narrow sense of 'governance' which is neoliberal. Social forces that back the Zanu-PF party have reasoned that there are distribution problems inherent in the economy which are rooted in the legacy of race and class emanating from historical privilege access to national resources by a minority at the expense of the majority and Moyo (2010: 248) elaborates;

They question the appropriateness of key existing state institutions, such as those aspects of the 'rule of law' that protect unequal and unjust land property rights within an inaccessible legal framework, and argue that the liberal democratic nature of the parliamentary and judiciary systems has also failed to reverse historical injustices and to level the social, economic and political playing fields.
One of the challenges towards normalisation has been the inconsistencies of the policy implementation process. Internal processes of mediation within the then ruling Zanu-PF party (to manage internal power differences) followed by policy pronouncements guided by two subsequent land reviews (Buka Report 2002; Utete Report 2003), were attempts to acquire and allocate land in an orderly manner (Moyo, 2010: 254). It is interesting that with the coming in of unity government, the land issue has not received the attention it deserves due to vast ideological differences on how land reform should proceed. Given the contestation of power on the basis of land and the subsequent conflict that has a long history; one would have expected a convergence of vision for the imminent need to direct political power and the necessary resources to solve the problem across the divide.

Moyo (2010) identifies some of the problems that are still outstanding like broadening the access to land to potential land seekers including those from the MDC, allocating smaller farms to white farmers, expediting the compensation for farm infrastructure that was acquired, ensuring the land rights of Bilateral Investment and Protection Agreements and attention to the land rights of farm workers.

Given the long history of the land question, Moyo (2010: 256) says that the idea of 'normalisation' is relative, though there is subtle convergence of policy and thus he says;

While residual efforts to maintain the crisis conditions and confrontational politics on various sides of the divide remain a threat to normalisation, deliberate efforts by major regional actors are required to support political parties and civil society. This entails accommodating 'losers' of land reform by 'correcting' critical policy 'mistakes' made in the reform of the governance process. This can be achieved by broadening access to land and the economy, and supporting recovery of a broad range of socio-economic victims of the crisis in the immediate short term (p257).

The inclusive government now has the opportunity to promote consensual politics and dialogue in search of developing sustainable institutions which can improve governance, political practice, economic policy, judicial management and social inclusion. Attention should be paid to preventing future conflict by promoting balances in the social distribution of wealth, resources and opportunities among various social strata, whether these are defined by race, class, gender, ethnicity, region and/or social phenomena (p261).

At this moment it is up you as a student to synthesise your theoretical knowledge on conflict resolution and your interpretation of real events to increase your scope of the issues that have been raised within the Zimbabwe land crisis. For example, what is your trajectory of the land crisis given its challenging history and present ramifications?
Activity 8.1

The inclusive government now has the opportunity to promote consensual politics and dialogue in search of developing sustainable institutions which can improve governance, political practice, economic policy, judicial management and social inclusion. Discuss using specific examples how that can be achieved.

8.4 Conflict Resolution in the Democratic Republic of Congo (DRC) Leadership Conflict

Since the war that broke out in August 1998, at least 3.3 million lives have been lost (Rogier, 2004) and the DRC has experienced 11 wars from 1960 (Daley, 2006). A background to the DRC conflict is given by Daley (2006) as follows:

On the basis of primary resources, the Congo should be the richest country in Africa and among the wealthiest in the world. Its extensive mineral resources include strategic minerals such as diamonds and coltan; its biodiversity is almost unparalleled in the world. Similarly its water resources extend over some three million square miles of the Congo River basin. Unfortunately, these resources have never been used for the reproduction of the Congolese people. Congo had a turbulent colonial and postcolonial history. Acquired as the personal property of King Leopold II of Belgium, the Congo Free State, as it was known then, gave freedom to Western capital, and death and enslavement to the indigenous population. In order to supply labour to the plantations, villages were exterminated, bodies mutilated and diseases spread in epidemic proportions.

Congo's transition to an independent state was marred by the Belgian colonial support for the Katanga secessionists, by cold war rivalry and by the brutal murder of its democratically elected Prime Minister, Patrice Lumumba, and his replacement by Joseph Mobutu, a military man. During the Cold War the voice of the Congolese people was effectively silenced by the tyranny of dictatorship under Mobutu, with Western complicity, as Zaire, as it was renamed by him, became a staging post for US anti-communist wars in Africa. (p306).

Lack of political freedom was entwined with severe marginalisation from the benefits of resource exploitation. Corporate concessionaries captured the vast wealth of Zaire through contracts with corrupt state institutions. Under the dictatorship of Mobutu Sese Seko (1965 - 97) Zaire was never fully controlled as an integrated political unit. Post-cold war conflict began in 1996 and was led by Congolese rebels, the Alliance des Forces Démocratiques pour la Libération de Congo, backed by Rwanda and Uganda. It is the country's tragedy that Laurent-De'sire Kabila, who replaced Mobutu, did not end some of the corrupt practices of the previous regime. Movements against the
continuation of Mobutuism led to what some have described as Africa's First World War and as 'an old-fashioned war of liberation'. The 1998 uprising by the Rassemblement Congolais pour la Démocratie (RCD), supported by Rwanda and Uganda, and caused Kabila to call on his Southern African neighbours, Angola, Namibia and Zimbabwe, for military support. Seven countries and 10 rebel movements were involved in the fighting. According to the UN's report on the illegal exploitation of Congolese primary resources, Kabila used the country's extensive resources of strategic minerals to obtain military assistance and training. He also subsidised the costs of the allies' intervention by giving concession to Zimbabwean and Namibian companies. The crisis in the Congo has been compounded by factionalism within the rebel movements and by the exploitation of ethnic tensions by regional elites and the rump of the interahamwe génocidiaries from Rwanda. Neighbouring countries, Rwanda, Uganda and Burundi in particular, have also exploited the crisis for their own accumulative strategies. These countries' exports of timber and strategic minerals have risen dramatically in recent years. (p307)

The Inter-Congolese Dialogue (ICD) was a process of negotiations that was started with the signing of the 'Lusaka Ceasefire Agreement' by all the countries (DRC, Namibia, Rwanda, Uganda and Zimbabwe) involved in the conflict and military groups from the country between 10 July 1999 and 31 August 1999 (Rogier, 2004). The agreement was signed at a time when there was a stalemate on the battlefront when the rebels could not topple Laurent-Desire Kabila and the Congolese forces with its allies had failed to dislodge the rebels from the DRC, so the major motive was to end hostilities (Rogier, 2004). According to Rogier (2004) the ICD was aimed at the establishment of a transitional government before the conduct of elections and it was meant to facilitate "an agreement among its participants on four issues related to power-sharing in the DRC: the formulation of a new Congolese army; the future institutions of the country; organisation of general elections; and the interim constitution and institutions that would govern the DRC during the transition period", (p27).

The ICD was a long process that passed through issues around the appointment of a neutral facilitator (Sir Ketumile Masire, former President of Botswana) in January 2000, obstruction for 12 months by Laurent-Desire Kabila, succession by Joseph Kabila who allowed the process to go on in 2001 though it failed in October of that year in Addis Ababa (Rogier, 2004). Key issues to the abortive dialogue in Addis Ababa were representativeness (it was not broad enough to capture the diversity of Congolese society), and scarce financial resources (Rogier, 2004). Substantively the ICD started from February 2002 in Sun City, South Africa to the signing of the "Global and All-Inclusive Agreement" on 17 December 2002 in Pretoria by the major Congolese parties, RCD-Goma. MLC, RCD-ML, RCD-N and the Mayi-Mayi (Rogier, 2004). The "Final Act" to address pending issues of integration
of all armed forces into one national army, security of transitional government leaders and he interim constitution, was agreed on 6 March 2003 and later signed in April 2003 (Rogier, 2004: 37).

Rogier (2004) gives a critique to the ICD that it did not live to its mandate of addressing the fundamental issues of reconstruction of the Congo and therefore explains why it failed. Firstly, the ICD was hijacked by belligerents in different factions for the control of central government without a roadmap or commitment to solve real issues affecting the DRC. Secondly unarmed groups and civil society played a critical role in ICD, but they abdicated their peace-building role through aligning themselves with particular armed groups and this further polarised the situation. Thirdly, Rogier (2004: 39) says that despite "its designation, the ICD was not purely inter-Congolese". There was interference from neighbouring countries particularly Rwanda and Uganda that provided support to some of the armed groups and therefore influenced the outcome of the ICD through their proxies. This can be witnessed even up to now with the instability of the eastern DRC due to this influence.

Daley (2006) criticises the failure of the Western view of conflict resolution in Africa, citing the DRC amongst other countries in the Great Lakes region as a case in point. Daley (2006: 304) contends that several peace agreements have been signed including the involvement of the UN Organization Mission in the Democratic Republic of the Congo (MUNOC), but real peace has not been experienced in the region, and thus there is a condition coined as 'no peace, no war'. Daley (2006) blames this situation on conflict resolution models that take for granted the fact that if there is full implementation of liberal democracy and neoliberal economic reforms, there is a guarantee for peace. This is because the Western discourse on violent conflict in Africa and subsequent conflict resolution models fail to identify the complexity of politics in Africa and the nascent economic conditions that lead to violence.

**Activity 8.2**

Countries like Uganda, Burundi and Rwanda have to a certain extent contributed to the crisis in DRC. Discuss citing specific situations or examples.
8.5 Conflict Resolution in the South African Apartheid Conflict

South Africa went through a protracted and arduous negotiated settlement dominated by internal players to resolve the apartheid conflict. Information in this section (unless otherwise indicated) is credited to Hayson (2002) who describes in detail in his seminal work the whole process of conflict resolution in this southern African state. In his paper "Negotiating the Political Settlement in South Africa: Are there lessons for other countries?"

Hayson (2002) looks broadly at the South African experience by analysing how its liberation struggle differs with others, the context of the South African situation, creation of conditions of a negotiated settlement, the negotiation process itself, the constitution-making process (with the inherent choices to capture the needs of a diverse population), and the lessons to be derived from the South African conflict resolution process.

The majority population suffered from repression through denial of their democratic rights by a minority population. The apartheid system was premised on separate development between areas of black population that were compartmentalised into geographic regions and the other parts occupied by the white minority. This was enforced through repressive and discriminate laws bolstered by a strong security system.

The conflict was characterised by resistance (legal and violent) to apartheid within the country and also supported with international pressure against the system. The conflict was protracted in the sense that each part did not want to back down maybe in the hope that they would eventually prevail over the other. However, there were some conditions that called for the turn from this intransigent stance to lean towards considering a negotiated settlement as a credible way out of the morass. These were the factors that justified the need for parties to the conflict to consider before they entered into negotiations.

International pressure in the form of economic sanctions, trade sanctions, including an arms boycott, cultural isolation, sports isolation and political isolation, had a cumulative effect on the broad South African society. These were particularly relevant with the collapse of the Soviet Union, thereby eliminating a bipolar world with the African National Congress (ANC) losing its benefactor of financial and military support. It also lessened the fears of the white minority regime of the imposition of a communist regime in South Africa that would scuttle their economic interests.
Economic pressures from sanctions had exerted their influence since the 1980s in terms of creating an environment that was not conducive to viable business for example, inaccessibility to international markets for products and offshore loans, falling currency, high inflation and negative economic growth. This was coupled with an increasingly militant work force and the advent of globalisation that needed competitiveness of the economy for it to survive.

The cost to the economy of militarisation through the South African Defence Force (SADF) was becoming unsustainable. This was worsened by the increase in mass demonstrations over a long period particularly with the Trade unions that capitalised on the legal space to engage in strikes, stay-aways and demonstrations. Mass mobilisation of the internal democratic movement was well organised and it was becoming unbearable for the apartheid regime.

Both parties to the conflict realised that a protracted war even if it was of low intensity, it would still bring a devastating effect to the country. The country was at a stage which could be referred to as the "mutually hurting stalemate" (by Zartman) and therefore both parties were ready for de-escalation and dispute settlement. The question then is how did the negotiated settlement proceed in a country where violence and natural hatred of each other was rife?

Hayson (2002) gives credit to Nelson Mandela and F. W. De Klerk for their role in "de-demonization" and confidence building measures to the whole negotiation process. The ANC had established itself as a credible democratic force both within the country and internationally, so it managed to rally all other parties and movements with the same vision of a free democratic South Africa behind it. Mandela played a unifying role of giving assurances to leaders across the divide (particularly the sceptics) and this went a long way to create and sustain confidence with the negotiation process. De Klerk knew in real terms how the situation was hurting and he moved swiftly to shift policies to ease the tension, for example, the unbanning of the ANC, including other liberation movements and creating space for democratic processes. De Klerk also had to reach to his constituency. For both sides it was a rare moment of risk-taking, which at the end paid huge dividends. This set the stage for engagement into the negotiation process.

Some of the conditions that were put in place by the state for the ANC, to make negotiations feasible include; the release of political prisoners; the granting of temporary amnesty for its cadres and leaders returning from exile; the repeal of politically repressive legislation; and the repeal of racial legislation (Hayson 2002). On the other hand, the government required of the ANC to; declare
a cease-fire; make provision for the handing over of weapons or "decommissioning"; and supporting the lifting of economic and other sanctions (Hayson 2002). The ANC did not accept totally the idea of decommissioning of its forces as they would be at the mercy of their adversaries in the case of a sudden turn by the government. However, the ANC pledged to support the process of creating stability in the country.

Hayson (2009) acknowledges that from 1985 to 1995 over 10,000 deaths were experienced and over 30,000 people were made homeless especially in KwaZulu Natal province and the Witwatersrand area of Johannesburg. The role of ethnic tensions was critical and substantive measures were taken to quell down the violence which could have derailed the delicate stages of the negotiated settlement. This included mass mobilisation for peace at the grassroots level particularly by the liberation movements and civil society under the auspices of the National Peace Accord.

The constitutional process and its output of a world class constitution is what I observe as the most symbolic feature of the negotiated settlement, given the polarisation that characterised South Africa's history of acrimony. This is so because the constitution managed to capture the imagination and expectations of the majority of its citizens across the board, to such an extent that the preamble to the constitution refers to "unity in diversity". According to Hayson (2002) the constitution making process proceeded in two phases; firstly the establishment of binding principles before elections, and secondly effecting those principles in the constitution itself. The first phase took place between 1993 and April 1994, when a multi-party forum agreed on the constitutional principles and an Interim Constitution that ushered in historic democratic elections.

The multi-party forum also agreed on legislation that would be necessary to conduct democratic elections, and this paved way for the creation of the independent electoral commission, an independent broadcasting authority and the establishment of a body which was the Transitional Executive Council (TEC) to supervise the government during the interim period before elections (Hayson, 2002). These elections resulted with the establishment of the National Assembly and this is the body that acted as a Constitutional Assembly that was responsible for drafting the final constitution which would then be certified by the Constitutional Court.

Hayson goes on to say that the second phase started in May 1994 and was finished in February 1997 when final blueprint was put into effect, though the first draft had been rejected in between. The constitution making process
passed through a phase of the Convention for a Democratic South Africa (CODESA) which did not succeed because of differences emanating from the way it was constituted.

Now South Africa subscribes to the mode of a constitutional state. Several features can be noted out of the constitutional process as part of the negotiated settlement. One of them is the level of inclusivity of the diversity of the people of the so-called "rainbow nation". Hayson (2002) says that 98% percent of the Constitutional Assembly supported the new constitution. There was wide public participation (including the role of women, religious groups and civil society) in the constitution making process to capture the views of the broad South African society. There was a bold move of "confronting the past in order to face the future" (Hayson, 2002: page not specified). The constitution takes cognisant of the need to redress historical inequalities. This also draws us to South Africa's Truth and Reconciliation Commission (TRC) and its role in national healing to pave way for a stable future. There are some misgivings to this approach though and you can explore them.

On the other hand, despite the glossy picture of South Africa's transition from apartheid to democracy, Lloyd (2001: 322) suggests that "a negotiated political settlement - because it involves compromise - will be less likely to resolve the underlying causes of the conflict". The argument is that even if the 1994 election gave one party a majority of votes, the new ANC government did not have the power to restructure the society to address the issues of inequality which was the root cause of the conflict. What do you think? Your role is to complete this unit by figuring out the concepts outlined in the introduction.

Activity 8.3

What lessons can Zimbabwe draw from the South African experience in as far as the constitution making process is concerned and the need to redress historical inequalities?
8.6 Summary

Zimbabwe has gone through a protracted struggle for self-determination, for which the question of land was central. Post-independence efforts to address the land question have been entrapped and interwoven with other issues that are at the core of the Zimbabwean state. The DRC conflict continues unabated and its intractability smacks of the same tragedy of the insensitivity to the plight of the common people. South Africa managed to go through a painful negotiated settlement to transform from apartheid to a democratic state that is constantly haunted by challenges of inequality.
References


