Militias, Rebels and Islamist Militants

Human Insecurity and State Crises in Africa

Edited by Wafula Okumu and Augustine Ikelegbe

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Sudan People's Liberation Army (SPLA) soldiers. AP Photo/Jean-Marc Bouju.
Hundreds of thousands of refugees stream out of Mugunga refugee camp and head toward the Rwanda border as Zairian rebels move in to occupy what was the largest refugee camp in the world. AP Photo/Enric Marti.

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Acknowledgements

Militias, rebels and Islamist militants has been in the works since 2006 and is a culmination of the authors' assiduousness, fervour and fortitude to make contributions that increase understanding of one of Africa's most unfortunate phenomena; that of armed non-state groups undermining human security and the state capacity to provide it. After Musa Abutudu had introduced us to each other, we took the first step of preparing a concept note that was endorsed by the Institute for Security Studies (ISS) and supported with funds provided by the government of Finland. In this regard, we would like to express our deepest appreciation to the ISS Executive Director, Jakkie Cilliers, the ISS Pretoria Office Director, Cheryl Frank, and the African Conflict Prevention Programme Head, Paul-Simon Handy. All continued to offer words of encouragement and useful tips on content, concepts and historical facts.

This book is an expression of our desire to unpack a phenomenon that has become a prominent feature of African politics. It is also an outcome of hard work by all of the contributors who made many sacrifices to research and write superb chapters, as well as to review each other's work. Bettina Engels, Eric George, Ibaba S Ibaba, Muhammad Kabir, Phillip Kasaija, Anne Kubai, Macharia Munene, Godfrey Musila, Adams Oloo, Paul Omach, Justin Pearce, Krijn Peters, Samson Wassara, and Aleksi Ylönen should also be thanked for providing us with a wealth of knowledge that we heavily relied on to compile and edit the volume.

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Wafula Okumu and Augustine Ikelegbe
Pretoria
October 2010

About the book

Militias, rebels and Islamist militants: human insecurity and state crises in Africa explores how armed non-state groups have emerged as key players in African politics and armed conflicts since the 1990s. The book is a critical, multidisciplinary and comprehensive study of the threats that militias, rebels and Islamist militants pose to human security and the state in Africa. Through case studies utilising multidisciplinary approaches and concepts, analytical frameworks and perspectives cutting across the social sciences and humanities, the book conceptualises armed non-state groups in Africa through their links to the state. After contextualising these groups in history, culture, economics, politics, law and other factors, a systematic effort is made to locate their roots in group identity, social deprivation, resource competition, elite manipulations, the youth *problématique*, economic decline, poor political leadership and governance crisis. Differentiating militias from insurgents, rebel groups and extremist religious movements, the book illustrates how some of the groups have sustained themselves, undermining both human security and the state capacity to provide it. The responses to their threats by local communities, states, regional mechanisms and initiatives, and the international communities are analysed. The findings provide a conceptual reference for scholars and practical recommendations for policymakers.

About the editors

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Foreword

Although armed non-state groups have been major players in almost all African armed conflicts since 1960, analysis of their participation in these conflicts has often been limited to factors such as greed and grievance. Generally, there has been a lack of a deeper analysis of the impact of these groups' activities on human security and the capacity of the state to provide it.

Militias, rebels and Islamist militants: human insecurity and state crises in Africa is being published at a critical moment of assessing the costs of the actions of armed non-state groups and exploring avenues for addressing some of the longstanding conflicts in which they are involved. In a report released in 2007 entitled *Africa's missing billions: international arms flows and the cost of conflict*, Oxfam International, the International Action Network on Small Arms (IANSA) and Saferworld estimated that between 1990 and 2005, conflicts cost Africa US$300 billion. This is equivalent to the amount of international aid the continent received during the same period. The formation of the African Union in 2002 was influenced by the realisation that 'the scourge of conflicts in Africa constitutes a major impediment to the socioeconomic development of the continent and of the need to promote peace, security and stability'. Since then many concerted efforts have been made to minimise or eliminate these debilitating conflicts.

This book is a timely contribution for a number of other reasons.

First, it is being released at a time when armed non-state groups are becoming increasingly involved in African politics, particularly during and after elections or as representatives of marginalised and excluded groups seeking redress of their grievances. Even though militias, rebels and Islamist militants are key players in African armed conflicts, no previous studies had been conducted to determine how they directly threaten human security and the state, or to critically analyse the various approaches to preventing and combating the associated threats. Armed non-state groups in Africa are quite widespread, manifesting themselves in different forms. The contributors to this volume highlight these groups' different identities – ranging from ethnic clan/community, religious, youth and cultural to political and economic. They also discuss the groups' motivations. These vary from ethnic, religious and regional assertions to contestations and

struggles for political space and access to resources, power struggles, activities to combat crime and vigilantism.

Second, the book proposes a new framework for understanding these groups. One of the intriguing findings is the fact that some of the groups have proliferated in reaction to poor state formations and stunted democratic transitions. In several instances, these groups have constituted themselves into major civil armed forces, alternative police or anti-crime forces, standing ethnic, religious and regional armies, amorphous bands, and armed wings of political parties, insurgency movements and movements fighting for self-determination. In several ways, the groups are specific responses to the multiple and deep crises of the state and to the challenges of development, democratisation and governance in Africa as a result of centralised, patrimonial, privatised and hegemonised state power, exclusionary politics, corruption, state malformation, de-constitutionalism, truncated transitions and successions, inequitable distribution and redistribution of public goods, inter-group tensions, poor leadership, and misuse and abuse of the state. Hence it is important for both researchers and practitioners to be conversant with the fact that remedies for addressing the threats of these groups do not lie solely in state responses such as military action or use of brute force by the police, but in building the capacity of states to govern well.

Third, the book will serve as a useful resource for both academics and practitioners in the sense that it seeks to establish a theoretical framework that links the formation and sustenance of armed non-state groups to how the state is governed and its capacity to guarantee human security. It also makes far-reaching proposals on how to effectively combat and prevent threats posed by these groups. Indeed, if Africa has to address the crisis of the state and the threats posed to human security by armed non-state groups, it will require well-researched information such as that contained in this volume.

The ISS is proud to be associated with this project that aims to contribute knowledge that would bring about a deeper understanding to one of the most serious threats to human security on the continent, as it relates to its mission of generating knowledge that empowers Africa.

Dr Jakkie Cilliers
Executive Director
Institute for Security Studies

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ADF	Allied Democratic Forces
ADLF	*Alliance des Forces Démocratiques pour la Libération du Congo-Zaïre*
AENF	Alliance of Eritrean National Forces
AFD	*Alliance de Forces Démocratiques pour la Libération du Congo*
AFRICOM	United States African Command
AFRC	Armed Forces Revolutionary Council
AIAI	*Al-Ittihad al-Islami*
AIDS	Acquired immunodeficiency Syndrome
AIS	*Armée Islamique du Salut*
AK-47	*Avtomat Kalashnikova* 47
ALiR	*Armée pour la Libération du Rwanda*
ALS/ARS	Alliance for the Liberation of Somalia / Alliance for the Reliberation of Somalia
AMIS	African Union Mission in Sudan
AMP	*Alliance pour la Majorité Présidentielle*
ANR	*Armée Nationale de Résistance*
ANC	African National Congress
ANSGs	Armed non-state groups
APC	Arewa People's Congress
APCP	All Peoples' Congress Party
APRM	African Peer Review Mechanism
AQIM	Al-Qaeda in the Islamic Maghreb *(L'organisation Al-Qaïda au Maghreb Islamique)*
APC	All People's Congress
APCLS	*Alliances des Patriotes pour un Congo Libre et Souverain*
APRD	*Armée Populaire pour la Restauration de la République et la Démocratie* (Army for the Restoration of the Republic and of Democracy)
ATNM	*Alliance Touareg du Niger et du Mali*
AU	African Union
BAMOSD	Bakassi Movement for Self-Determination
BOFF	Biafran Organisation of Freedom Fighters
CAR	Central African Republic
CDF	Civil Defence Force
CDU	Civil Defence Unit
CNDD-FDD	*Conseil National pour la Défense de la Démocratie / Forces pour la Défense de la Démocratie*
CNDP	*Congrès National pour la Défense du Peuple*
CNL	*Conseil Nationale de Libération* (National Liberation Council)
CNT	*Concorde Nationale Tchadienne*
COMA	Coalition for Militant Action
CP	Conservative Party
CPA	Comprehensive Peace Agreement
CSNPD	*Comité de Sursaut National de la Paix et de la Démocratie*
CSOs	Civil society organisations
DDR	Disarmament, demobilisation and reintegration
DDRR	Disarmament, demobilisation, rehabilitation and reintegration
DIF/A	Darfur Independence Front/Army
DP	Democratic Party
DPA	Darfur Peace Agreement
DRC	Democratic Republic of Congo
EBA	Egbesu Boys of Africa
ECOMOG	Economic Community of West African States Monitoring and Observation Group
ECOWAS	Economic Community of West African States
EIJ	Egyptian Islamic Jihad
ELF	Eritrean Liberation Front
EPRDF	Ethiopian People's Revolutionary Democratic Front
EPLF	Eritrea People's Liberation Front
FAC	*Forces d'Armées Congolais*
FAN	*Forces Armées du Nord*
FARDC	*Forces Armées de la République Démocratique du Congo*
FARF	*Forces Armées de la République Fédérale*
FAR	*Forces Armées Rwandaises* (Rwanda Armed Forces)
FARS	*Forces Armées Révolutionnaires du Sahara*
FBI	Federal Bureau of Investigation
FDLR	*Forces Démocratique pour la Libération du Rwanda*
FDLR	*Forces Démocratique pour la Libération du Rwanda*
FDPC	*Front Démocratique du Peuple Centrafricain*
FERA	February 18 Revolutionary Army

FII	Finnish Institute of International Affairs
FIPI	*Front pour l'Intégration et la Paix en Ituri*
FIS	*Front Islamique du Salut*
FLAA	*Front pour la Libération de l'Air et de l'Azawad*
FLEC	*Frente de Libertação do Estado de Cabinda*
FLN	*Front National de Libération* (National Liberation Front)
FLNC	*Front de Libération Nationale Congolais*
FLGO	*Forces de Libération du Grand Ouest* (Forces for the Liberation of the Great West)
FNDIC	Federated Niger Delta Ijaw Communities
FNI	*Front des Nationalistes et Intégrationnistes*
FNL	*Forces Nationales de Libération*
FNLA	*Frente Nacional da Libertação de Angola*
FPR	*Front Patriotique Rwandaise*
FRELIMO	*Frente de Libertação de Moçambique*
FRF	*Forces Républicaines Fédéralistes*
FROLINAT	*Front de Libération Nationale du Tchad*
FRPI	*Forces de Résistance Patriotique d'Ituri*
FUC	*Front Uni pour le Changement Démocratique*
G3	Gewehr 3 rifle
GIA	*Groupes Islamiques Armés*
GICM	*Groupe Islamique Combattant Marocain*
GLORIA	Global Research in International Affairs
GoSS	Government of Southern Sudan
GPP	*Groupe Patriotique pour la Paix*
GSPC	*Groupe Salafiste pour la Prédication et le Combat*
GWOT	Global War on Terror
HIV	Human Immunodeficiency Virus
HRW	Human Rights Watch
HSMF	Holy Spirit Mobile Forces
ICC	International Criminal Court
ICG	International Crisis Group
ICGLR	International Conference on Peace, Security, Democracy and Development in the Great Lakes region
ICJ	International Court of Justice
ICL	International criminal law
ICT	International Criminal Tribunals
ICTR	International Criminal Tribunal for Rwanda

IDPs	Internally displaced persons
IDMC	Internal Displacement Monitoring Centre
IGAD	Inter-governmental Authority on Development
IHL	International Humanitarian Law
IHRL	International Human Rights Law
IMF	International Monetary Fund
IMN	Islamic Movement in Nigeria
IPF	IGAD Partners Forum
IRC	International Rescue Committee
JEM	Justice and Equality Movement
JIBWIS	*Jama'atul Izalatul Bid'ah Wa Ikamatus Sunnah*
JIG	Jihadi Islamic Group
JIUs	Joint integrated units
KAIPTC	Kofi Annan International Peacekeeping Training Centre
KANU	Kenya African National Union
KNCHR	Kenya National Commission on Human Rights
KNYA	Kenya National Youth Alliance
KPA	Khartoum Peace Agreement
KPU	Kenya People's Union
LDUs	Local defence units
LPC	Liberia Peace Council
LRA	Lord's Resistance Army
LURD	Liberians United for Reconciliation and Democracy
MAP	Mass awareness and participation
MASSOB	Movement for the Realisation of the Sovereign State of Biafra
MDJT	*Mouvement pour la Démocratie et la Justice au Tchad*
MEND	Movement for the Emancipation of the Niger Delta
MFDC	*Mouvement des Forces Démocratiques de la Casamance*
MLC	*Mouvement pour la Libération du Congo*
MK	*Umkhonto we Sizwe*
MNC	*Mouvement National Congolais*
MNJ	*Mouvement des Nigériens pour la Justice*
MODEL	Movement for Democracy in Liberia
MONUC	*Mission des Nations Unies en République Démocratique du Congo*
MONUSCO	*Mission de l'Organisation des Nations Unies pour la Stabilisation en République Démocratique du Congo*
MPCI	*Mouvement Patriotique de Côte d'Ivoire*

MPRC	*Mouvement P atriotique po ur la R estauration de la Rép ublique Centrafricaine*
MPRD	*Mouvement pour la Paix, la Reconstruction et le Développement*
MPLA	*Movimento Popular de Libertação de Angola*
MRC	*Mouvement Révolutionnaire Congolaise*
MSS	Muslim Students' Society of Nigeria
MTNMC	*Mouvement Touareg Nord Mali pour le Changement*
NATO	North Atlantic Treaty Organisation
NDMFS	Niger Delta Militant Force Squad
NDPSF	Niger Delta People's Salvation Front
NDPVF	Niger Delta People's Volunteer Force
NDVF	Niger Delta Volunteer Force
NDVS	Niger Delta Volunteer Service
NDV	Niger Delta Vigilante
NEPAD	New Partnership for Africa's Development
NFDLF	Northern Frontier District Liberation Front
NGOs	Non-governmental organisations
NIF	National Islamic Front
NLMs	National liberation movements
NMRD	National Movement for Reform and Development
NPFL	National Patriotic Front of Liberia
NRA/M	National Resistance Army/Movement
OAU	Organisation of African Unity
ODM	Orange Democratic Movement
OLF	Oromo Liberation Front
ONGC	Oil and Natural Gas Corporation Limited
ONLF	Ogaden National Liberation Front/Army
OPC	O'odua People's Congress
PAC	Pan-Africanist Congress
PAIGC	*Partido Africano da Independência da Guiné e Cabo Verde*
PALIPEHUTU	*Parti pour la Libération du Peuple Hutu* (Party for the Liberation of the Hutu People)
PANAFU	Pan-African Union
PARECO	*Patriotes Résistants Congolais*
PDF	Popular Defence Force
PDP	People's Democratic Party
PNU	Party of National Unity
Polisario	*Frente Popular de Liberación de Seguía el Hamra y Río de Oro*
PRA	Popular Resistance Army
PRISM	Project for the Research of Islamist Movements
PUSIC	*Parti pour l'Unité et la Sauvegarde de l'Intégrité du Congo*
RCD	*Rassemblement C ongolais p our l a D émocratie* (Congolese R ally for Democracy)
RCD-ML	*Rassemblement C ongolais p our l a D émocratie – M ouvement d e Libération*
RENAMO	*Resistência Nacional de Moçambique*
RFC	*Rassemblement des Forces pour le Changement*
RPF/A	Rwanda Patriotic Front/Army *(Front Patriotique Rwandais)*
RPR	*Rassemblement Populaire Rwandaise*
RoC	Republic of Congo
RSLMF	Republic of Sierra Leone Military Force
RUD	*Ralliement pour l`Unité et la Démocratie*
RUF	Revolutionary United Front
SADR	Sahrawi Arab Democratic Republic
SAF	Sudan Alliance Forces
SBU	Small Boys Unit
SCSL	Special Court for Sierra Leone
SCUD	*Socle pour le Changement, l'Unité et la Démocratie*
SLDF	Sabaot Land Defence Force
SLM/A	Sudan Liberation Movement/Army
SNA	Somali National Alliance
SNF	Somali National Front
SNM	Somali National Movement
SPDC	Shell Petroleum Development Company
SPLM/A	Sudan People's Liberation Movement/Army
SPM	Somali Patriotic Movement
SSDF	Somali Salvation Democratic Front
SSDF	Southern Sudan Defence Force
SWAPO	South West Africa People's Organisation
TJRC	Truth, Justice and Reconciliation Commission
TNCs	Transnational corporations
TPLF	Tigray People's Liberation Front
TSCTI	Trans-Saharan Counterterrorism Initiative
UCDA	Uganda Christian Democratic Army
UFDD	*Union des Forces pour la Démocratie et le Développement*
UFDG	*Union des Forces Démocratiques de Guinée*

UFDN	*Union des Forces pour une Guinée Nouvelle*
UFDR	*Union des Forces Démocratiques pour le Rassemblement*
UFF	Uganda Freedom Fighters
UFR	*Union des Forces Républicaines*
UIC	Union of Islamic Courts
ULIMO	United Liberian Movement for Democracy
UNAMID	United Nations African Union Mission in Darfur
UNDP	United Nations Development Programme
UNESCO-MOST	United Nations Educational, Scientific and Cultural Organisation - Management of Social Transformations
UNIMIS	United Nations Mission in the Sudan
UNICEF	United Nations Children's Fund
UNITA	*União para a Independência Total de Angola* (National Union for the Total Independence of Angola)
UNLA	Uganda National Liberation Army
UNRF	Uganda National Rescue Front
UNSC	United Nations Security Council
UPC	Uganda People's Congress
UPC	*Union des Patriotes Congolais*
UPDA	Uganda People's Democratic Army
UPDF	Uganda Peoples' Defence Force
UPLTCI	*Union des Patriotes pour la Libération Totale de la Côte d'Ivoire*
UPM	Uganda Patriotic Movement
USGAO	United States Government Accountability Office
WKHRW	Western Kenya Human Rights Watch
WNBF	West Nile Bank Front
WSB	West Side Boys
WSLF	Western Somali Liberation Front
ZANU	Zimbabwe African National Union
ZAPU	Zimbabwe African People's Union
ZIF	Zentrum für Internationale Friedenseinsätze
ZSVS	Zamfara State Vigilante Service

Chapter 1

Introduction: towards conceptualisation and understanding of the threats of armed non-state groups to human security and the state in Africa

Augustine Ikelegbe and Wafula Okumu

INTRODUCTION

A major presence in the African states is the multiplicity of armed non-state groups (ANSGs) that range from armed bands, vigilantes, cultist groups, private security companies, criminal bands, community/ethnic/religious/regional armies, armed wings of political parties and private armies to militias, Islamist militants and rebel groups. These groups have been key players in the political violence that has severely undermined human security and the state capacity needed to guarantee it. Particularly militias, rebel groups and Islamist militant groups have been major actors in the ethnic, regional, religious and political conflicts, resource conflicts and insurgency movements in Algeria, Angola, Burundi, the Central African Republic (CAR), Chad, the Republic of Congo (RoC), the Democratic

Republic of Congo (DRC), Egypt, Ethiopia, Kenya, Liberia, Mozambique, Nigeria, Rwanda, Sierra Leone, Somalia, Sudan and Uganda. Apart from the 19 civil wars and one interstate war in 16 African countries between 1990 and 2000,[1] there have been numerous internal conflicts in which militias, militant Islamist movements and smaller rebel groups were involved. These are set out by Bettina Engels (chapter 3 and appendix).

The activities of these groups in national and regional conflicts have exerted a huge toll on the stability, development and security of Africa. Human insecurity has been a major casualty in terms of massive internal displacements, disruption of livelihoods, violations of human rights, heightened criminality, loss of lives and humanitarian crises.

Although ANSGs have existed in Africa in the pre-colonial, colonial and immediate post-independence periods, there has been a resurgence since the 1990s, with groups being formed for dissent, resistance, civil defence, and struggles for self-determination, political reforms and resource control. Also notable has been the persistence and seeming entrenchment of this phenomenon in some countries such as the DRC, Somalia and Sudan.

The increased incidence and activities of these ANSGs raise serious concerns about the institutionalisation of violence as a means of redressing grievances, its widespread use and abuse by state and non-state actors, the exposure of the citizenry to vicious violence, and the loss of state monopoly over the use of violence. Violence also weakens the capacity of the state to provide the *res publica* (particularly democracy, public security and general welfare), and an environment that allows basic needs to be met. These and the possible linkages with human insecurity, humanitarian crises, development and governance crises, instability and conflicts, are among the reasons for a growing interest in critically interrogating and understanding the phenomenon of ANSGs in Africa.

A critical examination of the phenomenon of ANSGs raises numerous questions: How can we conceptualise militias, Islamic militants and rebel groups in Africa? Is it enough to regard them as groups arising from frustration, engaged in conflicts and that apply violence or merely as armed civil organisations with a high propensity for violence? From what perspectives can we seek explanations? How do group identities, social deprivation, resource competition, elite manipulations, the problem of the youth, economic decline, poor political leadership and governance crises contribute to the understanding of the phenomenon? How do we differentiate between militias and insurgents, rebel

groups and extremist religious movements? How do these groups sustain themselves? How do these groups undermine both human security and the state capacity to provide it? How are these groups dealt with at different levels, ranging from local to international? This book is an attempt to answer some of these questions.

Particularly, the book seeks to analyse and understand ANSGs as institutions of struggle, opposition, resistance and violence in African politics; as part of a broad and larger politics of the struggles by identity groups and counter-elite for power and resources and how these struggles are mediated by the state, ruling classes, political elite, civil society, neighbouring countries, and international organisations and actors. The book further investigates how ANSGs are transformed from civil struggle groups into militant and violent movements and how they are transformed into non-violent political actors. Finally, the book makes a concerted effort to provide knowledge that could inform policy related to ANSGs in Africa.

This book is composed of case studies that utilise multidisciplinary approaches and concepts, analytical frameworks and perspectives drawn mainly from the social sciences and humanities. The specific case studies draw on historical, cultural, spatial and related contexts, and on contemporary developments (incidences and actual occurrences, perceptions and attitudes). Beyond the enunciated questions and concerns, the work critically interrogates the phenomenon of ANSGs in Africa, particularly the narratives of grievances and the discourse of struggles, the philosophical and ideological platforms of mobilisation, and the interfaces with culture and religion as well as international law.

The book highlights the growing role of ANSGs in the political and socioeconomic landscape and the conflicts in Africa and their growing use of arms and violence, which traditionally were the monopoly of the state. The work also identifies the interfaces between the state, the nature of governance and politics with the emergence, activities and methods of ANSGs as well as with how they impact on the multiple crises of the state, governance and development in Africa. Further, the impact of ANSGs' activities and engagements is examined, as well as the effect of internal conflicts, insurgencies and civil wars on human security and progress in Africa. The book concludes with a critical look at the nature and effectiveness of responses at the local, state, regional and international levels to the ANSG activities and posits a set of policy proposals that have implications for conflict resolution and peace-building efforts.

This chapter captures the major findings of the contributors in nine sections. The first section is an overview of the three types of ANSGs – militias, rebels and Islamist militants – that form the main topic of this study. The second section contextualises ANSGs in Africa. The third to fifth sections explore the social bases of militias and rebel movements, the causality and sustainment of armed conflicts and ANSGs and the nexuses between ANSGs, power, politics and violence. The sixth and seventh sections are exposés of how ANSGs threaten human security and undermine the state in Africa. The last two sections focus on the emerging regional dynamics and ramifications of ANSG activities, and draws some conclusions.

MILITIAS, REBEL MOVEMENTS AND ISLAMIST MILITANT GROUPS IN AFRICA: CONCEPTS AND TYPES

Militias

A militia is an armed force of ordinary persons or, as Zahar puts it, 'an armed faction' engaged in combat or fighting or that resorts to violence to attain certain objectives.[2] This presupposes first that it is a civil force or a privately organised group of armed persons and second that it is largely an informally organised force whose structures, hierarchies, commands, procedures and processes are usually not fixed and rigid. Third, it is generally mobilised voluntarily on the basis of some common identity challenges or general concerns and threats.

Drawing on characterisation by Zahar, one can identify the essential characteristics of militias as ir regular forces (outside regular military forces), informal (not usually formal state militaries or paramilitaries), private forces (established and commanded by private persons), illegal (not sanctioned by law), illegitimate (even though they may be adjuncts of or connected to regimes and recognised political groups) and clandestine (support, funding, arms and management are often secret and outside the public view).[3] The purpose or goals of militias usually relate to projecting or protecting, and fighting for and defending certain private, group, communal, ethnic, religious, sectional, regional, national, regime or related interests that may concern power and resource struggles, security and safety.

Historically, the militia is an organisation of local defence service or duty, which acts in response to challenges of war, disaster and security. In the advanced Western countries, the militia was either a reserve army or an emergency force of the paramilitary type that was established by a government or communities. Militias of the resistance, rebellion, liberation and self-defence persuasion existed in Europe and America until the mid-20th century in countries such as France, during the World War II German occupation, and Austria, after World War I. The reserve, special duty or emergency paramilitary type is the quintessential militia identified by Godfrey Musila (chapter 4), who adopts a state-centrist and legal conception of militia as an extension, and volunteer corps, of a regular army that conforms to the law.

The more contemporary form, particularly in Africa, is that of small and mobile bands, usually youths, who are voluntarily and selectively recruited, poorly trained and moderately armed, and organised to respond to immediate challenges that may be national, regional, sectional, ethnic, religious and communal and that may relate to issues of power, resources, self-determination, freedom, insurgency or counterinsurgency. They may be formed by retired or current security personnel or by those with their relevant training and experience, and usually revolve around certain prominent commanders or warlords. They are often militant wings or even armed wings of some civil agitation or struggles, self-determination movements, political parties, or informal armed wings of factions of the ruling class and political elite.

There are essentially two forms of militias in history: statist and non-statist or private militias. State militias are 'paramilitary formations that organise in defence of the political order' and proxies set up or cultivated as 'adjuncts of state power' and which fight for, on behalf of or at the behest of the state and state functionaries.[4] Each of these can be categorised into one of three types: quasimilitary or paramilitary militias, government militias and state-patronised militias.[5]

The quasimilitary or paramilitary militia is constructed as the populist, large-scale, periodic, short-term complement to a standing army in neighbourhoods, communities and provinces of countries where the standard army is not widely present and active. It is a part-time, auxiliary and reserve military force with occasional duties that is established for particular public purposes and peculiar circumstances such as emergencies, disasters, internal conflicts and war and consists of those who are by law available for call-up or service. As a public force

constituted by law, its mobilisation, organisation, training, discipline, equipment, funding and deployment are regulated by the state. The reserve militia and the less formally organised state militias and alternative forces that existed in Europe and America between the 17th and 19th centuries fit into this mould. The modern version is the reserve army and standby forces of some states.[6]

State or regime militias are civil armed groups constituted by governments to combat certain threats or security situations. The militia may be a formal quasimilitary organisation or a privately armed group of a top government leader. The former may be remunerated and equipped with public funds but its existence and sustainment is tied to a particular regime rather than constitutional provisions and enactments. Presidential, palace or private security guards are examples of non-military armed forces.[7]

There are government mobilised, patronised, supported and guaranteed private militias of communities, ethnic groups, warlords, youths and political movements. Here governments may directly or surreptitiously make use of militias on the basis of utility and expedience and may discreetly fund, equip and protect a militia group for purposes of crime control and counterinsurgency. In Sudan, Liberia, Côte d'Ivoire and the DRC, governments have legitimised, supported or patronised some militia groups.[8] In Sudan, the el-Bashir government has used the *Janjaweed* militias to fight rebel groups in the Darfur region. In Côte d'Ivoire the government has used the *Jeunes Patriotes* (Young Patriots) in the civil war to target northerners, immigrants and the French.[9]

Non-state militias are privately organised armed citizen groups, usually constituted by volunteers recruited from local areas, neighbourhoods, communities and provinces. Such militias sometimes support the state and state causes and wars, but more often are engaged in sectional and primordial causes. The non-state militias may take the form of political, community, ethnic, regional and youth militias.

Political militias are 'private armies of pro-regime strongmen' or armed wings of political parties, sociopolitical movements and sometimes civil groups, that are sometimes mobilised to maintain internal order, combat opposing groups and perform certain clandestine political roles such as committing or countering electoral and political violence.[10] Examples are the *Mambas, Cobras, Zolou* and *Ninja* militias in the civil strife and power struggles in the RoC during the 1990s.

Community, ethnic and regional militias are armed groups mobilised along identity lines and constitute identity-based local armies or foot soldiers of primordial concerns. In conflict-ridden, crime-infested and insecure environments, citizens are sometimes constituted into local armed organisations, usually by community, ethnic and regional chieftains or entrepreneurs, in response to certain common threats and enemies. In the eastern DRC there are a multiplicity of ethnic militias such as the *Mouvement Révolutionnaire Congolais* (Congolese Revolutionary Movement, MRC) in the Ituri region, the *Mai-Mai*, the *Interahamwe*, the *Union des Patriotes Congolais* (Union of Congolese Patriots, UPC) and the Lendu. In Kenya, ethnic militias include the *Rift Valley Kalenjin Warriors, Mungiki, Chinkororo, Amachuma, Jeshi la Kayole* and Sabaot Land Defence Force (SLDF).

Youth militias are armed groups that may cut across communities, ethnic groups and regions, but are composed mainly of youths driven by opposition to, rebellion and resistance against state policies and practices, elite behaviour, and national and regional problems and conditions. Warlord militias are small-arm bands and cult groups that are constructed around individual militant leaders. They may be part of larger groups, but usually tend to freelance and are available for diverse commercial violence and may be involved in resource plundering and criminal violence.

Apart from the above categories, militias can also be classified using other variables. For example, the core reasons for the militia group formation could underpin its structure, roles, dynamics and methods and therefore one could categorise militias in terms of objectives or purposes. Thus there are political militias, insurgent militias, vigilante militias and self-determination militias. Insurgent militias are formed to resist state politics, policies and practices and particularly issues of marginality, corruption and repression through armed insurrection. Governments or ruling elites may also form or sponsor counterinsurgent militias to silence or intimidate opponents of governments in the form of individuals, groups, political parties or insurgent rebels. Vigilante militias can emerge from armed anti-crime and security control efforts, and then sometimes transform themselves in to insurgent or counterinsurgent groups. Criminal militia groups are armed bandits that engage in criminal acts such as piracy, extortion, kidnapping and political intimidation.

One can further differentiate militias by their social base, age and identity (ethnic, regional and religious). In terms of the breadth or extent of mobilisation

Table 1–1: Types of militia in Africa

	Types	Goals	Cases
State militias	Reserve army / auxiliaries of national armies	Complement state militaries	*National Guard* (Nigeria)
	Government-supported/ -patronised	Counterinsurgency	Popular Defence Force / *Janjaweed* (Sudan) *Kamajor* (Sierra Leone) *Fifth Brigade* (Zimbabwe) *Arrow Group* (Uganda) *Jeunes Patriotes* (Côte d'Ivoire)
Non-state/ private militias	Political militias	Political objectives Struggle for political domination	*Mambas, Cobras* and *Ninjas* (RoC)
	Community/ ethnic militias	Identity rights Struggle for inclusion, resources and justice	*Egbesu/Oduduwa People's Congress* (Nigeria) *Mungiki* (Kenya) Militias under Southern Defence Force (Sudan) *Interahamwe* (Rwanda)
	Youth militias	Identity Resource access Insurgency	*Niger Delta Volunteer Force / Movement for the Emancipation of the Niger Delta* (Nigeria)
	Vigilante militias	Security Crime control	*Bakassi Boys* (Nigeria)
	Warlord militias	Struggle for power and resources Commercial violence	Armed bands and cult groups in the Niger Delta (Nigeria)

Source: compiled by authors.

and recruitment, there can also be social movement or broad-based militias and warlord-based militias.

There is considerable fluidity in colouration and roles and in fact militias could, and do, wear different tags at different times. Community, ethnic and youth militias, for example, could be insurgent or counterinsurgent, political and pro-government or even vigilante militias. Vigilante militias could become political and pro-government militias and criminal militias could have political or even insurgent motives. Counter-insurgent and statist militias could also be community-, ethnic- and youth-based. The *Kamajor* militias in Sierra Leone, though initially formed and supervised by government officials, became a grassroots popular community movement organised, supported and even sponsored by community leaders and members.[11] The *Interahamwe* in Rwanda was both a state militia and an ethnic militia.

Rebel movements

Rebel movements are organisations that essentially engage in armed opposition and resistance, and particularly insurrection or insurgency against governments and ruling regimes. It is the latter that defines the movement as rebel or creates the rebel tag. As Harbom and Wallensteen note, rebel movements are armed opposition or insurgent organisations that are incompatible with, disagree with and challenge existing national governments.[12] The central goal of a rebel movement is change in terms of displacement and replacement of existing governments, the change of existing frameworks to enable their participation in and possibly control of governments, the devolution of authority to grant autonomy to regional governments or their redesign or redrawing of national boundaries to grant separate existence to some regional or ethnic homeland.

The concepts of rebel and rebellion are actually relative as they are merely labels that are based on perceptions and opinion. Further, the designations ignore the other side that is being violently challenged, usually the government or regime, in terms of character, legality and legitimacy.

There are different types of rebel movements.[13] The liberation rebel movement resists colonisation and foreign rule and seeks independence, whereas the insurgent rebel movement seeks political change and political power. As Thompson notes, insurgent movements are committed to the nation-state, but seek to 'overthrow the existing state' and replace it with a new political order and to 'build alternative political authority'.[14] The separatist, secessionist or irredentist rebel movement seeks a separate existence from an existing country or has secessionist objectives. The reformist rebel movement seeks to establish a new political system based on an ideology such as communism. Warlord insurgencies are closely knit groups built around leaders that seek to overthrow regimes/regime leaders but create 'personal territorial fiefdoms'.[15]

Rebel movements that have been engaged in liberation struggles against colonial and foreign domination include the *Mau Mau* (Kenya), *Front de Libération Nationale* (National Liberation Front, FLN – Algeria), *Movimento*

Table 1–2: Types of rebel movements in Africa

Rebel movements	Liberation movements	Insurgent rebel movements	Separatist rebel movements	Islamist rebel movements
Purpose	Decolonisation Independence from foreign government	Resistance Reform struggles Overthrow of regimes/ governments	Autonomy Self-existence	Islamic law/rule
Grievance narrative	Oppression Exploitative foreign rule	Marginalisation Exclusion Ethnic and regional hegemony Misgovernance	Ethnic/regional marginalisation	Unbelief Corruption of Islamic practices and rules of governance
Organisation	Popular movements driven by militant nationalist organisations	Armed wing of political movement	Ethnoregional movements	Fundamentalist Puritan Reform
Ideology	Nationalist and liberation ideals	Political programmes/ arrangements of inclusion/reform		Political Islam
Leadership	Militant nationalist leaders	Excluded politicians/youths/ opposition	Militant ethnoregional leaders	Militant Islamic leaders
Dominant methods of engagement	Guerrilla warfare Pitched battles from controlled territories	Guerrilla warfare Pitched battles from controlled territories	Guerrilla warfare Pitched battles from controlled territories	Bloody protest Riots Terror attacks Guerrilla warfare
Examples	*Mau Mau* (Kenya) African Party for the Independence of Guinea and Cape Verde (Guinea-Bissau) African National Congress (South Africa)	National Redemption Front/Army (Sudan) Revolutionary United Front (Sierra Leone) Lord's Resistance Army (Uganda)	Rebel groups in Sudan, Mali, Nigeria (1967–1970), Senegal, Ethiopia	Armed religious groups in Algeria, Somalia

Source: Compiled by authors.

Popular de Liberteção de Angola (Popular Movement for the Liberation of Angola, MPLA – Angola), *Frente de Libertação de Moçambique* (Liberation Front of Mozambique, FRELIMO – Mozambique), South West Africa People's Organisation (SWAPO – Namibia), Zimbabwe African National Union (ZANU) and Zimbabwe African People's Union (ZAPU) (Zimbabwe), *Partido Africano para a Independência da Guiné e Cabo Verde* (African Party for the Independence of Guinea and Cape Verde, PAIGC – Cape Verde) and the African National Congress (ANC) and the Pan-Africanist Congress (PAC – South Africa). Some of the liberation movements, for example the *União para a Independência Total de Angola* (National Union for the Total Independence of Angola, UNITA), as Pearce notes in chapter 13, started as liberation movements and then became reform insurgencies, while the *Resistência Nacional de Moçambique* (Mozambican National Resistance, RENAMO) was a reform insurgency. Both had elements of warlordism, however.

A distinguishing feature of the liberation movement as discussed by Musila (chapter 4), is that it is recognised in international law and subject to it. Some insurgent rebel movements grew out of grievances and agitation associated with identity-based exclusion and alienation by corrupt and autocratic regimes that abused and repressed the opposition and marginalised groups. According to Clapham the earliest versions of this group are anti-colonial insurgencies that grew out of grievances against repressive and exploitative colonial policies and practices.[16] Anti-colonial grievances underpinned insurgency movements in Ethiopia (Eritrea People's Liberation Front, EPLF) and Algeria (the *Front de Libération Nationale*, FLN).

Post-colonial insurgencies have occurred in, among others, Uganda (National Resistance Army, NRA), Chad (*Forces Armées du Nord* / Armed Forces of the North, FAN), Ethiopia (Ethiopian People's Revolutionary Democratic Front, EPRDF) and the DRC (*Alliance des Forces Démocratiques pour la Libération du Congo-Zaïre* / Alliance of Democratic Forces for the Liberation of Congo/Zaire, ADLF).[17] In Burundi, rebel groups such as the *Conseil National pour la Défense de la Démocratie / Forces pour la Défense de la Démocratie* (National Council for the Defence of Democracy / Forces for the Defence of Democracy, CNDD-FDD) and the *Forces Nationales de Libération* (National Forces of Liberation, FNL), formerly known as the *Parti pour la Libération du Peuple Hutu* (Party for the Liberation of the Hutu People, PALIPEHUTU), have fought against marginalisation by the Tutsis in the government and military for over a decade. In Chad, the *Union des Forces pour la Démocratie et le Développement* (Union of Forces for Democracy

and Development, UFDD) has been fighting government forces in the east in a struggle to topple the government of Idriss Deby. Uganda's Lord's Resistance Army (LRA) is perhaps one of the oldest rebel movements in Africa and the most regionalised. It has been fighting the Museveni government for over two decades. Bad governance based on ethnic and regional hegemonic rule, marginalisation and exclusion, fermented separatist rebel movements such as the Sudan People's Liberation Movement/Army (SPLM/A) in Southern Sudan and the EPLF in Ethiopia. The Tuareg rebellion in the northern parts of Mali, Niger and South Algeria seeks an Azawad independent state. In the Casamance region of Senegal, the *Mouvement des Forces Démocratiques de la Casamance* (Movement of Democratic Forces of Casamance, MFDC) has been waging a self-determination struggle since the 1980s. In Ethiopia, a separatist group, the Ogaden National Liberation Front (ONLF), is fighting the Ethiopian government for the control of the oil- and gas-rich Ogaden region.

Militant Islamist groups

Militant Islamist groups are a reflection of the resurgence of political Islam, radical Islamism and the global *jihad*. The groups, according to Kabir (chapter 11) manifest themselves in politically extremist forms of violent resistance and dissidence against regimes, policies and society branded as impious, unIslamic, or tainted by modernising and Western influences. George and Ylönen (chapter 12) as well as Kabir (chapter 11) identify several of these groups in Egypt, Algeria, Morocco and Nigeria, such as *al-Jihad*, the *Armée Islamique du Salut* (AIS), *Groupe Salafiste pour la Prédication et le Combat* (*Salafist* Group for Preaching and Combat, GSPC),[19] Egyptian *Islamic Jihad, Boko Haram* and *Taleban*. In Somalia, religious militias such as the *Al-Ittihad al-Islami* (Union of Islamic Courts, UIC), *Al-Shabaab* and *ahlu Sunna,* which control most of the countryside, have for several years made the country ungovernable.[20] The strategy of militant Islamist groups to target Westerners, Western allies and Western interests has earned them membership on the 'terrorist list' compiled by the US State Department. Because of their perceived links to the global *jihad, al-Qaeda* and Osama bin Laden, these groups have drawn keen interest from Western security institutions such as AFRICOM. The chapters by Kubai, Kabir, George and Ylonen provide an African perspective for understanding these groups and propose far-reaching measures of addressing the threats that they pose to the state and human security.

Table 1–3: Comparisons of militias, Islamist militants and rebel movements

	Militias	Armed religious groups	Rebel movements
Goals	Limited sociopolitical goals and more specific local/community/ethnic issues	Clear religious objectives such as Islamic basis and reform of the state/ government	Clear and larger socio-political goals such as change of governments and secession
Motivation	Identity-based socio-political grievances and challenges with a mix of opportunism	Religious and socio-political grievances	Larger political grievances and struggles for power and access to resources
Scope and size	Small groups constructed around commanders/ leaders Operate in limited geographic space in dispersed small enclaves Generally do not hold territories	Larger groups founded on Islamic leaderships and cells that operate among the population	Larger groups constructed as fighting units that operate in or seek extensive territorial control
Methods	Armed protests, violent attacks and guerrilla warfare, but often may not hold territory	Violent protests and attacks	Larger-scale organised fighting through guerrilla and conventional warfare from controlled territories
Engagements/ targets	Low-intensity conflicts Engage security agents, rival militias and perceived enemies/ enemy groups	Violent attacks against civil population and security agencies, perceived infidels and deviant religious groups	Intensive conflicts against the government/pro-government groups and military over extensive territory Full-scale war
Social base	Community and ethnic groups and youths Rarely spread beyond identity territorial base Rarely conscript	Religious and youth volunteers	Larger social basis, which may comprise identity/ non-identity and youths May conscript child soldiers and women
Funding	Local extortions/levies/ tolls Low-level resource plundering Local and ethnic elite funding	Tolls/levies/taxes Elite funding External support	Extensive toll collections Imposed levies Extensive resource exploitation/plundering/ trading

Source: compiled by authors.

The nature and character of ANSGs in Africa

Most ANSGs are either unstructured or loosely structured hierarchical organisations, whose members, usually between a hundred and some thousands, are trained in the use of modern light weapons by retired and disengaged military, police and other security agencies. Their arsenal usually comprises traditional weapons, assault rifles (the most popular being the AK-47), machine guns, rocket-propelled grenades, bazookas, hand grenades and explosives.

ANSGs have a variety of characteristics and peculiarities. Some have been well organised, cohesive and disciplined, with a clear hierarchy and command and control structures, closely knit cells, well-coordinated systems, strict rules and decentralised operations. Some have clear objectives, a strong ideological foundation, political education and a framework of rules and regulations that guides operations and behaviour of followers as well as visionary, clear-headed and effective leaderships who weld the groups together, and inspire and sustain them. Among these are the NRA in Uganda and the EPLF in Eritrea. Clapham has noted that groups exhibiting these organisational and leadership characteristics were able to achieve success in the battlefield, a fair level of governance in the territories they controlled, positive relations with communities and local people and eventually attained their objectives.[21]

However, the majority of ANSGs are disorganised and undisciplined with loose control over operations and activities, poor leadership, organisational problems, control and command problems and factional fighting, and are prone to fragmentation or fracturing into diverse armed bands. These problems often manifest in criminal activities, violent infighting, indiscriminate and gratuitous violence, exploitation and abuse of local communities, forceful conscription of children, abuse of drugs and plundering of community resources.

In Africa many ANSGs descend from insurgency and other resistance and sociopolitical objectives into criminal and severely destructive movements. This has been evident in ANSG activities in Liberia, Sierra Leone, the DRC, the RoC, Uganda, Sudan, Rwanda, Burundi and Nigeria. A critical question then is, how and why has this transformation taken place?

The internal dynamics and behaviour of ANSGs could be explained by factors such as the levels of training, ideological leanings, dedication to goals, the quality of leadership, the nature of relations with host communities, the nature of threats faced and the nature of the environment.[22] Zahar asserts that militia membership, objectives, structures and resource base determine the nature of militia-civil

relations, treatment of communities and civilians and behaviour.[23] Militias that are well-structured and organised with regard to chains of command and control, sanctions processes and discipline are able to enforce standards of conduct, attribute responsibility, develop enforcement and retribution mechanisms and ensure compliance with rules. These characteristics ensure disciplined forces, reasonable conduct, control of operations and better relations with communities.[24] Peters (chapter 14) notes that ANSG relations with communities and to some extent their level of success in attaining aims, depend on the existence of a meaningful ideology that attracts combatants and non-combatants, a low risk to communities because of the conduct of fighters and a low level of predation on or exploitation of communities.

Exemplary leadership and the level of education, and thus knowledge and personal capacity of the leadership, are also crucial. Clapham notes that uneducated insurgent leaders such as Foday Sankoh of the Revolutionary United Front (RUF) and Joseph Kony of the LRA were unable to 'create disciplined movements with clearly defined political projects'.[25]

The environment in which ANSGs operate determines specific organisational structures, strategies, operations and behaviours of members. For example, there exist more brutal methods of social control and more disjuncture in aspirations, values and goals in asymmetrical environments. Peters (chapter 14) points out that ANSGs that are challenged by unfavourable environments, such as restriction to jungle camps in inaccessible forests as in the case of the RUF in Sierra Leone, and sparsely populated villages as in the case of the LRA in Uganda, resort to forced conscriptions, abductions, forced labour, harsh punishments for escapees, confiscation of materials and deadly reprisals. ANSGs that have independent economic resources or that have symbiotic rather than parasitic or predatory economic relations with locals and who depend on locals for critical support, tend to show greater concern for and sensitivity to locals.[26] Insurgent movements that operate in unfamiliar areas and among unfriendly communities usually use brutal methods to prevent conspiracy and betrayal.[27] Groups that seek inclusion, acceptance, recognition and legitimacy from national, regional and international audiences and actors tend towards more moderate behaviour and relations with inhabitants of the controlled territories.[28]

The social bases of militias and rebel movements

The participation in ANSGs is dominated by foot soldiers who are male and young, unemployed and underemployed, school dropouts or poorly educated,

apprentices, artisans, street urchins and the urban and rural poor. They are largely marginalised, alienated and frustrated youths, whose aspirations have been blocked and who are often submerged in moral crises, socially dislocated and suffer material hardship and misery. George and Ylönen (chapter 12) and Kabir (chapter 11) argue that alienated, frustrated and disenchanted youths, who are mostly urban and unemployed, together with poverty, are at the root of militant Islamist groups. Adams Oloo (chapter 6) locates the social base of the militias in Kenya in the lower class, among the unemployed youths, artisans, small traders, landless squatters, street children, hawkers, urban poor and slum dwellers.

Marginalised and alienated youths such as the *Moryham* youths in Somalia, the *Raray* boys in Sierra Leone, *Bayaye* in Kenya and Uganda, *Machicha* in Tanzania, *Hittiste* in Algeria, *Tsotsis* in South Africa, *Area Boys* in Lagos and *Yan Daba* in Kano, Nigeria, have made up the core membership of several ANSGs.[29] In Nigeria, the O'odua People's Congress (OPC) attracted artisans, traders, unemployed, peasants and the underclass in the densely populated areas of Lagos. However, at the top echelons of many militias and rebel movements are a sprinkling of educated and partly educated elements and activists who provide intellectual and general leadership, relate to or liaise with the outside world and, in particular, speak for the groups. This has been especially the case with the ethnic militias in Nigeria.[30]

The place of women in ANSGs has been neglected in the literature. Furthermore, women have on the whole been presented merely as victims. But they perform important roles, such as carrying fetish items, ferrying arms, acting as spies or informants and providing such services as cooking, social welfare and health care. Women also act as local moderators of behaviour and peace-builders. They also act as a moderating influence, and in the Niger Delta resource conflicts, for example, community women groups have sought to restrain youth violence and have protested the effects of violence on their communities, livelihoods, children and local economies.[31] Although Alice Lakwena remains the most famous rebel leader in recent times, rebel groups such as ONLF, EPLF and RPF are known to have women in their rank and file.

As far as identity is concerned, ANSGs tend to share identity commonalities such as community, ethnicity, region and religion. Even when ANSGs have broad membership or a pan-identity spread, they begin with a core identity and may have identity-based structures at a subgroup and cell level. As Peters notes (chapter 14), the point of entry and initial base of mobilisation and recruitment in ANSGs and insurgencies are often marginalised and oppressed ethnic groups, such as the

Mano and Gio groups in Charles Taylor's National Patriotic Front of Liberia (NPFL), and the Mende ethnic group in Foday Sankoh's RUF in Sierra Leone.

At the early stages of development, membership is mainly voluntary and based on identity patriotism, mobilisation and solidarity and particularly the depth of feelings about perceived identity-based grievances.[32] In some cases recruitment is restrained by space, arms and maintenance resources. However, as engagements broaden and confrontations become more extensive and stressful, and as they begin to lose contact with communities, ANSGs may turn to conscription and forced recruitment from within and outside their identity base. Juveniles, young girls and children are sometimes captured, conscripted and used as fighters, spies, ordnance carriers, sex slaves and cannon fodder. In Sierra Leone, drugs were used to psychologically prepare members for action.[33] Examples of child rebel subgroups include Charles Taylor's *Small Boys Unit* (SBU), the *Gronna Boys* in Liberia, Museveni's *Kidogos* in Uganda,[34] and the Green Bombers in Zimbabwe.[35]

The use of child rebels is quite prevalent in Africa. In Angola for example, about 8 000 children registered for demobilisation in 2002, while in Mozambique there were about 300 000 children used during the war.[36] The recruitment and circulation of youths and child rebels across borders were main features of the conflict in the Mano River and Côte d'Ivoire. They were recruited from Côte d'Ivoire into Liberia, from Liberia into Sierra Leone and Côte d'Ivoire, and from Guinea into Côte d'Ivoire.[37] In northern Uganda, the LRA abducted or forcefully conscripted more than 60 000 youths, mainly young adolescents between 13 and 15 years of age. The LRA, like other rebel groups, prefers child rebels because of their net benefits in terms of indoctrination and effectiveness.[38] Children and youths also form almost half of the militias and rebels in the DRC. As at February 2007, about 54 000 children had been disarmed and demobilised compared to 115 000 adult combatants, while an estimated 15 000 – 20 000 children compared to 85 000 adults were awaiting demobilisation.[39]

ANSGs also draw members from migrants and fighters across borders. Bettina Engels (chapter 3) introduces the concepts of regional recruits (migrants) and regional warriors (recruited fighters) to explore this phenomenon and asserts that most ANSGs are regionally embedded. In West Africa, there has been a high level of mobility of fighters across borders between countries such as Liberia, Sierra Leone and Côte d'Ivoire.

CAUSALITY AND SUSTAINMENT OF ARMED CONFLICTS AND ANSGs

Several explanatory perspectives and findings can be used to decipher the issues of causality and sustainment of armed conflicts and ANSGs in Africa. The point of departure for an analysis is an examination of analytical perspectives that provide explanations for conflict, because ANSGs grow out of mobilisations, collective actions and engagements in intense conflict situations.

Between grievances and opportunism

Perhaps the most popular explanation in recent times is the 'grievance versus greed' discourse. The former predicates causality or conflict 'initiation or onset' on grievances and the drive for redress or justice around issues.[40] The latter predicates incentives for conflicts and rebellion on struggles over resource appropriation and control opportunities and specifically the struggle for lootable resources. This discourse is highlighted in the chapters by Kasaija, Wassara, Ibaba and Ikelegbe, and Kabir.

According to Collier and Hoeffler, most rebellions are either pure loot-seeking or combine justice-seeking and loot-seeking.[41] In the latter, grievances could be a start-up motivation for viable mobilisation, but groups turn to looting for sustainment and predation. Thus grievance is merely a starting point, a justificatory and legitimising narrative and a support-building and -mobilising platform for conflicts and ANSGs. Though grievances exist and are articulated as a platform for agitation, it is merely a short-term smokescreen for larger and long-term interests and objectives of resource appropriation.[42]

The later works of Collier and Sambanis push the issue of the availability of lootable resources or 'extortable economic rents' beyond mere motivation to that of opportunities that make rebellion profitable.[43] As Elbadawi and Sambanis have found, there is a positive and significant association between natural resources and violent conflicts and civil wars, with resources providing opportunities and 'convenient sources of support' for rebels.[44] Resources are not only strongly linked to both grievance and greed-based conflicts, but are more difficult to terminate and tend to have 'shorter term post conflict peace durations'.[45] Thus grievance and greed tend to have a symbiotic relationship with rebellion. To get started, rebellion needs grievance, whereas to be sustained, it needs greed.[46]

The thesis is based on evidence of the association between mineral wealth and the occurrence and duration of conflicts; the existence of violent scrambles for resources in conflict regions; the concentration of conflicts in resource-rich zones of conflict regions; the profiteering from war and conflicts by rulers, warlords, traders and fighters; the high levels of economic crimes and underground economies; the involvement of mercantilists, syndicates and black marketeering companies in resource-rich zones of conflict regions, and the interference of neighbouring countries that tend to be motivated by struggles for privileged resource access.

However, in spite of some evidence from the cases of Liberia, Sierra Leone and the DRC, the greed thesis is simplistic, one-sided and weak in several respects. First, the larger issues such as the character of the state, regimes and governance, hegemonic struggles, the roles of politics and state failures and economic decline on which the causation and dynamics of civil wars are situated, are neglected in this thesis. Second, as emerging evidence suggests, the engagement in ANSG activities, violence and terrorism is not simply the result of the motives of people with a low level of education and low market opportunities, but a complex matrix of issues such as ideology, identity, localised and mundane reasons and personal motivations such as hate, vengeance and prestige.[47] Third, the thesis ignores conflict histories and exonerates regimes and governments from greed. Alao and Olonisakin have noted that the greed analysis tends to apply a 'broad brush explanation' that ignores complex sociopolitical issues and political motivations that are 'at the root of many contemporary civil wars'.[48] For example, while focusing only on the rebel-based causes of conflict and violence, the thesis ignores the corruption, neo-patrimony, exclusion and marginalisation that characterise distributive politics, as well as the repression, abuses and legitimacy problems of regimes.

Besides, to argue that grievances are mere short-term, justificatory and mobilisation platforms that are a prelude to opportunism and looting is not realistic. In several countries in Africa, grievances are genuine and do serve to mobilise groups in order to actualise identity goals. The *Egbesu* militias in the Niger Delta, for example, hinge on grievances about an ethnic minority status associated with marginalisation, negative externalities of oil exploitation, developmental neglect, economic deprivation, inequitable resource flow, unjust laws and repression.[49] Ikelegbe has noted that greed or economic opportunism in this instance is not causal to the conflict and the militias, but is an aspect that arose almost two decades later and unfortunately hijacked some of the militia groups.[50]

In fact, Guichaoua has noted that the greed-based analysis is ahistorical and not comprehensive.[51] Mkandawire has further pointed out that in spite of the catalogue of cases usually packaged as evidence of greed in Africa's resource wars, nowhere in Africa has a band of criminals grown into a rebel movement.[52] Therefore a more comprehensive analytical perspective has to be sought and applied in the analysis of conflict and ANSG causality.

The struggle for resources

The resource competition model situates conflicts in the mobilisation, organisation and collective actions in pursuance of valued resources, particularly where identity is associated with clear advantages in resource distribution and benefits.[53] However, though the politics and competition for resources are present in identity-based mobilisation and thus could escalate disputes into conflicts,[54] conflicts are not pervasively and proportionally related to inequalities of resource endowment and distribution.[55]

Rather, conflicts and ANSG activities are rooted in the crisis of resource management and distribution, and especially the issues of who owns, controls and benefits from the economy of natural resources. Particularly, grievances and rebellion are fermented in the struggles for access to resources by diverse claimants – the state, ethnic groups, regions, communities, political elites, factions of the ruling class, neighbouring countries and international business groups and syndicates. It is therefore not surprising that most of the resource-rich regions in Africa, such as Angola, Liberia, Sierra Leone, Nigeria, the DRC, the RoC, Equatorial Guinea, Chad, Mali, the CAR, Sudan and Ethiopia have been embroiled in conflicts and ANSG activities.

In most of these regions, rebels, militias, renegade soldiers and intervening countries have exploited and traded in minerals through mining operations, extortion, taxes and sharing schemes with miners and traders. A combination of forces, which includes transnational companies, international black market and underground syndicates, states in the region and even host governments, supports and sustains regimes and the ANSGs and accordingly conflicts in resource plunder and trading in Africa's resource-rich regions. Wassara (chapter 9) notes that in Sudan, tribal militias and Sudanese military forces burned villages and killed or forced indigenous populations away from oil-rich land, to make way for oil companies and oil exploration. He notes that the 'desire to control oilfields became

a decisive factor in the creation and use of tribal militias'. In chapter 8, Ibaba and Ikelegbe state that oil theft syndicates in the Niger Delta armed, funded and used militias as guards and were instrumental in turning the militias into opportunistic, criminal and resource-theft elements.

Identity crisis

Identity and identity-based divisions and mobilisations along ethnic lines, as Elbadawi and Sambanis have noted, is positively, robustly and non-monotonically associated with the probability of war.[56] Many African countries are deeply divided, polarised and fractionalised along ethnic, linguistic, religious, regional and sectional lines. As noted in many of the chapters, struggles against marginality, exclusion and repression have provided platforms for ANSG emergence and activities in such countries as Sudan, Rwanda, Burundi, Nigeria, Kenya, Senegal, Mali, Ethiopia and Côte d'Ivoire.

Often a siege mentality is constructed around the identity group, which becomes the basis of actions for survival and other struggles. Militants then are fighters of the identity cause and interests and guarantors of the identity group survival in the face of perceived threats. This is why ANSGs are often the informal, protection, defending or offensive agent of sub-national groups. In Burundi, rebels based in the majority ethnic Hutu fought exclusion and marginalisation by the Tutsis, who constitute about 15 per cent of the population. In northern Mali, a Tuareg rebellion driven by ethnic and Islamic insurgents and based on ethnic marginalisation and developmental neglect, pursued regional autonomy and an Azawad independent state for the Tuareg population through hostilities against the Malian government. Indeed, the issues of marginalisation and discrimination against ethnic, religious and regional groups resonate in most of the case studies and particularly those on Kenya, Nigeria and Sudan.

The state and governance crises

The state-centred thesis places causality in the nature, character and behaviour of the state, the use to which it is put and the nature of its politics. Being large, bloated, authoritarian, repressive, violent and run by neo-patrimonial networks, the post-colonial state is an instrument of domination, exploitation, subordination and exclusion. Yet, its poor capacity, legitimacy and governance render it ineffective, irrelevant and susceptible to challenge. The post-colonial state spawns

politics that make violence a prime means of engagement and resistance, just as its proneness to excessive coercion and abusive violence constructs a vicious terrain for violent challenges.[57] Further, the post-colonial states provoke what Clapham calls 'reactive desperation' by blocking all avenues of civil and peaceful engagements and change, and the 'political aspirations' of marginalised groups, alienated elite and opposition groups.[58]

As Norlen has found, 'political variables especially political marginalisation are important in influencing the probability of observing a war event' and inevitably engender secessionist ethno-territorial conflicts.[59] This is particularly true where differences in modernisation and development, ensuing disparities and inequalities and consequent tensions and disagreements among groups are reinforced by ethnic and regional hegemony.[60]

Ikelegbe (chapter 5) asserts that profound, extensive and prolonged state and governance crises, and particularly the incidence of weak and fragile states in Africa, have generated growing inequalities, mass social discontent and alienation, violent and militarised politics, economic decline, deepening identity divisions, social service and governance vacuums, extra-constitutional actions, challenges of state authority, conflicts – and the phenomenon of the ANSG. Paradoxically, while creating a fertile ground for ANSGs, the African states and governance systems have become a major casualty of ANSG activities. George and Ylönen (chapter 12) and Kabir (chapter 11) have also found that corrupt and impious regimes, despised government and political elites, state failures to provide critical needs and opportunities, and state withdrawal from impoverished neighbourhoods and slums, have left vacant spaces that have provided opportunities for militant Islamist groups to mobilise poor, marginalised and vulnerable groups.

Elite construction

Elite manipulation is a major factor in community and ethnic conflicts and the funding, recruitment, arming and control of militant movements.[61] In several instances, as pointed out in the chapters by Oloo (chapter 6) and Ibaba and Ikelegbe (chapter 8), ANSGs are formed for intra-elite power and resource struggles and to intimidate political rivals and opponents. In Nigeria, ethnic, regional and political elites have been major factors in the formation, funding, arming, protection and use of diverse armed bands, ethnic and political militias and cult groups.[62] In examining political militias in Kenya, Oloo came to the same conclusion as Reno, namely that there are 'numerous informal linkages between armed opposition groups and elite political networks.'[63]

The elites further hijack conflict situations for personal interests. Chabal and Daloz have noted that 'politicians benton asserting themselves', latch on to 'legitimate popular grievances and dissatisfaction' and sometimes criminalise political conflicts and deploy criminal terror.[64] In chapter 6, Oloo asserts that the militia phenomenon in Kenya can be partly attributed to the manipulation and mobilisation of youths belonging to political parties and of urban youths in general by political elites. In the Niger Delta, militancy and the heightening of militia activities have been partly founded on political elite power struggles. As Ibaba and Ikelegbe note in chapter 8, the political elite hire, arm and use militant youths and militias to intimidate opponents and perpetuate electoral abuses and violence.

Economic decline and social ferment

In their chapters, Ikelegbe, Ibaba and Ikelegbe, Oloo, Omach, Kabir and Wassara highlight the relationship between the phenomenon of ANSGs and economic decline, deepening poverty, unemployment, job losses, social decay, collapse of social services, urban congestion and decay, decline of social welfare, rising school dropout levels, widespread social hardships and misery, declining real incomes and rising costs. These conditions have fermented a social discontent in many African countries since the 1980s that has radicalised the youth and turned them into a massive youth and urban under-class that is available for mobilisation and recruitment for diverse projects. In these circumstances violence and involvement in ANSG activities are in some ways a strong protest against society, a viable survival alternative and a form of employment.[65] As many of the case studies show, unemployment, poverty, collapsed infrastructure and services, collapsed aspirations, lack of opportunities, social crises and scarcity created by economic decline have created a large population of frustrated and vulnerable youths who are amenable to diverse mobilisations and recruitment by the ANSGs and even government counterinsurgency forces.

The youth problem

Another key finding by Engels, Kubai, Oloo, Kabir, Ibaba and Ikelegbe is that youths have been the dominant base of recruitment and participation in ANSGs. This finding mirrors that of Abdullah and Muana, who point out that in Sierra

Leone, youths who were unemployed, poorly educated, school dropouts, or drug addicts who exhibited antisocial behaviour, social disaffection and rebelliousness, were critical participants in ANSGs.[66] It is not difficult to understand the youth dominance in conflicts and ANSG activities, because of the 'youth bulge' and the ease with which they can be recruited, indoctrinated and utilised for violence, as well as manipulated and mobilised for diverse purposes. This is actually a question of social vulnerability. Economically diminished employment opportunities and rising impoverishment create disaffection, alienation and unruliness, which fuel crime, violence and rebellion. As Ikelegbe notes, these conditions have turned the youth on society in outrage, defiance, subversion and resistance and created a youth culture with elements of nihilism, fatalism, deviance, populism, resentment, impunity and violence.[67]

To the youth, participation in conflicts and violence actually represents an 'expression of power and search for recognition and identity', a means of registering dissent and frustration, and of challenging the practices and conduct of state officials and local elites.[68] Reno has also noted that some youths in ANSGs 'seek personal opportunity and safety with insurgents'.[69] The youth has therefore been victims and agents, or rather objects and subjects, of the diverse conflicts in Africa.

Globalisation and arms proliferation

Another key factor fuelling ANSG activities is the ready availability of weapons. It is quite common to see in African armed conflicts images of young men proudly brandishing AK-47 rifles and other sophisticated weapons. According to Ibaba and Ikelegbe, the easy access to and supply of arms to ANSGs are critical to the onset and sustainment of violent conflicts. Furthermore, Michael Klare argues that small arms availability facilitates conflict initiation and intensification.[70] Small arms can further be a status symbol and means of expressing power that attract the youth to resistance movements and crime.[71] Small arms proliferation has been linked directly to violence in Angola, Liberia, Sierra Leone and Nigeria.[72] In many of the conflict regions there is a sizeable arms flow from other conflict regions and arms smuggling and trafficking across borders and along the coast, as well as on the high seas and in international waters. The theft, smuggling and sale of minerals and oil resources have provided abundant funds for the acquisition of arms in resource-rich regions.

Conflicts and ANSGs' activities have largely contributed to the smuggling and proliferation of and the propensity to use guns in political violence and criminal activities. Africa has become a dumping ground for light weapons manufactured in Western and Eastern Europe and purchased from former conflict regions across the world. It was estimated that in 2004, of the 500 million illicit weapons in the world, 100 million were in sub-Saharan Africa and 8 – 10 million in West Africa.[73] Indeed, the proliferation of light weapons, as the EC OWAS Convention on Importation, Exportation and Manufacture of Small Arms and Light Weapons[74] of October 1998 has rightly stated, is a major 'destabilising factor' and a 'major threat to the peace and security' in Africa.[75]

Religion, culture and traditions

While historical and cultural orientations as well as heritage and religious deities and practices do not *per se* generate conflicts and violence, they could constitute the framework of disposition and judgement and what is acceptable and sanctioned or rejected and vilified, as well as some underlying principles of organisation and strength. In chapter 2, Anne Kubai argues that there are histories of violent resistance to oppressive and exploitative rule in certain societies, which have been used to mobilise modern resistance to state domination and exclusion. The heroic past of rebellion has become a predisposition to armed resistance. This, according to Kabir (chapter 11) and Ibaba and Ikelegbe (chapter 8), is manifest in Islamist militancy in northern Nigeria and among some minority groups of the Niger Delta, where a history of violent wars against colonial mercantilist displacement in the palm oil trade and gun boat diplomacy predisposed the people to resistance against state appropriation of their oil and gas resources and marginalisation in the oil economy.

Some ritualistic and religious-cultural practices have tended to support ANSGs' activities. Several ANSGs in Sierra Leone, Nigeria and Kenya have been associated with fetish items, initiation into cults, the worship or consultation of deities of war and justice, the invocation of invincibility, wearing of amulets and related symbols and practices, which are used to identify, motivate and strengthen the will of the fighters. Kubai (chapter 2) asserts that the oath takings, rituals, sacrifices, inductions into secret societies and acts of traditional worship that symbolise a return to African culture and a re-traditionalisation of society are

actually not only forms of expression of dissent but provide ideological and structural platforms for mobilisation and legitimisation. Oloo, in chapter 6, adds that in the case of the SLDF, charms and oaths bound members to a common cause and were said to give them mystic protection that imbued them with supernatural powers and made them invincible.

In a more contemporary sense, there has emerged in Africa new, globalised perceptions and conceptions of living, livelihoods, lifestyles and social relations, particularly among the youth, in which domination, control, impunity, perversion, abuse, crime and violence are associated with peer acceptance, power, influence and social mobility. It is these new cultures that prize the physical exercise of power, machismo, nihilism and narratives of suppression and abuse, and promote and accommodate the social and criminal violence, street crime, banditry and cultism to which many youths have been drawn and which constitute some broad framework for recruitment to ANSGs.

Motivations and sustaining factors

With regard to what motivates the ANSGs and what keeps them fighting, Herbst has identified economic incentives, political indoctrination, ethnic mobilisation and coercion.[76] On their own and in combination, these variables constitute the nucleus of the recruitment platforms of most ANSGs. As Collier, Hoeffler and Söderbom note, while greed fuels onset and initiation, the prolonged conflicts and wars tend to be underpinned by ethnic, religious and regional heterogeneity or diversity and particularly identity polarisation and fractionalisation.[77] Beyond the ethnic basis, in the cases of political rebellion and conflicts and particularly those that have an ideological leaning, is political indoctrination. The struggles for independence by movements in Zimbabwe, Namibia, Angola, Mozambique and Equatorial Guinea, and to some extent the rebel movements in Uganda and Sierra Leone, contained elements of political indoctrination that were sometimes tinged with socialism. However, most rebel movements in Africa have not been ideologically oriented, and some claims to this effect were merely disjointed and haphazard thoughts provided by half-baked ideologues.[78]

The existence of a positive perception of rebellion, or predisposing conditions for successful rebellion, is furthermore crucial for achievement of its objectives. These conditions include the presence of charismatic leaders, the availability of funds and the weakness of state military and security agencies.[79]

POWER POLITICS, VIOLENCE AND THE PHENOMENON OF ANSGs

The struggles for power

A key finding of this book is that the ANSG phenomenon can be linked to the struggles for power through the groups' affiliations to some larger political groups, in both the government and opposition, on behalf of which they act.[80] The phenomenon sometimes reflects the construction of alternative paths to the acquisition of power and means to claim political and economic rights. This is why there is a large participation in ANSGs' activities by persons who have lost confidence in public institutions, are disgruntled and discontented with existing power configurations and patrimonial networks, and who feel disadvantaged and precluded from existing pathways to power.[81]

According to Ikelegbe (chapter 5), ANSGs flow from the nature of politics, the dynamics of power and its challenges, and particularly the politics of violence and the violence in politics that dominate the African political landscape. The phenomenon is further rooted in the politics of the zero-sum game, and the cut-throat pursuit for control of the state that utilises all means available, including fanning community, clan, ethnic, religious and regional acrimony. This is why some of the ANSGs in several countries developed from the youth wings of political parties, support groups of electoral candidates, and outfits formed to intimidate opponents during election campaigns. With time, as Oloo (chapter 6) and Ibaba and Ikelegbe (chapter 8) point out, the groups became more autonomous agents of violence and mayhem. This is what happened in the case of some cult and militia groups in the Niger Delta in Nigeria since the 2003 elections and of the community bands and political militias in Kenya since the multiparty elections of 1992.

The ANSG phenomenon is also a response from below, albeit a militant and violent one. It represents an extreme response to and challenge of persisting group inequality and marginality, as well as dissent, revolt and resistance to existing structures and systems of power and governance. It is a platform constructed by marginalised persons who are deeply aggrieved and desperate enough to engage in armed engagements as either a resistance or counterforce. It may therefore be viewed as the only instrument available to the frustrated, endangered, excluded and repressed victims of state power and identity hegemony. According to Justin Pearce (chapter 13), quoting Vines, this is indeed what happened in Mozambique,

where RENAMO drew its support from the aggrieved and discontented who saw it as an alternative method of taking power.

In fact, Osaghae et al, drawing on Tarrow and Medearis, posit that conflict and the ANSG phenomenon emerge from and are founded on social movements engaged in contentious collective action.[82] These movements, which are the main channels of expression of disadvantaged, marginal and opposition groups and ordinary people in countries with dominant power structures and powerful regimes and states, become radicalised and militant because of the states' proneness to repressive violence, constriction of the opportunities and space for effective political action and structuring of their strategies towards violent contentions. An ANSG may then be a form of struggle of a broad movement rooted in sociopolitical tensions and divisions and constructed around popular grievances and aspirations, and the mobilisation and contestation for political space, resources, state reforms and change. In Nigeria, for example, the Egbesu militia groups are anchored in a youth movement, while the OPC militia is an 'armed, organised and ethnically based mass movement demanding self determination'.[83]

The dialectics of violence

Ikelegbe (chapter 5), Oloo (chapter 6) and Kabir (chapter 11) argue that the activities of some regimes, political elites and ANSGs have raised violence in Africa to a new level, by making it the main vehicle for furthering the objectives of acquiring power, accumulating resources and making resource claims. Violence has been reconstructed as a highly prized commodity that is associated with power and resources. Regime, political elite and ANSGs' activities have raised the profile of violence, the importance and need to acquire, own, control and use it as well as its centrality to the diverse power, political, economic and sociocultural struggles of African societies.

Neo-patrimony, which is dominant in African politics, particularly constructs and reinforces the politics of violence. As also noted by Chabal and Daloz, patrons can 'access or restrain official violence' as they can 'count on the local police or military commander', to protect their clients, and to threaten 'coercion against competitors'. They further maintain 'their own corps of armed men' and 'can unleash unseen militias' to 'protect clients', 'counter the violence of competitive networks' or to 'enforce compliance'.[84]

More importantly, violence has become a commodity that is sold and bought. The utility of violence as a political tool has created conflict entrepreneurs who are patronised by state officials and opposition political parties and candidates. These entrepreneurs prefer situations of conflict and social disorder to offer their services in the muddled political market. What has been created, then, is an expansion of the terrain of terror, violence and criminality and an emergent culture of violence that is empowering, economically prospering and politically influential.[85]

It is the nature of the African state and leadership that has made violence a factor in the political terrain. Most post-colonial states constrict access and opportunities for dialogue and when challenged, react with massive force that strengthens cycles of violence when their victims react in a similar manner. Using the historical claim to monopoly of violence by state bodies, African states usually overreact to vanquish and deter future opposition challenges to their legitimacy. The terrain of politics (even legitimate struggles) has inescapably become a theatre in which those who wield state power use state institutions to coerce their opponents.

What has happened then is the emergence of counter-violence and institutionalisation of violence as a means of controlling and seeking power and economic opportunities. While the ruling elite uses instruments of state violence, its rivals and those who have been excluded and marginalised create their own institutions of counter-violence. ANSGs are products of this culture of political violence, and are the instruments and platforms of counter-violence.

In the end, African political arena has generally become a theatre of state violence versus private violence; violence of state officials and political elite versus violence of the aggrieved, marginalised and excluded; state-sanctioned violence versus violence of contenders, claimants, counter-elites and powerless persons; violence of state institutions and regime officials versus non-state institutions of violence; and violence in pursuance of state governance versus private, self-interested and commercialised violence.

Further, while ANSGs have been considerably castigated for their horrendous and atrocious violence, the dominant mainstream scholarship, international community and legal systems have trivialised not only the state-orchestrated politics of violence, which conditioned ANSG methods and responses, but also the brutal counter-violence that the states have unleashed against them.

In some instances, it was the states' extreme brutality and excessive force that gave rise to the extreme counter-violence of militants and rebels. Indiscriminate and retaliatory violence, whether by the state or ANSGs, have compelled youths in Sierra Leone, Liberia, Mozambique, the DRC and other countries to join militant and rebel groups as a means of survival, protection or relations and fellow members of ethnic and other identity groups on the one hand, and as a means of revenge against abuses and atrocities on the other. As Kwesi Aning and Angela McIntyre have noted, governments – like rebel forces – have used forceful recruitment strategies (including terror and abduction) in civil wars in for example Sierra Leone.[86] Peters (chapter 14), Oloo (chapter 6) and Wassara (chapter 9) also note that state counterinsurgency tactics are sometimes brutal, including summary executions of fighters and even relatives, sacking of communities, indiscriminate killings, torture and detentions, and destruction of property.

Between functionality and dysfunctionality

ANSGs are often demonised and branded by governments as bunches of criminals, miscreants, vagabonds and opportunists. The main purpose of such branding is to delegitimise the groups and deprive them of sympathy. However, we would miss certain facts and insights if we side line the origin, objectives, narratives and dynamics of the groups and if we assume that they are purely a symptom of the malfunctioning of (and threats to) African states. Therefore questions need to be asked about the functionality of the phenomenon.

ANSGs usually seek to attain certain goals, which often pertain to a change in the status quo with regard to equity, justice, sociopolitical rights, citizenship rights and inclusion, and the issues of the national question, restructuring arrangements and state reforms such as de centralisation. It often also concerns issues of governance such as corruption, collapse of social services and lack of discipline among the regime elite. Some of the issues at stake are critical to eventual progress, stability, integration and development of the African state in question.

ANSGs are therefore in a sense a form of social action – defiance, opposition, challenge, resistance and protest – against the form and nature of the state and how it is governed. In fact, in some ways, though regime-based labels often play down this dimension, the phenomenon is an extreme form of opposition to and challenge of current regimes that results from blocked avenues for genuine participation and influence, the deprivation of citizenship rights and the abuse by

state officials and institutions. According to Pearce (chapter 13), quoting Cohen, RENAMO was, for example a voice for a variety of social elements and communities, a 'sort of coalition of marginals, which have been excluded politically and socially from the state, from the market and from development during and even before FRELIMO came to power'.

In certain situations ANSGs' activities could be seen as the last resort for necessary political change, just as violence sometimes becomes accepted as the only means to reform a political order with which they are dissatisfied. As Chabal and Daloz have noted, the war by the NRA against the Obote regime in Uganda and by the attack of Laurent Kabila's forces against the Mobutu regime in Zaire was, to a large extent, welcomed as a legitimate means of political change by citizens.[87]

ANSGs may also be part of the search for alternatives; discourse or spaces for governance, and expressions of identity. It is, in a way, a search for meaning, self worth and empowerment by ordinary people. The phenomenon may therefore be at once be a succour for the alienated and frustrated; a hope for the poor, underclass, deprived, unemployed and idle; an opportunity for the marginalised and excluded; and an avenue for the abused, suppressed and repressed. It is, further, a form of empowerment to those who have been alienated, disempowered and disenfranchised by a lack of political and citizenship rights, political choices and actual participation.

ANSGs AND HUMAN INSECURITY IN AFRICA

The incidence of rebellions, insurrections, secessionist attempts, insurgencies and wars in each of the conflict clusters in west, central and northeastern/eastern Africa has been associated with widespread human insecurity and catastrophic humanitarian crises. The crises in the Great Lakes and Horn of Africa regions are currently the most serious on the continent. The culture of political violence and the prevalence of ANSGs have impacted negatively on most political and economic systems in Africa, as illustrated by their low rankings on the United Nations Development Programme's (UNDP) Transparency International and *Foreign Policy* indexes.[88] The core areas of impact are the construction of a terrain of lawlessness, indiscriminate violence, extortion, plundering and crime; the disruption of economies and the deepening of poverty; the generation of internal displacements, refugees and humanitarian crises; and the accentuation of state and governance crises.

Regime of indiscriminate violence, crime and terror

In several countries the activities of ANSGs and government counterinsurgency organisations as well as the conduct of conflicts have caused a severe breakdown in public law and order. There is often a reign of harassment, intimidation, fear and terror, leading to general uncertainty. Civilians and local communities live in fear of attacks, punishments and retaliations. In the CAR, there have been reprisal attacks and mass punishments against civilians and communities.[89] Most ANSG and counterinsurgency activities have been characterised by extensive, arbitrary and horrendous violence, physical abuses and atrocities, torture, indiscriminate killings and executions. Rebel movements like the LRA and RUF have used brutalities such as mutilations (amputations of arms and legs, slicing off of ears, chopping off of fingers), and indiscriminate killings of civilians by hanging them from trees and burying victims alive in the presence of horrified crowds, as strategies to intimidate the population and compel governments to negotiate with them.[90]

With regard to Sierra Leone, Peters (chapter 14) notes that RUF rebels and renegade soldiers raped, mutilated and burned alive hundreds, if not thousands, in their failed attempt to capture Freetown in 1998. Territories where groups such as the LRA operate are highly insecure and also prone to criminal activities such as armed robberies, assassinations, murders and rape. It is this terrible toll that makes wars in Africa seem like wars on civilians, as they suffer direct and indirect violence and loss of livelihood.[91]

Socio-economic disruptions and deepening poverty

ANSG activities mainly disrupt socioeconomic systems, and destroy property and food stores through looting and burning. This strategy to undermine the state also aims at disrupting commerce and agriculture, creating unemployment and causing food insecurity. In general, human insecurity is experienced through spiralling living costs, severe scarcities, widespread hunger and misery in most conflict regions.

The disruption of productive activities and commerce, the forceful appropriation of private properties and the resultant effects on living conditions, availability of goods and services and income produce deep and widespread poverty. Human misery deepens with soaring living costs and unemployment. Using the case of Kenya to illustrate his arguments, Adams Oloo (chapter 6) asserts that the activities of ANSGs have stunted economic growth, destroyed livelihoods and caused food insecurity through the closure of businesses and markets and the abandonment of farms.

A regime of extortion and plundering

ANSGs in conflict situations in most cases engage in activities such as extortion and plundering to generate resources that are used to profit their leaders and to sustain the group's activities. Usually, conflict and war economies are constructed through illegal taxes, levies and forceful contributions by workers, traders, shop owners, transporters, miners and farmers, who are forced to pay a surcharge fee based on an arbitrary calculation of their earnings. Locals are also subjected to forced payments and levies for services such as protection and security of economic production, trade routes and markets. In some cases, local people are forced to pay a 'tax', compelled to hand over their produce or used as labourers and carriers of equipment. According to Oloo (chapter 6), militias in Kenya have an elaborate machinery and system of tax collection and extortion that include a route or transporter's levy, protection fees and levies on shops, farms and small businesses. In chapter 7, Kasaija also provides examples of how government soldiers, rebels and militias in the DRC have used 'methods such as direct extraction, extortion/confiscation, "taxation", and coercion of the local population to extract the minerals'.

In conflict environments, the groups simply help themselves to lootable resources. Ibaba and Ikelegbe point out that some militias in the Niger Delta region of Nigeria developed from security guards to oil-theft syndicates to autonomous operators, each with a designated territory for operations and toll collections. Rebel movements in Liberia, Sierra Leone, Angola and the DRC have been involved in exploitation, trading and export of resources and some have had arrangements with extractive industry companies, syndicates and smugglers.

At the individual level, members of ANSGs have accepted violence as a form of employment and survival. Oloo and Kabir point out that the youth in poverty-stricken areas are attracted to ANSGs, which can support distorted lifestyles that are sustained through looting, extortion, smuggling and other illegal activities.

Internal displacement, refugee and humanitarian crises

Overall, ANSG and counterinsurgency activities have caused catastrophic humanitarian crises through widespread infrastructural devastation, and massive dislocations and losses of human life. ANSGs' activities and government responses have forced local people to flee their homes with few personal belongings to forests, government- or rebel-held areas, and border regions of neighbouring countries. In Sierra Leone, about half of the population was displaced within six years of the RUF rebellion.[92] All over the conflict zones in Africa, huge internal displacements and refugee camps dot the border regions of countries close to conflict epicentres. LRA activities in Uganda, Sudan, the CAR and the DRC have resulted in a humanitarian crisis in the region by displacing over two million people. Peters confirms in chapter 14 that both ANSG and government counterinsurgency activities have caused huge humanitarian crises. He notes that in Uganda, for example, civilians have been forced into internally displaced persons camps by the government or forced to flee villages because of LRA or government attacks and confrontations. These camps have also been attacked by both ANSGs and government troops or government-supported militias.

In Rwanda, the ANSGs are held partly responsible for triggering violence that claimed about 800 000 persons in 1994. In Sierra Leone, about 300 000 people died in the first six years of the conflict that started in 1991.[93] In Angola's renewed fighting between the government and UNITA rebels in 1992, about 400 000 people were killed, 1,5 million were displaced and 330 000 became refugees. In the 16-year civil war in Mozambique, about three million people were internally displaced and over 1 million took refuge in Malawi and other neighbouring countries, while in the Eritrea–Ethiopia war, about 1,5 million people were displaced.[94] Kabir (chapter 11) points out that in northeastern Nigeria, confrontations between security agencies and the *Boko Haram* in July 2009 left over 750 people dead and over 5 000 displaced. In chapter 6, Oloo claims that SLDF activities in Kenya resulted in about 615 deaths and 66 000 internally displaced persons. In general, armed conflicts in Africa have claimed millions of lives and destroyed properties worth billions of dollars over the past 40 years.

ANSGs, STATE WEAKNESS AND COLLAPSE

Ikelegbe (chapter 5) and Wassara (chapter 9) point out that one of the early casualties in conflict situations plagued by ANSG activities is the weakening of the

state capacity to provide public safety and security to the population. As conflict intensifies, the state becomes incapable of providing security as a public good due to the deployment of the security resources to protect the interests of the governing elite, usually concentrated in the capital city. The violent methods employed to clamp down on ANSG activities also weaken its relations with civilians, some of whom sympathise with ANSGs or provide them with food and intelligence (see chapter 14). Militias and rebels usually react to government's heavy-handed responses by targeting infrastructure that serves the public, which further weakens the government and alienates it from the population. As government officials flee, government facilities and services such as schools and health care are abandoned and a power vacuum is created that attracts militias and rebels to fill it. The ungoverned or misgoverned spaces that emerge are characterised by a Hobbesian state of nature: brutality, insolence, impunity and mayhem.

While state governments have to some extent contributed to the growth of ANSG activities in Africa, they have also been one of the major victims of the conflicts that accompany these activities. Many governments in countries such as the CAR, Chad, Côte d'Ivoire, the DRC and Sudan have been seriously weakened and rendered incapable of managing conflicts, providing social services and asserting their sovereignty over their territories. Kasaija (chapter 7), Ibaba and Ikelegbe (chapter 8) and Kabir (chapter 11) argue that ANSGs take advantage of weak and fragile states such as the DRC and Nigeria. Others that collapsed at some point, through the activities of ANSGs, such as Liberia, Sierra Leone and Somalia, became havens in which ANSGs and anarchical conditions flourished.

In countries such as the DRC, ANSG activities have accelerated state decline and exposed its weaknesses with regard to the provision of human security. State fragility is usually demonstrated in its security apparatuses' lack of discipline, tendency to loot, excessive use of force, indiscriminate violence and retaliations, operational deficiencies and combat failures vis-à-vis ANSG threats. The behaviour of state security apparatuses has contributed to regime collapses in Uganda (Milton Obote / Tito Okello), Sierra Leone (Joseph Momoh), Liberia (Samuel Doe), the DRC (Mobutu Sese Seko), Rwanda (Juvénal Habyarimana), and Ethiopia (Mengistu Haile Mariam).

Some rebel movements that gained more legitimacy due to effective leadership and organisation accentuated the collapses of regimes. Instability and political crises have also dogged countries such as Burundi, the CAR, Chad, the RoC, Côte d'Ivoire, the DRC, Nigeria, Uganda, Somalia and Sudan that have had active

militia and rebel groups, some operating for decades without being vanquished by government forces.

Impact and ramifications of ANSGs on regional and international dynamics

The impact of ANSG activities is felt far beyond the borders of the states within which they originated. ANSGs have regionalised human insecurity and pose serious challenges to regional mechanisms for preventing, managing and resolving conflicts. Regional trends that dovetail with ANSG activities include humanitarian crises, human rights violations and use of violence as a tool for conflict resolution. As Munene (chapter 15) and Okumu and Ikelegbe (chapter 16) point out, addressing ANSGs requires approaches that include regional mechanisms, as national measures are constricted by international boundaries. Using the concept of a regional conflict complex, Paul Omach (chapter 10) identifies the central characteristics of regionalisation in the Great Lakes region as, among others, military, economic, social and political linkages and networks, the movement of ANSGs across borders, the extensions of the frontiers of fighting, inter-state, multinational and international interventions through, among others, military support and brokerage of agreements, and security interdependence.

There is a growing regionalisation of ANSG activities and operations in terms of cross-border operations, the recruitment of personnel/members across borders, counterinsurgency operations across borders, military interventions and operations within other states and collaborative and joint military operations between states to contain ANSGs.[95] ANSGs are increasingly transforming into a major source of interstate conflicts. In fact, the major difference in the activities and operations of ANSGs in the last two decades has been their transborder and transnational operations. ANSG-orchestrated intrastate conflicts are changing into interstate disputes or regional conflicts. For example, the activities of rebel groups struggling for independence in Angola, Namibia, Mozambique, Zimbabwe and South Africa attracted the involvement not only of states in the region but also of the apartheid regime in South Africa, which carried out transborder raids and destabilisation activities in the states that provided sanctuary to the freedom fighters.[96]

ANSG activities and state responses in the DRC, Uganda and Sudan have resulted in military operations across the borders by, among others, Uganda into Sudan; joint military operations between Uganda, the DRC and Sudan to contain the LRA; incursions of Uganda, Rwanda and Angola into Zaire, and interventions of Uganda, Rwanda, Zimbabwe and Angola in the DRC (see chapters by Kasaija, Omach and Wassara). Some governments have used rebels as instruments of foreign policy, as in the case of Sudan, which has supported the LRA in retaliation of the Museveni government's backing of the SPLA. The Rwandan and Ugandan governments have supported rebel groups in the DRC, apart from sending their forces to pursue rebel groups using the DRC as operational bases. According to Kasaija (chapter 7), these countries have had a hand in the founding, arming and assisting rebel groups such as the MLC (Uganda) and the CNDP (Rwanda) in the DRC.

Regionalisation of ANSGs and military intrusions or interventions such as Rwanda's, Burundi's and Uganda's support of rebels in the DRC and Angola's and Zimbabwe's support of the DRC government were often resource motivated. These interventions have been accompanied by resource exploitation by agents and government-authorised companies from Angola, Namibia, Rwanda, Uganda and Zimbabwe.[97] Kasaija corroborates this in chapter 7, noting that the countries involved in supporting either rebels or government have helped themselves to the country's mineral resources, while Munene (chapter 15) states that countries that intervened in the DRC became large exporters of minerals that were not produced in their countries. In other situations, too, neighbouring countries have benefited from the illegal exploitation and theft of and trading in resources. In the Sierra Leone and Liberian civil wars, neighbouring countries such as Côte d'Ivoire, Guinea and Liberia benefited from illegal trading and commercial networks.[98] In Nigeria, stolen crude oil and refined products are smuggled and marketed along the coastal regions of West Africa.[99]

Ibaba and Ikelegbe point out that the cross-border activities of ANSGs are fast spreading in West Africa. In February 2009, Equatorial Guinea alleged that the Movement for the Emancipation of the Niger Delta (MEND) militants had mounted a seaborne terrorist attack on the presidential palace in Malabo.[100] Although the attack was repulsed by the country's armed forces, it posed a serious security threat, as can be deduced from the post-attack military and police deployments, erection of roadblocks and checks, closure of banks, offices and shops, and desertion of the city centre. In Cameroon, armed groups allegedly linked to the Niger Delta have been involved in a series of attacks on vessels, military posts and military personnel in the Nigerian border regions.[101]

In their chapters, Engels, Omach and Peters all note that it is not only ANSGs' activities and state responses in terms of cross-border activities that have become characterised by emerging regionalisation, but also the fighters, particularly the youth and children. Thus Taylor's NPFL recruited young fighters from Sierra Leone and Côte d'Ivoire, while Côte d'Ivoire assisted the Movement for Democracy in Liberia (MODEL) with recruiting youths and child fighters from the refugee camps in the region. Côte d'Ivoire further benefited from youth recruitments into the *Forces de Libération du Grand Ouest* (Forces for the Liberation of the Great West, FLGO), which fought alongside government forces.[102] The LRA is also known to have forcefully recruited and conscripted children from Sudan, the CAR and the DRC.

As the conflict areas expand across borders, so do the complexities and changing dynamics of alliances, pacts and support across borders, between states, between states and ANSGs, and between the international community and the states. In the Mano River conflict complex, Burkina Faso and Côte d'Ivoire supported rebels in Liberia, which in turn supported rebels in Sierra Leone and government forces in Côte d'Ivoire. In Rwanda, Uganda supported the Rwandan Patriotic Front (RPF, *Front Patriotique Rwandais*), and later fought with it to oust Zaire's Mobutu from power for backing Rwandan rebels. Interestingly, Rwanda and Uganda turned against Laurent Kabila, whom they had installed in power, and supported a rebellion against his government that was then propped up by the Angolan, Namibian and Zimbabwean governments. Uganda and Rwanda later turned against each other and used rebels as proxies to enhance their interests in the DRC. Apart from using the LRA as a proxy against the Ugandan government, Sudan also supported rebels in Chad and the CAR, which in turn supported rebels in Darfur.

Some rebel groups have formed the governments of post-independence, post-war and post-conflict states or shared power by participating in governments or transforming into political parties. In Angola, Mozambique, Namibia, Uganda, Sudan, Sierra Leone, the DRC, Côte d'Ivoire and Liberia, rebel movements have been incorporated into governments of national unity or been transformed into political parties for such purposes. In the DRC, Burundi, Sierra Leone, Côte d'Ivoire and Sudan, rebel movements have participated in governments through various power sharing, peace agreement and transitional arrangements. In Burundi, following a series of ceasefire and power-sharing arrangements, largely brokered by South Africa, major rebel groups have become part of the government. The major rebel group, CNDD-FDD, won parliamentary elections and the presidency in 2005 and successfully negotiated with other rebel groups to end the country's armed conflict. In chapter 13, the question of how former rebel groups fared in post-conflict politics is dealt with by Pearce using UNITA and RENAMO as case studies.

CONCLUSION

An understanding of the phenomenon of militias, rebel groups and militant Islamist groups is critical not only because the issues of causality, sustainment, social basis and internal dynamics are central to the efforts for managing and resolving conflicts, but because they pose huge threats to the states' capabilities to be governed well and to provide their populations with security. Underlying some aspects of state fragility and collapse, and the acute human insecurity and humanitarian crises in Africa today, is the phenomenon of ANSGs and their engagement in violent conflicts. However, such an understanding has to be embedded in a broad analysis, in which the phenomenon is situated and interfaced with the nature of politics, the dynamics of power struggles, the struggles for resources and the dialectics of violence as an instrument of politics.

The armed conflicts and the political violence, in which ANSGs are key players, are closely correlated with the nature, character and governance of African states and their policies. Paradoxically, the states whose primary responsibility is the provision of human security, contributes to the emergence of ANSGs – which then threatens and accentuates insecurity. The ANSG phenomenon not only poses the greatest threat to statehood in Africa by accelerating its decline and collapse but has also contributed to some of the greatest human tragedies in the world.

But the phenomenon itself is complex both in colouration, activities, engagements and effects. It has a complex relationship with community, ethnic and regional elites, political elites, state officials and state institutions, the opposition and resource-based companies and syndicates. Elements of its motivation are based on grievances and the failure of the state to address socioeconomic problems, yet it also contains many criminal elements and is driven by opportunism. It is to some extent an amalgam of forces that are popular, grassroots-based and oppositional, yet some also work for the elite and prey on the people.

It is these complexities that complicate any attempt at analysis. Therefore it is not surprising that the phenomenon can best be understood by detailed, in-depth

studies of specific cases while bearing in mind the general characteristics, internal dynamics, driving forces, linkages with local and external forces, its politics and economics and the complex relations with local populations, youths, communities, the political elites and the diaspora, and the ethnic links across borders. Out of these, some general, systematic and analytically based conclusions can be drawn that would aid first in an understanding and second in the management of ANSGs.

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Part I
Issues and dimensions

Chapter 2

Historical and cultural dimensions of militia and rebel groups in Africa

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INTRODUCTION

The African continent is vast and the militia and rebel groups are numerous and varied, and therefore I have set pragmatic limits on the scope of this chapter. This is a general overview of the historical and cultural dimensions to help readers better understand the case studies treated in subsequent chapters.

With over 250 wars[1] around the world, the last century may have been the most brutal in human history, measured not only in terms of the number of casualties but also in terms of the changing nature of warfare, where 85–90 per cent of the casualties were civilians. Admittedly, 'the magnitude of this violence is staggering'[2] and Africa is by far the continent most affected by collective violence.[3] It is indisputable that most of this violence has been perpetrated by various factions and groups, that challenge the authority of the characteristically oppressive regimes and resist the legitimate exercise of authority by governments, including those that are democratically elected across the continent. This has generated low- and high-intensity intrastate conflicts, which have become one of the hallmarks of our time.

Wars and conflicts raging in Africa are complex and need to be understood in the light of historical and globalisation processes, which have unleashed competition over an unequal sharing of resources.[4] These conflicts, supported by small arms and light weapons,[5] have utilised cultural resources especially for the recruitment into and mobilisation of militia and rebel groups. Cultural explanations include the African conceptions of authority and the role of religious narratives and symbols.

In an attempt to sketch the history of resistance in Africa, one can identify several phases:

- The first phase is the period before colonialism when reformers mobilised resistance against oppressive traditional rulers in societies with centralised sources of authority.
- The second phase is the period of the scramble for Africa when colonial powers moved into Africa to annex their spheres of influence. Resistance to the imposition of European colonialism in Africa was in many cases ruthlessly crushed and many lives were lost, since African warriors were no match for European armies with modern weaponry. This violence, one can argue, set the stage for the bloody resistance that was to become the hallmark of Africa's history.
- The third phase is the liberation struggle, which pitted Africans against their colonial masters who they were determined to drive out of newly created states so that they could reclaim the land and, more importantly, the dignity and freedom that the colonised peoples believed would be the products of self-rule and political independence.
- The fourth phase followed the realisation that the much-sought-after independence did not fulfil the expectations of the masses. Resentment began to build up as the citizens of the newly independent nations watched their former freedom fighter-presidents turn into dictators, plundering national resources. The sense of frustration with oppressive governments during this period gave rise to the phenomenon of revolutionaries who led armed rebel movements. Of course, many of them were influenced by the ideologies of the time, particularly Marxism and socialism. Resistance during this period was seen as the second liberation struggle, and therefore the idea of 'going back to the bush' – as had been the case in the first liberation struggle – often gained the support of the people. Some revolutionaries across Africa successfully fought their way to power and formed new governments with a promise to establish good governance and eradicate poverty. However, even after they established themselves in power, the political ills of their predecessors did not evaporate. If anything, they became just as oppressive and corrupt and the citizens sank deeper into poverty and despair. It is this situation that has largely contributed to the emergence of militia and rebel movements in the current phase.

There are contrasting opinions on how to deal with the challenge of militia and rebel groups on the continent. Some attribute this phenomenon to the aggregate effect of colonialism that is manifest in the dysfunctional states. The process of the establishment of nation-states in Africa by the colonial authorities was accompanied by violence[6] and it has been blamed partly for the current woes of the continent. It has been suggested that the colonial social and political institutions that were bequeathed to the independent African leaders were weak and underdeveloped, which did not auger well for future political stability of the newly created African states.[7] The way power was transferred to the new African leaders at independence was to shape the future ideological trends and ultimately the political and economic development of the citizenry of these new states. They had high expectations for development, but were challenged by a variety of vulnerabilities. Instability was an inherent part of the new state systems, which soon became manifest in insecurity and violence. This background partially shaped the environment that became a fertile breeding ground for the growth of militia and rebel groups within a few decades after independence in many African countries. This links my analysis to the theory of the 'failed states', which is presented by its proponents as the major factor for the proliferation of militia and rebel groups. But obviously there are other important historical factors, such as the Cold War and its aftermath – which changed the nature of conflict appreciably – as well as an increased population and the degradation of the environment, both of which have put tremendous pressure on African political regimes and generated the need for alternative sources of support to mitigate the prevailing circumstances.

In the African 'traditional' world view(s), most basic authority was vested in the head of the family, who enjoyed undisputed power as the family head and was the mediator with the world in matters of the family. The elders also were accorded high social status and its attendant respect and power. Next in this hierarchical order of power were the clans and finally the chiefs, who held their positions for life. Despite the dynamic influences of other cultures, particularly the process that

bears such contested labels as 'Westernisation' and 'modernisation', there is no doubt that elements of African cultures are still vibrant and continue to shape the way people perceive and appropriate new ideas and interpret their daily experiences, in both the urban and rural areas. Particularly matters such as the meaning of life, individual and communal identity, and the gamut of human relations, duties and obligations, are understood within the framework of traditional social norms.

However, far less attention has been paid to the cultural dimension of militarism in Africa. According to Falola 'it is impossible to understand contemporary politics without understanding past and present cultures in such areas as beliefs and conventions of Africans, their religions, philosophy, established practices for power relations, social stratifications and concepts of power and the "big man"'.[8]

The role of the 'big man' in the case of presidents in independent Africa is informed by precolonial centralised political systems where the old African kings and chiefs wielded immense power and authority, and controlled the means of government. Here contradictions arise when modern states, with elected governments based upon written constitutions, function more or less like the old chiefdoms. This, I argue, is one of the factors that has contributed to the emergence of militia groups in Africa. Therefore cultural factors, whether latent or manifest, lie beneath the emergence of rebel and militia groups in Africa.

In the introduction to his book on the civil militia, Francis discusses the various factors that contribute to the emergence of militias across Africa. He emphasises that the weakness of the 'Africa state' as a creation of European colonialism and what he calls 'complex political emergencies' creates the conditions that produce militias.[9] However, there are other dimensions that should be accorded significance in the process of analysing the factors behind the mobilisation of the youth into militia groups. At the collective level, militias need to gather together for their activities and they need to overcome opposition and logistical barriers to their organisation. The question is what excites them and provides sufficient motivation for recruitment and mobilisation? More precisely with regard to this chapter, from what historical and cultural resources do they draw inspiration? How can the confounding nature of violence be explained from a cultural perspective? In evaluating the role of cultural or other motives for violent political mobilisation, what needs to be investigated is why some cultural practices, particularly the use of religious rituals and teachings from Christianity, Islam and African traditional religion, have become so prominent in many militia and rebel groups. This chapter will address these questions.

HISTORIES OF REBELLION AND RESISTANCE TO OPPRESSION AND FOREIGN INTRUSION

In this section, I will cite examples of resistance against oppression and foreign intrusion to illustrate that violent resistance has been experienced in Africa in varying degrees in the last two centuries. Thus I agree with Kastfelt that to explain the brutal wars that Africa has experienced in recent years, one has to look at the 'long history of colonial violence' and also at the conflicts 'in a wider global context, though they have African local context'.[10]

In the 19th century and the earlier part of the 20th century, many African societies put up strong resistance to European intrusion in Africa. A number of the rebellions were inspired by African traditional religion and culture, such as the practice of using protective magic potions and spells to make the fighters invincible to bullets. In West and Central Africa, the 19th century was expected to mark Islam's victory over the non-Muslim world. This was to be the age the *Mujaddid*, the reformer, who comes once every century.[11] It is not surprising that this coincided with the advent of colonialism and its attendant violence.

Since 'Islamic discourse is also above all a means of resisting the state',[12] the Islamic *jihad* provided a rallying call for resistance and rebellion against oppressive and corrupt local rulers as well as foreign intrusion, particularly by Europeans. During the 19th century, Muslims in a number of states in West Africa had various grievances against the aristocracy, such as conscription into the armies to fight fellow Muslims, slavery, upholding traditional religious practices, heavy taxation and other injustices, all of which were considered unIslamic. Militant *jihad* movements used these grievances to mobilise resistance by both Muslims and non-Muslims. The best known of these was the *jihad* of Uthman dan Fodio who, inspired by his deep knowledge of Islamic law and mystical visions, declared war against the corrupt and unjust government of Gobir in 1804.[13] The long-term impact of the *jihad* was to shape the future of the West African societies.

In 1881 Muhammad Ahmad, believing that God had called him, declared himself the *Mahdi* or 'the guided one who would come during the troubled times at the end of the world' and accepted an oath of allegiance from local communities, gathering a large following that was mobilised against the Turko-Egyptian-European intrusion in Sudan. He based his rebellion on Islam, calling the

intruders apostates and therefore worse than unbelievers. From his position as the *Mahdi* he attacked the oppressors and won the support of the Sudanese people, who resented the Turko-Egyptian administration.[14] Not only did the *Mahdi* put up a formidable resistance to the British, but the history of the *Mahadiyya* had an enormous influence upon the geopolitics of present-day Sudan.

East African countries such as Kenya have a history of resistance dating back to the struggle against the establishment of colonial rule. The Nandi rebellion, which started in 1890 and lasted for 11 years, was one of the earliest rebel movements in Kenya to oppose foreign intrusion. By 1900, the Nandi warriors had destroyed an important telegraph communications centre at Kitoto, in the Nandi valley, thus cutting off communications between the British government in London and its soldiers and the railway workers in Kenya and Uganda. Even after the British soldiers had mounted a massive attack on the Nandi fighters, the Nandi leaders declined to sign a peace agreement. Five decades later, the *Mau Mau* freedom fighters mobilised widespread resistance against the Britain's colonial administration. The *Mau Mau* was the most serious crisis British colonial rule had to face in Africa.[15] The *Mau Mau* mobilised people at grassroots level and administered traditional oaths to secure loyalty to the movement and thus a commitment to the liberation struggle. Those who were considered to be unsympathetic or traitors to the *Mau Mau*, especially if their reluctance was based on their adherence to the Christian faith (the 'white man's religion' as it was being portrayed), were subjected to cruel torture and even death.

The repressive German regime in what is now Tanzania bred discontent among the people and by 1905, antipathy to oppression, coupled with a drought in the region, reached breaking point. A prophet named Kinjikitile Ngwale said he had sacred water, called *maji*, which could make the warriors invincible to German bullets. This helped start the *Mai-Mai* rebellion, which spread rapidly throughout the colony and eventually involved 20 different ethnic groups, all of which were united by the desire to drive out the Germans. The *Mai-Mai* rebellion forced Kaiser Wilhelm's government in Berlin to consider the implementation of reforms in German African colonies. It is worth noting that both the *Mai-Mai* and *Mau Mau* stand out in their use of traditional African religious rituals not only to bind the rebels together, but also to appeal to the familiar cultural realm to inspire them to stand up against colonial rule.

These historical examples of organised and violent resistance to oppressive rule and foreign intrusion make it possible to situate the phenomenon of militia and rebel groups within the history of resistance in Africa. This is particularly evident if one takes into account that the countries where there were movements that could be called precursors of the present rebel movements, are now haunted by their past histories. One can say that the current militia and rebel movements are an embodiment of the indigenous resistance to oppression and the imposition of colonial rule. There is no historical or scientific evidence to suggest that African societies are violent by nature, which means that the long experience of violence should be ascribed to extraneous factors. This means that the slave trade, the establishment of colonial rule, the Cold War, which was fought partly by sustaining African dictatorships as buffer zones, and effects of globalisation such as structural adjustment programmes, which further weakened and impoverished African states, provide the historical context for the political trends and events, particularly those of the 20th century – the most bloody in human history.

THE POST-COLONIAL SITUATION: THE STATE, GOVERNANCE AND CONFLICT

At independence the status quo was maintained, particularly because the change entailed substitution of a European authority holder with an African, but both the core structure and the underpinning ideology of the system were retained. Gordon and Gordon summed it up thus:

> The real political inheritances of African states at independence were the authoritarian structures of the colonial state, an accompanying political culture and an environment of politically relevant circumstances tied heavily to the nature of colonial rule.[16]

Though the implications of the nature of this change may have been lost on the people in the euphoric celebration of victories of independence, it did not take long for the flaws inherent in this changeover to become clear. Within the first decade, many of the leaders proved to be dictators and resentment of the system was beginning to develop among the general population in the newly 'liberated' countries. What could have gone wrong with the 'heroes' of the liberation struggle, who had been hailed as the saviours of their people? The answer is simple: they were heirs to the colonial heritage at the dawn of a new era – the post-colonial era.

Some of them succeeded in establishing regimes and others failed. However, even those that proclaimed themselves to be harbingers of change were soon

fitting in to the shoes of those that they had replaced. Following this historical trajectory, the next scene of African politics was to be dominated by the emergence of all manner of civil groups in many of the countries, which claimed to be acting on behalf of the people. Some of these groups were self-help women and youth groups, welfare groups and church organisations working outside and beyond government influence and control. Gradually these crystallised in to what has become generally known as civil society, but for the purpose of my discussion this is one of the processes that served as a midwife for the birth of, among others, the civil militia.

Many of those that developed into militia did not have a clear agenda to begin with, and as mentioned earlier on, they emerged as well-intentioned village and neighbourhood vigilante groups and youth clubs. In due course, the character of the groups evolved and gradually some of them metamorphosed in to violent armed groups, made up largely of young people who were willing to offer their services for hire to powerful individuals for personal protection or any other services.

The question is why this situation arose. The answer lies in the fact that the independent leaders who took over power failed to forge strong states out of the diverse communities that were brought together, sometimes hurriedly, within national borders of the newly created states. McCalpin's statement about the Democratic Republic of Congo (DRC), which could apply to many other countries on the continent, serves as a useful illustration:

> The configuration of the contemporary Congolese polity is not to be viewed as simply the general disorder that has come to characterise African states but rather as a direct result of crosscutting influences in its particular history. The current situation represents the superimposition of a no verdeveloped, extractive and predatory state upon the vestiges of traditional societies and the ethnic mosaic.[17]

Another important factor should be borne in mind, namely the nexus between an economic crisis and security. As alluded to above, nation building remained a mirage as leaders spent national resources on non-viable institutions that continued to debilitate the social and economic development of these states, making poverty a persistent threat for African societies. Poverty was further entrenched by the introduction of structural adjustment by means of the International Monetary Fund (IMF) and the World Bank for, as Abutudu observes:

> Adjustment policies and neo-liberal reforms in general are so severe in their impact that they have tended to undermine the basis of the nation-state project in post-colonial Africa, compounding the weakness of the state, engendering mass hostility to it and underpinning its legitimacy.[18]

As the Commission on Human Security put it, poverty and 'the exclusion and deprivation of whole communities of people from the benefits of development, naturally contributes to the tensions, violence and conflict within countries'[19] – and there can be no doubt that deprivation contributes to conflicts and violence in Africa. The situation that has proved to be fertile ground for the emergence of militia and rebel movements in Africa is summed up as follows by Abutudu:

> Over the last two decades, various forms of communal and religious violence have been the hallmark of many an African country. Civil wars in Liberia, Sierra Leone, Somalia, Burundi, Rwanda etc, have been the more extreme expressions of a process that has seen economic crisis and IMF/World Bank reforms pitching the state against its citizens and community against community, in shooting wars.[20]

When people are deprived and are struggling to fulfil basic needs, they tend to be more prone to violence and crime rates increase and the youth tend to be drawn to delinquency. In such cases there is no peace and security for the individual or the society. Inextricably linked with the issue of peace and security, is the question of justice. It is common knowledge that a sense of frustration and despair, injustice, in equality and discrimination in society can and often does lead to disgruntlement among the population. Apparently these ills are prevalent in those countries that are characterised by 'misgovernance' and human rights abuses. It is the grotesque injustices in many African societies today that have contributed largely to the impoverishment of the greater majority of the people and the emergence of militia and rebel movements all over the continent.

Furthermore, failure to meet the aspirations of the society usually leads to social upheavals, which in turn threaten the state. Where the national elites are not accountable to the people, the pattern is that when people begin to interrogate their relationship with the state, a social time bomb begins to tick away and eventually explodes. Hence I state that the emergence of militias in Africa could well be characterised as one form of social explosion.

TRADITIONAL CONCEPT OF AUTHORITY AND CONTEMPORARY POLITICS

For the purpose of this chapter, I espouse the view of culture as dynamic, aptly summed up as 'the meanings, changing over time, that are generally attributed in a given community to repertoires of action' by Ellis.[21] A more expanded view is provided by Ali A Mazrui, who posits seven functions of culture in society, namely that it provides lenses of perception and cognition, motives for human behaviour, criteria of evaluation, a basis of identity, a mode of communication, a basis of stratification and the system of production and consumption.[22] From this perspective both the emergence and actions (behaviour) of the rebel groups and militia can be situated within a cultural context.

Needless to say, traditional and modern political ideals have interacted to contribute to the shaping of political scenes in Africa. On the one hand the colonial system and the Westphalian state project, which is said to have been imposed on Africans, can be blamed for laying the foundations for the structures and the political culture that ultimately nurtured the growth of militia and rebel groups.[23] On the other hand, however, it is undeniable that the African contribution has been shaped to a large extent by its peoples' worldview(s) and particularly cultural values and norms. Without entering into a debate on the persistence of African culture in modern times, one can agree with Gordon and Gordon that:

> African cultures remain vibrant and are playing a leading role in the efforts to cope with the forces affecting African societies. Questions of personal and collective identity and meaning frequently come to the fore as well as discontent with political oppression, foreign exploitation, and economic inequality and poverty.[24]

The appropriation of the African concept of authority serves well to illustrate the cultural dimension. In the traditional African communal life, authority figures beyond the family level were 'political leaders' too and there was no political structure that was 'distinct from the social religious structures of the society'.[25] The chief was closest to God and the ancestors. The political and ritual offices of the leaders reinforced each other to safeguard their power and the wellbeing of the community. But leadership and political patterns were not the same in all the communities: some positions of authority were hereditary, while others were acquired through individual merit or attributes such as wisdom and integrity or

were attained through various rites of passage, particularly in communities where councils of elders functioned as sources of authority. Although in some communities, political organisation was based on kinship and clan and therefore segmented, in others authority was centralised and the hierarchical order was clearly defined for the various office holders, from the highest to the lowest level.

Social control was exercised through the notions of shame and guilt. A code of rules and taboos regulated both the individual and group political activities, as Magesa reports:

> Social control through shame and fear of transgressing taboos or upholding of dignity is also the reason behind the formation and maintenance of the various sodalities … blood friendships, secret societies, age grades and joking relationships play a conspicuous political role, each one at its own level in African societies.[26]

The point here is that in different types of political and administrative organisations across the African continent, authority was generally concentrated *in the person* of the head of family at the family level, the king where kingdoms existed, or chief at community level. Magesa uses the case of Bunyoro to illustrate the role of the traditional ruler, who was the 'pinnacle of power and all authority [flowed] from him'.[27] He could take away chieftainships even from hereditary holders and give them to persons loyal to him, and therefore more deserving of those positions. However, my aim is not to provide a detailed account of the traditional political systems, but to illustrate how the cultural values and political ethos came to influence political practice in contemporary Africa, and hence posed a challenge to the Western character of the state.

In line with this point of departure, I suggest that the personalised rule, with a high concentration of power and the practice of patronage relationships – which were soon to become the defining characteristics of the new African leaders – were informed by the traditional concept of authority based on ethnicity and kinship. The authority and power of the father in a family are reproduced in the role of 'the founding father of the nation', which was filled by leaders such as Kwame Nkrumah of Ghana, Jomo Kenyatta of Kenya, Mobutu Sese Seko of the former Zaire, Hastings Kamuzu Banda of Malawi, Kenneth Kaunda of Zambia and even more recently, Robert Mugabe of Zimbabwe. These leaders became, as was the case with the traditional kings and chiefs, invested with absolute power over their parliaments and citizens. They became the ubiquitous presidents as heads of the

military, university chancellors and *watukufu* (Swahili term meaning glorious, exalted) figures after whom institutions of higher learning, roads, schools, hospitals and key intuitions in their states were named. Hence, not only does the traditional model for the exercise of authority become incompatible with the Western norms of democratic governance, but it also reinforces militarism and promotes primordial loyalties, which are the fodder for militiarism in Africa. In Somalia, for instance, a warlord is viewed in terms of traditional leadership based on the clan system. He (it is usually a man) not only receives, but also 'deserves' allegiance and support from members of his clan.

The contrivance of the public sphere for social expression and political action could not be more explicit than in the practice of sacking government ministers at will and expelling non-conformist and disloyal members from the ruling parties. These actions reflect the traditional exercise of authority and control of political organisation by a king or chief. This style of leadership became entrenched in post-colonial Africa, too, and has largely shaped the current political and social trends in many African countries. It has become practice to quell the dissenting voices, often by using violence through the 'arms of government' such as the police and paramilitary forces. The unintended outcome of this practice is to strengthen the resolve of those who hold dissenting opinions and those who feel they are being strangled by the hold on power of the all-powerful president. Hence this is one of the factors that has engendered dissention, which has in turn nurtured the growth of rebel groups and militia – 'heirs is a reaction, one can say, to the unyielding and unaccommodating political structures perpetuated by and personified in the contemporary African leaders. Hence, as Bøås and Dunn rightly observe:

> [A]lmost all contemporary armed movements on the African continent share commonalities which are rooted in experiences and narratives about corruption, violence (political and economic) and poverty. These common experiences have over time contributed to the creation of deeply entrenched sentiments about social exclusion and marginality, especially among the young … A shared experience of brutalisation, abuse and maginalisation informs the worldview of those fighting for these movements.[28]

To cite Nigeria as an example, the political climate and the general social conditions, summed up by Adejumobi as the 'contradictions and crisis of the Nigerian state' during the Babanginda and Abacha military regimes, created an environment conducive to the emergence of ethnic militia and other militant groups.[29] These include the Egbesu Boys of Africa, Ijaw Youths Movement, a movement for the actualisation of a sovereign state of Biafra, O'odua People's Congress, Niger Delta People's Volunteer Force, Chicoco Movement and Arewa People's Congress. Like the others, the Bakassi Boys in the Anambra and Abia states emerged as a resistance army in response to insecurity emanating from the 'threat of armed robbers' with the financial support of the traders who had been targeted by the robbers.[30]

IN SEARCH OF IDENTITY

Perceived or real social differences in the ethnic, communal and religious dimensions are responsible for shaping a people's world view. Hence, in the past, African cultural norms and values have informed and, to some extent, still continue to shape the formation and maintenance of social and political structures that have created the climate for the emergence and proliferation of militia. African cultural norms and values have been turned into a useful resource, aiding the formation of and recruitment for militia groups and rebel movements. Culture is the basis of identity, both individual and communal.

> [It] shapes perception of self and the interaction between people and their environment. It explains habits such as why people respect old age, have many children, take care of their children, work hard, take to polygamy and support male dominance ... it defines norms of behaviour, such as inter- and intragenerational relations, codes of conduct for holders of political offices and the difference between gift-giving and corruption.[31]

Normally young people are concerned about their identity, who they are and what they will become in the future. For answers to these questions they turn to the society: peers and leaders who are not only vested with a certain amount of authority, but also considered to be knowledgeable. In the traditional social set-up, this process was facilitated by agents of socialisation functioning within a socially controlled framework founded on age-old institutions. Thus the society was able to provide a safety net for individuals and members of communities. However, with the social changes that the African societies have undergone in the last five

decades, there is a plethora of agents that compete for influence and the choices the youths face are rather bewildering and far beyond the limits of the conventional social checks and balances. The cultural turbulence of our times is reflected in the behaviour and activities of the youth.

In the midst of these social changes, young people cannot easily resolve their attendant identity crises. This is further complicated by the fact that ethnic identities in Africa have been manipulated by leaders to serve selfish ends, with the result that they have become one of the causes of conflict. There is no doubt that questions of identity are related to both the history and culture of a group. A belief in a shared historical origin provides a heritage of values, norms and symbols and confirms the dichotomies between those who belong and those who do not belong. This link is the essence of the myths of origin, which aim at explaining the origins and history of a people, and at answering questions on who are they and where they come from. The trend is that in political situations where there are contested histories and identities, the aggrieved groups are inclined to defend their cause, be it the right to citizenship or land, and they will be willing to fight for it. The ideological underpinnings of the conflict are established by 'identity' groups, many of which consider the historical and cultural aspect to be the most important of all. The point is that this background is the precursor to the militarisation of groups that can be classified as part of the civil society in its broadest sense, which gradually distinguish themselves as militias.

Thakur identifies three factors leading to the emergence of various militias in the case of the Kivu region of the DRC, namely personal enrichment; the power and security vacuum that generates the need to provide security for their people, reinforced by the ethnic configuration; and the current post-transition political climate that makes it possible for militant groups to emerge and thrive in this part of the country.[32] However, in the case of the Kinyarwanda-speaking communities of the eastern DRC, the question of identity and citizenship came to the fore quite early during Mobutu's regime and later became the central issue of the second Congolese war. Their Tutsi origin was configured by espousing a version of history that is based on Hutu–Tutsi primordial dichotomy, and the gravity of the situation was exacerbated by the presence and activities of the Hutu militia in the region after the Rwandan genocide of 1994. This situation, which is characterised by two stances, namely an ethnic reading of the political situation and recourse to the use of force both to interrogate their relationship with the state and to claim what they consider to be their legitimate social-political space, is rather complex. When Laurent Nkunda, leader of the National Congress for the Defence of the People, a rebel group, was interviewed by the BBC in 2008 and asked why he was 'fighting a democratically elected government', his response was that 'we are protecting our people'. This statement implies that the people that he was purporting to protect are identifiable as a particular group that feels either threatened or insecure.

From statements such as these, it is clear that the rise of some rebel groups is associated with a perceived or real threat to security, and takes place to secure the self-preservation of the group. At present the Democratic Forces for the Liberation of Rwanda – a group fighting against the Kinshasa government – is one of the prominent militant rebel groups that poses a serious threat to the peace and security in Africa's Great Lakes region. Though there are several factors, including ineffective government, impunity and the struggle for the vast natural resources in this part of the country, which triggered the current crisis in the DRC, the cultural and historical questions of identity are apparently some of the contentious underlying issues of the crisis.

USE OF RELIGION

One of the salient characteristics of militia and rebel groups is the use of religion in the recruitment and initiation of members, and as a means of sustaining their activities. Religious doctrines, rituals and symbols from Islam, Christianity and African traditional religion are used by these groups. As Kastfelt notes:

> In some cases, such as northern Uganda, established religious traditions are applied to new social conditions resulting in innovations being created on the basis of existing traditions. In other cases, as in the Southern Sudan, wars produce fundamental changes, which in turn erode the whole social context of religion and lead people to abandon their established religion and turn to new beliefs and rituals.[33]

Innovative use of religious rituals and interpretations of scriptures and doctrines create a sense of novelty, of change in the status quo and hence provide some credibility to the rebel groups in the eyes of society. By attacking the existing corrupt governments or unIslamic practices, the militants provide not only an alternative, but also a sense of legitimacy to their cause.

In his brief overview of what he calls 'an important feature of militarism', Francis posits that there is a link between the activities and *modus operandi* of the militias and the belief in supernatural powers and occult practice … The hallmark and driving force for the putative efficacy of civil militias in security provision is their claim to supernatural powers through the use of oracular deities and secret societies and also their claims of 'invincibility' or being 'inoculated' against bullets and light weapons.[34]

His analysis leads him to the conclusion that 'the use of oracular deities, juju warriors and the spirit world by contemporary civil militias should also be understood from the perspective of the military and the psychological dimension of asymmetrical warfare'.[35]

However, Francis's perspective has one notable drawback in that he sees merely a link between the way the militias operate and the belief in supernatural powers. His framework of analysis of the appropriation of religious resources by the militias does not take into consideration the centrality of religion in the African public space. This idea is aptly summed up by Kalu:

> In Africa, the political realm is sacralised or enchanted and politics is a religious matter precisely because it is a moral performance … The world view in African communities is charismatic as gods operate in the sky, land, water and ancestral world. They destroy the boundaries between the profane and sacred: sacralise reality and gives religious value to everyday activities. Religion, culture and the modern public space are constantly villagised through the use of cultic elements acquired from the primal sector of culture and ethnicity become the organising frameworks of human lives.[36]

Therefore, as Falola argues, the importance of religion in any attempt to understand African life in all its social, economic and political aspects cannot be overestimated.[37] Many militia groups use some or other form of ritual and many draw upon cultural practices to legitimise what they do. In addition, there are those who target certain social instructions and therefore assume a cultural approach for their activities. To understand the function of ritual, particularly in the recruitment into militia groups and the role of secret societies in sustaining them, there is accordingly a need to examine the appropriation of religious resources by some militia for, as Kastfelt put it: 'There is a direct correlation between people's access to state power and the political significance of religion: the more access to state power, the less political importance of religion and vice versa.'[38]

It is not only true that 'for Africa in general, change, especially abrupt transition, is mediated through that aspect of culture known as religion', but also faith-based loyalties have an unchallenged ability to mobilise energies and tap into human spiritual and material resources.[39] Among faith loyalties I include African traditional religious, Islamic and Christian spiritual resources. The militias in the Horn of Africa and the DRC serve well as illustrations: the notorious Lord's Resistance Army (LRA), which began in northern Uganda, the various clan/lineage and religious-based Somali militias and the *Mungiki* of Kenya appropriate religious-cultural resources in different ways and in different political circumstances. Alice Lakwena's Holy Spirit Movement (which became the LRA) initially borrowed from both traditional and Christian religious practices and appropriated the rituals of purification for the soldiers (as was the custom among the Acholi, to which Alice belonged) as well as Christian ideas about the Holy Spirit. Recently small bands of LRA militia have started to move into the most southerly part of Southern Sudan, the Central African Republic (CAR) and the bordering areas of the DRC.[40]

Al Shabaab (which means youth) is an Islamic militant group that poses a serious challenge to the fragile transitional government in Somalia. According to De Waal, 'Islamic ideology can be important in mobilising forces and instilling discipline in the context of a weak state'[41] and in the present lawless situation in Somalia, *Al Shabaab* initially used the notion of the Islamic *jihad* to mobilise the support of the local people. However, it soon began to use extreme violence to secure conformity to its brand of Islam: *Al Shabaab,* among others, imposed a burdensome code of dress and behaviour and tightened its grip on the people living in the areas under its control. Failure to conform is punished by beheading and other cruel forms of execution. It also perpetrates other atrocities, such as abduction and rape of women and girls, to intimidate the population.

Unlike the *Al Shabaab* movement, the *Mungiki* is a less organised and clandestine group that makes use of African traditional religious resources by presenting itself as advocate for the return to African culture. Ritual occupies a central place in its tenets and new members are initiated through rituals that are inspired by African traditional religion. The oath-taking ceremony inducts the members into a secret society and other practices, such as circumcision of women and the use of certain traditional symbols and items, are considered to symbolise

a return to African culture or a 're-traditionalisation' of modern society. It is also known to offer sacrifices and perform acts of traditional worship. This particular militia group has distinguished itself as a religious movement, though there are social, political and economic reasons for its emergence. It uses culture as a means of expression of political dissent. However, it should be noted that one of the latest developments is the conversion of the *Mungiki* leader and a group of his followers to Christianity. They joined the Jesus is Alive Ministry in October 2009. The implications of this conversion and identification with a Christian church for the *Mungiki* are not yet clear.

In the case of *Al Shabaab*, the LRA and the *Mungiki*, religion (Islam, Christianity and African traditional religion) provided both the ideological and structural framework for their activities.

UNDERSTANDING MILITIA VIOLENCE AND ATROCITIES

Various explanations have been offered for the atrocious violence perpetrated by militias and rebels. Sall, for example, states that whereas some explanations focus on:

> … structural factors, others, of a more or less essentialist kind, [invoke] the cultural peculiarities of African societies. Others still relate the violence to the collapse of the very mechanisms or ideologies that constituted part of the cement that, until then, kept the nations together and societies in conflict together. In some strands of literature, it is even argued that the perpetration of violence is a mode of development, a way of producing modernity.[42]

At issue here is the link between violence and culture. Whether any culture, or the African cultures in particular, are especially more inclined toward violence is not the first question that needs to be asked, but rather the urgent issue is to establish the historical and cultural dimensions of the violence that is perpetrated by the groups under scrutiny. Ellis's endorsement of Neil's suggestion is instructive here:

> … it is persuasive to argue as Neil Whitehead … does, that 'thinking of violence as a cultural form reveals that violence is often engendered not simply by adherence to globalised ideologies such as Christianity, liberal democracy, communism or Islam, but through the regional and subregional disputes whose origins are in the complexities of local political history and cultural practices'.[43]

A twofold argument is offered, which presupposes the notion of continuity and change in the cultural arena in which the communities today are confronted by the challenge of harmonising and blending the old and the emerging cultural practices. The most salient aspect across the broad spectrum of the militias in Africa is the orgy of violence that is visited upon innocent women, men and children. If the militia groups, as was suggested above, are reacting to political oppression, marginalisation or exclusion, why do they turn their wrath on ordinary people who are in no way responsible for the state of affairs? Why is it that one of the defining characteristics of militia groups is plunder, wreaking havoc on societies of which they are members? Antony Block provides an astute response to this question with his suggestion that violence can be seen 'as a changing form of *meaningful* action'.[44] He advocates for the study of violence 'as a historically developed cultural form or construction'.[45]

In recent decades the world has witnessed unprecedented rapid social changes, the effects and ambiguities of which have been felt by African societies, too. The competing influences are vast and the choices that the youth of today have to face are bewildering. In the past African societies were bound together by adherence to such norms as respect for the elderly and a sense of community that ensured strong affinity for one's relatives, clan and community. A sense of shame and fear of transgressing taboos served as means of social control. However, in the present-day world, these values are used selectively to initiate youths into militia groups and the values are manipulated and the rites extended to include the commission of atrocities against even their own kin. Child soldiers who have either been re-integrated into their communities or who have escaped from militia groups in Liberia, Sudan, the DRC and Mozambique and many other countries have told stories of these cruel experiences.

On the one hand, this would seem to signify not only a loss of respect for age and kin, but ultimately loss of value for human life. It was a taboo, a curse, to hurt one's parents, brothers and sisters and even those who were related through lineage and clan, let alone to shed their blood. On the other hand, while violence can be a mode of communication, it can be suggested that since culture is not static, 'globalisation is changing other world views'[46] and hence shaping the appropriation of the old cultural values to produce a new cultural understanding of violence. After all, the militia is as much a social as a political and economic phenomenon.

If one agrees with Mazrui's thesis, culture is also a mode of production and consumption, not only of goods but also of ideas. Therefore, if the social safeguards as defined by the older cultural norms have lost their efficacy, it is perhaps because new ones are emerging that blend and continue to shape new attitudes.

The question is, how can gender violence, which is the trademark of militia violence, be otherwise understood? While wars and conflicts in Africa are complex and exhibit a multiplicity of historical and global factors, including sharing of resources, the gender violence against and rape of women have a cultural dimension. My argument is that it is a reflection of the prevailing gender power disparities within feminine and masculine constructions, as well as roles allocated to and expectations of women and men. The purpose of the widespread infliction of physical harm on the members of the 'other group' or 'enemies' – such as mass rape of women and girls and the amputation of limbs, which was first applied in Liberia – is to humiliate, intimidate and traumatise, and ultimately destroy, entire communities. Apparently, women and girls are raped not only to humiliate their male family members, of whom the traditional masculine expectation is that they should protect their womenfolk, but also because women are perceived to be the guardians of culture. From this perspective the violence that targets women is logical, because in this way the very core of the community, which is its cultural identity, is attacked. Furthermore, in the age of AIDS and HIV, rape (which has been classified as a weapon of war by the United Nations) is a lethal weapon, as it spreads the virus to thousands of women. In this way, rape is total and long term in its effect. And that is the objective.

As suggested above, the constructs of masculinity and power relations in traditional societies determine the gender role distribution at both the family and community levels. At the family level, children are socialised and raised to be brave men or warriors to protect their women and children. An example of the economic and social practices associated with warrior mentality is raiding other communities to 'bring home cattle'. Cattle were and still are for many communities, such as the Murle of Southern Sudan, the Karamajong of northern Uganda and the Maasai of Kenya and Tanzania, a valuable economic resource, acquisition of which was not only an economic imperative, but also an important cultural practice. It was an expression of masculinity and courage, virtues all men should possess. The easy access to the user-friendly AK-47 rifle has not only revolutionised this age-old practice, but also provided a means of venting pent-up frustration of the youth who are exploited by both the elite and the elders at the community level. This is illustrated in the December 2007 general elections and the subsequent post-election violence in Kenya, in which militia groups, among others, received support from the political elite who mobilised them as 'supporters'. Another example is the elders in the Rift Valley, who elevated the youth to the role of defenders of their community interests. For some of the communities also, it seems as if the practice of traditional cattle raiding or the 'warrior culture' may have been reincarnated in militia activities, though the difference is that in traditional societies the practice was subject to well-defined rules that ensured civility during raids. Today militia groups seize every opportunity to raid villages and visit untold suffering and abominable atrocities on the civilian populations – acts that previously would have been considered a breach of taboos and punishable through prescribed social and political sanctions.

CONCLUSION

In this chapter I have traced the current militia and rebel movement phenomena to the resistance to corrupt and oppressive local rulers and violent resistance to the establishment of colonial rule. I have argued that as a result of a long history of fighting for freedom, the culture of resistance took root in society and in subsequent years manifested itself in resistance to misrule in many countries of post-independence Africa.

It has been argued that the 'failed state' in Africa has largely contributed to the emergence of rebel movements and militia groups in Africa. The seed of violence was sown by leaders who built their leadership upon ethnic and regional support, and excluded those who did not find favour with the government. This seed sprouted in the form of 'tribalism' during the first decade after independence and soon became the vehicle for expressing discontent for those excluded from the system. This provided the climate for the emergence of groups and the establishment of institutions outside the legitimate state authority. As has been seen in West and Central Africa and in the Horn of Africa, there is sufficient evidence to suggest that the emergence of militia and militant rebel movements can be partly attributed to a breakdown of law and order in many African countries.

This chapter has drawn on examples from several countries to illustrate the historical and cultural dimensions of the phenomenon of militia and rebel groups

on the continent. It has been argued that resistance to oppression and intrusion has become embedded in African societies and that it is usually buttressed by the use of cultural resources. The argument was further made that the emergence of the militia and rebel movements must be understood in the context of the dynamic historical processes and events of the last 150 years.

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Chapter 3

Mapping the phenomenon of militias and rebels in Africa

Bettina Engels

INTRODUCTION

Rebel movements, insurgencies, warlord organisations, 'African guerrillas', civil, religious or ethnic militia – these are some of the terms used to refer to contemporary armed non-state groups in Africa.[1] Frequently, these terms are used in a normative way, having 'descriptive, rather than analytic, value'.[2] There is no doubt that armed non-state groups are not a new phenomenon, yet it is difficult to determine to what extent intrastate armed conflicts (that is, conflict where armed non-state groups take part in a relevant manner) in Africa have changed since the end of the Cold War.

There are two 'hotspots' of armed conflict in western and Central Africa. The former includes Sierra Leone, Guinea, Liberia and Côte d'Ivoire, while the latter includes Chad, Sudan and the Central African Republic (CAR) as well as the Great Lakes region of Rwanda, Burundi, Uganda and the Democratic Republic of Congo (DRC).

Owing to insufficient data on non-state armed actors, and perhaps definitional vagueness, it is difficult to provide reliable numbers of contemporary armed groups in Africa, and how many members each one has.

The aim of this chapter is not to offer further definitions and typologies of armed non-state groups. Some blind spots in the current literature[3] on armed groups seem to emerge from the fact that different strands of research (for example on 'war economies', identity, or the privatisation of security and violence) focus exclusively on specific types of actors without locating them in the broader scenery of state and non-state violence in Africa. However, this chapter emphasises some factors that are crucial if we want to achieve the aim of understanding the phenomenon of contemporary armed non-state groups in Africa in a comprehensive way.

Taking Christopher Clapham's work on African guerrillas as a starting point, this chapter argues that a mapping of violent actors cannot be conducted in a historical manner but it has to be linked to historical conditions on the national and international level. Furthermore, the analysis of the overall political aims of rebellion as liberation, secession or the change of government has to be completed by inquiry into the motives and recruitment of armed groups. These encompass four key features, namely ideology, identity, resources and social relationships. Without doubt, aims and motives are also highly relevant for analysis and policy recommendations, but they fail to function as a category of definition and classification of armed non-state groups.

Therefore, I suggest building a comprehensive framework of analysis of armed non-state groups upon their relationship vis-à-vis the state and society based on two dimensions: armed groups' relationship with the government and attitude towards state monopoly of violence. Is subsequently argue that national armies occupy a crucial role in the emergence of armed non-state groups. With regard to an armed group's relationship with society, it is instructive to consider which populations they claim to fight for and who are the people joining them. With regard to the level of social structures, two categories of social inequality entangled with each other are critical for explaining why people, in particular young men, join militia and rebel groups: generation and class.

The chapter concludes by emphasising that comprehensive analysis demands comprehensive political solutions: militia and rebel activities in Africa are a complex phenomenon and cannot be countered with blueprint programmes.

THE HISTORICITY OF NON-STATE VIOLENT ACTORS

Christopher Clapham's work on African guerrillas is ground breaking as it is not only the first but still among the very few attempts to elaborate a broad typology of armed non-state groups specifically for the African context.[4] Clapham suggests four categories for differentiating African insurgencies by their goals. These categories reflect more or less a chronology of rebellion in Africa since the 1950s.

The first category comprises liberation movements against colonial and white minority rule, encompassing in particular the de-colonialisation era in the 1950s up to the mid-1970s, such as armed insurgencies in Kenya and Cameroon in the 1950s, liberation movements in South Africa, Guinea-Bissau and Namibia since the first half of 1960s, and in Angola, Mozambique and Zimbabwe in the late 1960s and 1970s.

The second category covers revolts of territorial liberation and secession such as in Eritrea from the early 1960s onwards, the *Shifta* guerrillas in northern Kenya in the mid-1960s, the Biafran war (Nigeria) in 1967–1970, and the struggle for autonomy in Casamance (Senegal) and Southern Sudan in the 1960s and early 1980s.

Clapham's third category, the 'reform insurgencies', denotes movements to which the common definition of a rebel organisation applies. They aim at overthrowing a government and creating a different kind of state, but challenge neither territorial borders nor the state as an ordering principle in general. Such groups include the Tigray People's Liberation Front from the mid-1970s, the Ugandan National Resistance Army in the early 1980s, and the *Alliance des Forces Démocratiques pour la Libération du Congo* established in 1996.

Clapham's last group, the 'warlord insurgencies', is 'something of a residual category into which to lump those movements that failed to fit into any of the other three'.[5] 'Warlord insurgencies' lack discipline and ideology and feature a highly personalised leadership. Often drawing on spiritual or religious beliefs or on ethnic loyalty, these insurgencies mostly benefit a small group of political entrepreneurs or an individual. They include Charles Taylor's National Patriotic Front of Liberia established in 1989, Foday Sankoh's Revolutionary United Front in Sierra Leone (1991) and Mohamed Farah Aidid's Somali National Alliance (1992). They emerged at the end of the Cold War, while movements following relatively coherent Marxist ideology, like the Eritrean People's Liberation Front or the Tigray People's Liberation Front, declined.

Clapham's typology highlights two aspects that are crucial to mapping contemporary rebels and militias in Africa. His chronological approach shows that a mapping of violent actors cannot be conducted in a historical manner and is incomplete if it is restricted to the overall aims of rebellion.

The panorama of armed insurgencies has changed under the influence of international political and economic conditions. This is not to say that while in the 1960s and 1970s armed movements had fought for the (legitimate) cause of national liberation, contemporary insurgencies were 'barbaric', profit-orientated criminals as suggested by the 'new wars' discourse.[6] Rather, one may observe shifts in the way armed non-state groups rhetorically frame their actions and in the nature of their adversaries. Although colonial and white minority regimes have lost their role as the main opponents of armed insurgencies in Africa, some governments that emerged from former liberation movements became targets of armed non-state groups themselves (such as the *Partido Africano para a Independência da Guiné e Cabo Verde* in Guinea-Bissau).

With neo-liberal capitalist globalisation gaining ground at the expense of broad sections of impoverished rural populations and urban sub-classes since the 1980s, multinational corporations increasingly became targets of armed groups. National liberation is no longer the dominant rhetoric frame for fighting against a regime or government, but has been replaced by references that are suitable to contemporary international discourses (such as human rights, minority rights and environmental protection, off for instance the Niger Delta). Actors involved in armed conflict (state and non-state alike) have always framed their activities into a broader international context in order to achieve military, diplomatic or financial support.[7] Whereas in the 1970s and 1980s this context was defined by the Cold War, in recent times some state actors rhetorically refer to the 'war against terror' to obtain support (such as Uganda's President Yoweri Museveni in his combat against the Lord's Resistance Army or the Ethiopian government fighting the Oromo opposition).[8] The emergence of non-state armed actors and their activities are closely linked to local and international conditions. Therefore, a mapping of these actors has to refer to specific historical contexts.

MOTIVES, MOBILISATION AND RECRUITMENT

Clapham's 'residual category' shows that the focus of overall political aims (liberation, secession, overthrowing a government or regime) fails to capture the range of rebel and militia activity in Africa. He highlights three aspects that a comprehensive approach should additionally cover: the role of religion and ethnicity, ideology, and leadership. Religion, ethnicity and ideology are closely linked to the question of motives, mobilisation and recruitment. The role of

leaders affects the level of individuals within armed groups and is discussed in the last section of this chapter. Four issues are fundamental in order to capture the motives and mobilisation of non-state armed actors, namely ideology, identity, resources and social relationships.

Armed groups declaring their aim to be a coherent Marxist state project have declined after the end of the Cold War, and some observers therefore have concluded a loss of ideological motives of rebellion in general.[9] But a restriction of ideological motives to the Cold War implies too narrow an understanding of ideology as such. If we define ideology as a set of beliefs and norms shared by a large group of people, fulfilling a political function and implying action-oriented political thoughts,[10] ideological motives may also derive from nationalism or religion. From this perspective, ideological motives still play a central role for armed non-state groups in Africa. Ideology particularly affects the cohesion of an armed group. If members are bound by common ideologies and aims, the organisation is less likely to break up when leaders are killed or arrested.[11]

Most militia and rebel groups are identity based in one way or another, with ethnicity and religion being the most common identity features (for instance, ethnic militias in the Niger Delta or the 'Beti' militia at the University of Yaoundé in Cameroon). Some groups are basically constituted because of their common religious identity and purposes (militant religious groups). Others mobilise around religious elements, but at the same time become ethnic militia or rebel groups (such as the Egbesu Boys in Nigeria or the Holy Spirit Movement and the Lord's Resistance Army in Uganda).[12] Many spiritually based armed groups originate in traditions from pre-colonial times, for example the 'traditional hunters' (the *Kamajores* in Sierra Leone and the *Dozo* in Côte d'Ivoire).[13]

Ethnicity is the most common reference of identity-based mobilisation. In several conflicts, it has become a resource for elites in order to stabilise their power claims and a frame for distributive struggles. Such distributive struggles emerge from discords on the allocation of economic resources (for example oil revenues in Nigeria and Sudan) or land entitlements (such as in the DRC and Côte d'Ivoire). Ethnic militias recruit strictly from one ethnic group and claim a common identity based on tradition and history. They often emerge from ethnic youth groups or local vigilantes. In other cases, rebel groups refer to ethnicity when they complain about a part of the population being excluded from social, political and economic participation (for example in the case of the *Mouvement Patriotique de Côte d'Ivoire* and the Tuareg rebellions in Mali and Niger).

Obviously, all armed groups have to generate some economic resources to sustain their activities and basic existence. For some of them – in any case for mercenaries and security contractors – generating profit is the core purpose of their activities. Mercenaries and security contractors are not a new phenomenon on the African continent, but highlight the continuity of profit-oriented private military and security firms being engaged in the exploitation of resources in Africa.[14] Nevertheless, the spread of private security contractors has clearly increased in numbers and scales since the early 1990s. The privatisation and commercialisation of security are part of the general process of privatising state authority in the course of globalisation and neo-liberalism.[15] Economic motives have been widely debated, also beyond explicitly commercial actors such as mercenaries and private security companies. Apart from the debate on profit orientation ('greed') as a cause of rebellion,[16] a wide range of economic motives can be identified. The existence or non-existence of natural resources is not a motive for violence. But grievances emerge from the way resources are distributed and the question of who has access to them.[17] Economic opportunity structures do not explain armed conflicts in resource-rich areas. But the extraction and transformation of natural resources produce political conflicts on ownership, distribution of revenues, organisation of work and bearing the costs of ecological destruction and damages to health.[18]

In addition to ideology, ethnic loyalty and economic incentives, social relationships and peer pressure are crucial factors for explaining the recruitment of armed groups. In a study by Yvan Guichaoua, more than 80 per cent of the interviewed members of the O'odua People's Congress in Nigeria said they joined the group via family or peer contacts.[19] Relations of patronage are likewise influential. Furthermore, people feel pressured by family members or peers to join a militia or rebel group.[20] Empirically, we can hardly distinguish to what extent families and peer groups function as entryways to armed groups or put pressure on potential recruits to join. The idea of joining a rebel group rarely arises out of the blue, but socialisation is crucial for participation in armed groups. Some people cite 'family traditions of resistance,'[21] others become socialised within radical student groups during their studies (that is, the pro-government militias in Sudan and Côte d'Ivoire).[22] Students associations in general are one of the elemental milieus from which militia and rebel groups originate.

While most members of militia and rebel groups join more or less voluntarily, others are abducted and recruited forcefully. Armed groups vary vastly with regard to the practice of forced recruitment. High numbers of forced recruitments are known to occur in armed non-state groups in Mozambique,[23] Uganda[24] and Sierra Leone.[25] A third of Liberian former militia members interviewed for a study conducted by Morton Bøås and Anne Hatløy stated they had been abducted or forcefully recruited.[26]

THE STATE, THE MILITARY, AND NON-STATE ARMED GROUPS

The dichotomy of the categories 'state' versus 'non-state' is fundamental in contemporary research on armed conflict. Typologies of warfare build on the differentiation of the warring actors' societal status.[27] Although peace and conflict research lacks a widely accepted definition and conceptual framework for the analysis of non-state armed actors, two different approaches can generally be identified: concepts that build upon aims and motives, and others that focus on armed groups' relationships vis-à-vis the state and society. While the question of aims and motives is highly relevant for analysis and policy likewise, it is less helpful as a category of definition and classification of armed groups. Definitions of armed non-state groups frequently build upon the characteristic of 'the use of violence for specifically political ends' in contrast to 'the desire for private gain'.[28] As a consequence, typologies of armed non-state groups state that warlords and criminals had economic objectives, whereas rebels and terrorists had political ones.[29] This motive-based approach is normatively loaded and tends to (re)produce a 'rebels versus bandits' dichotomy having analytical and political consequences. Assuming armed non-state groups to be either politically motivated rebels or loot-seeking bandits, analytically we fail to acknowledge the diversity of non-state armed actors, their genealogy and their social base. Politically, labelling non-state armed actors to be economically motivated 'bandits' serves as a knockout argument: 'criminal' warlords and their militias are not acceptable as political or social actors with whom to negotiate or listen to. Consequently, governments adopt military force as the one and only appropriate response to rebel activities.[30]

In contrast, defining and mapping armed groups based on their relationship vis-à-vis the state and society avoid these conceptual problems and provide a promising base from which to elaborate on a comprehensive framework of analysis of violent actors. As a working definition, armed non-state groups can be

described as 'challengers to the state's monopoly of legitimate coercive force'.[31] Being a theoretical point of reference, this does not assume that the state possesses a *de facto* monopoly of violence or that the majority of the population sees it as legitimate. Rather, we can distinguish armed non-state groups as replacing the state's monopoly of violence (as a whole or in certain regions) or coexisting with it.[32] In numerous cases, warlords wield authority and thereby do not simply take over state power but substitute it.[33] Similarly, militia and vigilantes may be established to protect the population in a certain region (or village, quarter etc) or specific population groups when the state's security forces are not able or willing to guarantee security or become a threat to citizens.[34] This is not to say vigilantes are simply substituting public security forces where the latter are absent or ineffective:

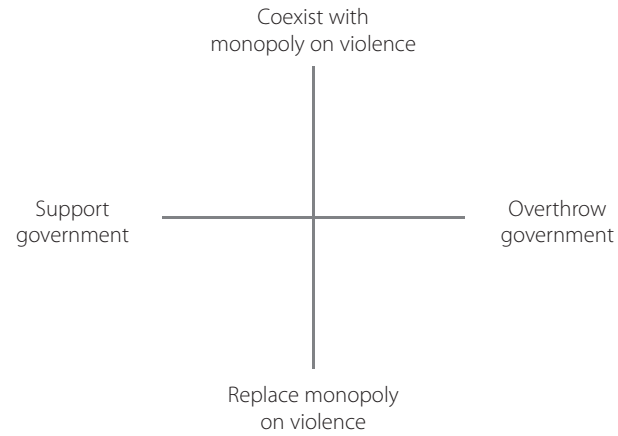
> Vigilantism is a category of non-state or self-policing. It not only acts independently of national police agencies, but often does not co-operate with them and is prepared to break national law to achieve its goals of protection and investigation (or even trials and sentencing). It is characterised by reactive, ad hoc and often violent methods of control.[35]

Nonetheless, authorities sometimes encourage the establishment of vigilante groups. When the market in Onitsha (located in Anambra state in southeast Nigeria) suffered from extensive violent robberies in 2000, traders urged the governor to invite the *Bakassi Boys* to intervene and protect the market and local population from the attacks.[36] The *Bakassi Boys* thus partly replaced the state's monopoly on violence (notably the police). The People's Militia in Tanzania is formally regulated by national law and recognised as an integral part of Tanzanian security governance. The Ivorian government also tried to regulate non-state security providers but aimed at containing them. The *Dozo* became popular fighting against crime and reconstructing 'public order' in the 1990s. Fearing the hunters may become a paramilitary force similar to the *Kamajores* in Sierra Leone, Ivorian president Henri Konan Bédié and his minister of the interior launched several actions to seize control over the *Dozo* in 1999.[37] These containment measures were among the reasons why several hundred hunters joined the 2002 rebellion in Côte d'Ivoire.

Numerous armed non-state groups in Africa are elaborated, controlled or sponsored by governments to fight against opposition and radical groups (for example in Sudan and the Gambia). When governments establish militia and make use of them to threaten and fight civil opposition, oppositional groups (in particular student and youth groups) will possibly start taking up arms or collaborating with existing armed groups. These dynamics may quickly start a vicious circle of violent action and reaction. In other cases politicians pay local armed groups to act as personal protectors as well as to commit attacks on their adversaries (for example during the 2003 elections in Nigeria).[38] Misleadingly, armed non-state groups frequently are presented as if they were all directed against the state or a government.

With regard to armed non-state groups' relationships with the state, two dimensions can be identified: their relationship towards the state's monopoly of violence (replacement versus coexistence) and their relationship towards the government of the state where they operate (support versus overthrow).

Figure 3–1: The relationship of armed non-state groups to the state and the government



In a quest to determine who the state and non-state actors are that are fighting against each other in contemporary Africa, one cannot but focus the analysis on the military, which usually is the main state actor of violence. National armies have been a main source of insecurity and armed conflict, taking into consideration the fact that between 1956 and 2001, 80 successful *coups d'état*, 108 failed coup attempts and 139 reported coup plots were documented in sub-Saharan Africa.[39] A high number of intrastate wars in Africa began as military coups. Rebel

movements that originated from military coups might start with a relatively small group of (former) militaries and grow as people who did not belong to the military previously join them as 'volunteers' (this happened in, for example, Chad, Côte d'Ivoire, Liberia and Sierra Leone). (Former) members of the national armies who participate in armed non-state groups range from demobilised soldiers from other states to the phenomenon of 'sobels'. The central role national armies play in the formation and advancement of non-state armed actors is plausible, because the latter need weapons and military know-how that the former can provide.

The main reason why soldiers (notably lower ranks) launch what Jimmy Kandeh[40] calls 'coups from below' or 'subaltern coups', is based in the relationship between the military and the political powers. Whereas some armies, as in the case of Togo, were ethnically based from the start, others have been instrumentalised and split up in the course of political power struggles. Soldiers launch rebellions because they feel they are excluded, demobilised or denied promotion, often because members of the president's ethnic group, region or clan are favoured. This has been the case in, for instance, the Kivu provinces of the DRC[41] and in Côte d'Ivoire.[42] On the individual level, 'being a military' is at the same time a category of identity and profession. The division of the national armed forces may signify for those concerned a threat to their identity and social status, their material livelihood, and in some cases to their physical livelihood, too. From this perspective, the (perceived) division of the armed forces is a strong motive for rebellion for people who feel they are being marginalised within the military. Furthermore, within the military hierarchy of a rebel group, former members of the national armed forces may occupy a higher rank than the one they held before. Therefore joining a rebellion could often be equivalent to receiving a promotion (that may have been withheld from them previously).

SOCIAL EMBEDDINGS, IDENTITY AND MIGRATION

Armed groups do not emerge from or operate in a social vacuum: they mostly are socially embedded in one way or another. They frequently make use of cultural symbols and traditions (such as traditional initiation rituals, religious and spiritual practices and symbols). And they replace not only the state functions of security, protection and violence but also take over other governance functions that the state does not fulfil in the fields of, among others, infrastructure (for instance transport), medical supplies and education. Militias in the Niger Delta have, for example, provided scholarships for local youths to study in Ghana.

All armed groups refer to societal bases in that they claim to fight for a specific population defined by markers like region, ethnicity or religion. They accuse the government of excluding certain social groups politically, culturally and economically, or they claim a share of revenue resources for the groups they represent. It is instructive to note to what extent a rebel group or militia relies on the support of those populations for whom they claim to fight. In many cases, the social base for rebellion is located in different nation-states. This is unsurprising in view of the fact that borders (all over the world, not only in Africa) are artificial. Furthermore, diasporas play a central role for several armed groups as a means of mobilising resources and as a recruitment base.[43] Although some members come from far-off diaspora communities, the vast majority of fighters come from the country in conflict itself or from the region, notably from neighbouring countries. People migrating across territorial borders to another state to join an armed group are sometimes presented as having a profit motive and not attracted by the rebel group's political aims. They are more likely to act with cruelty against local populations.[44]

One can distinguish different categories of people who migrate to join an armed group based on their reasons. 'Regional recruits' are persons who did not belong to armed non-state groups previously but migrated to a conflict area for the purpose of joining such a group. 'Regional warriors' are combatants who have not yet been socialised within a non-state armed group and who migrate individually or as a group within a sub-region from one armed conflict to another. At least in their own view, participating in armed conflicts seems to offer them their best and possibly only chance of survival.[45]

Conflict-induced migration is not only a humanitarian catastrophe but also a two-way process. Some people flee areas of armed conflict, but at the same time some migrate into a conflict zone to join the warring factions. They may likewise come from within the country in conflict or from other, mostly neighbouring countries. The analysis of which local youths and which regional recruits join a militia or rebel movement sheds light on how ethnic and religious identities are mobilised by armed groups. The mobilisation of collective identity constructions is without doubt an important factor explaining the recruitment, mobilisation and cohesion of armed groups. But as scholars, one should remain careful not to reproduce existing and seemingly 'reliable' categories just because it is simple and

easy to do. The construction of identity in African armed conflicts is not restricted to colonially shaped categories of ethnicity and religion. By focusing an analysis exclusively on these categories, one would be prone to systematic blind spots in research on armed groups.

Neither alleged ethnic loyalties nor socioeconomic factors suffice to explain where the 'regional recruits' come from. Most often, people who migrate across territorial borders to join a militia or rebel group come from countries that have multiple and complex relationships of migration and colonial history. For the 'regional warriors' (such as the Sierra Leonean fighters in Côte d'Ivoire) social, cultural and historical relationships are less relevant. They themselves state that poverty and lack of opportunities are their motives for joining a militia group.[46] In West Africa, most regional warriors began their 'careers' as forcefully recruited children or youths in Sierra Leone or Liberia. Several hundred fighters were, for example, recruited in Liberia for the warring factions in Côte d'Ivoire, rebels and armed groups loyal to the government alike.[47] Some did not even know for which side they were fighting.[48] When fighting in Côte d'Ivoire stopped, some moved on to Niger and joined the *Mouvement des Nigériens pour la Justice*. There is a dearth in reliable data on regional warriors, which could possibly be ascribed to the fact that this category forms a small minority of the total militia and rebel fighters in Africa even though it has received relatively major attention from the media and non-governmental organisation (NGO) observers. It is furthermore important to note that regional warriors are hardly those who start an armed conflict but will join it only temporarily.[49]

The occurrence of regional recruits and regional warriors indicate that there is a 'regional factor' that plays an important role in the emergence of armed non-state groups and intrastate conflict (for example in Uganda, Sudan and the DRC).[50] Most militia and rebel groups are regionally embedded. The war in Liberia started with fighters crossing the border from Côte d'Ivoire; ten years later, Liberian and Sierra Leonean combatants went to Côte d'Ivoire to join both the government and the rebel forces. Rebellion is learnt, too: the success of military rebellion in a nearby area seems to make violence an attractive option in another state or region. Armed conflicts in a sub-region facilitate recruitment even in countries that have been relatively stable for a long time, like Kenya or Côte d'Ivoire.

Once a rebellion has started, there is a need for fighters: the most common and efficient way of recruiting is through word of mouth. Refugee flows increase the risk of conflict in host and origin countries as population movements expand rebel social networks and refugee/internally displaced persons (IDP) camps may become places of recruitment, too. Flight and displacement are possible factors explaining why some regions in the world experience more violent conflicts than others.[51] The regional factor – encompassing general regional embeddings, the 'experience of conflict' and refugee dynamics – may also explain the occurrence of 'conflict clusters' in Africa (the Mano River region, the Great Lakes region, the Horn of Africa, as well as Chad, Sudan and the CAR).

THE YOUTH CRISIS AND MILITANCY IN AFRICA

The question of why so many people and especially young men are willing to join militia and rebel groups is crucial for academic analysis, peace and development policy. Criticising the idea of 'loose molecules'[52] and '*lumpen* youth',[53] social anthropologists in recent years have focused on the 'youth crisis' in Africa. Economic crises and increasing poverty contribute to the growth of armed groups' recruitment potential. But assuming a causal relationship between marginalisation and militia membership seems too simple: rank and file members of militia and rebel groups are indeed frequently marginalised in multiple ways, but usually they are no more marginalised than their peers.[54] The introduction of the concept of 'youth' as a social category closes this analytical gap.[55] Generational categories are neither fixed nor stable but continuously produced and reproduced in social and cultural negotiation and change.[56] Therefore, youth cannot be defined based on chronological age or as a fixed demographic cohort:

> The concept 'youth' is, to adopt Durham's phrase, a 'social shifter': it is a relational concept situated in a dynamic context, a social landscape of power, knowledge, rights, and cultural notions of agency and personhood … Such social and cultural variables as gender, religion, class, responsibilities, expectations, race and ethnicity play important parts in defining who are regarded or consider themselves as children or youth – and the ways young persons are perceived do not necessarily coincide with their self-definitions.[57]

In African contexts, being young often implies potentially being excluded, exploited and marginalised. Consequently, youth is not desirable but a social status one tries to escape.[58] Resulting from the socioeconomic crisis, low levels of formal education, and lack of access to land and other sufficient means to earn a living,

young men are excluded from the social status of adulthood. They blame those who have reached social adulthood themselves for this exclusion: 'Many young men locate their inability to ensure a future for themselves in the greed of their elders.'[59]

Generation is a category of social cleavages and conflicts. Originating from the material conditions of life, it is closely linked to the category of class: class-based social inequalities induce the gap between youth and elders (see Richards on the Revolutionary United Front in Sierra Leone).[60]

In the generation conflict, youth feels less threatened by physical than by 'social death'.[61] Typical ways for the youth to escape are migration or the search for a patron (warlords can be patrons, too). From this perspective, joining an armed group is a balancing act between 'social death and violent life chances', as Henrik Vigh put it,[62] and an opportunity to escape the social status of youth. Non-state armed groups create some sort of order and social organisation in conflict torn societies, and they offer a basis for social identity, integration and mobility. Being a rebel is a possible entrance to social adulthood: leaving the parental house or village, becoming economically independent and able to build up an own family.[63] In this regard it is hardly surprising that houses, women and cars are central symbols in the narratives of the youth when describing the social status of rebel group members. As Morten Bøås has shown, using the biography of Sam Bockarie as an example, 'being a rebel' can represent a desirable social identity:

> For many angry and marginalised young men, he no doubt had become a role model as well. The full tragedy of the situation is exposed only when we take into consideration that by Sierra Leonean standards, Bockarie lived a successful life … whereas the ordinary Sierra Leonean dies as a poor man whom nobody knows about or pays much attention to, Bockarie died as a rich and famous man.[64]

The function of the leaders of armed groups as role models is crucial. Most rebel leaders are less Weber's 'charismatic leaders' than they are a basis for young men's aspirations to wealth and social recognition. Even if leaders and high-ranking rebels have academic or military training,[65] they do not necessarily originate from social or political elites. They are rather 'small men in big offices' for whom the role as a rebel leader is an option for a personal career (for example Charles Taylor, Foday Sankoh or Guillaume Soro). Certainly, they play an essential role in the inner dynamics of most armed groups, but they mostly do not act autonomously.

They are frequently supported and sometimes even controlled by outside actors, no least of which are the governments and militaries from neighbouring countries. The milieu leaders, the higher and lower ranks from which armed non-state groups originate, also reflect the way militia and rebel groups are embedded within society. Leaders and higher-ranking officers have been affiliated mainly with the military and student organisations, whereas lower ranks originate from the student and the rural milieu.[66] The latter observation rejects Mkandawire's thesis of post-colonial African rebels 'having little in common with the peasantry'.[67] The former supports the assumption that national armies play a crucial role in the formation of armed non-state groups (as in the case of, for instance, Chad, Côte d'Ivoire, Niger and Sierra Leone).

CONCLUSION

In this chapter, I identified four key factors in order to construct a comprehensive framework of analysis of militia and rebel movements in Africa. The first referred to motives, mobilisation and recruitment of armed non-state groups. I have argued that four types of motives and entryways play a role: ideology, identity, resources and social relationships. Arguing that motives are essential but not sufficient for the analysis of armed groups, I next suggested mapping militia and rebel groups along their relationship to the state. The relationship to the state has two dimensions: an armed group's relationship with the government (alliance or opposition) and with the monopoly of violence (replacement or coexistence). The relationship between rebel groups and the state is also shaped by the fact that national armies play a crucial role in the emergence of armed non-state groups. With regard to the relationship between armed groups and the society they operate in, emphasis is put on the social embeddings of militia and rebel groups. These embeddings are not so much territorially defined as that they rely on sociocultural and socio-spatial settings. Most armed groups claim to fight for specific social groups. These social groups are not bound by territorial borders, for membership is based rather on cultural and social bonds. This is not surprising, taking in to consideration colonially imposed constructions of nationality and statehood as well as artificial borders. Finally, the fourth factor comprised social structures of inequality, notably class and generation.

Complex social phenomena such as armed non-state groups demand comprehensive political solutions. It therefore conclude by stressing the importance of mapping rebel groups in conflict resolution and management. The

features of armed non-state groups analysed in this chapter therefore present specific challenges.

However, conflict management should not build on overall aims of armed groups alone. The relationship with the state and society and the different social contexts of the different members of armed groups are also highly relevant for a comprehensive approach to conflict management. An armed group's relationship with the monopoly of violence (replacement or co existence) is of particular importance during the first stage of peace building, when security has to be restored in a country of conflict. The relationship between an armed group and the government (alliance or opposition) is especially relevant with regard to determining mediation and negotiation strategies.

In order to be sustainable in the long run, conflict management must address social inequality, in particular generational and class structures. Accordingly, the resolution of the 'youth crisis' is currently one of the most urgent tasks of crisis prevention in Africa.

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Chapter 4

Armed non-state entities in international law: status and challenges of accountability

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INTRODUCTION

From Western Sahara in the north to South Africa at the southern tip of the continent and from the Gulf of Guinea in the west to the Horn in the east, the recent history of the continent seems inseparable from that of armed non-state groups. In South Africa, the armed struggle waged by *Umkhonto we Sizwe*, the military wing of the African National Congress (ANC), and other groups put paid to the oppressive apartheid regime with the inauguration of democracy in that country. In many other African countries, independence was won on the edge of the sword wielded by similar groups: the *Frente de Libertação de Moçambique* (FRELIMO) in Mozambique, the *Mau Mau* in Kenya, the South West Africa People's Organisation (SWAPO) in Namibia, and the *Front de Libération Nationale* in Algeria – among others.

Current African experience demonstrates that the activities of armed non-state groups did not cease with the hoisting of independence flags. For various historical reasons, new struggles emerged in many countries not long after these celebrations had ended. Some of these conflicts can be explained by oppressive dictatorships, ethnic and religious struggles for power and resources and abortive

attempts at democratisation. There are quite a few countries on this list, among them the Democratic Republic of Congo (DRC) (then Zaire), Mozambique, Angola, Sudan, the Comoros and Nigeria. While the activities of some of these movements have not yielded quick success, thus provoking endless spirals of violence, elsewhere they have resulted in decisive conclusions. In some countries the endeavours of these non-state groups have resulted in a take-over of power, thus catapulting them into government: Uganda's National Resistance Movement (NRM), the Rwandan Patriotic Front (RPF), the Alliance of Democratic Forces for the Liberation of Congo-Zaire (ADFL) and the National Patriotic Front of Liberia (NPFL) are good examples. In other countries, rebel activities have resulted in fragmentation and secession, as was the case of Eritrea, and possibly Southern Sudan. Experience from some African countries also shows that some armed non-state groups may not necessarily have grand political objectives, as in the case of national liberation movements and rebel movements whose ultimate goal is either to take power or reach an accommodation for a new political dispensation. While this category may be appropriated by political organisations for their own ends, it remains founded in either criminal (petty or organised and mafia-like) motives or espouses pseudo-religious messages. The *Mungiki* in Kenya and similar criminal gangs and sects are a good example (see chapter 6).

The fact that the activities of armed non-state actors in general have invariably been regarded as criminal (or terrorist) in the various national systems has coloured responses by the relevant authorities. The question here is whether it also influenced, or was influenced by, international law. What is the place of these groups under the various branches of international law? It is true that by their very existence, these entities – rebel movements, militias and other armed groups – operate against or threaten to overturn existing social, economic and legal orders, not least the international legal order. For instance, as shown later in this chapter, some of the most egregious crimes committed during the continent's many conflicts have been attributed to these armed groups. As noted already, activities of such entities have in a number of cases resulted in redrawing the boundaries of states, touching on a central pillar of the international legal order. Further, armed conflicts in various parts of the continent have had far-reaching socioeconomic effects on individuals and entire communities. For at least these reasons, and because their actions often have international ramifications, international law – hitherto unresponsive to non-state entities – has attempted to deal with these new actors. Since the various non-state actors described above may form separate

categories, the response of international law and its various branches has not been uniform.

This chapter has four main objectives. First, it attempts to distinguish the various categories of actors – national liberation movements, rebels and militia as well as other relevant groups – in legal context. Second, it reviews international law and the branches that are relevant to these groups – in particular rebel movements and militia groups. Third, it outlines the legislative responses by the African Union and United Nations to rebels and militia activities win the African context. Fourth, it provides an overview of the breaches of international law committed by these groups and how international and national legal regimes have held them accountable, and some of the challenges of holding perpetrators accountable under international law.

The chapter has three parts. The first part provides the theoretical framework and clarifies some of the basic concepts. It also outlines the place of non-state actors in international law generally. The second part deals with issues related to legal responses by states and the international community of states to rebels and militia under various branches of international law. It then addresses the modalities and challenges related to establishing the accountability of members of these groups. The last part concludes the chapter with findings and recommendations.

THEORETICAL FRAMEWORK AND BASIC CONCEPTS

Locating non-state actors in international law

The Peace of Westphalia of 1648 is often pinpointed as the starting date of the modern sovereign state and the foundation of an international community of states in a horizontal, co-equal relationship with each other.[1] The new international legal order so created – the Westphalian model of international law – established the state as the central actor and sole subject of international law. The establishment of the League of Nations and later the United Nations in 1945 did not change the position of the state as the dominant actor in international life. Today, while there are some exceptions due to developments in the last 60 years as discussed in the following sections, contemporary international law is still built on this basic premise. The international community's constitutive set-up is dominated by it.[2]

There are many instances where the state-centric structure of international law is well illustrated. The classical sources of international law depend on the interaction of states in the form of treaties and other agreements of a similar nature as well as customary law as the practice of states. In other words, only states can conclude treaties with each other. While churches, international organisations and other entities may send 'envoys' to other territories, diplomatic relations are conducted only between states.[3] Emphasising further that the state is still the main actor in the international sphere, official forums such as international courts and international organisations are largely reserved for states. However, international organisations and non-governmental organisations (NGOs) are routinely granted special or observer status at state and intergovernmental forums such as the AU and the UN.[4] International law, too, has yielded in a number of areas, in particular in the realm of human rights, to allow non-state entities – individuals – to stand before international courts and commissions either as beneficiaries of procedures of petition against states[5] or as subjects of punishment for crimes committed.[6]

While these recent developments in international law have altered the notion of sovereignty by limiting states' freedom of lawful action, these have been slight and have left the basic structure of international law unchanged.[7] Although individuals can enforce human rights against their state of nationality before international tribunals such as the African Court as well as the Commission on Human and Peoples' Rights, the protection of individual rights for the most part still depends on diplomatic protection through state representatives when rights of a national are violated by another state. As Koskenniemi has noted, central concepts in international law such as sovereignty, territorial integrity, non-intervention, self-defence or permanent sovereignty over natural resources all still rely on the exclusive or dominant role of the state.[8]

For purposes of this chapter, it is crucial to comprehend this state-centric structure of international law for at least three reasons to be expounded upon later:

- This structure of international law serves not only as a theoretical and intellectual framework for discussion but also explains the place of the relevant non-state entities under general international law with the effect that even where such non-state actors are recognised, they have limited rights only
- It rationalises responses to these armed groups by states and regional organisations such as the AU
- It sheds light on the challenges of establishing accountability for crimes committed by these entities or their members

Crowding out the state? A variety of non-state actors

This section contextualises rebel movements and militias within international law, particularly African international law. In particular, it explores whether and how rebel movements and militias are recognised and defined by law and under what legal circumstances they can be justified. It is crucial to understand the meaning of and distinguish various terms used with reference to armed non-state actors, which commentators are apt to confuse, namely national liberation movements, rebel movements, insurgents, belligerents and militias.

Militias

A militia group is in essence a group of armed citizens recruited – often on an *ad hoc* basis – to supplement the regular armed force engaged in active hostilities. The militia, although composed of members who may not receive a regular remuneration, is an extension of the regular army. In terms of The Hague Regulations of 1907, the rights and duties of the regular army also apply to members of militia and volunteer corps associated with such army. In countries where militia or volunteer corps constitute the army, or form part of it, they are included under the denomination of 'army'.[9] As a category in international law, this is the strict sense in which the term 'militia' is used in international humanitarian law (IHL). The *Janjaweed* fighters in Darfur, who are suspected of having links to regular Sudanese armed forces, fit the tag of militia group active in one of the main armed conflicts in Africa.[10] The *Interahamwe*, who fought alongside Rwandan armed forces (*Forces Armées Rwandaises*, FAR) during the 1994 genocide, is another good example of a militia group. IHL requires that such a militia fulfil certain conditions: to be commanded by a person responsible for his/her subordinates; to have a fixed distinctive emblem recognisable at a distance; to carry arms openly; and to conduct its operations in accordance with the laws and customs of war.[11]

The term militia is not always used in this strict sense, but tends to be used loosely to refer to any group of fighters operating alongside the main warring parties in an intrastate conflict – governmental and rebel forces – whether such a group of fighters is affiliated with the government forces or not. In the DRC, for instance, groups such as the *Mai-Mai* are consistently referred to in literature as the '*Mai-Mai* militia'.[12] With respect to *Al Shabaab* fighters in Somalia[13] and the Lord's Resistance Army (LRA) in Uganda,[14] which are both armed opposition

groups involved in armed conflict against government forces in their respective countries, references to them as 'militia' are not consistent. While there is proof that the *Mai-Mai* and other similar groups have from time to time fought alongside government forces, the *Forces Armées de la République Démocratique du Congo* (FARDC) or affiliated themselves with its objectives, the *Mai-Mai* has generally operated independently. Further, there is no evidence that other than arms and logistical assistance, the *Mai-Mai* fighters had received any financial recompense or salaries from the government. The *Mai-Mai* does therefore not fit into the strict category of militia recognised under IHL.

As will be seen later, the difficulty in factually establishing the identity or category of a group engaged in armed conflict poses serious challenges for establishing the accountability of perpetrators of crimes. In general, the ease with which individuals can be held accountable depends on what set of rules applies, which in turn may depend on the category of the group to which the individual belongs – whether to a regular armed force and associated militia or to a rebel group.[15] For our purposes – except when discussing specific rules applying to recognised categories of fighters under international law – the term 'militia' is used in the second colloquial sense to refer to any non-governmental armed group, whether affiliated to a regular army or opposed to such an army.

National liberation movements

While national liberation movements (NLMs) are not the focus of this study, one cannot fully grasp the position of relevant non-state actors, in particular rebel movements, without looking to NLMs, in a sense an antecedent of latter-day rebels, and the first non-state entities with which the hitherto heavily state-centric model of international law had to grapple. Unlike the fairly problematic position relating to rebel movements discussed above, international law – then transforming itself in the years following World War II and the founding of the UN in 1945 – responded to the new phenomenon of NLMs by recognising them when the wars of decolonisation erupted.[16] This recognition of NLMs came complete with pre-existing rights and duties that were not conditional on recognition by the relevant state. Clapham has pointed out the paradox of referring to NLMs as non-state actors. NLMs are in essence state-like entities that many times end up taking over the state.[17] There are several examples of such NLMs in Africa in recent times, including FRELIMO (Mozambique), the *Movimento Popular de Libertação de Angola* (MPLA) (Angola), SWAPO (Namibia) and the ANC (South Africa). After

long armed struggles, these NLMs installed themselves as legitimate governments. In certain cases an NLM may already be recognised as a state in waiting by regional bodies.[18] As noted, an NLM may be able to claim rights, and will be subject to international obligations, even in the absence of control of territory or express recognition by its adversary (two conditions applicable to rebels).[19] This is one main difference between NLMs and the recognised belligerents and insurgents discussed in the next section.

Until 1977 when two Additional Protocols[20] were added to the Geneva Conventions of 1949,[21] only interstate conflicts were recognised in international law, with warring states granted certain rights.[22] A conflict that pitted a state against another was an international armed conflict. Non-state entities, even those engaged in the 'wars of liberation' during the days of decolonisation in Africa, were systematically ignored or generally labelled as criminals and terrorists by the states concerned.

Additional Protocol I to the Geneva Conventions changed the legal position relating to NLMs. It applied the law of armed conflict relevant to interstate conflicts to armed conflicts between a state and an NLM. In other words, an armed conflict between a state and an NLM would from that time onward be considered to be an international conflict to which the rules of IHL (Geneva Conventions of 1949, Additional Protocol I to the Geneva Conventions) apply. For instance, an NLM fighter who was captured was to be regarded as a prisoner of war and could thus not be prosecuted merely for taking up arms, but only for breaching the laws of war by for example targeting civilians.

More specifically, article 1(4) of Additional Protocol I classifies three types of wars of national liberation as international armed conflict: armed conflicts in which peoples are fighting against colonial domination (the majority of wars of decolonisation in Africa, Latin America and Asia); alien occupation (such as the *Popular de Liberación de Saguía el Hamra y Río de Oro* [POLISARIO] Front in Western Sahara and Hamas and Fatah in Palestine); and against racist regimes (the ANC and the Pan-Africanist Congress in apartheid South Africa) in the exercise of their right to self-determination.[23] Further, under article 96(3) of Additional Protocol I, the leadership or authority representing the people struggling against a colonial, alien or racist state that is a party to the Protocol can undertake to apply the Geneva Conventions and the Additional Protocol by making a declaration to the depository (the Swiss Federal Council). In Africa, the ANC, SWAPO and the Eritrean Peoples' Liberation Front are known to have made declarations to uphold

the relevant provisions of IHL during their armed struggles in South Africa, South West Africa (Namibia) and Ethiopia respectively.[24] These NLMs are therefore bound by IHL by virtue of international treaties that grant them rights while imposing duties normally due and applicable to states.[25]

Belligerents, insurgents and rebels

Belligerents are parties involved in war or armed conflict. Before granting the status to certain non-state actors in IHL, belligerents were invariably states. However, rebels engaged in war with a state could be regarded as belligerents – and thus have rights and duties under international law – if they received recognition. It is noteworthy that in contemporary international law, all parties to an armed conflict are bound by the laws of war irrespective of whether they are recognised or not.[26] This is particularly important in view of the fact that states rarely acknowledge that there is a group waging a legitimate armed struggle against them and are known to characterise such a group(s) as 'criminals' and 'terrorists', suggesting that the conflict is regulated by national rather than international law.

Insurgents are armed elements that rise up in rebellion against a constituted authority, but are not recognised as belligerents. Where there is no recognition of insurgency or belligerency, and the group in question is not a NLM that has successfully triggered the application of the rules of international armed conflict, one is left with an internal armed conflict involving rebels.[27] In common parlance rebels are sometimes referred to as 'armed opposition groups'.

As will become clear in the next section, it does not matter whether an armed group is recognised or not. Neither does it matter to what category of non-state actors the group belongs. The laws of war bind all without exception where an armed conflict exists. There are also certain human rights obligations, although different rules may apply to different groups.

LEGAL RESPONSES AND ISSUES OF ACCOUNTABILITY

In this part I will first examine the general (legal) responses by states (within states) and communities of states (under the relevant branches of international law) to rebel movements and militia phenomena in Africa; second, consider the acts of rebel movements and militias that violate international and national laws; and third, consider the appropriateness of legal responses and challenges to establishing accountability under national and international legal regimes.

General responses to rebels and militias by states and communities of states

At the UN, AU and state levels, responses have been both legal (new norms and legislation, enforcement action) and political, manifesting in various ways: diplomatic demarches, boycotts and informal embargoes. These are examined in turn.

Norm generation, legislation and enforcement action

When faced with new phenomena, society has often come up with ways to adapt and respond to them. In a society of laws, the response is often to promulgate new laws, if those in existence are found to be inadequate. With the state established as the main actor in the international sphere, the emergence of armed non-state actors during the 'wars of liberation' and beyond posed a challenge for the international legal order. By 1949, only wars between states were recognised and regulated by international law. The four Geneva Conventions, which provided extensive rules on the conduct of parties during armed conflict and means and methods of waging war, reflect this reality. Only a singular identical article in all the four conventions relates to 'conflicts not of a an international character' or internal armed conflicts ('civil wars').[28]

With the emergence of new actors, the international community responded by generating new norms. A recently expanded community of states with newly independent states adopted, under the auspices of the International Committee of the Red Cross, two new instruments in 1977. Additional Protocol I to the Geneva Conventions of 1949 expanded the scope of international armed conflicts from interstate wars to cover conflicts in which NLMs were involved. As noted already in the discussion on NLMs, armed conflicts in which peoples are fighting against colonial domination, alien occupation or racist regimes in the exercise of their right to self-determination were now to be governed by international law.[29] NLMs would have rights and duties under this new regime, a far cry from the position held by authorities at the national level (such as Israel and South Africa) that what they faced at home was not a group bearing such rights but a group of common criminals and terrorists. After this point, the position of the UN and the then OAU with respect to these territories was guided by this new dispensation.

Additional Protocol II to the Geneva Conventions effectively recognised that rebels fighting governments in various internal armed conflicts had rights and

duties. However, there was reluctance on the part of states to grant any status to groups fighting established governmental authorities. Clapham has noted that at the time of the drafting of Additional Protocol II, several states stated their conviction that insurgents engaged in a civil war were simply criminals, and that the protocol conferred no international legal personality on them.[30] This stance has not changed among states faced with armed groups. However, the fact that this treaty contains obligations for rebels, even when not recognised by the states, is no longer in doubt. This is discussed further below.

At national level, states have responded by legislating against armed groups. Almost invariably, states in Africa and elsewhere have refused to recognise armed groups even when their struggle is based on well-articulated political objectives. The result has been proliferation of security laws that regard those involved as criminals and terrorists.[31] Such action at the national level has been coupled with a refusal to ratify or apply international treaties that grant status to, or are in any way favourable to, armed non-state actors.[32]

Enforcement action at international (UN), continental (AU) and national levels

To reinforce its stance on non-state actors (NLMs and rebels), the international community – in the form of the UN and AU – has often taken various 'enforcement actions' to reiterate its stand. The support by international players for NLMs has been more overt than that for rebels/armed opposition groups. International bodies are known to have imposed embargoes and other sanctions on states in which or against which NLMs are fighting (for example on apartheid South Africa) to express disapproval of actions taken by those states. Support for rebels in certain cases has been forthcoming, but has been less overt. For example, certain countries supported the Rwandan Patriotic Front rebels before and during the genocide in 1994. [33] Similarly, Uganda, Cyrus Reed points out, supported the Sudan People's Liberation Movement/Army (SPLM/A) in Southern Sudan, with Khartoum backing the LRA in return.[34] More often than not, rebel activity is met with open condemnation, embargoes and other sanctions. The UN Security Council (UNSC) resolutions, which imposed travel bans and asset freezes on certain rebel leaders in the DRC (including Thomas Lubanga, Germain Katanga and Ngudjolo Chui), is a case in point.[35]

In some cases, states or a collection of states have adopted the judicial route to enforce legal norms and positions in favour of rebels and NLMs. The advisory opinion by the International Court of Justice (ICJ) on Western Sahara in 1975 is a good African example. In this case the UN General Assembly had approached the ICJ to determine the status of claims by Morocco and Mauritania over the Western Sahara and whether such claims could be established without a referendum of Western Saharans. The ICJ confirmed the view held by many members of the UN that these claims were tenuous at best and that in any case, a referendum was necessary in view of the Saharans' right to self-determination. Another recent case, in which the General Assembly acted like this, though beyond African shores, is the advisory opinion it requested from the ICJ relating to a wall constructed by Israel in the occupied Palestinian territories.[36]

Although selective in its approach, the UNSC has acted to create tribunals to punish perpetrators of international crimes from, among others, the ranks of rebels and militia groups. The Special Court for Sierra Leone (SCSL) has prosecuted individuals bearing the greatest responsibility, including from rebel groups, for crimes committed during the war in Sierra Leone.[37] For its part, the International Criminal Tribunal for Rwanda (ICTR) has so far prosecuted members of the Rwandan government in 1994 or those associated with it and none from the rebel RPF.[38] This shortcoming has been one of the main criticisms of the international judicial response to the Rwandan genocide.[39] The International Criminal Court (ICC) is already prosecuting various individuals who led rebel groups in the eastern part of the DRC for war crimes and crimes against humanity. ICC arrest warrants have been issued against LRA leaders in Uganda.

In line with the stance adopted by states that opposing armed groups are terrorists and common criminals, the general trend at the national level is to exclude, demonise, prosecute under security and terrorism laws and otherwise eliminate rebels/armed opposition groups whenever possible. Many of these armed conflicts have, however, ended outside the judicial process through negotiated peace agreements. Some of these agreements in turn provided for the establishment of tribunals or a foundation for prosecutions of individuals (for example the Lomé Peace Agreement for Sierra Leone and ANC-National Party in South Africa), while other agreements operate effectively as blanket amnesties (for example FRELIMO-RENAMO in Mozambique and the Comprehensive Peace Agreement for Southern Sudan). However, the starting point is always denial and demonisation of armed opposition groups followed by some form of compromise and accommodation.

Political responses of international (UN) and continental (AU) actors

Apart from the legal responses discussed above, other more significant ways in which states have supported or opposed the activities of non-state actors are for the most part political. Legal responses cannot be delinked entirely from political responses. Legal approaches necessarily involve political and diplomatic demarches at the UN, AU and national levels. Some countries have openly or secretly supported diplomatically and materially the cause of rebels and other armed opposition groups. Examples abound on the continent: Algeria has openly supported the POLISARIO Front for many years, while Morocco withdrew from the OAU in protest following the OAU's decision to admit the exiled Sahrawi Arab Democratic Republic (SADR) as a member state.[40] Several African countries are said to have supported the ANC and others in their struggle against apartheid South Africa.[41] In Sudan, support for the SPLM/A struggle against Khartoum by Libya, Uganda and Kenya has been documented.[42] More recently, Eritrea has been linked with the Oromo Liberation Front rebels in Ethiopia[43] and Somalia.[44] For its part, Sudan has been mentioned in connection with Sudanese and Chadian rebels in Chad as well as the LRA in Uganda,[45] while Chad is said to have supported rebels in Darfur.[46]

While the UN and AU have been guided generally by UN Charter principles on sovereignty and non-intervention as well as resolutions on friendly relations between states and non-fragmentation of territory,[47] the two bodies have not shied away from positions that have proved to be controversial. With respect to Western Sahara, the UN and OAU championed the elaboration of the 1970 Settlement Plan that was accepted by both Mauritania and Morocco.[48] Later in 1975, the UN General Assembly requested the ICJ advisory opinion discussed above, clearly taking a stand on the issue after Morocco appeared to go back on its commitments. For the most part, however, there are many examples where states choose not to take a stand on contentious issues, preferring to let matters play out without interference. Some resolutions adopted by the AU have been pre-emptive of opposition activity, such as its charter on democracy, which prohibits the unconstitutional seizure of power on the continent and urges states to take 'all legal and regulatory measures' to deal with individuals involved.[49] This indicates a firm position against rebel or armed opposition group activity.

It is noteworthy that irrespective of firm normative positions by both the UN and AU, political or diplomatic responses to rebels, militia and armed opposition groups have been as varied as the existing political priorities and interests of the two international organisations as of the major global and regional powers. However, an outline of relevant cases in this regard is beyond the scope of this chapter.

Establishing accountability for acts of rebels and militias

It was noted above that one of the main legal responses by both the international community and national authorities to rebels, militias and armed opposition groups has been to establish tribunals to try perpetrators of international crimes such as genocide, war crimes and crimes against humanity. However, establishing accountability for the acts of rebels and militias under various branches of international law has posed and will continue to pose serious challenges.

The complexity of conflicts has rendered the application of these often-unknown rules even more difficult. While understanding and applying these rules are today more important than ever, with conflicts in places like the DRC, Darfur and Uganda, various factors have resulted in misapprehension and confusion in the debate on accountability of these entities. These include the multiplicity of wrongful acts that may be committed by militias and rebel movements, the complexity of relationships these entities may have with states and multinational companies, and the differences in rules of responsibility under various branches of international law (human rights, humanitarian law and international criminal law).

With recourse to examples from the continent, this part identifies and discusses some of the problems that have been experienced in applying these current regimes, and identifies and discusses the gaps in these legal responses to militias and rebel movements at national and international levels. First, the following section provides a broad overview of the nature and scope of some of the breaches attributable to rebels and militia.

Sampling the wrongs: breaches of international law by rebels and militia

Within the context of international law, wrongs or atrocities committed by militias, rebels and armed opposition groups can be categorised as human rights violations (under human rights law, irrespective of the debate on whether or not rebel movements are bound by human rights treaties); breaches under IHL,

including war crimes, where the wrongs are committed within an armed conflict (war) as prohibited by the Geneva Conventions and Additional Protocols; and international crimes such as crimes against humanity, war crimes and genocide under various international instruments including the Torture Convention, the Genocide Convention, the Geneva Conventions and Protocols and the Rome Statute of the ICC. Issues of accountability will be discussed in terms of these instruments as well as various mechanisms (tribunals) established to punish perpetrators.

The list of atrocities committed during many of Africa's conflicts is endless. This section, therefore, gives only a snapshot of some of these. In Rwanda, while the slaughter of close to a million people in that country's genocide has been attributed largely to the government and *Interahamwe*, a militia group affiliated to the government, the RPF was active during that period, too.[50] In northern Uganda, abductions of children, enslavement of girls, murder, torture, mutilation and destruction of property by the LRA are well documented.[51] In the DRC, atrocities have been committed by various armed groups, including the *Mai-Mai, Forces Démocratiques de Libération du Rwanda, Congrès National pour la Défense du Peuple* and other groups active in the eastern part of the country.[52] Murder, rape and other forms of sexual violence stand out as some of the most common crimes.[53] Apart from violations against individuals and private property, reports have linked a number of armed groups to the plunder of Congo's natural wealth, which has in turn occasioned numerous atrocities.[54] Many companies and some regional governments have been linked to what has been aptly termed Congo's war economy.[55] Comprehensive accountability must address all these dimensions of the conflict.

Accountability under international human rights law

International human rights law (IHRL) – contained in numerous treaties adopted since 1945, at both the global and regional level – confers upon individuals certain rights and imposes obligations on states in that regard. The spectrum of individual, and to a limited extent collective, rights includes civil and political rights as well as socioeconomic and cultural rights. Conceptually, IHRL engages state responsibility at the international plane such that final responsibility for the respect and fulfilment of human rights obligations lies with the state. Accordingly, apart from refraining from infringing on these rights and taking positive measures to promote the enjoyment of rights, states are required to protect their citizens and all others on their territories from violations by private entities. Within this state responsibility framework, responsibility for human rights violations by non-state entities such as rebels and militia ultimately lies with the state. It is, therefore, up to the state to ensure that these rights are not violated or when violated, individuals have access to effective remedies. When an individual brings a petition to an international tribunal such as the African Commission or Court on Human and Peoples' Rights, complaining of human rights violations, it will be against the state and not a rebel formation or militia.

It is clear, therefore, that the conceptual framework within which IHRL operates is the first challenge – or obstacle – in any attempt to enforce human rights against armed non-state actors. While it seems paradoxical that states weakened by war or those unable to exercise practical sovereignty over territory under rebel control should be required to bear responsibility for violations by rebels or militia, conceptually, the international human rights framework admits only state responsibility.[56] The *Forces Nouvelles* in Côte d'Ivoire, which have controlled virtually the entire northern half of that country for several years now, have no international responsibility for human rights, but can be brought to account in national courts.

Some commentators[57] have suggested that certain non-state actors have human rights obligations, whether they have consented to them or not. Tomuschat suggests that NLMs – an essentially government-like formation – are bound by IHRL, noting that 'a movement struggling to become the legitimate government of the nation concerned is treated by the international community as an actor who, already at this embryonic stage, is subject to the essential obligations and responsibilities every state must shoulder in the interest of a civilised state of affairs among nations'.[58] However, the idea that non-state entities have human rights obligations through international law has no universal appeal.[59] Apart from the state-centric conceptual framework in terms of which only states have human rights obligations, even when rebels or militias have control of some territory, they often lack the capacity to fulfil the human rights obligations in question.

Another challenge in establishing accountability of rebels and militia arises from the involvement of multinational/transnational companies in the theatres of war. Within the human rights framework states have the ultimate responsibility for protecting citizens and others from violations attributable to such companies. The fact that action against them could jeopardise investment, coupled with the fact that some of these companies are 'stronger' and richer than the states from which they operate, pose serious challenges for accountability. Such states lack the

capacity to enforce their own laws, in particular in a conflict situation. The 'merging' of multinational/transnational company interests with those of armed non-state actors compounds the problem further. In an utshell, IHRL is not sufficiently adapted to deal with some of the more difficult issues alluded to here. Attempts to deal with accountability for multinational/transnational companies in such circumstances have so far yielded only non-binding norms and informal commitments.[60]

Accountability under international humanitarian law

It has already been noted that IHL or the laws of war regulate the conduct of armed conflict: the means of waging war, protection of certain groups of people and what forms legitimate objects for attack. Non-state actors who may not be held accountable under IHRL do not escape responsibility entirely because IHL, unlike IHRL, recognises certain non-state actors. Further, since rebels and militias are most active in times of armed conflict, IHL is perhaps the most relevant body of law. The activities of militia in terms of IHL (that is civilian fighters and volunteers forming part of governmental forces) as described in the introductory section above, are governed by rules of IHL applicable to the regular armed forces, which in turn depend on whether the conflict is international or internal in character. Additional Protocol I and other specialised rules govern NLMs or insurgents operating within the context of an international armed conflict, while common article 3 of the Geneva Conventions and Additional Protocol II govern the activities of rebels and 'militia' active in an internal armed conflict (civil war).

Challenges to establishing accountability under international humanitarian law

There are a number of challenges to establishing accountability for breaches of IHL. First, since IHL applies only in times of conflict, initial problems arise from the characterisation of a situation where armed force is used. Article 1(2) of Additional Protocol II excludes 'internal disturbances and tensions, such as riots, isolated and sporadic acts of violence and other acts of a similar nature' from the definition of internal armed conflict. The refusal of states to accept that there is a problem in their territory, or that an existing conflict situation involving the use of arms between state security forces and rebels does not meet the threshold for the application of IHL, means that these rules do not apply to non-state actors. It was noted that in terms of IHL, 'internal disturbances and tensions, such as riots, isolated and sporadic acts of violence and other acts of a similar nature' fall below the threshold for the application of the laws of war. However, once an international tribunal is established, the fact that the existence of an armed conflict was not recognised is irrelevant.

Second, there is no independent international tribunal established under IHL treaties that relies on states to prosecute serious (grave) breaches of the Geneva Conventions.[61] Not many states, having denied that there is an armed conflict on their territory, have in practice prosecuted perpetrators. Neither has the principle of universal jurisdiction provided for in the Geneva Convention been regularly used to this end. Prosecutions of perpetrators in African conflicts have, for the most part, been carried out by European and North American courts[62] or international tribunals such as the ICTR and SCSL.

Third, conflicts may not attain thresholds for application of IHL, although there may be serious violations going on. Under Additional Protocol II, it must be shown that the armed group is under responsible command and exercises control over a part of its territory, which enables it to carry out sustained and concerted military operations, and to enforce the rules of IHL. This is a very high threshold, although common article 3 does not seem to require these conditions to be met.

Fourth, the command structures of rebel movements, militia and other armed groups are sometimes fluid and pose problems in pinpointing responsible 'commanders', hence issues for enforcement of laws of war.

Fifth, prosecutions before international criminal tribunals such as the ICTR in Rwanda and SCSL and national courts have proven to give inadequate responses in view of large numbers of perpetrators, limited resources to conduct trials at international and national level, the inability to address issues of victims and reparations and broader reconciliation.

Sixth, criminal sanction against commanders of rebel movements and militia in international courts cannot extend to corporations that finance the activities of such non-state actors, leaving one with many 'impunity gaps'.

Accountability under international criminal law

International criminal law (ICL) is the branch of public international law that is concerned with the prohibition and processes of punishment of international crimes. Cassese observes that it is the body of international rules that proscribes international crimes, requires states to prosecute and punish at least some of those

crimes and regulates international proceedings related to this.[63] In a sense, the history of ICL is one of international criminal tribunals, starting with the International Military Tribunal at Nuremberg in 1945 through the *ad hoc* international tribunals in Rwanda, the former Yugoslavia and Sierra Leone, to the ICC of 2002. ICL draws heavily from IHL and IHRL in terms of both the conduct prohibited (war crimes, crimes against humanity and genocide) and protections guaranteed for suspected perpetrators (that is, fair trial guarantees) and victims.

By requiring that certain crimes be punished either in domestic or international courts, ICL established benchmark principles for dealing with rebels and militia. Peace negotiations must be built on this understanding. The granting of an absolute and unconditional amnesty by the Lomé Peace Accord to Foday Sankoh (the RUF leader), other RUF members and combatants from various groups such as the Armed Forces Revolutionary Council and civil defence forces, elicited strenuous opposition from the UN, victims and human rights activists.[64] The UN Secretary-General intervened in the Lomé Peace Accord to insist that no amnesty could apply for war crimes and crimes against humanity. The warning opened the possibility for the eventual indictment and trial of various rebel leaders, including Foday Sankoh, by the SCSL.

The foundation of ICL is the principle of individual criminal responsibility. A suspect may be a head of state, or the leader of a rebel movement, but responsibility for crimes is borne only in individual capacity and not as organisations or state agencies. While national law may provide for some form of criminal responsibility for corporate entities and organisations, ICL does not do so.

It was noted earlier that one of the main responses of the UNSC to crimes committed by armed non-state actors has been to create *ad hoc* tribunals, as in the case of Sierra Leone where the RUF is said to have been responsible for the largest number crimes and human rights violations in the conflict.[65] On their part, states decided to create the ICC that has already indicted or is trying rebels and militia leaders from Uganda, the DRC and Sudan. These tribunals face numerous challenges in their quest to establish accountability for international crimes.

Challenges related to applying international criminal law to rebels, militias and armed groups

While the rule on individual criminal responsibility as the basis of action is settled, various dynamics, such as the composition of armed groups, their relationships with states and multinationals and the fluidity of command structures, render this body of law inadequate in dealing with militias and rebel movements. It is further inadequate for dealing with responsibility of the groups, organisations and corporations that have been active in Africa's war theatres.

The question of selectivity continues to dog the operation of ICL. To begin with, the UNSC decisions to establish tribunals such as the ICTR have been selective, and not entirely driven by a principled and consistent pursuit of justice. As a result, militia and other armed actors in a number of African conflicts have escaped justice for some of the most egregious crimes. At the operational level of the tribunals, various factors have conspired to ensure that some actors are not brought to account. The role of the RPF during the genocide and the failure by the ICTR to prosecute any member of the RPF remain highly contested and have cast doubt on the impartiality of the tribunal.

In the absence of ready and effective domestic justice mechanisms, action by international tribunals more often than not arrives late and is often caught in the trap of international politics. The current work of the ICC in Africa is a case in point. Politicisation of the work of international tribunals affects efforts by such courts to establish accountability for crimes committed by armed groups.

If establishment of accountability must include restorative justice for victims, ICL is handicapped. Until the establishment of the ICC, ICL has for the most part excluded victims of international crimes such as genocide, war crimes and crimes against humanity, reserving for them only the role of witnesses.[66] Although the ICC now provides for the possibility that victims may participate in the process and have a right to reparations, victims still face serious challenges in their pursuit of justice.[67] Even when an opportunity to claim reparations is presented, the indigence of those accused ensures that victims cannot claim reparations directly from them. In the DRC all the rebel leaders facing prosecution – Thomas Lubanga, Matheu Ngudjolo and Germain Katanga – have claimed indigence and are in need of legal aid themselves.[68] Further, reluctance by states to contribute to compensation funds produces the same result – incomplete justice for victims.

Measures of accountability under national law

The typical response by states in Africa – as elsewhere – when faced by armed threats or opposition from within has been to deny the armed groups' existence or to refuse totally to recognise such groups by labelling their members as common criminals, subversive elements or terrorists. The last label has gained particular

currency in recent years, intensifying with the much-reviled and controversial 'war on terror'. In fact, it seems the labelling of even legitimate political opponents and other dissidents as terrorists is one of the most potent weapons wielded by challenged African regimes. The reason is not difficult to find. This strategy tends to secure international partners for the regime's cause more readily than accepting some of these groups for what they really are – legitimate opposition trying its hand at what seems a more persuasive method. Governments have reacted in an almost knee-jerk fashion to deny and refuse to recognise these armed opposition groups.

Experience shows that even when recognition, rights and duties are accorded unequivocally by international law to such a group as discussed above,[69] no government would admit that it is a colonial or racist outfit or that it is in alien occupation of territory.[70] In recent times, it was no surprise that apartheid South Africa consistently labelled the ANC and other armed groups in South Africa as criminals, saboteurs, communists (connoting subversives) and terrorists. While this label had no significance whatsoever in terms of international law (IHL, in particular Additional Protocol I, as set out above), which by application of the law recognised the ANC and SWAPO fighters in South Africa and Namibia respectively as combatants and thus prisoners of war when captured, apartheid South Africa treated them as terrorists and prosecuted them under state security laws.[71] The recent prosecution and sentencing to death of numerous members of the Justice and Equality Movement in Khartoum and the Mahamat Nouri-led United Force for Democracy and Development rebels in Chad[72] (some *in absentia*) is consistent with this approach.[73]

This refusal to acknowledge and recognise armed opposition by states has had a far-reaching effect with respect to rebels and other opposition groups, towards whom IHL is less generous and more stringent in its prescriptions, bearing in mind the requirement that rebels must control territory and that the violence must be of particular intensity (not merely riots or sporadic and short-lived acts of violence).[74] This means that IHL, and the protections that come with it, will apply only if a certain threshold of violence is reached and that in the absence of these conditions national law applies, which often affords more leeway to states in their dealings with rebels.

Denying legal status to rebels and other armed opposition, even when they represent a legitimate cause, has been coupled with the belief – mostly misguided – that the rebels can be obliterated with military power. The failure by the Ugandan government to defeat the LRA, despite affirmations to the contrary, is the starkest illustration in current African experience. Yet states such as Sudan and others continue to rely on the military approach.

Even when states, as the case of Uganda illustrates, come to the realisation that the military approach cannot work and that an acceptable legal approach is a necessity, they have for the most part taken half-hearted and incoherent measures. Incoherence and lack of unifformity – itself informed by the misguided yet ineffective over-reliance on military options – is clear in the sense that the threat and non-state armed group do not match the prescriptions for response. In Uganda, for instance, while the government has maintained that the LRA is a terrorist entity (that should be treated and dealt with as a criminal outfit), it has acceded through the Juba Peace Agreement to a position that seems at odds with the terrorist label. The prosecution response for war crimes would inherently accept that IHL applies and that the LRA is entitled to fight and thus its fighters have combatant or combatant-like status and cannot be prosecuted merely for taking up arms but only for committing international crimes.[75]

CONCLUSION

This chapter showed that while international law – human rights, humanitarian and criminal law – has clear definitions on national liberation movements, insurgents, rebels and militias and their status, this is not always so in common parlance, where references to various armed non-state actors are somewhat confused. It was noted that while in common usage rebel or armed opposition group is sometimes used interchangeably with militia, the latter has a specific meaning in IHL. The distinctions are important in view of the fact that different rules apply to the conduct of different armed groups and this has implications for accountability issues.

Legal and, by extension, political responses by states and international organisations to the activities of armed non-state actors have been varied. Political responses range from covert support to outright condemnation and sanction, and are often coloured by contextual considerations, in particular the interests of regional and global hegemons.

The apparent confusion in references to various armed non-state actors is not problematic from the point of view of applicable rules of international law and their implementation. However, the bundling of various groups in the media and other non-academic literature complicates a general understanding of the nature of these groups and various rules applicable to them under human rights law,

humanitarian law and ICL. There is merit in clarity, not only in nomenclature but also in terms of applicable rules, particularly if the public and victims want to pursue remedies for violations attributable to a specific group.

In view of shortcomings in the various legal regimes, establishing accountability for wrongs committed by armed non-state actors such as rebels and militia requires the use of a combination of approaches at the national as well as international level. However, there is lack of coherence among the multiplicity of actors who have attempted to grapple with the activities of armed non-state entities at the international and national levels.

Where the UN and the AU do adopt a legal response, attention should be paid to how these approaches fit in with approaches at the national level in order to ensure that all the important aspects are addressed. In particular, national tribunals and other mechanisms at that level, which have an important role but are rarely well considered, should be integrated in the response.

Governments, which bear the primary and perhaps exclusive responsibility under human rights treaties, should ensure that mechanisms exist at the national level under criminal and civil law to address the activities of armed non-state actors that violate human rights. While the record of African countries in ratifying and acceding to international human rights treaties is high, compliance in this regard as well as with rulings of international oversight bodies remains rather low. For instance, although many countries have ratified the Covenant on Civil and Political Rights as well as the Torture Convention, few have effective implementing legislation. The same applies to IHL treaties and the Rome Statute of the ICC. Moreover, African states have shown themselves even less willing to comply with decisions of oversight bodies.[76] In general, compliance is an area that needs work from states, otherwise they make a mockery of international commitments.

IHL regulates the conduct of armed non-state actors. However, this fact is often lost to these actors. The fact that states often deny that a particular situation is an armed conflict, and the debate over particular crimes being committed, does not help. International actors and others engaged in resolving conflicts need to communicate to belligerents that the conflict in which they are involved is not unregulated by international law, and that they will be individually accountable for crimes committed.

The fact that IHL – the laws of war – is unknown to many needs to be remedied. The Geneva Conventions and Additional Protocols contain an obligation for states to disseminate the information and ensure that those who may need to apply it, are informed. Apart from incorporation in the security forces curricula, it makes sense that the citizenry should be informed on a continent accustomed to armed conflict. Incorporating relevant aspects of IHL in schools, in particular in vulnerable societies, should be encouraged. The possibility exists that knowledge of the rules and consequences of breaching them could have a favourable effect on the behaviour of non-state actors.

States also undertake to respect and ensure respect for the rules of IHL. This would be in line with the requirements of ICL, in particular the Rome Statute of the ICC, that states should take measures to domesticate the statute and to investigate and prosecute perpetrators. States have the primary responsibility in this regard.[77] Questions can be raised with respect to the willingness of various African governments to prosecute perpetrators of crimes by both rebels and government forces.

However, the willingness of governments to act decisively in prosecuting perpetrators may depend on an assessment of their ability to do so, which in turn depends on the availability of necessary criminal justice infrastructure. In debates around the contested role of the ICC in Africa, the AU has conceded as much.[78] For instance, in countries such as the DRC and Kenya, the independence of the judiciary and capacity of existing systems have raised concerns.[79] To address these problems, a ministerial meeting of African states party to the Rome Statute has recommended that the capacity of African states to prosecute international crimes by themselves should be improved.[80]

NOTES

1 See Christoph Schreuer, Waning of the sovereign state: towards a new paradigm of international law?, *European Journal of International Law* 4 (1993), 447–471, 447; R Falk, The interplay of Westphalia and charter conceptions of international legal order, in R Falk and C Black (eds), *The Future of the International Legal Order*, 1, 1969, 43.

2 See Martti Koskenniemi, The future of statehood, *Harvard International Law Journal* 32(2) (1991), 397–410, 406.

3 Schreuer, Waning of the sovereign state, 448.

4 See African Union, Decision AHG Dec 160 (XXXII), taken by the Assembly of Heads of State and Government in Lusaka in July 2001. The African Union made history on 29 March 2005 when it launched the interim Economic, Social and Cultural Council in Addis Abba, Ethiopia. The Council is an advisory organ of the AU consisting of a variety of civil society organisations from member states.

5 Individuals can bring petitions concerning human rights violations against states for redress. Examples at regional level include the African Commission (and Court) on Human and Peoples' Rights, European Court of Human Rights and Inter-American Court (and

Commission) on Human Rights. At the United Nations level it includes the Human Rights Committee.

6 Individuals are subject to punishment before international tribunals for the commission of international crimes. Current tribunals include the International Criminal Tribunal for Rwanda, International Military Tribunal for the former Yugoslavia, the Special Court for Sierra Leone and the International Criminal Court.

7 Scheuer, Waning of the sovereign state, 448.

8 See Martti Koskenniemi, The future of statehood, 406.

9 The Hague Convention, (IV) Respecting the Laws and Customs of War on Land, article 1 of the regulations annexed to the Convention, 18 October 1907.

10 See for instance Alhagi Marong, *Outlaws on camelback: state and individual responsibility for serious violations of international law in Darfur*, ISS Occasional Paper 136, Pretoria: ISS, 2007.

11 Ibid.

12 Noel King, Congo's army vows to disarm *Mai-Mai* militia, 22 October 2007, http://www.globalsecurity.org/military/library/news/2007/10/mil-071022-voa04.htm (accessed 10 February 2010). See also Human Rights Watch, Militia leader guilty in landmark trial, 10 March 2009, http://www.hrw.org/en/news/2009/03/10/dr-congo-militia-leader-guilty-landmark-trial (accessed 10 February 2010).

13 See for instance Abdulkarim Jimale, *Al-shabaab* militia seized strategic town in central Somalia, *The Palestine Telegraph*, 22 January 2010, http://www.paltelegraph.com/world/africa/3726-al-shabab-militias-seized-strategic-town-in-central-somalia (accessed 9 February 2010).

14 Some commentators refer to the LRA as militia while others prefer the label 'rebel group'. See for instance Human Rights Watch, There is no protection, 12 October 2009, http://www.hrw.org/en/reports/2009/02/12/there-no-protection (accessed 1 March 2010); SPLA soldiers deployed in Western Equatoria to fight LRA militia, 9 September 2009, http://pachodo.org/General-News-South-Sudan-News/spla-soldiers-deployed-to-western-equatoria-to-fight-lra-militia.html (accessed 1 March 2010).

15 See discussion under the section on accountability. Under IHRL the identity of a perpetrator may matter in terms of who pays compensation – the state or the individual – under domestic law. In terms of international criminal law, different rules (for example on command responsibility) may apply to a government army (and affiliate militia) to those that apply to rebel movements.

16 On NLMs generally, see Georges Abi-Saab, Wars of national liberation in the Geneva Conventions and Protocols, *Recueil des Cours de l'Académie de Droit International de la Haye* 165 (1979), 357–455; Antonio Cassese, Wars of national liberation, in Christophe Swinarski (ed), *Studies and essays in international humanitarian law and Red Cross principles: essays in honour of Jean Pictet*, The Hague: Martinus Nijhoff, 1984, 314–324; Liesbeth Zegveld, *Accountability of armed opposition groups in international law*, Cambridge, Mass: Cambridge University Press, 2002.

17 Andrew Clapham, Human rights obligations of non-state actors in conflict situations, *International Review of the Red Cross*, 88(863) (2006), 491–523.

18 At the level of the Organisation of African Unity (OAU), groups such as the ANC, POLISARIO Front (Western Sahara), SWAPO, FRELIMO, and Zimbabwe African National Union – Patriotic Front (Zimbabwe) were recognised.

19 Clapham, Human rights obligations of non-state actors in conflict situations.

20 Additional Protocol I, Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts, 8 June 1977; and Additional Protocol II, Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts, 8 June 1977.

21 Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field; Geneva Convention (II) for the Amelioration of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea; Geneva Convention (III) relative to the Treatment of Prisoners of War and; Geneva Convention (IV) relative to the Protection to Civilian Persons in Time of War [including in occupied territory].

22 The Geneva Conventions and their Additional Protocols (I and II) are international treaties that contain the most important rules that regulate the conduct of armed conflict. They protect people who do not take part in the fighting (civilians, medics, aid workers) and those who can no longer fight (wounded, sick and shipwrecked troops, prisoners of war). All available at http://www.icrc.org/Web/Eng/siteeng0.nsf/html/genevaconventions (accessed 18 December 2009).

23 See also United Nations, General Assembly, Resolution 3103 (XXVIII): Basic principles of the legal status of the combatants struggling against colonial and alien domination and racist régimes, 12 December 1973. This resolution preceded the adoption of the Apartheid Convention that declared the crime of apartheid to be a crime against humanity.

24 See Clapham, Human rights obligations of non-state actors in conflict situations, 494; see also the other examples given by Michel Veuthey, *Guerrilla et droit humanitaire*, Geneva: International Committee of the Red Cross, 1983, xxvi.

25 Note that even in this case, the traditional state-centric structure of international law is left intact. NLMs are regarded as states for purposes of imposing duties and bestowing rights. One could thus say that international law does not create a new category of actors but rather accords state-like attributes to NLMs for those purposes.

26 See Geneva Conventions, articles 1 and 3; Additional Protocol I, articles 3 and 4; and Additional Protocol II, article 1.

27 Clapham, Human rights obligations of non-state actors in conflict situations, 495.

28 See Geneva Conventions, common article 3.

29 See also UN Resolution 3103. This resolution preceded the adoption of the Apartheid Convention that declared the crime of apartheid a crime against humanity.

30 Clapham, Human rights obligations of non-state actors in conflict situations, 498.

31 See in the case of South Africa various security and pass laws (totalling 150 different statutes that constituted the legal infrastructure of apartheid). For a discussion of these laws see Roger Beck, *The history of South Africa*, Westport, Conn: Greenwood, 2000, 127–129.

32 For instance, apartheid South Africa rejected Additional Protocol I in terms of which those fighting the regime would qualify as prisoners of war who could not be prosecuted merely because they took up arms against the government. By rejecting IHL rules, the apartheid

government was able to apply security laws and to prosecute Nelson Mandela and others for treason.

33 See generally Cyrus Reed, Exile, reform and the rise of the Rwanda Patriotic Front, *Journal of Modern African Studies* 34(3) (1996), 479–501.

34 Ibid.

35 On 1 November 2005 a UNSC committee imposed a travel ban and asset freeze on a number of rebel leaders in the DRC for violating an arms embargo. See UNSC committee established pursuant to Resolution 1533 (2004) concerning the Democratic Republic of the Congo, 7 November 2007; UNSC, List of individuals and entities subject to the measures imposed by paragraphs 13 and 15 of Security Council Resolution 1596, 2005.

36 See UN, General Assembly, Resolution requesting an advisory opinion from the ICJ on the legal consequences arising from Israel's construction of a barrier separating part of the West Bank from Israel, Resolution ES-10/14, 8 December 2003.

37 The Special Tribunal for Sierra Leone has tried or is trying the following: Moinina Fofana and Allieu Kondewa (alleged leaders of Civil Defence Force); Issa Hassan Sesay, Morris Kallon and Augustine Gbao (Revolutionary United Front); Alex Tamba Brima, Ibrahim Bazzy Kamara and Santigie Borbor Kanu (Armed Forces Revolutionary Council); and Charles Taylor.

38 Since it became operational, the ICTR Office of the Prosecutor has issued some 96 indictments. Of that number, 80 have been arrested. As of February 2010, 35 convictions had been secured out of 46 completed cases. See http://www.ictr.org (accessed 15 November 2009).

39 R Lemarchand, *Genocide in the Great Lakes: Which genocide? Whose genocide?* Working Paper GS 03, Yale Center for International and Area Studies, 1998, http://se2.isn.ch/serviceengine/FileContent?serviceID=10&fileid=F84E3402-2312-087C-BA8D-7E93D19ECC20&lng=en (accessed 29 April 2009); P Clark and Z D Kaufman, *After genocide,* in P Clark and Z D Kaufman (eds), *After genocide: transitional justice, post-conflict reconciliation in Rwanda and beyond*, London: Hurst, 2008, 6–7, 1.

40 Issaka K Souaré, Abdelhamid El Ouali and Mhamed Khadad, *Western Sahara: understanding the roots of the conflict and suggesting a way out*, ISS Situation Report, Pretoria: ISS, 17 December 2008, 2.

41 ANC cadres are known to have received refugee, military, financial material assistance and training from several African countries such as Algeria, Ethiopia, Angola, Mozambique and Tanzania. See generally Mac Maharaj, The ANC and South Africa's negotiated transition to democracy and peace, in Veronique Dudouet and David Bloomfield (eds), *Berghof transitions series: resistance/liberation movements and transition to politics*, 2008, 1–38, http://www.berghof-center.org/uploads/download/transitions_anc.pdf (accessed 27 February 2010). See also The ANC, Strategy and tactics of the ANC, adopted in 1969 at the Morogoro Conference in Tanzania in 1969. The document acknowledges the importance of the Southern African region, then still largely under colonial rule and alien occupation, as crucial to the struggle waged by the ANC against apartheid, http://www.anc.org.za/ancdocs/history/stratact.html (accessed 3 March 2010).

42 While Ethiopia was the first country of refuge for defecting Southern Sudanese soldiers who later formed the SPLA, Libya and Uganda also provided support. See generally Philippa Scott, The Sudan Peoples' Liberation Movement (SPLM) and Liberation Army (SPLA), *Review of African Political Economy* 33 (1985); Babiker Khalifa, Sudan: recent developments, Africa Today 36(3/4) (1989), 5–10.

43 See Katharine Murison, *Africa south of the Sahara*, 33rd ed, London: Europa Publishing, 2004, 410–412.

44 The UN and United States of America have in the past warned Eritrea about its alleged support of Islamic fighters opposed to the Transitional Federal Government of Somali. See for instance UN warns Eritrea on aiding Islamists, Reuters, 9 July 2009, http://www.nytimes.com/2009/07/10/world/africa/10somalia.html?_r=1 (accessed 3 March 2010).

45 See for instance Martin Plaut, Behind the LRA's terror tactics, BBC, 17 February 2009, http://news.bbc.co.uk/2/hi/africa/7885885.stm (accessed 4 March 2010), quoting the deputy governor of the Southern Sudan state of Western Equatoria in which Col Joseph Ngere alleged that Khartoum was continuing to give clandestine support to the LRA, although Khartoum strenuously denies this. However, in LRA rebels seek refuge in Sudan's Darfur, *New Vision*, 11 March 2010, http://www.newvision.co.ug/D/10/10/712559 (accessed 4 March 2010), it is noted that Sudan's support for LRA ended in 2002.

46 African News Agency, Eritrea, Chad accused of aiding Darfur rebels, 9 September 2009, http://www.afrol.com/articles/13898 (accessed 4 March 2010).

47 See UN, General Assembly, Resolution relating to the *Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations*, Resolution 2625 (XXV), 24 October 1970.

48 Souaré, Ouali and Khadad, Western Sahara, 2.

49 See African Union, African Charter on Democracy, Elections and Governance, adopted by the eighth ordinary session of the Assembly, held in Addis Ababa, Ethiopia on 30 January 2007, articles 2(4), 3(10) and 14(2).

50 On crimes allegedly committed by the RPF during and after the genocide, see R Degni-Segui, Special rapporteur, *Final report on the Situation of Human Rights in Rwanda*, Final report S/1994/1405, August 1996. In 1994, the United Nations Impartial Commission of Experts that preceded the establishment of the ICTR concluded (in its preliminary report [S/1994/1125] and final report [S/1994/1405]) that 'individuals from both sides to the armed conflict in Rwanda during the period from 6 April 1994 to 15 July 1994 perpetrated serious breaches of international humanitarian law and crimes against humanity'.

51 See various reports on LRA atrocities: Human Rights Watch, The scars of death: children abducted by the Lord's Resistance Army in Uganda, New York: Human Rights Watch, September 1997, http://www.hrw.org/reports/pdfs/c/crd/uganda979.pdf (accessed 4 March 2010); Human Rights Watch, The state of pain: torture in Uganda, 16(4(A)), March 2004, http://hrw.org/reports/2004/uganda0404/index.htm (accessed 4 March 2010); Human Rights Watch, Abducted and abused: renewed conflict in northern Uganda, 15(12(A)), July 2003, http://www.hrw.org/reports/2003/uganda0703/ (accessed 4 March 2010); Amnesty International, Uganda: 'breaking God's commands': the destruction of childhood by the Lord's Resistance Army, AFR 59/001/1997, 18 September 1997, http://www.amnesty.org/en/library/info/AFR59/001/1997 (accessed 12 March 2010); Amnesty International, Breaking the circle: protecting human rights in the northern war zone, AFR 59/001/1999, 17 March 1999, http://web.amnesty.org/library/Index/ENGAFR590011999?open&of=ENG-UGA (accessed 12 March 2010).

52 P Vinck, P Pham and S B Shigekane, *Living with fear*, New York: Human Rights Center, UC-Berkeley Payson Center and International Center for Transitional Justice, 2008; T T urner, *The Congo wars: conflict, myth and reality*, London: Zed Books, 2007.

53 See generally L B Mb ombo and C H B ayolo, *Conflicts armés en RD C: violences sexuelles contre les femmes, crimes sans châtiment*, 2001–2004, Kinshasa: Editions Concordia, 2004.

54 See various reports on the 'war economy' in the DRC by IPIS Research, http://www.ipisresearch.be (accessed 8 March 2010). See also Human Rights Watch, *The curse of gold: Democratic Republic of Congo*, http://www.hrw.org/en/node/11733/section/1 (accessed 11 March 2010).

55 See UN, Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the DRC, http://www.un.org/Docs/journal/asp/ws.asp?m=S/2003/1027 (accessed 1 July 2009).

56 Dinah Shelton, *Remedies in international human rights law*, London: Oxford University Press, 1999, 55.

57 Christian Tomuschat, The applicability of human rights law to insurgent movements, in Horst Fischer, Ulrika Froissart, Wolff Heintschel von Heinegg and Christian Raap (eds), *Krisensicherung und Humanitärer Schutz – Crisis Management and Humanitarian Protection, Festschrift für Dieter Fleck*, Berlin: Berliner Wissenschafts-Verlag, 2004, 586.

58 Ibid.

59 See Clapham, Human rights obligations of non-state actors in conflict situations, 502; Liesbeth Zegveld, *Accountability of armed opposition groups in international law*, Cambridge, Mass: Cambridge University Press, 2002, 49–51, 152.

60 See for instance UN, ECOSOC, Norms on the responsibilities of transnational corporations and other business enterprises with regard to human rights, E/CN.4/Sub.2/2003/12/Rev.2, 26 August 2003.

61 Common article 1 of the four Geneva Conventions provides that 'undertake to respect and to ensure respect for the present Convention in all circumstances'.

62 Belgium, Canada, Switzerland and Spain are good examples of countries that have held trials related to the Rwandan genocide. See in this regard Idi Gaparayi, Rwanda: Genocide prosecutions at the domestic level, in Godfrey MM usila, *Domestic prosecutions of international crimes and the role of African regional bodies in international criminal justice: some African case studies*, Pretoria: Institute for Security Studies, forthcoming in 2010. See also the recent prosecution of Charles McArthur Emmanuel Taylor, the son of the former president of Liberia, who was convicted of torture and sentenced to 97 years in prison by a United States federal court for crimes committed during his father's bloody reign in Liberia.

63 Antonio Cassese, *International Criminal Law*, Oxford: Oxford University Press, 2003, 15.

64 The Lomé Peace Accord, article IX(1)-(3) granted 'absolute and free pardon' to combatants.

65 See also Sierra Leone Truth and Reconciliation Commission, Report, volume 2, chapter 2, paragraphs 106 and 107, where the commission found that the RUF was 'the primary violator of human rights in the conflict' and responsible for 60,5 per cent of the violations.

66 See with respect to ICTR and ICTY: J R W D Jones, *The practice of the international criminal tribunals for the former Yugoslavia and Rwanda*, Ardsley, New York: Transnational Publishers, 1998; A Rydberg Victims in the International Criminal Tribunal for the former Yugoslavia, in H Kaptein and M Malsch, *Crime victims and justice: essays on principles and justice*, Aldershot: Ashgate, 2004, 126–140, 131.

67 See generally Godfrey M Musila, Restorative justice in international criminal law: the rights of victims in the International Criminal Court, Unpublished PhD thesis, Johannesburg: University of the Witwatersrand, 2009.

68 See the ICC case in the Democratic Republic of Congo, *Prosecutor v Thomas Lubanga*; and in the DRC, *Prosecutor v Germain Katanga and Matheu Ngudjolo Chui*.

69 See section on definitions above.

70 Clapham, Human rights obligations of non-state actors in conflict situations, 495.

71 South Africa, Internal Security Act 1950 (Act 44 of 1950); Christina Murray, The status of the ANC and SWAPO in international humanitarian law, *South African Law Journal* 100 (1983), 402.

72 The two other groups are the *Rally of Forces for Change* led by Timane Erdimi, President Deby's uncle and former chief of staff, and *Union of Forces for Democracy and Development (UFDD) – Fondamentale,* a splinter group of UFDD, headed by Abdelwahid Aboud.

73 Beyond the African shores, Israel continues to use similar arguments with respect to Palestinian fighters. See Clapham, Human rights obligations of non-state actors in conflict situations, 495, who notes that 'arguments before South African and Israeli judges that liberation movements are entitled to privileges under international law have not met with success'.

74 Additional Protocol II, article 1.

75 See Juba Peace Agreement Process, Agreement on Accountability and Reconciliation between the Government of the Republic of Uganda and the Lord's Resistance Army, 29 June 2007.

76 See Frans Viljoen and Lirette Louw, State compliance with the recommendations of the African Commission on Human and Peoples' Rights, 1993–2004, *American Journal of International Law* 101 (2007), 1–34.

77 According to article 17 of the Rome Statute on the complementarity framework of the ICC, the ICC prosecutes only if the state is 'unable or unwilling' to do so.

78 See AU, Concept note, Meeting of African States Parties to the Rome Statute, Addis Ababa, June 2009, recommendations 6 and 7, http://www.africa-union.org (accessed 13 March 2010).

79 See Godfrey MM usila, *Between rhetoric and action: the politics, processes and practice of the ICC's work in the DRC*, Pretoria: Institute for Security Studies, 2009, 35–36.

80 See AU, Concept, recommendation 7.

Chapter 5

Crises of the state and governance and armed non-state groups in Africa

Augustine Ikelegbe

INTRODUCTION

The image of Africa that is beamed to the world is that of vicious radical youths marauding the streets of Mogadishu, miserable victims of the devastating civil war in the western Sudan region of Darfur, genocide and ethnic cleansing in Rwanda and Burundi, brutal resource wars in Liberia and Sierra Leone, militants interrupting oil supplies to Western markets in Nigeria, prolonged civil wars in Uganda, Angola, Mozambique, the Democratic Republic of Congo (DRC) and Côte d'Ivoire, sporadic clan, religious and ethnic wars in Nigeria and Kenya, deep and extensive political conflicts and violence in the Republic of Congo (Brazzaville), Zimbabwe, Chad, the Central African Republic (CAR) and Guinea-Bissau, and notorious personal and authoritarian rules in Zaire (now the DRC), Equatorial Guinea and the CAR. In all these conflict situations there are a number of common denominators: weak or failing states, bad governance and armed non-state groups (ANSGs), mainly rebel and militia groups.

Conflicts and ANSGs have combined to deepen the continent's social and identity divisions and inequalities, and have heightened sociocultural disintegration, social upheavals, rampant criminality, insecurity and social

disorder. Internal rebellion, resistance or outright civil wars conducted by militias, Islamist militant groups and rebel groups have occurred or still exist in Ethiopia, Senegal, Angola, Mozambique, Sudan, Uganda, the DRC, the CAR, Chad, Algeria, Burundi, Rwanda, Liberia, Sierra Leone, Côte d'Ivoire, Nigeria, Mali, Niger, Kenya, Somalia and the Republic of Congo (Brazzaville).

It is obvious that as the dominant social force and power formation in Africa, the structure, conduct and operation of post-colonial states, and their governance systems are strongly linked to the Africa condition and human insecurity. These are therefore critical variables in the attempt to understand and explain the conflicts, crises, violence, civil strife and wars as well as human insecurity, humanitarian crises and the proliferation and pervasive activities of ANSGs in Africa.

The chapter begins by elaborating the central concepts and examining state formation, state crisis and the crises of governance and development in Africa. Then the chapter investigates the links between the state and governance crises and the phenomenon of ANSGs and violence. It also looks at the reverse side of the coin, namely how the state and governance in Africa have been victims of the non-state institutions of violence. Finally, the chapter concludes by recommending that the best approaches to containing the threats of ANSGs to human security will entail extensive reconstruction, rehabilitation and reform of state and governance institutions.

THE NATURE OF THE STATE

The state is a set of interconnected and coordinated institutions that are concerned with the organisation of power and the structured domination and ordering of society.[1] Essentially, a state monopolises certain powers and roles, namely the making and execution of binding rules, the control and utilisation of institutions of organised violence, the legitimate use of physical force, the extraction of resources, including taxation of citizens, the right to political allegiance of citizens, the right of adjudication and mediation in disputes between citizens and the right of representation in the international community.[2] The state also performs certain core or critical functions and responsibilities, such as the control of territory and population, the guarantee of safety, security, public and social order and justice, the provision of public goods, social services, infrastructure and economic progress, and the promotion of the wellbeing and welfare of citizens.[3]

A state has legal or juridical and functional or substantive dimensions. With regard to the first, the state is a legal entity that is recognised *de jure* as a sovereign authority while with regard to the second, the state is defined by its *de facto* or empirical attributes, that is, the actual exercise of powers, occupation of roles, and performance of functions of statehood.[4] Further, a state has institutional and functional attributes and dimensions.[5] The former relates to the structural apparatus of governance and the exercise of public authority, while the latter relates to the critical roles, needs and expectations that are performed or fulfilled.

The ability and potential for the achievement of identified critical state functions is dependent on capacity. State power and capacity can be measured in terms of the effectiveness of secured control of territory, the supremacy of laws over society, the operational capabilities to extract revenues, make and implement binding rules and regulate society, and the effectiveness of control over resources and people.[6] Bräutigam identifies extractive, regulatory, administrative and technical capacities as critical to state execution of its essential roles.[7] These relate to the ability to raise revenue, establish and enforce guiding rules in economy and society, manage manpower, resources and services efficiently and accountably, and acquire and deploy knowledge and expertise required to conduct its affairs. Grindle identifies four types of capacity essential to state functioning, namely political capacity (responsiveness to demands and social pressures, accountability, effectiveness of conflict resolution), institutional capacity (the ability to construct effective national regulatory agencies), technical capacity (ability to set and manage macro policies) and administrative capacity (effective management of basic public functions).[8]

States can be strong or weak, fragile, in decline or decadent, failing or failed and collapsing or collapsed. These delineations are fluid and overlapping. For example, weak and failing states may be fragile, just as fragile states are often weak and failing. In fact, scholars have not marked out any exact points or stages at which one type progresses into the other. However, as Milliken and Krause have noted, state failure (functional failure) precedes state collapse (institutional collapse) and state collapse may be the extreme end of a continuum of the weakening of state governance capacity.[9]

State weakness is indicated by poor capacity to perform critical state roles.[10] This occurs because the institutional framework of statehood and governance is weak, non-viable and ineffective, because vital institutions are subverted by hegemony, personalisation, informalisation and corruption or because public

institutions are manipulated by privileged groups to perpetuate inequity, injustice, perversion and oppression.[11]

State fragility is characterised by susceptibility and vulnerability to internal and external shocks and strains, a tendency towards violent conflicts, civil strife and violent crimes, the proliferation of non-state institutions of violence and small arms, and instability that may spill over into neighbouring countries.[12] The vulnerabilities emanate from, among others, fractious and factionalised elites; unequal, discriminatory and contested citizenship; conflict-ridden and violent contestations of state power; perennial challenges to the validity and viability of the state, and declining authority and coercive powers. There may also be collapsing public services and infrastructure, declining economies and lack of fiscal capacity to discharge basic functions of statehood.[13] Most fragile states are low income, poor and corrupt and are characterised by low literacy rates, poor access to health care and other social services, high infant mortality rates and food shortages.[14]

State failure has to do with functional dimensions of statehood.[15] It denotes that a state has lost certain powers and privileges and become unable to perform certain roles.[16] The critical issue is the collapse of the extractive, allocative, regulatory, social service, security and developmental state functions. A failed state is unable to transform society into a modern industrial one, improve economic performance, prevent or alleviate poverty and create prosperity.[17]

State collapse relates to the institutional dimensions of statehood. It refers to a situation where there is breakdown of the institutions of governance, disintegration of public authority and collapse of public authority over territory and people.[18] State institutions, authority and powers fall apart and leave a vacuum of authority and roles.[19] Government may effectively cease to exist and the functions that define statehood can no longer be performed.[20] Public services and security roles shrink or collapse entirely.[21] There is a loss of formal controls over territory, the citizenry, resources, a lack of economic regulation and internal order, and the reach of the state is severely limited.[22]

The collapsing state is more juridical than substantive because of the disintegration of the apparatus of governmental institutions and loss of the power and authority of statehood. However, collapse may not equate to the cessation of existence, because as Baker has noted, juridical existence and international recognition may continue and the state may subsist through informal, militia and community structures, as had happened in Somalia.[23]

Whatever the case may be, it is obvious that many states are in crisis, although it should be noted that state weakness or functional problems of statehood are more pervasive while incidences of state collapse are rare. As Milliken and Krause have noted, whether in weak or even decadent forms, maintenance of the state is the norm.[24]

Governance and development

Governance represents the processes entailed in the exercise and management of the collective will of a people.[25] It refers to the exercise of political, economic and administrative authority to manage a nation's affairs[26] or more specifically, the 'manner in which a government exercises political power'.[27] However, the components, processes and relations of governance lack specificity with regard to the measurement and standards of its goodness and effectiveness.[28]

Good governance, for example, has been a popular concept in development, aid and donor vocabulary and scholarly treatment since the 1980s, and has remained so in the local and 'international development agenda'.[29] It is often taken to mean certain qualities and characteristics of rulership, and certain norms that are held to be ideal, appropriate and acceptable.[30]

There are, however, more specific attributes that characterise good governance. These are, among others, the legitimacy of the government; the existence of the rule of law or systems of constitutional politics; systems of broad participation and accommodation; the accountability to the governed; the existence of defined and predictable systems of rules, procedures and processes; open, clear and transparent ways of management of government affairs; collective decision-making, and the recognition of individual and collective rights and freedoms.[31] This list is by no means exhaustive.

There are clearly two dimensions here: the political and the institutional or bureaucratic dimensions. The political dimensions are underscored in the political liberalisation and reforms in Africa. In line with this, the United Nations Development Programme (UNDP) defines good governance as that which is participatory, transparent, accountable, effective, equitable and promotes the rule of law.[32] The bureaucratic and institutional dimension relates to rational and impersonal management based on rules and procedures and efficient and effective systems of public management.

The nature of governance and governance systems is critically important to growth, development and political stability. It determines the capacity and effectiveness of state power and management and the conditions that foster investments, economic growth and development.[33] Some systems of governance can be 'growth enhancing and developmental'.[34] In fact, technical support for Africa's governance systems has hinged on the belief that good governance facilitates effective management of overall progress and specifically achieves direct and quick improvements of macroeconomic and overall development.[35]

The crisis of the state in Africa

The state in Africa has been the subject of diverse, disparaging and negative descriptions and characterisations. It has been described as authoritarian, repressive, exploitative and predatory; weak, frail, verging on collapse, in a state of flux, in disarray, unstable and in profound decay;[36] neo-patrimonial, corrupt, poorly bureaucratised and institutionalised, informalised, not emancipated from society and immersed in particularistic or ascriptive grounds;[37] non-autonomous and information;[38] wicked, hostile and coercive but irrelevant;[39] overdeveloped and appropriated for clientelist, prebendal and primordial purposes,[40] and unproductive and poorly managed.[41] Many African states have been branded as shadowy,[42] pseudo or quasi,[43] juridical,[44] weak or failed[45] and collapsed.[46]

Some of these characterisations were actually inherited from the colonial state. Others are based on nebulous, ambiguous and over-generalised notions. Besides, the descriptions pertain to 'a very small proportion of the total and a very small minority of African life'.[47] For example, the characterisation of shadow states is over-generalised as it is based only on Sierra Leone, Liberia and Zaire, where circumstances and peculiar conditions of state failure resulted in leaders maintaining themselves and statehood through control of territorial resources, commercial networks and contracting out security.[48] Olukoshi, in turn, has described the characterisation of African countries as neo-patrimonial and rent seeking as over-generalised, vacuous, dubious and ubiquitous variables that ultimately explain nothing,[49] while Nnoli asserts that these characterisations and variables when:

> ... put in proper context and due proportion … do not warrant the intellectual fatalism and pathologisation of African politics which have been expressed in Afro-pessimism and the accompanying doomsday scenarios frequently painted of Africa.[50]

Whatever the descriptions and characterisations, the fact is that African states have abundant legal and juridical forms but are weak and failing with regard to the character, substance, content and empirical existence of statehood. There is more external recognition than internal support or any deep sense of political community and national identity. Furthermore, the post-colonial state in Africa is typical as far as certain attributes are concerned. State power is concentrated, centralised and monopolistic, just as the political process is monopolised by the executive, presidential power and ruling cliques. The governance apparatus is statist, bureaucratised and politicised. The states are converted into a 'primordial favouring political arrangement … and fountain of privilege, wealth and power'.[51]

The states are actually paradoxical for being powerful but weak, repressive but feeble, absolutist but fragile, expansive but collapsing.[52] On the one hand, the states are prominent, conspicuous and project upward,[53] but on the other hand are weak and suspended above society.[54] In trying to do too much, the state ends up doing too little and being soft or disengaged.[55] Though seemingly powerful, state institutions are weak, fragile and ineffective. The states do not have enough power to compel the key elements of society to act as they should.[56] Despite its power and prominence, the state is irrelevant for failing to meet needs and aspirations and not being sensitive to, and supportive and protective of its people.[57] Though state power is concentrated and consolidated in the hands of a few elite members of ruling parties, its actual hold on power is tenuous, with weak authority and legitimacy, which it maintains by pushing out or marginalising social groups, communities and individuals.[58] Though monopolistic, it has only a tenuous hold on power and very little authority and though intensely hegemonic, many groups are excluded and outside its control.[59]

The development of the state crisis relates to precolonial, colonial and post-colonial experiences. Significantly, it was created by the nature of the struggles for the acquisition and consolidation of state power and the accompanying transformations that state leaders brought about in political institutions, governance apparatus and the public arena.

In fact, the immediate post-independence period was characterised by a statist expansion, penetration and domination of society, the construction of developmental states with enormous socioeconomic roles, bureaucratic expansion particularly through the growth of public corporations and enterprises, and the expansion of and growing reliance on security agencies for the maintenance of public order. The struggles for power and its consolidation led to a concentration of power in the state, centralisation of political leadership in the executive, personalised executive power, creation of monopolistic political parties and dismantling of multiparty systems, harassment and weakening of the opposition, constriction of inter-elite competition, dismantling of constitutional protections and guarantees, curtailment of personal liberties and suppression of disagreement and dissent.[60] There was furthermore a political, partisan and executive penetration of key governance institutional apparatus and the politicisation of the bureaucracy and security agencies; the circumscription, manipulation, defiance or interference with judicial institutions, and the exclusion of most social groups from participation in public affairs.

Within a few years after independence, single-party systems were instituted in Ghana, Guinea, Tanzania, Kenya, Tunisia, Zaire, Cameroon and Côte d'Ivoire. Elections became farcical and ritualistic as citizens lost any real right to choice. By the mid-1960s, there had been military interventions in a number of states and some, such as the CAR, Uganda and Equatorial Guinea, were subjected to extreme forms of military-based or -supported dictatorships. Democracy was a casualty between the mid-1960s and early 1980s, with Botswana and Mauritius being the only stable democracies. Personal autocracy, sustained by personality cults, patronage systems and an extensive array of formal and informal agencies of coercion, violence and repression, dominated many countries until the wave of democratisation in the 1990s, although there are still some vestiges of these tendencies in Cameroon, Gabon, Equatorial Guinea, Zimbabwe and the CAR. As Decalo notes with respect to the CAR, the personal autocracy and control was so extensive that the president/presidency was the state and public policy and there was little distinction between the president, the state and government,[61] as is the case according to Francis Ikome of Cameroon, where Paul Biya still single-handedly determines the nature, structure and direction of politics.[62]

Personal and arbitrary rule weakened the institutional and constitutional order, eroded legal and constitutional integrity and made the law and the constitution irrelevant to political practice as they were largely ignored by state leaders.[63] Further, there was a steady degeneration of the structures and practice of power and authority from federalism and devolution of powers to unitarism, legislative enactments for rulership to executive decrees and fiats, constitutional limitations of tenure to life presidency and leadership perpetuation and from multiparty to one-party systems.

There were growing inequalities, narrowing of the sociopolitical base of governance, the ethnicisation and regionalisation of power and growing corruption and insensitivity to citizen interests. Legitimacy shifted from the people to patronage and primordial networks. Governance became increasingly arbitrary, weak, disorderly and conflict ridden. While service delivery deteriorated, the states acquired more strength in the number and funding of state military and security agencies, and in the exercise of excessive, abusive and repressive force. State leaders have readily visited excessive and atrocious violence on their own people.[64]

Because the state emerged as the main vehicle of capital formation and accumulation, the struggle for power has been intense and warlike. There have been uncertain and conflict-ridden political successions, and flawed and contested elections in countries such as Kenya, Zimbabwe and Nigeria, which have resulted in large-scale violence, killings and destruction. The constriction or even blocking of civil pathways to power has led to the development of violent alternatives. Military coups, insurgencies and violent factional conflicts have become the instruments by means of which rival claimants, contenders and the opposition fight their way to power.

Because politics has been a 'zero-sum game' and the capture of state power a matter of life and death, violence – which has been pervasive, extensive, punitive, brutal, horrendous and destructive – has become a major instrument of politics.[65] In some states, violence has become instrumental and a resource for the creation of an environment in which arbitrariness, excessive force, abuse, corruption, and accumulation and resource capture flourishes.[66]

The nature of politics has been inimical and subversive and has undermined development. Patronage politics in the context of economic decline has tended to exacerbate corruption and violence. Rent-seeking politics has undermined productive activities and created a bogus, consumptive and ostentatious lifestyle and import dependence.[67] The centralisation, concentration and personalisation of power and the politicisation of governance apparatuses and state institutions have delegitimised the state, obstructed collective decision-making, constricted citizen

participation, encouraged corruption and arbitrariness, destroyed the integrity of state institutions and weakened the efficient operation of the economy and the social sector.

The nature of statehood that has been constructed was therefore weak, inappropriate and ineffective. The African states failed to create political institutions that engendered support.[68] The ruling and governing elites were unable to achieve a coherent ideology for development, social reform, political and social mobilisation, competitive political action, ethnic, religious and regional integration, and effective guidance of social and economic policy and commitment to the future.[69] The consequences of the nature and exercise of power and its consolidation were evident even by the mid-1960s, in the form of legitimacy crises, social unrest and tensions, occurrences of military mutinies, insurrections, military coups and civil wars.

State weakness, fragility and collapse in Africa

Apart from Botswana and Mauritius, which have had sustained democracies and a semblance of stability and prosperity, African states have generally been weak or in decline, fragile or collapsing. In fact, Osaghae's observation that many states in Africa are fragile and distressed[70] was reiterated in the World Bank report of 2006 that listed 26 fragile states, of which 14 were in sub-Saharan Africa.[71] Sub-Saharan African countries also dominated the lowest rungs of the United Nations Human Development Index in 2006.[72] *Foreign Policy*'s Failed States Index of 2008 listed 11 African states (Chad, Côte d'Ivoire, the CAR, the DRC, Guinea, Ethiopia, Nigeria, Somalia, Sudan, Uganda, Zimbabwe) among the 20 states it designated as weak and failing.[73]

These classifications were based on critical indicators of weakness, fragility, failure and collapse, such as the state of stability, security and legitimisation, the levels of group grievances, factionalisation of the elite and evenness of development, the state of the economy, public services and human rights observances, and the levels of external intervention and displacement of persons.

The major indications of weakness, decline, fragility and collapse of the African states include the following:

- Declining respect for and loss of state authority
- Difficulties in the maintenance of authority over territory and people[74] and the inability to secure borders[75]
- Citizen and group disengagement or exit from the state
- Closed or narrow constitutional and legal channels of regime change, political succession or 'political regeneration'[76]
- An inability to effectively regulate and control society as manifested in the prevalence of smuggling, currency trafficking, money laundering and proliferation of illegal arms and private armies[77]
- A failing capacity to enforce law and order, the rule of law and security
- The collapse of public services, basic state functions, responsibilities and obligations
- An inability to effectively implement public policies[78]
- A growing incapacity to monopolise and control institutions of violence
- A decline in the strength, discipline and cohesion of coercive agencies
- A dependence on private military companies, metropolitan centres, neighbouring countries and others for security and troop support[79]
- An inability to prevent and manage insurgents and external threats[80]
- Military intrusions and retaliations from neighbouring countries

A major indication of state misgovernance and weakness is the prevalence of a politics of violence and of violence in politics. There are strong links between politics, politicians, political elites, the ruling classes and the constitution of irregular and clandestine private armies, task forces and armed bands. Politicians and government officials hire armed bands to fight enemies, arm one group to rout another or use armed proxy forces to create conflict within and between communities and groups. Access to institutions of violence creates a position of strength for which politicians compete either to protect their own positions or to intimidate political opponents.[81]

There is thus a militarisation of politics or the domination of armed politics, with violence being the main method for dealing with political and factional conflicts and elections. Violence is a resource in African politics, which leaders offer in the struggles for recognition, resources, inclusion, claims and concessions, and which political contenders purchase in exchange for funds, protection and positions. Violence has been an effective tool for self-enrichment, the guarantee for political positions, access to strong political leaders and patrons, recognition in the political landscape and expansion of political power and political victories in factional and electoral struggles.

The crisis of governance and development in Africa

Post-independence regimes were primarily concerned with two projects, namely nation-building and economic development. The independence hopes and aspirations and therefore the post-colonial state-citizenry pact revolved around social welfare and economic progress. Therefore, states embarked on state-led socioeconomic modernisation programmes.[82] Initially, there was moderate economic growth, which translated into better social welfare and socioeconomic progress, with the public sector showing remarkable growth in the 1960s and 1970s in line with ambitious socioeconomic programmes.

However, by the late 1970s, economic decline had set in, leading to catastrophic economic failure by the 1980s.[83] By the 1990s, economic decline had almost wiped out initial progress, manifesting in a collapse of export commodity prices, an oil price crisis, exceptionally poor performance and losses in the public enterprise sectors, and corruption and mismanagement that consumed the few resources that remained.[84] States became debt-ridden and had to depend on credit for the acquisition of essential goods. Industrial capacity utilisation declined and states began to fail in providing citizen needs, welfare, wellbeing and progress, culminating in a disintegration of the social contract between states and their citizens.

The fallout of the struggles for power and its consolidation and the ensuing economic downturn was the decline in the leverage of the people, genuine political participation and political representation. These, in addition to the broken social contract, began to translate into crises of legitimacy. The citizens began to react to the growing tensions by means of protests, strikes and riots. With the loss of internal legitimacy, and with ensuing threats to regime power, African states sought and became dependent on and were sustained by the external support from Cold War powers.[85] However, the end of the Cold War and globalisation reduced the support for corrupt, authoritarian and violent regimes, leading to the collapse of regimes such as that of Mobutu in Zaire and in general forced economic and later political reforms on African states.[86]

As a result of the economic crisis, African countries had to solicit credit and assistance from the International Monetary Fund (IMF) and the World Bank. The structural adjustment programmes forced on the countries were harsh and prescribed, among other things, job cuts, devaluation, privatisation, commercialisation, the institution of market forces and import liberalisation. The implementation of these programmes led to unemployment, deteriorating living standards, socioeconomic hardships, the collapse of the social service and welfare systems and further economic decline. These conditions generated political resignation and social apathy, but also heightened ethnic consciousness, religious fanaticism and social dislocation and fragmentation, which were expressed in conflicts, crises and incidences of unrest.[87]

There was a second wave of democratisation in the late 1970s and early 1980s, which saw multiparty elections in Ghana, Nigeria, Senegal and Burkina Faso. A third wave of democratisation, which was widespread and profound, began in the late 1980s and early 1990s and was driven by citizen groups and protesters. It generated so much hope and expectations that some christened it the 'second independence'. During this period, many African countries embraced political reforms and opened up their political spaces to pluralism by conducting multi-party elections.

However, apart from Botswana, Mauritius and South Africa, where democracy and democratic governance have been fairly successful, democracy has remained tenuous and unstable and democratic consolidation has been slow. Fragile and failing democracies are still found in Burundi, Sierra Leone, Mozambique, Angola, Mali, Rwanda, Algeria, Congo-Brazzaville, Nigeria, Togo, Zimbabwe, Kenya, Equatorial Guinea, the CAR and São Tomé and Príncipe. Pseudodemocracies with election tags exist in Togo, Cameroon, Gabon and Uganda. Democratisation in Niger and Guinea has failed because of military interventions, while that of Madagascar, Côte d'Ivoire and Guinea-Bissau has fallen prey to poor leadership under the chokehold of greedy elites. Libya and Egypt have autocratic, and Morocco and Swaziland, monarchical regimes.

Africa's governance crisis has remained profound, extensive and prolonged. Governments have been insensitive to the interests and aspirations of the citizens, eroding their participation and accommodation, disconnecting them from the state and governmental concerns and alienating them.[88] Further, governments have been characterised by ineffective administration, ineffective control and command of resources, inconsistent and poor management of economies and development.[89] In the final analysis one could say that human security has been sacrificed for regime survival and security.

The states are not held accountable and in fact, as Baker notes, 'unaccountability is extensively institutionalised in Africa', largely because of feeble legislative oversight, opaque business dealings and corrupt elections and electoral systems, exacerbated by the inability of the judiciary, civil society and anti-

corruption agencies to call public authorities to account.[90] Corruption has increased the cost of governance, starved and devastated public services, inflated recurrent and operating costs, made administration perverse and cumbersome, undermined development efforts, diverted capital to foreign banks and scared away investments.[91]

The nature of African politics and the public arena it created simply did not facilitate good governance and development. Rather, as Chazan et al note, it prevented any real representation and participation, popular engagement in public policy formulation and direction, meaningful access to government, meaningful deliberations and consultation and consideration of public interests in the public agenda.[92] There was no public consent, constitutional and popular checks and restrains were weakened, decision-making power was limited to a few persons or groups, diversity of opinion, criticism and dissent were constrained and popular influence and pressure on governments were limited.

In addition, governmental capacity and effectiveness were undermined. Larger bureaucracies remained inefficient, incompetent and weak, but led to larger governance costs, which left few resources for development. The politics of accumulation made entrepreneurial endeavours unnecessary for leaders, patrons and clients and futile for others and therefore dissociated wealth from entrepreneurial activity.[93] The expansion and politicisation of the security agencies generated ambitions, increased expenditure, introduced divisions and conflicts and turned the military into an intervention force in politics, government and society. As a consequence of the above, most states in Africa failed to achieve economic progress and wealth or guarantee citizens' wellbeing and security.

Case analysis: state, governance, development and human security crises in Nigeria

The misfortunes and sorry situation of African states, and the governance and development crises can be illustrated with reference to Nigeria. With a population of about 150 million and vast human and natural resources in arable land, minerals and particularly oil and gas, Nigeria is regarded variously as a sleeping, crippled, prostrated or dying African giant.[94]

Nigeria is about the seventh largest producer of crude oil in the Organisation of Petroleum Producing Countries (OPEC) and the largest in Africa. It has earned over US$400 billion from oil exports. As oil and gas revenues increased, agriculture and the production and export of other minerals declined, leaving the country with an economy, in which oil and gas account for more than 95 per cent of export earnings and 80 per cent of federal government revenues. In the mid-1960s, Nigeria was on a par with or better than most of the Asian countries, but typical of most African countries, it is very far behind them today. It now occupies the unenviable position as one of the poorest and most fragile states of the world.

The economy has been in decline since the early 1980s, and has grown only marginally since the late 1990s. The non-oil sector, particularly agricultural and solid mineral production and exports, has suffered a huge decline. Industrial capacity utilisation is less than 30 per cent and the country remains very import dependent. Public utilities and social services are inadequate, inefficient and shoddy and public infrastructure is collapsing. The currency has been falling against major world currencies since the late 1980s. Poverty has deepened and living conditions and material wellbeing have declined steeply. The per capita income in 2002 was about a quarter of that in the mid-1970s,[95] while the poverty rate has increased from about 46 per cent in 1976 to about 76 per cent in 2009.[96] Infant and maternal mortality rates are among the highest in the world.

The leadership has been extremely self-interested and self-seeking, uncommitted, exploitative, corrupt and oppressive. State officials are some of the best paid in the world, and yet lo ot the treasury. Political leaders politicise identities and create divisive platforms to acquire power and resources that lubricate patronage systems. Critical national and development issues are addressed through the prism of ethnic interests. Rarely do public institutions work effectively or are officials impartial and fair, for elite group interests take precedence and create an environment of arbitrariness and abuse of power.[97] Public offices and resources are privatised for personal and primordial benefit.

The nation's vast resources have been wasted and mismanaged or stolen and laundered by means of a host of self-interested, inconsistent, inappropriate and misplaced policies and corruption. Public officials and public sector management are wantonly profligate, wasteful and ostentatious. Public institutions, social services, the educational and health care systems and most public agencies are seeking medical treatment abroad (particularly in India and South Africa), while many Nigerians now attend universities and postgraduate schools in Europe, South Africa and Ghana.

As the state has failed to perform its critical roles, citizens and communities have resigned themselves to providing basic social services such as water and

electricity for themselves, at least most of the time. There is huge insecurity of lives and property because of high violent crime rates. Neighbourhoods and communities provide their own security and safety, sometimes by hiring ethnic militia group members. Deepening poverty and lack of state support have frustrated citizens and driven some to crime. Many have also joined social enclaves based on religious fundamentalism, cultism and banditry, primordial enclaves such as communal, ethnic, religious and regional groups, and political enclaves such as patronage and violent networks in search of platforms for social assistance.

The nation has been devastated by deep ethnic, regional and religious divisions and conflicts.[98] The violent and deadly contests for power have produced a regime of assassinations, unresolved murders, electoral violence and violent clashes. Inter- and intra-communal and ethnic conflicts, and inter- and intramilitia, cult and religious group clashes, have led to a condition of pervasive social strife, social unrest and youth restiveness, which have caused numerous deaths and displacements. About 30 000 people are estimated to have died in community and political violence between 1999 and 2009, while about 3 million were displaced.[99] The politics of exclusion and the use of the state mainly to dominate and deprive excluded groups of political participation and benefits have heightened ethnic nationalism, self-determination struggles and identity conflicts, and produced ethnic militias in almost all regions, as well as violent and militia-based insurgency in the Niger Delta region since the late 1990s.[100] The Nigerian military struggled to contain the insurgency in the Niger Delta until a disarmament, demobilisation and rehabilitation programme was accepted by the militias in October 2009.

The nation-state project is still challenged by the forces of regionalism, ethnicism, religious fundamentalism and struggles for control of state resources. Apart from the 1967–1970 secessionist civil war, there are still forces fighting for self-determination and separatism in deep south, southeast and southwest Nigeria.

Responses of citizens and popular groups

The decolonisation and immediate post-independence eras in Africa were years of activism and hope for the ordinary citizens as they joined the protests against colonial rule, responded to the nationalist sentiments and joined the struggle for decolonisation. There were huge aspirations that indigenous rule would accelerate development and social wellbeing. After independence the citizens sought avenues for more engagement, for state intervention to alleviate their social problems and for state-directed development. These hopes began to turn to dust when the citizenry was ditched and its participation, relevance and interests rubbished by the ruling class in the struggle for consolidation of state power. In fact, the ordinary people were marginalised and excluded from the 'mainstream of political power and patronage'.[101]

As rights were progressively eroded, power became more exclusive and based on ethnic, regional and religious interests, and as elections became less competitive, courtesy of the monopoly of political institutions by elitist groups, and the state became predatory, courtesy of authoritarianism and repression, the citizens became frustrated, alienated and apathetic. The expectations of development began to fizzle out by the early 1970s as economic decline and crises set in among the poor and peasant classes alongside the growing mass of unemployed. As the economic crises worsened into the 1990s, the vulnerable groups were neglected and battered by internal and imposed adjustment and reform policies.

Frustration gave birth to mass social discontent and the response of the citizenry was to exit from engagements with the state and direct their activities, assistance, participation and loyalties to informal and non-state enclaves. When the citizens lost their faith in the state, they first withdrew their support and commitment and then began to sabotage and subvert it.[102] Thus reactions were first characterised by avoidance, escape, protective mechanisms and then circumvention of the state and its authority, laws, regulations and taxes. Later it took the form of emigration or the creation of informal parallel systems such as black markets, smuggling and illegal trading.[103]

Another response was to search for and create alternative support, assistance and security institutions. This led to the emergence of community, ethnic and religious groups, self-help and development associations, neighbourhood and community security groups, and vigilantes. As struggles for power by the ruling class and excluded elites heightened and citizens struggles for survival and livelihoods intensified, opportunities to profit from crime and violence began to emerge, leading to a regime of pervasive crime, violence and violent engagements and to the proliferation of arms and emergence of ANSGs.

By the late 1980s, the persistence of the economic crises, accompanied by pervasive internal conflicts, corruption and violence and deepening impoverishment and human misery, began to generate reactions of anger and

social restiveness. Goaded by increased state authoritarianism and declining fortunes under adjustment policies and motivated by the examples of democratisation in Latin America and Eastern Europe, ordinary Africans began to challenge the state, which led to the awakening of civil society in the form of protest movements, struggles against adjustment policies and for political rights, political liberalisation and democratisation. What swept across Africa and most state capitals and major cities and towns was an unprecedented wave of urban riots, street protests and popular violence that forced substantial changes in several countries and opened up the African states to liberalisation in the public arena.

However, because corruption, self-interested government, abuse of power and civil rights, authoritarianism and state violence have persisted, several citizens have remained outside the state and in informal and underground economies and primordial havens. This was not helped by the fact that many of the transition programmes were truncated, the elections were flawed or annulled, and the old constructions of primordial and politicised identity-based power struggles and violent politics were sustained. These have soured the hopes of the post-democratisation wave. To some extent, the state, governance and development crises have persisted. The citizens have remained poor and vulnerable and a new culture of disenchantment and mass social discontent has emerged in several countries. This is evidenced by the persisting emigration, frequent recourse to violent protests, urban and religious riots, the proliferation of arms and ANSGs, recurring identity wars and persisting insurrections, insurgencies and rebellions.

But African citizens are still engaging the states through struggles for relevance and political participation. The citizens remain restive and civil society and ANSGs remain particularly relevant in the areas of citizen engagements and empowerments, communal and individual safety and security as misgovernance, poverty, crime, violence, in security and identity-based tensions and conflicts persist.

The phenomenon of armed non-state groups

Non-state institutions of violence represent the most powerful, explicit and compelling challenge to state structures, state authority, state monopoly and state existence in Africa, and are the most potent instruments or vehicles of state collapse today.[104]

There are two issues here. The first is how the nature of the state and governance constructed a political and public terrain or sphere in which violence and ultimately ANSGs thrive. The second is how the crises of the state and governance have led to the construction of diverse ANSGs.

The nature and processes for the consolidation of power after the post-independence elections were structured in ways that promoted a zero-sum game in politics. This in turn heightened the struggle for power and turned it into warfare, deepened and politicised divisiveness, cast inter-elite power struggles in ethnic, religious and regional moulds, and personalised power. The inevitable outcome of this political reality was violence, which became a tool for either perpetuating the power of one group or appropriating it for other groups.

Elite group struggles for consolidating power turned the state into a rapacious and predatory force. The security agencies became abusive, brutal, suppressive and repressive instruments that were used against the opposition, activists, protesters and citizens. Individuals and groups that dared to criticise, vote against the government or support opposition elements were visited with excessive and indiscriminate force. Particularly, as state officials lost support as a result of increasing corruption, ineffective governance and economic decline and faced growing legitimacy crises, state violence became the instrument to suppress dissent, challenges and resistance. Apart from the security agencies, state elites began to use thugs and armed bands, create militant youth wings of political parties, establish state paramilitary units and militias and support and utilise private militias.

The state thus constructed a terrain of violent politics, made violence a key resource for acquiring and accumulating power, created and made use of entrepreneurs of violence, institutionalised violence in politics, and created a public sphere in which non-state actors were forced into counter-violence as a mode of defence and resistance. ANSGs then emerged from support of state elites, the mobilisation of opposition elements against state brutality and repression, the construction of alternative paths to power and resources and as the last resort of excluded, marginalised and discontented elements.

State weakness, failure and irrelevance are clearly indicated in the militia and rebel movement phenomenon. First, state weakness creates the incapability to maintain a monopoly of institutions of coercion, provide security and maintain

public and social order and peace. Second, the decline of state resources, roles and capacity leads to an inability to provide economic opportunities, social services and facilities, employment and good living conditions. Third, state weakness creates a growing state irrelevance and the promotion of identity groups and movements to fill the vacuum. Fourth, state weakness heightens the quest for identity solidarity, assertion and mobilisation, and creates a fertile environment in which non-state actors can thrive.

Typically, in weak states the non-state actors, groups and individuals take on state roles and fill the vacuum of social assistance, welfare and security and the maintenance of social order, but are not moderated, regulated or organised. In the absence of state control, regulation and any form of lawful deterrence, it is not surprising that the behaviour and practices of these groups become lawless and disorderly. These emergent actors in governance and security thus incubate criminality, excessive and abusive force and violence.

Further, the political and constitutional environment and weaknesses of the African states are fertile breeding grounds for extraconstitutional actions, violent politics, challenges of state authority, political conflicts and hostilities, and deepening identity-based divisions. Even the reforms since the 1980s, in the form of structural adjustment programmes, political liberalisation, state roll-back and privatisation, further weakened the states and prevented them from performing basic and critical functions.

The state and governance crises generated political alienation and discontent, which created the social bases for opposition, challenge and resistance to state authority and in stability, social turmoil and social disorder – conditions for organised crime, smuggling, civil strife, urban riots, banditry and insecurity in which non-state institutions operate and thrive. Vulnerable and dominated groups also used and mobilised ethnic identity and non-state institutions to challenge the state. Thus the state has been more susceptible to challenge.

Weak and deteriorating social services, mass unemployment, poor education systems, economic decline, stagnation and regression, de-industrialisation, urban decay, deepening poverty, collapsing and corrupt law enforcement agencies and widespread insecurity, uncontrolled and ungoverned spaces and weak, unstable and violent terrains are the conditions in which the militias, Islamist militant groups and rebel movements are bred. As Clapham put it, misgovernance in states such as Liberia and Uganda destroyed not only the 'existing basis of statehood' but was 'sufficient to induce resistance'.[105]

The state and governance as victims of ANSGs

State and governance crises did not just generate ANSGs or became manifest through the phenomenon of ANSGs, nor did the latter prove and demonstrate only state and governance crises. Rather, state and governance crises are, in a sense, victims of ANSGs.

In many African countries the phenomenon of ANSGs has revealed deep divisions, lack of discipline, organisational and infrastructure challenges, the poor condition of the military and security agencies, the tortuous hold on power by the political elite, the poor connector attachment between the people and the state/regimes, the fragility of state institutions and the porosity of borders. The ease with which these ANSGs operate or have operated and the difficulties of containing them are clear demonstrations of the weakness and fragility of African states.

However, while state weakness and decline have resulted in a growth in ANSGs, state fragility and collapse have been accelerated by their activities. ANSG participation in insurrection, insurgency and rebellion has created ungoverned and ungovernable areas from which states have retreated, leaving behind a power vacuum. With time, ANSGs become *de facto* governments in these communities and zones, creating parallel or alternate states, with organised structures of policing, crime management, revenue collection and even legal and policy frameworks. It could in fact be said that some have created states within states. Sierra Leone, Liberia, Côte d'Ivoire, Somalia, Rwanda, the DRC, Angola, the CAR and others have all at various times and to a varying extent been victims of state decline and failure, and ANSGs. The worst case has been Somalia, which has been immersed in war, internecine conflicts, pervasive violence, a breakdown of law and order and territorial struggles that continue to this day.

Specifically, ANSGs contribute to state collapse through the following:

- Accelerating the decline of state capacity, collapse of state institutions and failure of state authority
- Facilitating the loss of state-controlled territory and sovereignty and the emergence of ungoverned and ungovernable territorial spaces
- Filling the institutional and governance vacuum left by fragile and collapsing states and constructing alternative political institutions and authority in regions outside state control[106]

- Contributing to the proliferation of arms and ammunition and the commercialisation of violence
- Participating in resource opportunism by the exploitation, plundering and marketing of natural resources and struggles for control of resource and trading sites and routes
- Exacerbating human in security and humanitarian crises through internal displacements, swelling refugee camps, loss of property and livelihoods and horrendous violence against civil populations
- Accentuating the collapse of formal economies by growing underground, informal and illegal economies
- Engaging in violent confrontations with state military forces and other ANSGs and causing insurrections and civil wars
- Facilitating the disintegration of state military forces, the collapse of governments, and the takeover of territories and even state capitals
- Facilitating the emergence of diverse enclaves, held either by states or rebels and of multiple political authorities and governance systems

ANSGs thus accentuate the indicators and consequences of failing and fragile states. Their actions and activities are directly related to the emergence or heightening of the above conditions, which reflect not only fragility and deterioration, but the steady decline to total collapse.

CONCLUSION

ANSGs have been closely linked to the nature of African states and how they are governed. This chapter has attempted to link the rise of the phenomenon of ANSGs to the struggles for power and its consolidation and the nature of politics and governance in Africa.

I have shown that both are linked to deficits in leadership, administrative and institutional capability, internal and political legitimacy and inequitable distribution of national resources. These have taken their toll on the economy, social and public order and political stability of states and have weakened the very fabric of African society – its social existence, social realities and livelihoods, social coherence and harmony, social confidence and trust. With little capacity, dwindling resources and declining legitimacy, the state could no longer guarantee socioeconomic progress, civil, individual and group rights, or security. These

created a quest for primordial identities through which citizens could assert themselves, and opportunities for non-state actors in the form of diverse groups and even ANSGs to challenge state power and roles.

In view of the connection between ANSGs and the state and governance crises, the best approach to containing their threats to human security will entail extensive reconstruction, rehabilitation and reform of state and governance institutions. This should be the task mainly of African leaders who should put the African people at the centre of the state's existence. While external interventions could make a positive contribution, their aim is primarily to promote Western interests. Even governance prescriptions by international financial institutions have generally been misguided and externally imposed, and in most cases compounded the state and economic crises. Though commendable, external support is at present beggarly, self-interested and proselytising. Autochthonous effort is superior, reflects actual challenges and aspirations and is far more sustainable. Africans should therefore reconstruct African states and governance systems by themselves in line with their hopes, needs, realities and existence.

The challenge is to rebuild the kind of states that the people actually yearn for: states that are responsive and sensitive to citizen pressures, guarantee human security and manage state affairs in a transparent and accountable manner. African leaders, popular groups and activists have to form state-citizenry pacts, build state and institutional legitimacy and credibility, establish new platforms for mobilising the citizenry and build new commitments and followership towards the new Africa envisioned at independence.

African states would have to do more in terms of building inclusive and integrated political communities, mediating between groups, divesting themselves of excessive force and authoritarian tendencies, building systems of dialogue, negotiating and reaching consensus with groups and opposition elements, constructing secure and safe terrains devoid of the profits of violence, building platforms for mobilisation of common commitments and productive engagements and building capacity for conflict resolution and the promotion of peace. But the most important and daunting challenge is to build quality leaderships that can move Africa forward. The present crop of leaders is still corrupt and self-interested; and national, visionary, credible, selfless, committed and transparent leaders clearly remain in short supply. Present-day African leaders have played a major role in weakening the state capacity to govern democratically and justly, and instead have created conditions leading to the formation and continuation of ANSGs.

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Part II
Case studies

Chapter 6

Marginalisation and the rise of militia groups in Kenya: the *Mungiki* and the Sabaot Land Defence Force

Adams Oloo

INTRODUCTION

In the last four decades there have been increased incidences around the world of the emergence and activities of militias, as well as armed opposition and Islamist militant groups. In Africa, many countries are hosts to such groups, with the most affected being Somalia, Nigeria, the Democratic Republic of Congo (DRC), and Sudan. In Kenya, militias emerged as a result of bad governance, which has led to the marginalisation of communities, economic disparities, a rise in poverty levels, and the inequitable distribution of national resources and services. In this chapter two, militia groups in Kenya are studied, namely the *Mungiki* and the Sabaot Land Defence Force (SLDF), and the formation, agendas, leadership, organisation, activities, impact and state responses to these two militia groups in Kenya are addressed.

THE STATE, ETHNICITY AND MILITIAS IN KENYA

State policies in Kenya since independence have resulted in horizontal inequalities or systemic inequalities between groups. The inequality between groups has

generated powerful grievances that leaders exploit to mobilise people to political protest by calling on cultural markers (a common history, language or religion), thus exploiting the masses at group level. Mobilisation is particularly likely where there is political as well as economic inequality, not only because group leaders are being excluded from political power but also because most members of the group are economically deprived and consequently harbour significant grievances.

Studies suggest that in Kenya, the capture of state power by the Kikuyu and kindred groups (the Meru and Embu) systematically improved the chances of access to development resources of these groups, as well as to employment and education. All of this created a feeling of marginalisation among other competing ethnic groups. This was especially true of large ethnic groups such as the Luo and Luhya, and later the Kalenjin.[1]

Subsequent regimes have attempted to rectify this state of affairs, but the end result has been that policies have ended up being merely a justification for preferential treatment of groups hitherto excluded from such access. Upon coming to power in 1978, the new president, Daniel arap Moi, slowly but surely introduced a rectification process that would, by the close of the century, see the Kalenjin become the successors of the Kikuyu as far as control of the structure of privilege was concerned. The Moi regime, while it lasted, put in place mechanisms that it hoped would ensure that it would not be ousted from power in any future elections.[2] However, this was not to be, as the manoeuvres by the regime in the run-up to the third multiparty general elections in 2002 succeeded in galvanising the political opposition against the regime, finally leading to the exit of the Moi/Kenya African National Union (KANU) regime on 29 December 2002. The national multi-ethnic backing that led to Kibaki's assent to power in 2002 has dissipated, however with Kibaki being accused of favouring the Mount Kenya region in both public appointments and economic endowments. This has contributed to anti-Kikuyu feelings in the country, as demonstrated in the 2005 referendum on the constitution as well as the 2007 general elections.

Politicisation of ethnicity often characterises an inequitable access to power. Such a structure gives rise to the emergence of an 'in group' and an 'out group', with the 'out group' attempting to break the structure of inequality. The response of the 'in group' is to build barriers to ensure the continuation of its privileged position. At the centre of this scenario are the elites who, because they feel excluded or threatened with exclusion, begin to invoke ethnic ideology in the hope of establishing a 'reliable' base of support to fight what are purely personal and/or elite interests. Accordingly, the conflicts in Kenya can take the shape of dominated groups trying to liberate themselves from oppressive systems while dominant groups attempt to maintain the status quo. Such conflicts are normally characterised by inequalities in the distribution of power and resources.

In Kenya this state of affairs has resulted in various ethnic groups creating political parties headed by one of their own in the hope that if they capture power, they will benefit from access to state resources.[3] Electoral politics in Kenya thus consists of highly cohesive bloc-voting ethnic groups. Kenyans generally vote for the same party as their ethnic kin, and particularly so if a contending party has a representative from their own community as a presidential candidate. Consistently, parties have been formed at the behest of a single leader who provides financial patronage and who draws a core of founders linked more by personal ties forged in the ethnic arena than by ideological commitment. Even where coalitions have been formed, they have been coalitions of ethnic groups rather than coalitions of parties that share the same ideological commitment.

The formation of political parties along ethnic lines has been accompanied by the formation of militant groups that claim to safeguard the interests of their specific communities. These groups have been manipulated by the political elites to fight against their marginalisation by violent means. Indeed, these excluded groups are generally severely economically deprived and lack access to political power. Because of their economic situation, they have little to lose by taking violent action – in fact, some gain from it by obtaining some form of employment in rebel armies, which are likely to sanction looting and other illicit gains.[4] While the militia groups initially grew out of the need to champion the cause of a particular ethnic group, these militias have over time turned against their own communities. This trend has mostly been influenced by the need to survive the harsh economic disparities prevailing in the country.

This rise in militia groups in Kenya has also been linked to the government's inability to provide security and deal with criminal gangs. An inadequate security and justice system and weak state penetration have led to the emergence of 'ungovernable areas' in some parts of Kenya, notably urban slums. This has facilitated the expansion of militia and vigilante groups. These outfits draw from a pool of young, unemployed men and are particularly mobilised by local leaders during pre- and post-election years.

THE ORIGIN AND RISE OF MILITIA GROUPS IN KENYA

The history of militias in Kenya can be traced to the war waged by the *Mau Mau* against the British in the 1950s. The *Mau Mau* was an armed group of Africans –

predominantly Kikuyus – that rose up in protest against white rule. Among the grievances that led to this revolt were land scarcity, forced labour and meagre wages. The movement was, however, suppressed after a state of emergency was declared. Although the movement was eventually subdued, its contribution towards accelerating the pace to independence was immense.

In post-independence Kenya, the phenomenon of the militia group has its roots in the creation of a youth wing by the former ruling party, KANU. The KANU regime first used its youth wing to harass the first opposition party, the Kenya African Democratic Union, which existed for only one year after the attainment of independence. However, youth-wingers were used more forcefully after a split in KANU saw the formation of the Kenya People's Union (KPU). KANU on various occasions deployed the members of its youth wing to intimidate and harass KPU supporters. The presence of these youth-wingers persisted even after the proscription of the KPU in 1969. Thereafter, all elections during the one-party era witnessed violence meted out by youth-wingers, with prominent politicians hiring them to harass and disrupt their opponents' rallies. The youth-wingers served as a breeding ground for the rise of criminal gangs and militias after the country returned to multipartyism.

More specifically, the youth-wingers were instrumental in the formation and rise of the *Mungiki* in the post-1992 election period. They initiated militant resistance against groups that had been unleashed on the Kikuyus in well thought out violent attacks to rid the Rift Valley of 'outsiders'. The *Mungiki* was forced to use a similar tactic to save its own.

During the multiparty period and particularly during the reign of Moi and KANU, these groups transformed themselves into criminal gangs and militias and through their violent acts intimidated and disenfranchised opposition supporters, especially in areas that were designated as 'KANU zones'. In 1992, these groups were operating mainly from Moi's political base in the Rift Valley, where the *Kalenjin Warriors* and *Maasai Morans* attacked rival ethnic groups. In 1997, these groups were being trained and armed in the Coast province (Kaya Bombo) and recruited, trained and organised in the Shimba hills, Kaya Waa and the Similani caves in the Kwale district, at the instigation of prominent politicians and with the support of the government and the military. They were subsequently deployed to foment ethnic violence in the run-up to the 1997 elections at the Coast.[5]

As opposition groups became increasingly vulnerable to these state-sponsored militias, they resorted to creating their own militia groups to counter the state-sponsored militias and to provide protection for opposition parties during election campaigns. Some of the opposition-sponsored criminal gangs and militias were the *Jeshi la Embakasi, Baghdad Boys* and *Amachuma*.

The result has been a growth of self-styled militias, vigilante groups and organised criminal gangs in both urban and rural areas that have sprouted in almost every part of the country, posing an increasing challenge to a poorly trained and ill-equipped police force. The most notorious of these gangs were the *Mungiki* (Nairobi/Rift Valley/Central), SLDF (Mount Elgon), *Kaya Bombo Youth* (Mombasa/Kwale), *Sungu Sungu, Chinkororo* and *Amachuma* (Kisii/Nyamira/Gucha/Transmara) and *Taleban, Jeshi la Mzee* and *Jeshi la Embakasi* (Nairobi).

Table 6-1 shows the criminal gangs that are in operation in Kenya and the areas in which they operate.

Table 6–1: Criminal gangs in Kenya

Criminal gang	Area(s) of operation
Amachuma	Kisii/Nyamira/Gucha
Angola Musumbiji	Western/Nairobi
Baghdad Boys	Nyanza/Nairobi (Kibera)
Banyamulenge	Nairobi
Charo Shutu	Mombasa/Kwale
Chinkororo	Kisii/Gucha/Transmara
Dallas Muslim Youth	Nairobi
Ndombolo ya Yesu	Nairobi (Kibera)
42 Brothers	Nairobi (Kibera)
Jeshi la Embakasi	Nairobi (Embakasi)
Jeshi la King'ole	Machakos/Makueni/Kitui/Mwingi
Jeshi la Mzee	Nairobi
Kalenjin Warrriors	Rift Valley
Kamjesh	Nairobi (Embakasi/Kasarani)
Kaya Bombo Youth	Mombasa/Kwale
Kosovo Boys	Nairobi
Kuzacha Boys	Nairobi (Kibera)
Maasai Morans	Rift Valley/Nairobi

Mungiki	Nairobi/Rift Valley/Central
Runyenjes Football Club	Embu
Sabaot Land Defence Force	Mount Elgon
Sakina Youth	Mombasa
Sri Lanka	Kuria/Transmara
Sungu Sungu	Nairobi (Kibera/Kasarani)
Taleban	Nairobi

Source: author's compilation.

Most of these groups share a number of characteristics, the most common being their ethnic orientation. All the militias operating in the country have an ethnic composition as a result of the manner in which the regions in Kenya are populated. Each region is associated with a certain ethnic group, and consequently most militias and criminal gangs are formed around a certain ethnic group. Most of the criminal gangs and militias that emerged with the re-introduction of multiparty politics were accordingly mobilised around ethnic identities, just like the political parties that were formed. These gangs often operate on the basis of local political concerns and forms of mobilisation, which may include language, faith and traditional practices.

Thus, the *Mungiki* is associated with the Kikuyu, the *Baghdad Boys* and *Taleban* with the Luo, the *Chinkororo* with the Kisii, the *Angola-Musumbiji* with the Luhya, the *Kalenjin Warriors* with the Kalenjin, the *Maasai Morans* with the Maasai, the *Kaya Bombo* with the Coastal tribes, and the SLDF with the Sabaot.

Another common feature of these groups is that most are composed of marginalised groups in society, especially the urban and rural poor. Driven by the sheer need to survive, thousands of marginalised youths in Nairobi have drifted into these militant gangs. The groups are on numerous occasions hired by politicians for around 250 Kenya shillings a time to unleash violence on their opponents. Some provide vigilante security in working class estates.[6] This underscores the fact that the genesis of these militias and criminal gangs is tied to the inability of the government to address its basic welfare responsibilities.

THE *MUNGIKI*

At its inception the *Mungiki* was basically an outfit whose main agenda was the economic emancipation of Kikuyu families that had been forcibly evicted from their homes in Rift Valley province owing to the political tensions that accompanied the re-introduction of pluralism in the early 1990s. Initial disciples were young people who had lost land that had been their only means of livelihood in parts of the Laikipia and Nakuru districts. From this start as a quasi sociocultural religious entity, the *Mungiki* has grown into a formidable militant group in Nairobi, Central and parts of Rift Valley provinces. This group espouses pseudo-communist ideals (such as pooling resources and holding land in communal trust) clothed in sociocultural epithets of communal justice and equity. This has enabled it to appeal to many landless, homeless and jobless youths. Its members sometimes use violence and threats of force to extort money from farmers and traders in areas where it is active.[7] By March 2009, the *Mungiki* had become what the then Police Commissioner, Major General Hussein Ali, described as the most serious internal security threat to Kenya.[8]

Origin and composition

The term 'Mungiki' is derived from the Gikuyu word *muing*, meaning masses or people.[9] There is consensus among scholars that the *Mungiki* movement started in 1987.[10] According to its founding leaders, the *Mungiki* traces its birth to dreams experienced by two schoolboys, Maina Njenga and Ndura Waruinge, in the Rift Valley Province. In these dreams, they claim to have heard God's voice telling them to 'go and liberate my people'. They accordingly decided to form the *Mungiki* after consultations with elders, including former leaders of the *Mau Mau* movement from one of which Ndura Waruinge is descended.[11] The *Mungiki* ranks were swelled by members of the Kikuyu population who were affected by the clashes in Molo, Elburgon, Rongai, Narok and Eldoret in 1991 to 1993 and Njoro and Laikipia in 1998. The *Mungiki* traces its roots to this particular period because of the marginalisation of the Kikuyu population and the sufferings that emanated from the ethnic clashes in the countdown to the 1992 general elections that primarily targeted the Kikuyu population in the Rift Valley. The Kikuyu saw the *Mungiki* as the saviour of its ethnic group in times of adversity as it repulsed its attackers.

While the movement seemed not to have a clearly spelled out programme and agenda, its plan in the early 1990s was to mobilise its members against the government, which it accused of starting and fuelling ethnic clashes. Reminiscent of the *Mau Mau* style of mobilisation of the 1950s, the *Mungiki* reportedly began administering oaths as a way of uniting its members. The *Mungiki* has several

faces: the social cultural face (a snuff-sniffing, dreadlocked variety that is dying off), an economic face (mainly seen in the *matatu* industry) and the security criminal face.[12]

Recruitment takes place in four ways: people who just stroll into one of its religious meetings out of curiosity, are inspired by its teachings and join the group; those who have heard about the movement from colleagues and friends or in the media and decide to join; those who have been recruited through forceful oath-taking that binds them to the ideals of the militia; and those who join because they have been endeared to the successful social activities of the group. The latter activities include restoring security in the slums or along *matatu* routes.[13] Recently, the gang has resorted to brutal methods, which include blackmail, violence and death threats, to force young men to join its outfit. In one case it sawed off the arm of a man in Nyeri when he declined to join, but there are indications that hundreds of others have enlisted for fear of being killed. The brutal tactics resemble those of the SLDF, which slashed off people's ears and fingers to force them into submission.[14]

The *Mungiki* maintains control over its followers though a series of oaths, starting with the oath of initiation, called *kuhagira*. Other oaths include an oath for repentance, called *horohio*; one to prepare for combat, called *mbitika*; and a continuous oath called *exodus*, which signifies the sect is nearing Canaan, or victory.[15]

Its membership cuts across all ages and sexes but draws the bulk of its followers from the lower classes, mostly former street children, unemployed youths, hawkers, artisans, small traders in the *Jua Kali* (the informal sector), and the alarmingly growing number of urban poor from Nairobi's slum areas of Githurai, Kayole, Dandora, Korogocho, Kariobangi, Kawangware, Kibera, Mathare and Kangemi. It also has a strong constituency among the landless, squatters and internally displaced persons (IDPs) in areas in the Rift Valley such as Londiani, Eldoret, Molo, Olenguruone, Elburgon, Subukia, Narok, Nakuru, Laikipia and Nyahururu. It is estimated that the *Mungiki* has between 1,5 and 2 million due-paying members, of whom at least 400 000 are women.[16]

The *Mungiki* does not have a highly centralised organisational structure but its leaders head various efficient units. There is an operational unit consisting of spiritual enforcers who fan the mysticism and cultural romanticism that glue members together. The unit announces the declaration of oaths, distributes the oath-taking paraphernalia, and collects money from cells to implement the spiritual leader's projects. The defence unit is the army that has bases in the Nyandarua district, in Umoja, Dandora and Ngara in Nairobi, and in Kitengela. The movement uses arms in robberies and executions. There is also a public relations unit, which issues statements, a foreign relations unit, a co ordination unit, and an administration wing. The group is divided into sub-organisations similar to a 'cell structure' called *matura*, or village units, with each cell composed of 50 members who are further subdivided into five platoons. A committee is in charge of each unit and carries out all sect functions, including oath-taking and recruiting. The organisation reportedly has 'tens of thousands' of foot soldiers. The *Mungiki's* organisational structure is replicated everywhere, especially in Central Province. In Maragua, for instance, the sect was said to have had more than 200 platoons spread across ten branches and 33 sub-branches manned by more than 2 000 militiamen by the year 2000. A platoon comprises ten militiamen, each with a personal registration number.[17] There are currently an estimated 2 000 such units.

The *Mungiki* operates with a chilling set of rules and a strict code of conduct. *Mungiki* operatives stick to the 48 rules of the gang, which call for unpredictability and invisibility. Most of these rules revolve around personal survival, alertness, courage and conquering tactics. The rules urge members to spy on others and always be aware of what is happening around then and to be open to possibilities for extortion.[18]

Religious roots

The *Mungiki* rejects Western customs and has, since its inception, sought to bring about the renaissance of the Gikuyu culture as a first step towards the liberation of the people. It advocated the return to traditional beliefs and practices and stressed the lost glory and dignity of the *Agikuyu*, which it sought to re-establish in the 'Kirinyaga Kingdom'. The fundamental principles of the *Mungiki* are cultural self-determination, self-pride and self-reliance. To this end, it has utilised traditional methods such as prayers, songs, prophetic utterances and oath-taking and initiation rites to censor the forces of neo-colonialism. These have been used to protect and uphold such basic values as a belief in God (*Ngai*), reverence of ancestors, belief in the sacredness of land, and respect for moral values. According to *Mungiki* tenets, the cultural re-engineering of the *Agikuyu* should apply to the whole country irrespective of differences in culture. The meshing of political and

religious themes is evident in *Mungiki* hymns and prayers. Mount Kenya (*Kirinyaga*) is believed to be the holy dwelling place of *Ngai* and members look for signs from the god, turning their faces towards the mountain in prayers and hymns.[19]

Experts are still divided as to whether the *Mungiki* is a religiocultural or a political entity. Those who see it as a religious entity include Grace Wamue and Kwamchetsi Makokha.[20] Wamue's insightful account relates to the spiritual and cultural philosophy surrounding the *Mungiki*'s activities. The *Mungiki* calls for a return to African traditions and spirituality as a means of resolving social problems. It rejects Christianity, stating that it corrupts African values. The *Mungiki's* main objective, Wamue argues, is 'to mobilise Kenyan masses to fight against the yoke of mental slavery.'[21] The *Mungiki* sees the Bible as a tool of confusion, referring to it in Gikuyu as '*gikunyo*' (meaning binding or imprisoning). The movement has adopted Gikuyu religious rituals and cultural symbols, including the use of tobacco snuff. Members of the movement refer to themselves as 'warriors' in keeping with ancient Gikuyu social structure.[22]

Makokha argues that the *Mungiki* has grown out of the mysterious and little understood ideology and theology of the group. Its members have a god on Mount Kenya whom they worship and to whom they pray. In his opinion, the movement could actually be religious and may just be unsure about what doctrine to follow.[23]

However, the *Mungiki*'s adherence to traditional Kikuyu religion has been questioned, particularly because its leaders keep shifting their religious affiliations. For instance, the conversion of its leaders to Islam and Christianity creates more doubt given their stance against the latter. At some point in mid-2000, the *Mungiki* started to gravitate towards Islam. Eventually, on 2 September 2000, at a ceremony held in Mombasa's Sakina Mosque, 13 of its leaders (among them Ndura Waruinge, renamed Ibrahim), converted to Islam. Others included former member Mohamed Njenga and provincial coordinators Hassan Waithaka Wagacha, Mohamed Kamau Mwathi (Nairobi), Kimani Ruo Hussein (Rift Valley), and Khadija Wangari representing women.[24] In the months that followed, hundreds of ordinary *Mungiki* members, especially from Nakuru in the Rift Valley, converted to Islam, enrolled in Islamic classes, and received books and other materials on Islamic doctrine from Kenya's Muslim community.[25] This move was seen largely as a means of camouflage in the face of repression, as most members of the sect tended to emphasise the political rather than the cultural/religious motive behind the *Mungiki*'s Islamisation. This demonstrated *Mungiki's* tactical use of religion to promote its objectives.

After being exposed as a collaborator with the state, Ndura Waruinge, the *Mungiki*'s national coordinator, announced that he had left the movement. He staged another conversion, this time to Christianity, and changed his name to Ezekiel Waruinge. Maina Njenga found himself at odds with the new government and was subsequently arrested on murder charges in 2004, but later acquitted. He was re-arrested in February 2006 and held in prison on charges of administering an illegal oath and possession of weapons. In February 2006, while in custody at Kamiti Maximum Prison in Nairobi and awaiting trial, Njenga announced that he had converted to Christianity and was baptised in a publicised ceremony at the prison. In June, he was sentenced to five years' imprisonment for illegal possession of a gun and marijuana.[26]

Evidence collected by Ruteere shows that the characterisation of the *Mungiki* as a religious movement is a deliberate tactic on its part. This strategy has served the movement well, for it has helped to attract sympathy from human rights organisations. After the government's initial crackdown on the movement in the early 1990s, the *Mungiki*'s leaders sought protection from human rights groups. In fact, for several years, *Mungiki* members provided reliable information on prison conditions and gave detailed descriptions of the inhumane activities in Kenya's prisons to the Kenyan Human Rights Commission.[27] This overture helped the movement popularise its case within international human rights groups such as Amnesty International and Human Rights Watch. In its annual human rights reports, the US State Department regularly mentioned the *Mungiki* as an example of religious persecution by the state.[28] The treatment of the group as one being persecuted, as reported by the UN Special Rapporteur, Philip Alston, can also be seen in this light.

In the light of these activities, the *Mungiki* could be regarded as having a political rather than a religious mission. This school of thought argues that the *Mungiki's* politics reflects a keen sense of frustration with the political system in which its followers' voices are barely heard. *Mungiki* members claim to represent the unfulfilled aspirations of the *Mau Mau*, for an alternative political dispensation.[29] Like the *Mau Mau*, the land question is central to their politics. The movement is built on dissatisfaction with marginalisation and deprivation of its constituency. This explains why the movement has been successful in recruiting

members from among the squatters and slum dwellers.[30] Thus, although the *Mungiki* is depicted as a religious organisation or as a religio-cultural organisation, it remains to a large extent an entity searching for power, particularly political power.

The quest for a living: tactics and strategies

The *Mungiki* is the most lethal militia group currently operating in Kenya. To meet its objectives, it has adopted the use of 'cells' similar to those used by *Al-Qaeda* to spread its influence and control over ethnic enclaves in primary market areas.[31] In these communities, the *Mungiki* has taken over the provision of services such as 'supplying' water and electricity, management of transport, levying illegal taxes and extorting protection money. Organised crime's tool of choice for infiltrating and taking over communities and neighbourhoods is fear: instilling it and exploiting it. People are mugged and brutalised, and businesses vandalised. Then victims are offered a guarantee of safety for themselves, their families and their premises, in exchange for a fee. Those who resist are killed or maimed to serve as an example for others and to close the circle of fear. Those who comply resign themselves to a life of servitude and exploitation.

Working in a tight, disciplined manner, the *Mungiki* has taken over the provision of such 'services' in Central Province and parts of Nairobi city, and replaced administrative chiefs and assistant chiefs who dealt with matters such as the arbitration of family disputes.[32] In some parts of Central Province, *Mungiki* gangs have taken over control of villages. The *Mungiki* has managed to set up what can only be described as a parallel government, a so-called *Mungiki* government, complete with its own elaborate tax collection machinery and a judicial system to boot.[33]

In parts of Nyeri and Kirinyaga, vigilantes have taken on the *Mungiki*, but in Murang'a, and especially the South District, bands of organised *Mungiki* youths man the feeder roads, beginning from the main Murang'a–Makutano road. Every vehicle leaving the main road and entering the interior is stopped at makeshift roadblocks and the driver has to pay 50 Kenyan shillings. In this area villagers are charged for any commercial venture, however minimal.[34]

The *Mungiki* obtains funds from membership dues, garbage collection, extortion money from residents for protection against theft and property damage, fees for the use of public toilets, income from control of *matatu* (a form of public transport) routes, charges to small businesses, and donations from politicians and businesspeople.

Each *Mungiki* member pays 3 Kenyan shillings per month, which according to the then national coordinator, Ndura Waruinge, added up to a total monthly income of 4,5 million Kenyan shillings by the mid-1990s.[35] However, the precise income from membership remains as controversial as its operations, with figures mentioned by its leaders ranging from 1,5 million to 2 and lately (December 2009) 4 million. In reality the figure could be as low as a couple of thousand, particularly given the demographic pattern of Kenya. The Kikuyu constitutes 22 per cent of Kenya's close to 37 million people. For *Mungiki* to reach a figure of 4 million, close to a half the Kikuyu population would have to be members, and that is not the case.

Collection from the *matatu* industry is also a major source of funding. Before the October 2003 reforms, the *Mungiki* controlled *matatu* operations on busy routes to Kayole, Dandora, Huruma and Kariobangi in Nairobi, while it also controlled and collected levies from routes outside Nairobi.[36] At the peak of its influence, the *Mungiki* is said to have collected at least 10 000 Kenyan shillings per day per route, amounting to nearly 200 000 Kenyan shillings per day from all routes under its control.[37] The gangs collect 200 Kenyan shillings per day from each 14-seater *matatu* and 250 Kenyan shillings from 25-seater minibuses. *Matatu* crews also pay a fee to be allowed to operate, with drivers parting with 1 000 Kenyan shillings and conductors paying 400 Kenyan shillings.

The control of the 'transport levy' has led to constant violent confrontations between the *Mungiki* and other gangs.[38] After the collapse of constitutional reforms in 2005, the *Mungiki* reclaimed its control of the *matatu* industry and tightened its grip on the lucrative *matatu* industry and the low-income residential areas of the city and other urban areas.

It also collects protection fees from slum residents. Households in Mlango Kubwa of Eastleigh, Mathare, Huruma, Huruma Ngei, Kariobangi, Dandora, Baba Dogo and other estates have to pay between 30 and 50 Kenyan shillings each month, shopkeepers pay 300 Kenyan shillings, kiosk and vegetable vendors 150 Kenyan shillings. Chang'aa brewers pay 300 Kenyan shillings a week and vehicles that deliver vegetables to Korogocho and Kariobangi 400 Kenyan shillings per delivery. Trucks that deliver sand, ballast, cement, stones and other building materials to sites in Eastlands also pay a fee. Workers such as masons, electricians and casual labourers at construction sites have to pay an 'access fee' to be allowed

into the yards. The gangs also run illegal water collection points where they charge between 10 and 20 Kenyan shillings for a 20-litre jerry can of water tapped from city council pipes.[39]

In parts of Central Province, the *Mungiki* has been able to set up a formidable motorcycle taxi enterprise whose proceeds are used to bankroll its illegal activities. This, combined with extortion rings operated by the *Mungiki*, has turned the underground gang into a well-moneyed outfit whose kitty runs into millions of shillings. Wealthy politicians and shrewd businesspeople in the province have been financing the purchase of motorbikes and expect political support and protection in return.[40]

Because of *Mungiki* activities, businesses have collapsed in most of the shopping centres in Central Province, as traders have been forced to give up their business because they were unable to pay the protection fees (ranging from 20 000 to 150 000 Kenyan shillings) demanded by the *Mungiki*. Rural areas have suffered too, and tea and coffee farms have been left unattended, for farmers have also fled their homes.[41]

Another source of funds for the *Mungiki* is the Kikuyu political and business elite. This was evident during the 2002 general elections, when *Mungiki* leaders suddenly started driving cars and owning plots and houses in upmarket areas, all without having a permanent source of income. During these elections, members of the group frequently met with KANU politicians and also received money and other items in return for getting members to vote for KANU in the elections.[42] This also happened in the 2005 referendum and 2007 elections, when politicians paid the group to advance their cause. During the post-election crisis, the Kikuyu elites are reported to have paid the group for the reprisals of the killing of Kikuyus.

The *Mungiki* and politics

The *Mungiki's* involvement in politics during the Moi and Kibaki regimes was based on a love-hate relationship. Both regimes tried to seek the *Mungiki*'s support during campaign periods such as the 2002 elections and 2005 constitutional referendum. However, both regimes were hostile to the group in non-election years and prescribed it.

Before 2002, police constantly broke up *Mungiki* meetings, but in the run-up to the 2002 elections the group was allowed to hold rallies in Nairobi, Thika and other towns. Some KANU officials even participated in these meetings and donated money. The movement's link to the government became evident when its two known leaders attempted to run for elections on the ruling party's ticket. However, at the last minute, the ruling party succumbed to popular pressure and barred the *Mungiki* leaders from participation.

During the Moi regime, the group was allowed to demonstrate to show its support for the ruling party while at the same time criticising the-then official leader of the opposition, Mwai Kibaki. At one presidential rally, former Molo member of parliament (MP) Kihika Kimani paraded dreadlocked youths in Nakuru town, introducing them as repentant *Mungiki* followers.

The *Mungiki* entered the political fray in the run-up to the 2002 elections, when its national coordinator, Ndura Waruinge, and the movement's spiritual leader, John Maina Kamunya alias Maina Njenga, joined the Forum for the Restoration of Democracy – Kenya (FORD-K) political party and unsuccessfully vied for positions as secretary-general and vice-chairman of the party respectively. As the battle for Moi's successor heated up, the Moi regime sought to bring the group in to its fold in order to get the Kikuyu youth's support. The *Mungiki* supported KANU's presidential candidate, Uhuru Kenyatta, and on nomination day, hundreds of thousands of *Mungiki* youths marched through the streets wielding *machetes*, clubs or sticks in his support. Kenyatta was later forced to disown the sect as a result of intense public criticism.[43] In addition, two legislators (who were staunch Uhuru supporters then), Kihika Kimani and Stephen Ndicho, threatened to unleash *Mungiki* on those opposed to Uhuru.

The Kibaki regime's interaction with the *Mungiki* has been double-sided. On the one hand, there have been groups that have been sympathetic to the politics of the *Mungiki* leadership in the Kibaki government and used the *Mungiki* when the need arose. On the other hand, there are those of the opinion that the group is a threat to state security and ought to be eradicated. For instance, when the state engaged the gang with the aim of curtailing its operations, it used the *Mungiki* to support its proposals. For example, during the referendum campaign, the then special programme minister, Njenga Karume, and the former *Mungiki* coordinator, Ndura Waruinge, met in Nairobi to discuss how the youth could be mobilised to support the proposed constitution.[44] Subsequently, the *Mungiki* openly came out in support of the government position, holding rallies attended by well-known politicians.[45] This again happened in the countdown to the 2007 elections.

During the post-2007 crisis, with the other ethnic militias in turmoil and the *Mungiki* in disarray after a crackdown on its activities, it took some time for the

militia to regroup. The *Mungiki* acquired the tag of defender of the beleaguered Kikuyu in the Rift Valley and with political and financial support from senior members of the Kikuyu elite, swung into action and attacked members of the Luo, Luhya and Kalenjin groups in Naivasha and Nakuru. The post-election violence may have had the unintended effect of rehabilitating the *Mungiki* in the eyes of the Kikuyu population, as its members were seen to be better protectors of the community than the Kibaki government in face of attacks by ethnic militias.[46]

In April 2008, the group paralysed public transport and forced businesses in parts of Central and Rift Valley provinces to close for four days running; during the unrest 14 people were killed. It was only when the prime minister extended an olive branch to the sect members that they halted their riots.[47] After rejuvenating its image among the Kikuyus in the reprisals after the first round of the post-2007 election violence, the gang has slowly regained its foothold in Central Province, and between October and December 2008 had already set up the necessary mechanism for charging illegal fees on business premises as well as *matatus* and *boda bodas*. During this period the gang executed ten people in the president's Othaya constituency, to prove it would maim and intimidate those who attempted to defy it.[48]

The *Mungiki* has also attracted sympathy from politicians. In April 2008 a group of politicians calling themselves 'elders' from Central Province and comprising Njenga Karume (former minister of defence), Joseph Kamotho (former Mathioya MP), Elias Mbau (Maragua MP) and Jane Kihara (former Naivasha MP), demanded the release of *Mungiki* leaders and the initiation of dialogue between the sect and the government. During this period, the *Mungiki* founded a political wing called the Kenya National Youth Alliance under the chairmanship of one Gitau Mwangi. It was later renamed the Progress Party Alliance.[49]

In February and March 2009, the *Mungiki,* on an number of occasions, paralysed transport in Central, Nairobi and Rift Valley provinces. On 10 March, emboldened by the report of the UN Special Rapporteur on Extrajudicial, Arbitrary or Summary Execution, Phillip Alston, which called for the resignation of the attorney-general and the commissioner of police over extra-judicial killings of its members, the *Mungiki* held widespread protests, paralysing transport and shutting down some towns for long periods during the course of the day. Sect members blocked roads using hijacked long-haul trucks, erected barricades, and

stoned and forced public transport operators off the road. They also forced businesses to close in many parts. The worst-affected towns were Nairobi, Kiambu, Nyahururu, Nyeri, Naivasha, Embu, Nakuru and Molo.

To date the *Mungiki* continues to thrive, as those who have spoken openly against them in the recent past are yet to turn rhetoric into action, even as violence is escalating. In Central Province, politicians appear uncertain over how to contain the *Mungiki* monster. Unable to find the exact cause for *Mungiki* lawlessness, MPs say it is difficult to eradicate the deep-rooted gang. At grassroots level, leaders who have spoken against the group asking residents to report it to the police, have received death threats. On the other hand, residents have accused senior politicians in the region of supporting *Mungiki* activities for political advantage. Some say the support *Mungiki* adherents have been receiving from politicians since the run-up to the 2002 general elections has in fact strengthened the gang.[50]

State response to the *Mungiki*

Right from the time the *Mungiki* was formed, relations between it and the state have oscillated between outright repression and periods of cohabitation. On the one hand, the state has persecuted, intimidated and jailed *Mungiki* followers: the state has always considered the *Mungiki* a clandestine movement that is bent on destabilising the government. On the other hand, government functionaries have made use of the group during elections.

During the Moi regime, the state made various attempts to contain the *Mungiki*, but with little success. The first attempted crackdown by the government took place in December 1994 and resulted in the arrest of 63 suspected members in Laikipia. Subsequently, raids and arrests against *Mungiki* adherents became quite frequent as the government sought to stamp out the group before eventually deciding to collaborate with it in the run-up to the 2002 elections. In fact, from early 2000, *Mungiki* organisers and political leaders had suggested that government security services were infiltrating the sect and setting up pseudo-*Mungiki* to monitor its activities.

As a result of intermittent state harassment, *Mungiki* became confrontational from early 2000. For example, in April 2000, nearly 3 000 *Mungiki* men staged a raid on Nyahururu police station to free three of their colleagues.[51] As a result of

continuous atrocities perpetrated by the *Mungiki* and other militias, the government banned all militias in 2002 and then President Moi ordered a crackdown on all illegal organisations. In October 2002, 26 members of *Mungiki* were jailed for three months, each for criminal activities in Nairobi. However, as the 2002 elections approached, the Moi regime relaxed its clampdown on the *Mungiki*, ostensibly to win its support for the KANU candidate, Uhuru Kenyatta. However, Uhuru lost to Mwai Kibaki, who inherited the *Mungiki* problem.

Under the Kibaki regime, *Mungiki* adherents were harassed, intimidated, persecuted, arrested and killed outside the legal system. As soon as Kibaki took power, the government initiated a crackdown of the group. In early 2003, the police destroyed the movement's headquarters in N g'arua in Laikipia, where the group had two shrines, at Sheria and Mwenje.[52] In reaction and hard on the heels of the transport reforms, on 8 March 2004, the press, citing police sources, announced that a special terror unit known as the 'bagation' squad, a contraction of the words 'no bargain over death', had been formed by the *Mungiki*. The squad has since transformed into the *Mungiki* Defence Council, one of the most influential organs in the movement's hierarchy.[53] Police sources disclosed that at least 50 young people joined the hit squad between January and March 2004. The number rose meteorically in the following months.[54]

The formation of an execution squad was part of a grand effort by the *Mungiki* to reorganise itself to defend its turf. This armed wing was charged with revenge killings of former members and may have been responsible for the trademark beheadings conducted by the group. These beheadings normally targeted either those who deserted or prominent businessmen who had not fulfilled their promises to the group.[55]

There is evidence that the movement adopted a cell system of mobilisation akin to that of an international terrorist group. It set up an elaborate network covering all Nairobi's shanty areas, with platoons operating in the Nairobi slums and hideouts in Mombasa, Murang'a, Nakuru, Nyeri and Laikipia. Once celebrated as a showpiece of efforts by displaced and disinherited *Mungiki* followers to eke out a legitimate living through agriculture,[56] the movement's farm in the Laikipia district became a 'state house' from which the training of its fighters out of sight of security forces was coordinated.[57]

In 2006, this state of affairs forced the police to form *Kwekwe*, a hit squad comprising 14 officers who were sometimes reinforced by colleagues from other units, to fight the sect. Reports by the Kenya National Commission on Human Rights (KNCHR), Phillip Alston and civil society organisations have accused this police unit of killing between 100 and 500 *Mungiki* adherents. In November 2007, the KNCHR released a report suggesting that the police may have executed about 500 suspected *Mungiki* adherents between June and October 2007.[58] The state's brutal clampdown on the *Mungiki* was a response to a series of beheadings in Central Province and the killing by the group of three policemen in the Kosovo area of Mathare.

In the period 2002–2008, the government on numerous occasions, and especially in 2003, 2006 and 2007, initiated crackdowns on the group. However, these initiatives resulted mostly in the group going underground only to resurface a little later. During these periods of repression, the group kept on changing its *modus operandi* so as to elude the police crackdowns. The gang's capacity to mutate when faced with danger has made it very difficult for the state to destroy it. Initially, *Mungiki* members used to be the snuff-sniffing, dreadlocked variety. When it became apparent that this was an easy way for the security forces to identify and track them down, they changed their image to decently dressed young men and women. Recent attempts by the government to curb the *matatu* extortion wing have forced them to dress as modern teens, vendors etc. It is this ability to camouflage and change tactics and styles that has made it almost impossible to pin down the gang.

THE SABAOT LAND DEFENCE FORCE

The SLDF operates in the Mount Elgon and neighbouring Trans-Nzoia districts, which lie close to the border with Uganda on the slopes of Mount Elgon. Members of the Sabaot community primarily inhabit the area, but other inhabitants include the Ogiek, Bukusu, Teso, Sebei and various Kalenjin subgroups. The SLDF, a militia group, came to the fore in 2006 and portrays itself as an organisation fighting against injustice and alleged discrimination in the allocation of land. It lunched attacks against the Luhya, Kikuyu and other tribes, resulting in 600 deaths and close to 60 000 displaced persons.[59] Its hit-and-run attacks from the Mount Elgon forest were a major challenge for the authorities, who were forced in 2008 to resort to the army to contain the operations of the group. Before this operation, the SLDF was the most powerful and best-armed militia group operating in western Kenya.

Origin and composition

The Mount Elgon clashes are a result of the Sabaot displacements dating back to the colonial era and the skewed resettlement programmes since independence in 1963. The conflict was heightened by irregular allocation and grabbing of land in the settlement schemes, illegal resettlement, unhealthy competitive politics, unresolved land claims, and the 2006 evictions by the government.

The government has repeatedly failed to effectively resettle the affected groups in a manner deemed to be equitable to all the parties. Following lobbying by community leaders, the government moved people from Chepkitale in 1971/72 to Chebyuk, where it had opened up the Chebyuk Phase I settlement scheme. The scheme consisted of 1 489 parcels of five acres of land. In 1974, the government further issued a notice to de-gazette portions of the forest reserve consisting of 3 600 acres for resettlement. Unfortunately, this degazettement was never finalised. Instead, in the same year the landless Soy sub-tribe was added to the scheme and occupied what is now known as the Teremis sub-location, while the Mosop occupied the Emiya sub-location.[60]

In 1979, a group of Sabaot leaders sent a delegation to then President Moi asking him to resettle the landless Sabaots. This resulted in Chebyuk Phase II, known as Cheptoror, consisting of 2 516 parcels of land. The beneficiaries were to be the Mosop sub-tribe that had formerly inhabited Chepkitale. Part of the Chebyuk was already inhabited by sections of the Sabaot community from the Soy sub-tribe. In 1989, the government settled people in the area, but the exercise was not completed. Some of the people were left landless and those who were lucky enough to get land lacked full legal ownership as the government failed to issue them with title deeds. However, this did not deter the people from taking and cultivating the land. They further started subdividing, leasing and selling it among themselves and to outsiders.[61]

Chebyuk I and II were never completed and consequently the government cancelled the existing settlement schemes and embarked on the creation of a third scheme, Chebyuk III, in 2002. By 2006, when the government finalised land allocation in Chebyuk III, people had already developed these farming parcels, while others had sold or leased out the land to fellow Sabaots as well as to migrants. Furthermore, the population in the area had grown substantially. Because the scheme had initially been created for the Soy, amid great political fanfare, the Soy, who had already settled in the area, believed that the process of surveying and allocation would be a mere formalisation of their ownership and therefore did not expect the land boundaries existing at the time to be substantially altered.[62] The belated inclusion of the Mosop as a way of punishing the Soy for voting against the draft constitution in the 2005 referendum and the subsequent allocation to mostly Mosop members, resulted in the Soy mobilising young people to defend their land and resist any evictions, culminated in the formation of the SLDF.[63]

The SLDF is a non-state armed group mostly drawn from the Soy sub-clan of the Sabaot that first emerged immediately after the 2002 elections. The recruitment and training of fighters began in March 2003, though violent attacks did not begin in earnest until 2006, in the wake of the implementation of the phase III resettlement programme. At that time, the SLDF actively resisted attempts to reallocate land. Violent clashes erupted when the Soy, who had settled in the area since 1971, were ordered to make way for new allottees who were mostly from the Mosop sub-clan. The Mosops were the SLDF's initial target, as they were perceived to be favoured by the government in the land allocations. Consequently the SLDF started launching attacks, mainly against the Mosop clan.[64]

The conflict, which started as an inter-clan conflict between the Soy and Mosop clans, soon spread as the SLDF began targeting members of other communities who had purchased land in the area. In fact, over time it acted against all immigrants who were allocated land in the area. It also targeted corrupt officials who had presided over the allocation process.

Organisational form

The history, organisation and funding of SLDF shows that land grievances, ethnicity, and violence, which were manipulated for political ends, are deep-rooted, with longstanding effect on the Kenyan political process. From 2006 to 2008, the SLDF was in effective control of the whole of the Mount Elgon district. There was virtually no government presence in the area and the militia, as a result, made its own laws that inhabitants were forced to obey. The militia established its own administrative system, complete with a mechanism for levying illegal taxes, and informal courts. The SLDF judicial system was used to punish those suspected to have corruptly acquired land, discipline wrangling couples, go after bad debts and punish thieves and drunks.[65]

The militia has a clear organisational structure and chain of command. It consists of three separate divisions, namely a military, spiritual and a political wing. Wycliffe Matakwei (SLDF deputy leader) led the militia wing and David

Siche, a former police officer, was in charge of training the militiamen with the assistance of retired and serving army and police officers. The militia has used hi-tech weapons in its operations, including machine guns, rocket-propelled grenades, hand grenades, land mines and rocket launchers. The SLDF's weapons of choice were AK-47 and G3 rifles. By August 2008, the military had recovered a total of 95 guns and more than 700 rounds of ammunition from the SLDF.[66] Other weapons, which the militia used to a significant extent, included traditional weapons such as *pangas (machetes)*, knives, and bows and arrows.

The spiritual wing was central to the SLDF military strategy. Jason Psongoywo Manyiror, the spiritual leader/prophet also referred to as '*laibon*', led this wing. He administered the oath to all combatants and gave them special charms, ostensibly to bind them to the SLDF cause and imbue them with supernatural powers that would protect them from authorities and make them invincible to enemy bullets during combat. The spiritual wing played a central role in SLDF operations, encouraging young men to enrol in the militia and assuring them that they would enjoy mystic protection and be invincible. It also had the duty of rallying the community and politicians to the SLDF cause.[67]

The third wing of the SLDF is the political wing. Believed to be the driving force behind the insurgency, this wing is at the same time the most elusive as it keeps on changing, whether by default or design. Apart from its self-proclaimed spokesman, John Kanai, many politicians have been linked to the militia, but there is no hard evidence as to which politicians or ideologues are behind the SLDF.[68]

From a small group of fewer than a hundred fighters at the beginning of the conflict, the SLDF has grown to a formidable force. In March 2008, Wycliffe Matakwei claimed to be commanding a force of 35 000 men, a figure that was obviously overstated.[69] Nevertheless, the Western Kenya Human Rights Watch (WKHRW) has estimated the militia to be 3 000 men, by no means a small outfit.[70] Initially, recruitment was voluntary, but later SLDF demanded that every Soy family make at least one son available for training and duty. The SLDF has at least 30 cells of about 100 people each. Most of the cells are manned by retired security officers, foreign mercenaries and child soldiers.[71] In 2006, the WKHRW estimated that 650 children of schoolgoing age (under 18) had been forcefully recruited by the SLDF. It stated that parents either had to pay a fee of Ksh10 000 (US$150) or give up a child to the cause.[72]

The SLDF's mode of operation has made it difficult for the police to combat it. Most of its members mix freely with civilians during the day or when not part of a combat squad. Only the militia's commanders, trainers and elite fighters have specific hiding places in Mount Elgon forest, where they meet to review the situation and restrategise. This enables the group to congregate quickly in the forest, identify targets and disperse into the civilian population. Furthermore, it makes use of camouflaged 'anti-personnel carriers' to move weapons, which it delivers to operation squads at designated points near its targets and who, after the operation again meet the carriers and return the weapons to designated points.[73]

Members of the SLDF have also established kangaroo courts where they handle disputes and impose fines on victims. They are the self-appointed judges in cases ranging from petty theft and family conflicts to simple disputes. Perpetrators of domestic violence are punished by public flogging. In one incident, a villager who had impregnated a girl and refused to marry her was forced to pay a fine of 500 000 Kenyan shillings, half of which went to the militia.[74] For their own security, government administrative officers (chiefs and their assistants) also refer cases and disputes to the SLDF as well as collect taxes for the militia as a sign of their submission to the militia's authority. Those who do not comply are either killed or forced to flee the area. It is instructive to note that one chief – Bramwell Kiso Kiboi of Chepkube location – was abducted and held by SLDF militiamen for three days. He did not report the matter to the police upon his release for fear of reprisal by the militia.[75]

Source of funds

The methods that the militia uses to sustain and finance its activities are akin to those used by the *Mungiki* – in fact it seems to have borrowed most of its *modus operandi* from the *Mungiki*. The SLDF collects 'taxes' from the population and effectively runs a parallel administration. These illegal taxes are imposed on the residents of the area, especially those with some source of income. Initially the group demanded 1 000 Kenyan shillings from every household as a once-off payment, but later it demanded individual monthly payments levied according to an individual's level of income. Teachers and civil servants were forced to part with a portion of their salaries (between 2 000 and 5 000 Kenyan shillings) as a protection levy, while farmers were forced to remit part of the proceeds from sales

of produce like livestock, milk and crops to the group. The militia also collected a certain amount of food produce for every unit area harvested, for example, each household was required to surrender a 90 kg bag of maize for every acre harvested.[76] The transport sector, too, was not spared. Indeed, public service vehicles remit part of their daily income to the militia. Apart from the taxes, the group was said to have been bankrolled by some politicians as well as some wealthy families in the region. The SLDF also punished civilians by cutting off their ears and sewing up their mouths if they defied it.

The military established that SLDF was financially stable and had enough food supplies to last it for months. This emergent 'insurgency economy' became a critical factor in extending the conflict by sustaining the militia fighters and by making the SLDF attractive to unemployed lower-class youths. The support of powerful individuals for the SLDF, however, may have had a moral and political rather than a financial dimension.[77]

The quest for land: tactics and strategies

The SLDF seeks to evict 'non-indigenous people' because it considers the region to belong to Sabaots and the *Kamatusa*[78] – a coalition of largely pastoralist tribes from the Rift Valley that share a common linguistic and cultural heritage. Sabaot militants believe a future Rift Valley state within a federal Kenya would be incomplete without Mount Elgon. The SLDF's main ambition is to detach the agriculturally important Mount Elgon from the Western Province and annex it to the Rift Valley. Its violent campaign seeks to cause mass displacement of non-Sabaots and non-Kalenjins in the hope that a friendly central government will eventually legitimise facts on the ground.[79]

The SLDF has employed a number of strategies to achieve its ends, including killings, kidnappings and torture. The SLDF has not only killed persons who they perceived as being opposed to it and its objectives but has also tortured and maimed inhabitants who break its code (by breaking its taboo against the drinking of alcohol, for example). It also attacks individuals who have land disputes with other landowners sympathetic to the SLDF or who hire the SLDF to intimidate. By the close of April 2008, SLDF activities had resulted in 615 deaths and about 66 000 internally displaced persons.[80]

Contrary to the widely held belief that SLDF rebels lived in the forest, the military assault revealed that not only do they actually live among the local population, but most of them operate from their homes. They assemble only whenever 'there is a job to be done' – such as attacking a specific target at a specific time – after which they merge with the civilian population again. This has made the security personnel's hunt for them in the forest futile. When the SLDF attacks, it organises itself in small groups of 10 to 12 people that make its movements difficult to detect. It is only a small group – mainly the commanders and strategists – that have specific bases and hiding places (such as caves on the forested mountain slopes).[81]

The SLDF and politics

Since its formation, the militia's activities have expanded and become more violent and more overtly political. In the run-up to and following the 2007 general elections, the SLDF supported certain political candidates and targeted political opponents and their supporters.

The conflict in Mount Elgon escalated and took on overt political and ethno-nationalist dimensions. The SLDF allied itself with the opposition party, the Orange Democratic Movement (ODM), and was fiercely intolerant of leaders and supporters of other parties, especially those from the ruling coalition that later became known as the Party of National Unity (PNU). The SLDF went so far as to intimidate and even execute PNU supporters. As a result, two ODM civic aspirants, Moses Makoit of Cheptais ward and Nathan Warsama of Sasur ward, were elected unopposed.

At parliamentary level, the SLDF targeted the sitting KANU MP, John Serut, who, although a Soy, was seen as acting against Soy interests. It targeted him and his family because it claimed he had used his position to secure the inclusion of the members of the Mosop clan in the third phase of the resettlement programme, although they were not supposed to be part of it. Members of the Bukusu community were also targeted, as they were seen as likely to vote for the PNU coalition in the general elections.[82] The SLDF also targeted supporters of Serut. Serut survived an assassination attempt when SLDF gunmen opened fire at him as he gave a speech outside the district commissioner's office in Kapsokwony in May 2007. He did, however, lose two brothers and a niece later on.[83]

The SLDF promoted its favoured candidates in the 2007 elections in a vicious campaign that, according to local residents, amounted to a campaign of terror. The candidates favoured by the SLDF were all contesting on an ODM ticket. A chief

from the area told a member of Human Rights Watch that the incumbent councillor for Emia ward, Nickson Manyu, has been warned at gunpoint not to contest against the ODM candidate. He also reported widespread intimidation and electoral violence.[84]

State response to the SLDF

The government was initially reluctant to tackle the SLDF menace as it considered the group to be simply a rag-tag unit that would cease to exist with time. It was in 2007, when the group acquired more power, that the government took a more serious stance and deployed the police, the General Service Unit and the Anti Stock-Theft Unit against the SLDF. However, these operations were sporadic and not sustained, and hence failed to eliminate the group. The army first became involved in July 2007, but the military presence was at a low level. The initial security response failed to contain the rapidly evolving armed group as it wreaked havoc in Mount Elgon and parts of Trans-Nzoia district.

Furthermore, during one police operation in the middle of 2007 at the Kabero, Kabkwes and Bukweno locations, 1 877 houses were burnt down and property of an undisclosed value was destroyed as a result of the operation. The police officers were also accused of being involved in arbitrary killings.[85]

After repeated attempts to contain the group failed, the government acknowledged that the militia was bigger and better organised than it realised and then deployed the Kenya army in a joint operation with the police. It was codenamed *Operation Okoa Maisha* (Operation Save Lives) and was launched in March 2008, after the December 2007 election, in a bid to regain state control of the Mount Elgon district. However, once again the military was accused of gross human rights abuses against not only the SLDF, but mostly the locals. The accusations included maiming and torture, raping of women and young girls, indiscriminate burning of houses and food stores, and killing of suspected SLDF adherents without recourse to judicial processes.[86]

Because of this operation the activities of the SLDF militia almost ground to a halt, as most of its leaders had either been arrested or killed while a majority of its members had either been killed or detained. Human rights groups such as the KNCHR and Human Rights Watch put the number of people killed during the operation at about 2 000. By June 2008, some 758 SLDF suspects had been arraigned in court on charges of promoting warlike activities.[87]

However, since the withdrawal of the military from the area, there have been reports[88] that the ousted members of the gang are returning, as the re-emergence of violent incidences attest. There have also been reports of fresh recruitments in parts of Mount Elgon. One of the men who is believed to be a major force behind the militia, former police constable John Sichei, has also resurfaced.

Just like its counterpart, the *Mungiki*, the group seems to have learned how to survive government crackdowns. Towards the end of 2008, the group had once again started charging illegal taxes and attacking and maiming those who refused to comply.[89] Nevertheless, the killing of core members of the SLDF has resulted in the group becoming a much less potent force and unable to inflict the kind of terror and hold it had over the residents of the area. The net effect of this has been the near disappearance of the organisation.

THE *MUNGIKI* AND THE SLDF: A COMPARISON

There are a number of similarities and differences between the *Mungiki* and SLDF, which to some extent demonstrate the difference in impact that their activities have had on the societies in which they operate. To start with, both the militia groups reflect a keen sense of frustration with the political system, in which their members' voices have marginal impact. *Mungiki* members claim to represent the unfulfilled aspirations of the *Mau Mau* as an alternative political dispensation, while the SLDF seeks to amend the historical injustices related to land that was disinherited from the Sabaot. As with many armed groups in the country, the two militias have twin purposes, on the one hand land-related objectives, and on the other, furthering the political aims of certain leaders.

The two militia groups also subscribe to cultural and religious modes in their operations. The militias' ethnic affiliation is best understood as a tool for mobilisation. One tactic employed by both groups is the administration of oaths and spiritual guidance. The spiritual leaders of the two groups administer oaths to members ostensibly to bind them to the aims and objectives of the groups. The SLDF's spiritual wing has played a central role in its operations by encouraging young men to enrol into the militia. The young men are assured that they will enjoy mystic protection and be invincible. The *Mungiki,* on its part, calls for a return to African traditions and spiritualism as the means of resolving social problems afflicting it. The movement has also adopted traditional Gikuyu religious rituals and cultural symbols in its activities and operations. Culture and religion are thus used by the *Mungiki* to bind its members together.

However, the *Mungiki* differs from the SLDF when it comes to adaptation to other religions. The *Mungiki* shifts from one religion to another in times of repression by the state. Its leaders have thus at various times converted to Islam and Christianity to escape state persecution. As Ruteere has argued, the *Mungiki* appears to have embraced an instrumental view of religion and culture. This change of religion when under attack is part of its arsenal for political survival as well as a protest at what it sees as the failure of Christianity to provide a solution to the country's problems.[90]

The modes of operation of the *Mungiki* and SLDF are similar. They both use terrorist organisations' classic methods of asymmetric warfare, in which they do not engage directly with the state's instruments and war machinery, but strike and then leave the scene. Of the two militias, the *Mungiki* has the most elaborate cell structure, which allows it to expand its influence, while restricting the possibility of exposure of an entire network of gang members to law enforcement infiltration. This is one of the main reasons why the government has been unable to dismantle its network. Both groups also assemble only when there is a job to be done, although the SLDF is more adept at this tactic. Their weapons are also similar, for both use mainly crude weapons such as *machetes*, clubs, and bows and arrows. They do occasionally use guns in their operations, although the SLDF is more likely to do so. Furthermore, both militias have instilled fear into the communities in which they operate, forcing them to give in to the demands of the militia groups. Both kill or maim those who resist them, to serve as examples to others, while those who comply resign themselves to a life of servitude and exploitation.

The activities of the two militia groups have also endangered human security in their areas of operation: economic security is under threat as trade, economic growth and development have been stunted and the socioeconomic infrastructure destroyed. Most residents of Trans-Nzoia and Central provinces have been forced to close their businesses as they cannot afford to pay the extortions demanded by the militias. Markets have shut down and residents and farmers are unable to make a living as they cannot till their lands and carry on their businesses. The end result has been food insecurity in the areas where the two militia groups are most active.

The militia groups have both recruited children of schoolgoing age into their ranks – willing or unwillingly – hence interfering with their education. Poverty and the benefits associated with joining these militia groups have combined to force the youth out of school. According to the 2007 global report on human settlements, many boys are abandoning school and joining criminal gangs.[91] The report points out that whereas education has been a major form of social capital investment, its value has been minimised in the eyes of youths living in abject poverty. During its heyday, the SLDF was reported to have recruited around 650 schoolgoing children. The *Mungiki* has had an even more ambitious recruitment programme with regard to school children and teenagers since February 2009. The areas most affected are the Kirinyaga, Murang'a, Nyeri, Nyandarua, Kiambu, Thika and Laikipia districts in Central Province and the slums of Mathare, Korogocho, Kayole and Dandora in Nairobi.[92]

The communities that suffer from the violence committed by these two militias have petitioned the government to come to their rescue. The activities of the two militias have left a trail of destruction, death and displacement that have decimated people's livelihoods and destroyed their lives. This has led to a situation where the populations in the affected areas detest those same militias whose initial objective was to safeguard their interests. The SLDF originally defined its goals in terms of protecting the land rights of the Sabaot, while the *Mungiki's* objective was, apart from returning the Kikuyu community to its traditional roots, to fight poverty. However, both groups have ended up inflicting suffering to the very people they had initially sought to benefit. Both effectively employed the use of violence to obtain compliance of local populations, in some areas subjugating a whole district.

Both the *Mungiki* and the SLDF have been subjected to massive crackdown operations by the government, with varying results. In 2007, the *Mungiki* was suppressed by means of extra-judicial killings that whittled down its members and forced it to go underground, while the SLDF was almost exterminated in 2008. However, both militias have since regained lost ground with the *Mungiki* being the most effective in this regard. The latest atrocities associated with the *Mungiki* took place on 20 April 2009 when they attacked Gathaithi village in the Nyeri East district of Central Province and killed some 30 people in retaliation for the killing of 14 of its members. The SLDF is yet to regain its powerful position.

The SLDF crackdown was easy to implement since it was in a rural set-up that made it possible for the military to infiltrate and carry out its operations as opposed to the crackdown against the *Mungiki,* which operates mostly in urban surroundings and whose members could easily go underground.

Other vigilante/militias, such as the *Taleban* in Nairobi and the *Bantu*, have challenged the *Mungiki*. The *Bantu* militia is estimated to have between 2 000 and 3 000 members and has to date killed about 20 *Mungiki* gang members.[93] Although

these groups have countered and slowed down the activities of the *Mungiki*, they have been unable to destroy it completely. In more recent times, a more emboldened group has emerged in parts of the Central Province, known as the *Kengakenga*, which has dealt with the *Mungiki* in the same manner that the militia deals with groups opposed to it. It has formed an execution centre (a kangaroo court) known as 'The Hague', where *Mungiki* adherents are executed through hanging, hacking or being set ablaze. 'The Hague' is situated at an abandoned cattle dip at Kamuiru village, about 3 kilometres from Kagumo town in Kirinyaga district. Close to 20 people have so far been executed here.[94]

The SLDF has faced similar challenges from the Moorland Defence Force and the Political Revenge Movements formed by the Mosop to defend itself against SLDF attacks. These two groups helped the military during its operations against the SLDF.

The main differences between the two militia groups can be attributed to the fact that *Mungiki* is better organised and has a greater following than the SLDF, even though both of them have organisational structures that consist of military, spiritual and political wings. The SLDF operates mostly in the Mount Elgon region, with a few sporadic attacks in parts of the Trans-Nzoia district. The *Mungiki* is dominant in the Central, parts of Nairobi and parts of the Rift Valley provinces.

CONCLUSION

The grand coalition deal that had been brokered by the former UN secretary-general, Kofi Annan, includes a commitment to disband and demobilise Kenya's militia groups, many of which were blamed for the violence that followed the disputed 2007 presidential elections. The instruments to set in motion this process are yet to be put in place more than a year since the deal was signed and most of the gangs still remain active. The *Mungiki* and SLDF, in particular, are slowly regaining their hold on Central and Western provinces respectively.

The persistence of the *Mungiki* and SLDF is an indicator of how deep the culture of impunity has been ingrained in the Kenyan socioeconomic and political set-up. The *Mungiki* and SLDF have developed a parallel revenue collection system in their areas of jurisdiction. They have also developed a policing system distinct from that managed by the state. They have killed, intimidated, conscripted and harassed their victims into submission. At the peak of their operations, these two groups appeared to have overwhelmed even the police.

The state's response has been a mixture of sluggishness and brute force. With regard to the former, the police force has time and again failed to stop the violence committed by the two groups. With regard to the brute force, the police have been accused of extra-judicial killings in the case of the *Mungiki,* while the army was accused of torturing residents in its operation to contain the SLDF. In both cases the force used did not eliminate the groups. The question that should be asked is why the two groups persist despite the efforts by the state to stop or at least contain them.

Ever since militia groups developed with the return to multiparty politics in the run-up to the 1992 elections, the state's reaction has been one of indifference. The government has taken an unsystematic approach to deal with illegal armed groups. The government's response to atrocities committed by these militias has to date been largely rhetorical. In the majority of cases, the government has failed to act decisively. The proliferation of armed militias can be attributed partly to the failure by the government to arrest, prosecute and punish members of these militias and their sponsors. It can also be attributed to the abject poverty experienced by many unemployed youth in different communities.

It is evident that the rise of the *Mungiki* and SLDF is to some extent the result of the marginalisation of the groups, economically and also politically. There is also no doubt that the two groups are linked with elites and politicians from their areas of operation. A crackdown on the groups must thus address this connection. But more importantly, the state must address the factors that contribute to the marginalisation of these groups, for if this is not tackled, they will never be eradicated.

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Chapter 7

Rebels and militias in resource conflict in the eastern Democratic Republic of Congo

Phillip Kasaija

INTRODUCTION

Since the end of the Rwanda genocide and entry into the Democratic Republic of Congo (DRC)[1] of the defeated *Interahamwe* and the *Forces Armées Rwandaises* (Rwanda Armed Forces, FAR) in 1994, the DRC in general, and the eastern DRC in particular, have never known peace. Rebels and militia groups have sprung up in the country to the point that one cannot keep track of who is who. The availability of mineral and other forms of natural wealth in the country has been one reason for the continued instability in the region. In fact, the rebel and militia groups (and at one time the neighbouring countries of Rwanda and Uganda) have transformed their military operations and presence in the country in to self-sustaining activities, through the extraction and sale of natural resources. The instability occasioned by these groups has resulted in mass deaths, displacements and human rights violations.

This chapter discusses the current state of the conflict in the eastern DRC, paying due attention to the rebel and militia groups operating there. It sequentially

presents a short history of the conflict in the DRC from the time it became a 'personal' possession of King Léopold II to the present, showing how the presence of natural resources in the country has led to it becoming a 'geological scandal'.[2] It then presents the struggle for control of Congolese resources in the 1960s and 1970s, during which Mobutu *inter alia* adopted the strategy of 'Zairenising' foreign companies set up by the Belgians to extract the resources. The chapter next discusses the different rebel and militia groups that have existed and continue to exist in the eastern DRC, with a key observation that although the majority of the rebel groups in the eastern DRC were established by the neighbouring countries of Uganda and Rwanda, other non-Congolese groups have also taken advantage of the fluid situation to enter the fray. The next section of the chapter deals with the relationship between the different rebel and militia groups in the eastern DRC and the states of the region, with an observation that the relationship between the rebel and militia groups and the states of the region follows the maxim of 'the enemy of my enemy is my friend'.[3] The following section deals with the international and regional responses to the conflict in the eastern DRC, with a key conclusion that it is difficult to hold non-state actors accountable in an ongoing conflict situation. The chapter closes with a conclusion and recommends that the main strategy to defeat the numerous rebel and militia groups should involve three key trajectories: first, the groups should be confronted militarily; second, the DRC government should be supported to build strong institutions in the eastern DRC to ensure law and order; and third, the DRC should normalise relations with neighbours to the east, particularly Rwanda and Uganda, so that they do not support the rebel and militia groups in the eastern DRC and can move towards joint actions against these groups to eliminate them.

HISTORY OF THE CONFLICT IN THE DRC: FROM KING LÉOPOLD II TO JOSEPH KABILA

From King Léopold II to independence

In 1885 the DRC, which is more than 80 times the size of Belgium, was ceded by the major world powers to King Léopold II of Belgium as a personal possession.[4] Léopold's private estate – the Congo – was then baptised *l'État Indépendant du Congo* (Congo Free State) and Léopold's colonial representatives embarked on the dual campaign of military pacification and economic exploitation of the region.[5] The exploitation revolved primarily around the harvesting of wild rubber for export to Belgium.[6] Léopold fondly referred to the Congo as his private estate which he ran as a 'magnificent African cake'.[7] His brutal rule became associated with the image of 'red rubber', denoting that it was stained by the blood of the Africans who were forced to gather it, and in 1908, an international reform movement led by E D Morel forced Léopold to transfer the Congo to the Belgian state.[8]

The transformation of the Congo from Léopold's personal possession to a Belgian colony did not represent a major advance for the Congolese people, for Léopold's rule was replaced by a colonial regime that was just as oppressive.[9] According to Anstey:

> [The Belgian Congo was] a vast territory which had not been properly administered; a system of direct economic exploitation … an unfettered variant of … abuse and atrocity. … [This] legacy meant that Belgium had no relevant tradition of policy to invoke, [and] no positive aims regarding it.[10]

Belgium's colonial rule in the Congo relied on the triple objectives of economic exploitation and political and cultural repression. Nevertheless, resistance by the Congo natives was fierce and included army mutinies, strikes, and work stoppages by mining, industrial, transportation and public sector workers.[11] On 4 January 1959, the Congolese working class staged a rebellion against the Belgians, resulting in the decision to grant independence to the Congo. In his New Year's address in 1960, King Baudouin (the grandson of Léopold II's nephew and successor, Albert I), announced that 'Belgium would give its colony the gift of independence without undue haste'.[12]

From independence to 1997

The independence of the Congo on 30 June 1960 did not result in the transformation of the state into a peaceful one, as the country subsequently lurched from one crisis to the next. Belgian colonisation had blocked political development, so when the Congo was suddenly pitched into independence, the African elite was tiny, inexperienced and angry, which was a recipe for chaos.[13]

On 5 July 1960, several units in the Congolese army, the *Force Publique*, mutinied and demanded promotions, pay rises and the removal of white officers.[14] As rioting and unrest spread, Prime Minister Patrice Lumumba attempted to control the revolt by promoting all African soldiers at once, removing some Belgian officers, and appointing a Congolese, Joseph Mobutu, as the quasi-

political overseer over the military structure.[15] The Belgians reacted by sending more troops, which intensified the violence. By September 1960, President Joseph Kasavubu announced the dismissal of Lumumba as prime minister, who in turn fired the president. This crisis precipitated a takeover by Mobutu Sese Seko on 14 September 1960.

Between 1960 and 1965, the Congo experienced one crisis after the other, for example, attempts by some parts of the country like Katanga to secede. Lumumba, the popularly elected independence prime minister, was arrested, tortured and finally killed early in 1961. On 24 December 1965, Mobutu, then chief of staff of the Congolese army, staged a second coup d'état and successfully captured power.

Mobutu ruled the Congo – renamed Zaire in 1971 – under a system of government characterised by corruption, personal enrichment and ethnic favouritism.[16] Just like Léopold many years before, he looted the wealth of the country with abandon. This prompted a French minister to describe him as 'a walking bank vault in a leopard skin cap'.[17] Whilst endowed with great natural wealth in the form of, *inter alia,* copper, gold, diamonds, oil and silver, at the time of his death in September 1997, Mobutu left an impoverished population and country indebted to the level of 200 per cent of the gross domestic product.[18]

Laurent Kabila to Joseph Kabila

On 17 May 1997, rebels of the *Alliance des Forces Démocratique pour la Libération du Congo* (Alliance of Democratic Forces for the Liberation of Congo, AFDL)[19] with the support of the neighbouring countries of Angola, Rwanda and Uganda, among others, captured Kinshasa, thus ending the Mobutu dictatorship in Zaire. At the head of the AFDL was Laurent-Désiré Kabila, who was derided for various kinds of trafficking in which he had engaged over a period of 30 years.[20] He declared himself the new president of Zaire and renamed the country the Democratic Republic of Congo, with a new flag and national anthem.[21] The war that brought him to power had started in the east of the country, mainly in the provinces of North and South Kivu.

Following the end of the 1994 Rwanda genocide, over a million (mainly Hutu) Rwandan refugees took refuge in Zaire, where they established camps along the border between Rwanda and the DRC. Some of them had participated in the genocide and started launching attacks into Rwanda, thus provoking the new rulers of Rwanda, the Rwanda Patriotic Front/Army (RPF/A), to launch counterinsurgency operations against them, *inter alia* in the DRC. In 1996, the RPA again entered the DRC to pursue insurgents and at the same time also dismantled the refugee camps.

The Rwandans recruited and trained Congolese Tutsis to help them fight the Hutu extremists and their Congolese backers.[22] Kabila, who had fought against Mobutu and failed to make any headway, saw his chance to finally deal with his nemesis. According to the International Crisis Group, the AFDL was formed to help the Rwandan, Ugandan, Congolese and, later on, Angolan military forces that were fighting against Mobutu to support their efforts. The AFDL thus gave the whole campaign a revolutionary or civil war character.[23]

Sharing Mobutu's weakness for political control, patrimonialism and ethnic-centred politics, Kabila was able to restore the functioning of the state only to a modest level.[24] He found himself in charge of a country whose national debt was US$9,6 billion, whose internal currency was worthless, and whose government was non-existent.[25] Furthermore, Kabila did not live up to the expectations of Rwanda and Uganda, which had expected him to wipe out the Hutu *Interahamwe* and the Ugandan rebels (the Allied Democratic Forces) and the National Army for the Liberation of Uganda (which was based in the eastern DRC at the time).[26]

Because the Congolese Armed Forces *(Forces Armées de la République Démocratique du Congo,* FARDC) were weak organisationally, Kabila appointed a Rwandese officer, General James Kabarebe, as chief of staff to reorganise them. Rwanda and Uganda, later on joined by Burundi, took advantage of the disintegration of the Congolese state and armed forces to create territorial spheres of interest from which they could plunder the Congo's riches.[27]

Since Kabila had not lived up to their expectations, Uganda and Rwanda had to find a new Congolese puppet. The opportunity presented itself when Kabila decided to send the Rwanda troops home at the end of July 1998. The rebellion against the Kabila government that began on 2 August 1998 was depicted by Uganda and Rwanda as a civil war in which they were simply providing support to Congolese rebels to ensure security along their own borders. Clearly this was not true, as fighting initially occurred between Rwanda troops supporting mutinous Congolese troops against Kabila's loyalists. As soon as the war broke out, Kabila convinced his eventual allies (Zimbabwe, Angola, Namibia and later Chad) that the DRC had been invaded by her eastern neighbours, so the former entered the fray to prop up Kabila's government.

At the time of the outbreak of the rebellion, Rwanda had helped to found a movement called the *Rassemblement Congolais pour la Démocratie* (Congolese Rally for Democracy, RCD) led by Professor Ernest Wamba dia Wamba from the

University of Dar es Salaam. In mid-1999, the RCD disintegrated into factions and the war was stalemated when neither side was able to marshal enough power to impose a military victory over the other. With weak domestic economies, the countries involved and their Congolese rebel allies relied on the DRC's natural wealth to fund their continued involvement in the conflict. It must be observed that this policy of exploiting the DRC's natural resources to support the war effort had been initiated by the AFDL, for even before coming to power Kabila signed mining concessions with private investors from all over the world to finance the war against Mobutu. Prunier gives the example of the 'one billion dollar contract' Kabila signed with American Mineral Fields International on 16 April 1997, setting a precedent that was subsequently copied by numerous rebel and militia groups as well as the regional states of the DRC.[28]

With the war having ground to a stalemate, the exhausted parties went to Lusaka in Zambia, where a ceasefire agreement was negotiated and signed in July 1999. The agreement provided for, among others, a ceasefire, disarmament of all the non-government forces, the withdrawal of all foreign forces from the DRC territory and the holding of an Inter-Congolese Dialogue to find a new political dispensation for the country.

On 16 January 2001, Laurent Kabila was assassinated by one of his bodyguards. He was succeeded by his son, Joseph Kabila.

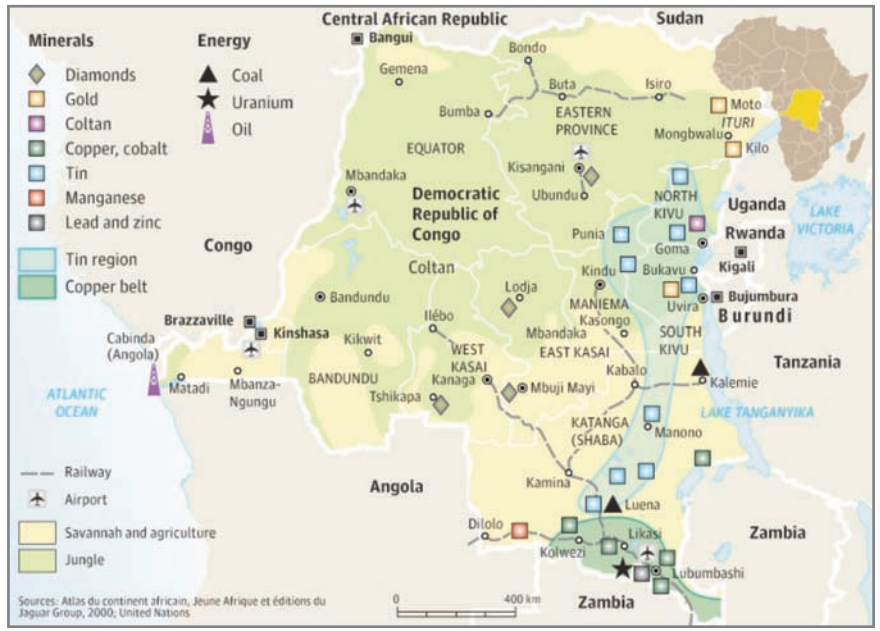
STRUGGLE FOR CONTROL OF THE DRC'S NATURAL RESOURCES

Since the late 1800s, the Congolese people have suffered at the hands of foreign and indigenous businessmen and political leaders intent on exploiting the DRC's rubber, ivory, diamonds, gold, copper, cobalt, timber and other resources.[29] Under Léopold's rule, brute force was used to ensure local communities satisfied high rubber quotas set by the local *Force Publique* commanders and their business associates.[30] If a village refused to submit to the rubber regime, everyone in sight was shot so that other villagers would get the message,[31] or the right hands of locals were cut off after they had been killed by local chiefs 'to show the [colonial] state how many [had been] killed'.[32]

After a steep fall in rubber prices, Belgium set up companies such as *Union Minière du Haut-Katanga* and *Compagnie du Katanga* (later renamed the *Comité Spécial du Katanga*) to exploit mineral resources located by geological surveys conducted in the late 1890s.[33] These were the companies that the new rulers of the

Congo inherited at independence. In order to assert sovereignty over their natural resource exploitation, both the Lumumba and Mobutu governments began the process of dismantling the stranglehold the foreign companies had over the country's resources. The attempted secession of Katanga right after independence was supported by Belgium, because this would have enabled it to continue exploiting Congolese minerals located in the area. According to Lemarchand, the mineral reserves of Katanga province are so easy to access that they could be called a 'geological scandal'.[34]

Map 7–1: DRC's natural resources



Sources: Jeune Afrique and United Nations.

Between 1964 and 1980, a number of rebellions were launched to dismantle the Congolese neo-colonial state. The Mulele rebellion began in 1964 but by 1968 had fizzled out after the assassination of its leader, Pierre Mulele.[35] The *Conseil Nationale de Libération* (National Liberation Council, CNL),[36] which was established by Lumumba's followers after his assassination to liberate the country, did not last long either. Its eastern front leaders, such as Olenga, Gbenye and Kanza, were lured out of the rebellion by Mobutu in 1965.[37] Laurent Kabila was the

only party member who continued to wage a low-intensity struggle in the Fizi-Baraka area until the early 1980s, when he, too, retired to the world of business in the form of crossborder trading, particularly in gold and ivory. By the time of the formation of the AFDL, Kabila was living in Tanzania on the profits from mineral smuggling and extortion.

In an effort to wrest control of mineral exploitation from foreign-owned mining companies, the Mobutu government enacted the Bakajika Law in 1966, in terms of which the state established its rightful claim to all land and mineral rights in the country.[38] He also nationalised the giant company *Union Minière du Haut-Katanga* in 1967, transforming it into a state enterprise called the *Générale des Carrières et des Mines*. This was followed in 1973 by the 'Zairenisation' of all foreign-owned commercial, industrial and agricultural enterprises.[39] Mobutu encouraged competition between rival entrepreneurs and military units by allowing them to guard their own territories and develop their own commercial interests revolving around diamonds, gold, coffee, timber, cobalt and arms. However, Mobutu's strategies all fostered disorder, insecurity and a general state of impunity, which in turn led to the formation of new and militarised networks for the extraction of economic benefits from the country.[40]

CURRENT STATUS OF THE CONFLICT

The Inter-Congolese Dialogue was concluded in 2002 and all the foreign forces withdrew from the DRC in 2003. A transitional government incorporating most of the former rebel groups was established at the end of 2003, with Joseph Kabila as president. In 2006, general elections were held and Kabila won the presidency and his party, the *Alliance pour la Majorité Présidentielle* (Alliance of the Presidential Majority, AMP) received the majority in Parliament. However, the provinces of North and South Kivu, and Ituri continued to experience insecurity and instability. The main source of the insecurity may be attributed to the presence of numerous rebel groups and militias that continued to exploit the existing mineral and other natural wealth to fund their activities.

The conflict in Ituri Province intensified between 1999 and 2003 as a result of clashes over land between the Hema and Lendu ethnic groups. The situation was exacerbated by the presence of Ugandan soldiers who used the conflict between the two groups as a smokescreen for the unbridled exploitation of resources.[41] Although the situation in Ituri has since stabilised, North and South Kivu continue to suffer from insecurity. In August 2008, renewed conflict broke out between

FARDC and General Laurent Nkunda's *Congrès National pour la Défense du Peuple* (National Congress for the Defence of the People, CNDP), which he established in 2006 to fight against the rebel group *Forces Démocratiques de Libération du Rwanda* (Democratic Forces for the Liberation of Rwanda, FDLR), which is composed mainly of former *Interahamwe* and ex-FAR and whose aim is to topple the government of Paul Kagame in Rwanda.

After several rounds of talks in Nairobi and Goma, the CNDP and the Congolese government signed a peace agreement on 23 March 2009.[42] Earlier on, in January 2008, 22 armed groups and the DRC government signed the Goma Acts of Engagement, which, *inter alia,* provided for those groups to undergo a programme of disarmament, demobilisation, resettlement and reintegration. Despite this undertaking and the various peace agreements, the armed non-state groups continue to plunder the region's natural resources, while simultaneously committing a variety of mass human rights violations that range from pillaging and burning of homes and stores to torture, abduction of children into militia groups, displacement of populations and murder.[43]

THE ROLE OF MILITIAS AND REBEL MOVEMENTS IN THE DRC CONFLICTS

It can be argued that armed non-state groups first gained prominence in the DRC during the war that overthrew Mobutu and that neighbouring countries subsequently started using these groups to fight their proxy wars. While the majority of the rebel and militia groups had been established as a result of external forces, others (like the Lord's Resistance Army, LRA) entered the country from outside because of the absence of a functioning state.

Structure, agenda and functioning of the various groups

Apart from the AFDL, which was established with the help of Rwanda and Uganda, the second most important rebel movement to be established was the RCD, which was formed in 1998 in Rwanda by Congolese politicians and intellectuals including remnants of Mobutu's regime and former Kabila supporters. The RCD styled itself as a government in exile, as it was hoped that it would be jetted into Kinshasa to take over power after the overthrow of Laurent Kabila. Having failed to overthrow Kabila, the RCD disintegrated in May 1999 into two factions: the RCD-Goma, supported by Rwanda, was based at Goma and was

active in North and South Kivu provinces, while the RCD-Kisangani (also called RCD-ML), supported by Uganda, was based at Kisangani and controlled parts of Ituri and Orientale provinces.

The disintegration of the RCD was occasioned by, *inter alia,* the leadership style of Wamba and different views on how to pursue the war against the Kabila government.[44] Although a section of the RCD-Goma faction (which included members such as Emile Ilunga, Bizima Karaha, Moise Nyarugabo, Lunda Bululu and Alexis Tambwe) favoured a lightening strike on Kinshasa to capture power, the RCD-Kisangani faction (which was led by Wamba) favoured a warlike approach. Between August 1999 and May 2000, Ugandan and Rwandan troops clashed on three occasions in the town of Kisangani for control of taxes or gratuities related to diamonds.[45] Later on the RCD-Kisangani disintegrated into other factions, including RCD-Nationale led by Roger Lumbala and based at the town of Bafwasende.

As the war stalled, Uganda saw the need to create a new group and front to fight the Kabila government. Since Uganda controlled large swathes of DRC territory to the east and northeast, the military strategy that Uganda adopted involved empowering the Congolese people politically and militarily in the hope that they would overthrow Kabila themselves. Uganda therefore helped to found the *Mouvement pour la Libération du Congo* (Movement for the Liberation of Congo, MLC) of Jean-Pierre Bemba. Bemba, a former businessman from Brussels, was introduced to Ugandan President Yoweri Museveni by his Ugandan friends in the military and thereafter underwent military training at a Ugandan facility at Kyankwazi, after which he was put in a helicopter by the Ugandan military and flown to the eastern DRC.[46] There he was introduced to the population as a liberator by his Ugandan handlers, and to buttress his liberator credentials, was given a uniform and gun and told to start recruiting supporters, thus giving birth to the MLC.[47]

With the help of Uganda, the MLC was able to raise a force of between 15 000 and 20 000 members who operated in areas controlled by the Ugandan military. When President Museveni was asked why he was supporting many rebel groups, including RCD-Kisangani and the MLC, he replied that 'a good hunter sends out several dogs because he cannot know in advance which one will be the best'.[48] MLC rebels and the Ugandan soldiers exploited minerals and other natural resources such as timber in the areas they controlled. President Museveni even allowed Bemba and his group to use the military airport at Entebbe in Uganda to transport their 'goods' to and from the DRC cheaply. Young men from 12 to 18 years were reportedly recruited into the MLC and sent to mines to dig for gold on behalf of the Ugandans and Bemba.[49]

After the start of the war in the east in August 1998, the Kabila government started supporting the *Mai-Mai* militias based in North and South Kivu provinces to fight the Rwanda occupation. The *Mai-Mai* militias considered themselves traditional warriors and believed that the use of magic made them invisible.[50] The name *Mai-Mai* cuts across various ethnic groups in North and South Kivu. These warriors first came to prominence in the 1960s when they allied with the leftist Mulelist rebellion that tried to topple President Mobutu.[51]

Mai-Mai groups tend to shift alliances to achieve their parochial interests. During the 1996–1997 war, for example, they fought with Kabila, but after the AFDL came to power, they deserted and returned to their bases in North Kivu, from where they have been able to sow terror among soft civilian targets. Different actors have also used them to exploit the region's vast mineral and timber resources. The most active *Mai-Mai* groups today include *Mai-Mai-Yakutumba* and *Mai-Mai-Zabuloni*, named after the areas in the two Kivu provinces in which they are based.

The *Parti pour l'Unité et la Sauvegarde de l'Intégrité du Congo* (Party for Unity and Safeguarding of the Integrity of Congo, PUSIC) was founded in 2002 by Chief Kaahwa Mandro Kango, who broke away from the *Union des Patriotes Congolais* (Union of Congolese Patriots, UPC) of Thomas Lubanga, who had, in turn, broken away from RCD-ML. When Lubanga started collaborating with Rwanda, Kaahwa decided it was time to break ranks with him and allied with Uganda to fight the UPC. However, eventually, with the pacification of Ituri Province, all militia groups operating there (including PUSIC) fell apart and disappeared.

The *Patriotes Résistants Congolais* (Congolese Resistance Patriots, PARECO) is one of the numerous militia groups that have sprung up in the eastern DRC. It is loosely allied to the *Forces Démocratiques de Libération du Rwanda* and sometimes operates with FARDC to fight the UNDP. It was formed in 2007 from former *Mai-Mai* elements and is based at Kibua near the FDLR high command.[52]

The Lord's Resistance Army (LRA) first entered the DRC in October 2005 in Orientale Province.[53] In March 2002, the Uganda army launched *'Operation Iron Fist'* to rout the LRA from its bases in Southern Sudan. This, *inter alia,* resulted in the rebels crossing the border from Sudan into Garamba National Park in the DRC. Reports indicate that the LRA was present in the DRC as late as December 2008, when FARDC, the Sudan People's Liberation Army (SPLA) and the Uganda

People's Defence Forces (UPDF) launched a joint operation called *'Operation Lightning Thunder'* to rout the LRA from its base in Garamba National Park. According to reports, the LRA attacks have resulted in a 32 per cent increase in the number of internally displaced persons in Orientale Province.[54] Mop-up operations named *Rudia II* against the group were carried out by the UPDF and FARDC but have not resulted in its complete eradication.

As can be seen from the above, many rebel and militia groups operating in the eastern DRC are connected either to each other or to the DRC government and the neighbouring countries. It should be noted that the impact of their activities on human security has been immensely negative. Of the more than four million deaths that have been recorded since the start of the conflict in 1996, the majority have occurred in the eastern DRC. In their broad struggle to seize economic, political and military power, the militias, rebel movements and government soldiers (both national and foreign) have been guilty of the most horrific human rights abuses, including widespread killings of unarmed civilians, rape, torture and looting, and recruitment of child soldiers to fight in their ranks, leading to the forced displacement of hundreds of thousands of people.[55] The following figures will illustrate this point: between January and September 2007, Panzi Hospital in South Kivu recorded 2 773 cases of rape, of which 2 447 were attributed to members of the FDLR or *Interahamwe*.[56] In Equator Province, fighting in and around the areas of Dongo in late 2009 caused the displacement of approximately 60 000 people, while another 15 000 sought refuge in the Central African Republic (CAR).[57]

Table 7–1 shows known Congolese and non-Congolese rebel and militia groups and their alliances with states of the region.

Table 7–1: Rebel groups in the eastern DRC

Rebel group	Nationality, founding date	Alliances
Alliance des Forces Démocratique pour la Libération du Congo (AFDL)	Congolese, October 1996	Uganda, Rwanda, Angola
Rassemblement Congolais pour la Démocratie (Congolese Rally for Democracy, RCD)	Congolese, August 1998	Rwanda, Uganda
Rassemblement Congolais pour la Démocratie – Goma (RCD-Goma)	Congolese, August 1998	Rwanda
Rassemblement Congolais pour la Démocratie – Kisangani (RCD-Kisangani)	Congolese, May 1999	Uganda
Rassemblement Congolais pour la Démocratie – Mouvement de Libération (RCD-ML)	Congolese, September 1999	Uganda
Rassemblement Congolais pour la Démocratie – Nationale (RCD-Nationale)	Congolese, June 2000	Uganda
Mouvement pour la Libération du Congo (Movement for the Liberation of Congo, MLC)	Congolese, October 1998	Uganda
Union des Patriotes Congolais (Union of Congolese Patriots, UPC)	Congolese, June 2002	Uganda, Rwanda
Parti pour l'Unité et la Sauvegarde de l'Intégrité du Congo (Party for Unity and Safeguarding of the Integrity of Congo, PUSIC)	Congolese, February 2003	Uganda
Front de Libération du Congo (Congolese Liberation Front, FLC)	Congolese, January 2001	Uganda
Mouvement des Patriotes Résistants Congolais (Patriots in the Congolese Resistance, PARECO)	Congolese, Date not available	FDLR
Congres National pour la Défense du Peuple (National Congress for the Defence of the People, CNDP)	Congolese, December 2006	Rwanda
Forces Démocratiques de Libération du Rwanda – Forcés Combattantes Abacunguzi (FDLR-FOCA): previously called *Armée pour la Libération du Rwanda* (Army for the Liberation of Rwanda, ALiR)	Rwandan, 1999	DRC, PARECO
Lord's Resistance Army (LRA)	Ugandan, 1988/89	Sudan
National Army for the Liberation of Uganda (NALU)	Ugandan, 1988	Allegedly receives support from the DRC government

Allied Democratic Forces (ADF)	Ugandan, 1998	Allegedly receives support from the DRC government
Mai-Mai	Congolese, Date not available	DRC government, FDLR
Alliances des Patriotes pour un Congo Libre et Souverain (Patriotic Alliance for a Free and Sovereign Congo, APCLS)	Congolese, Date not available	FDLR
Ralliement pour l`Unite et la Démocratie (Rally for Unity and Democracy – Urunana, RUD-Urunana)	Rwandan, Date not available	Mai-Mai
Front National de Libération (National Liberation Front, FLN)	Burundian, Date not available	DRC government
Forces Républicaines Fédéralistes (FRF)	Congolese, Date not available	DRC government
Front pour l'Intégration et la Paix en Ituri (Front for Integration and Peace in Ituri, FIPI)	Congolese, 2003	Uganda
Front Révolutionnaire pour l'Ituri (Revolutionary Front for Ituri, FRPI)	Congolese, Date not available	RCD-ML, DRC government
Front des Nationalistes et Intégrationnistes (Nationalist and Integrationist Front, FNI)	Congolese, Date not available	Uganda
Forces Populaires pour la Démocratie au Congo (Popular Force for Democracy in Congo, FPDC)	Congolese, Date not available	Uganda
People's Redemption Army (PRA)	Ugandan, Date not available	Rwanda
Rassemblement Populaire Rwandaise (Popular Rwandese Assembly, RPR)	Rwandan, Date not available	RPR-Inkeragutabara
Rassemblement Populaire Rwandaise - Inkeragutabara (RPR- Inkeragutabara)	Rwandan, Date not available	RPR
Congres National pour la Défense (National Congress for Defence, CND)	Rwandan, Date not available	RPR-Inkeragutabara, RPR; RUD

Source: compiled by the author from various sources. Note that some of these groups no longer exist.

Natural resource wealth: blessing or curse?

The DRC in general, and the eastern part of the country in particular, is incredibly rich in terms of natural resources, but this has long been described as a curse.[58] Throughout the past century, irrespective of the governing system or political personalities in power, the natural resources have been systematically exploited for the economic benefit of a few at the expense of the vast majority of the Congolese people.[59] The conflict in the eastern DRC is mainly about access, control and trade in minerals such as coltan, gold, cassiterite, diamonds, copper and cobalt, as well as timber. The eastern DRC also has deposits of cadmium, silver, zinc, uranium, coal, lead, iron ore and manganese.[60] Table 7–2, and maps 7–2 and 7–3 show the location of these minerals in the DRC.

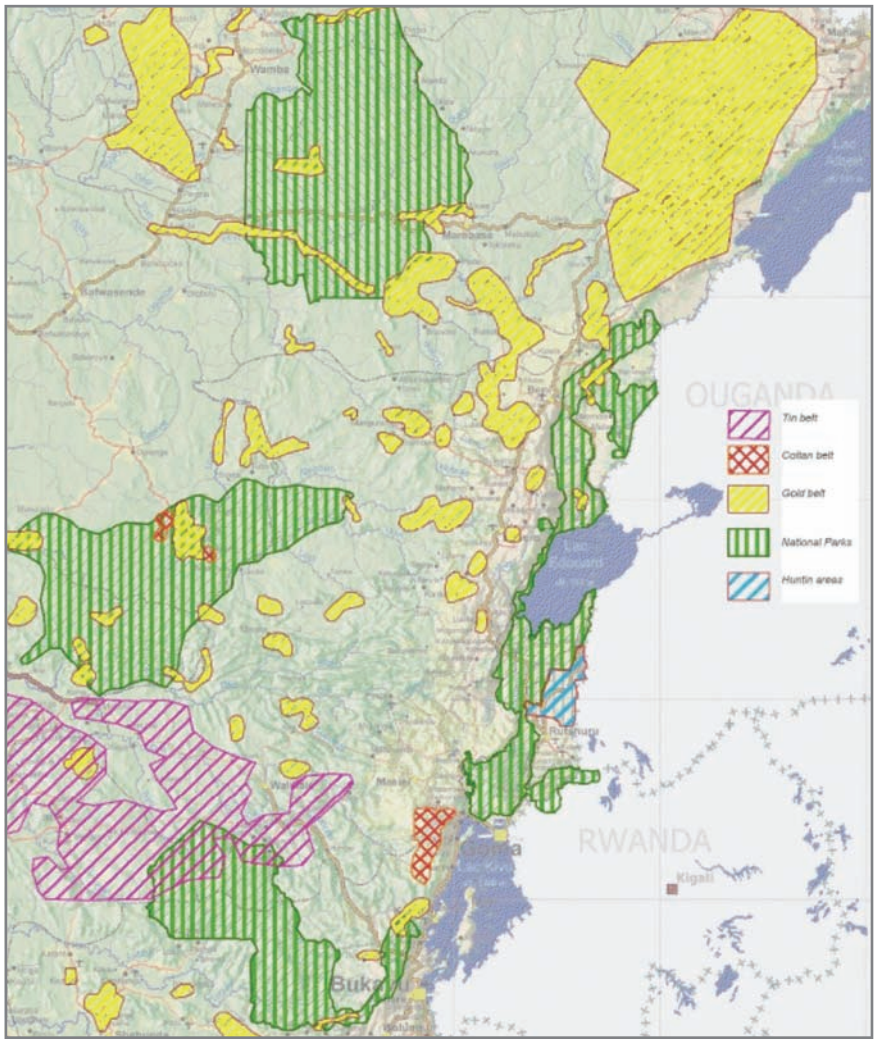
Table 7–2: Natural resources in the DRC

Type of mineral	Location (provinces)
Amethyst	South Kivu
Cadmium	Katanga
Cassiterite (tin)	North and South Kivu, Katanga, Maniema
Coltan (columbite-tantalite)	North and South Kivu, Maniema
Copper and cobalt	Katanga
Diamonds	Kasai, Orientale, Equator, Maniema, Bas-Congo
Gold	South Kivu, Orientale, Katanga
Iron	Equator, Katanga
Lead	Katanga
Manganese	Katanga
Pyrochlore	North Kivu
Silver	Katanga
Tourmaline	South Kivu
Uranium	Katanga
Wolframite	North and South Kivu
Zinc	Katanga

Sources: Global Witness, *Same old story: a background study on natural resources in the DRC*, June 2004; Global Witness, *'Faced with a gun, what can you do?' War and the militarisation of mining in eastern Congo*, July 2009.

In the eastern DRC, minerals are often mined by unregulated artisans who are susceptible to exploitation by whoever wields the power of the gun, be it government soldiers, rebels or militias. The latter use methods such as direct extraction, extortion/confiscation, 'taxation' and coercion of the local population to obtain minerals.

Map 7–2: Natural resources in the eastern DRC



Source: Yamba Kantu/Institute for Environmental Security.

During their occupation of large parts of the eastern DRC, Rwanda and Uganda created rebel and militia groups to help them exploit the natural resources in the areas under their control. The government of Rwanda reportedly created a special 'Congo Desk' in the ministry of defence that coordinated the exploitation.[61] In Uganda, high-ranking government and military officials created companies and proxy rebel groups to carry out exploitation on their behalf.[62] The withdrawal of these countries from the DRC did not end the exploitation, as new groups emerged to take their place.

Because there are numerous rebel and militia groups operating in the eastern DRC now,[63] the activities of only a few with regard to the illegal exploitation of natural resources are discussed below.

Collaboration between the DRC government and FDLR and PARECO

As noted above, the FDLR is composed mainly of the *Interahamwe* and former FAR soldiers who fled Rwanda after the 1994 genocide. It has been named the 'most powerful and harmful politico-military rebel organisation in Congo'[64] and is known for committing serious human rights abuses against the Congolese population and engaging in the illegal exploitation of natural resources in areas under its control. The group has changed names a number of times, starting as the *Rassemblement Démocratique pour le Rwanda* (Rwanda Democratic Rally, RDR), and then the *Armée pour la Libération du Rwanda* (Army for the Liberation of Rwanda, ALiR). It changed its name to FDLR in 1999 after the US listed ALiR as a terrorist organisation.[65]

One of the reasons why Rwanda sought to topple Kabila in 1998 was his putative support to the people who allegedly carried out the Rwanda genocide. By November 1997, allegations had started to emerge that Kabila had 'begun to negotiate with and to help the Hutu'.[66] These allegations proved to be true when the *Interahamwe* and ex-FAR fought on the side of Kabila when war broke out in August 1998.[67]

Following the withdrawal of foreign forces and the establishment of the transitional government, the FDLR flourished in the Kivu provinces, with the 'tolerance, collaboration and even active complicity of certain FARDC officers'.[68] The relationship between the FDLR and FARDC is rooted in the earlier years of the war when the two groups collaborated against the common enemy of Rwanda and its surrogate, RCD-Goma. Through mutual agreement, FARDC and the FDLR

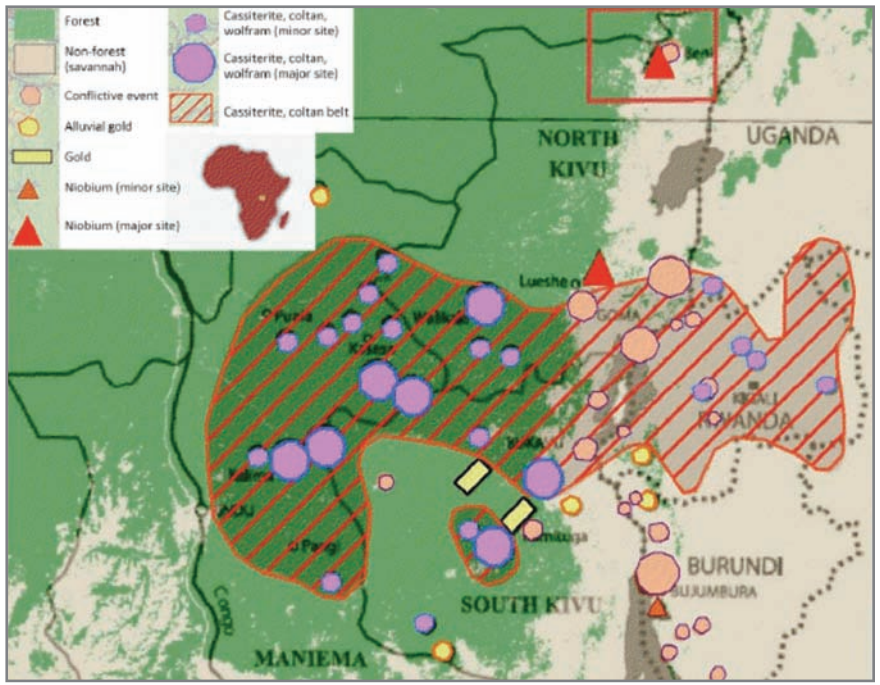
have operated side by side, granting each other freedom of movement through the other's territory, allowing each other to trade without interference, and FARDC even supplying the FDLR with arms, ammunition and uniforms and referring to their members as 'our brothers'.[69]

Both FARDC and the FDLR have engaged in the exploitation of resources in the areas they control. FARDC was formed from the integration of various rebel force elements (among others the RCD-Goma, MLC and *Mai-Mai*) with the government force then known as the *Forces d'Armée Congolais* (Congolese Armed Forces, FAC), which was established after Laurent Kabila came to power. The demobilisation of the various rebel and militia groups, such as the CNDP, *Mai-Mai*, PARECO and PUSIC has resulted in some of their elements being integrated into the FARDC through a process called *brassage*.[70] It is reported that elements of FARDC started exploiting minerals since it was deployed in the eastern Congo in 2006 after the election of Kabila.[71] Two of the most lucrative mining sites, namely Bisie mine in Walikale territory and mining-rich zones in Kalehe territory, are controlled by FARDC.[72] In most cases, FARDC soldiers mine the minerals themselves, although they often use the civilian population to do the digging for them.[73]

According to reports, elements of FARDC have seized the entire production of minerals from miners in some locations, but more typically they have taken a share as a form of payment while allowing the miners to keep the rest.[74] In many mines under FARDC control, specific mineshafts or areas are known to belong to particular local military officials. The yield from these mineshafts is collected and sold by agents acting on behalf of FARDC officials. FARDC soldiers also routinely extort minerals and money from civilians at military checkpoints along roads, in addition to imposing 'taxes' on miners.

The FDLR has diversified its sources of income by taking control of both legal and illicit commercial activities in areas it controls. This highly remunerative predatory economic tactic has enabled the rebel movement hierarchy to sink deep and comfortable roots in the eastern DRC. The FDLR controls cassiterite mines at Lulingu and Lemera in South Kivu and at Nyabondo in North Kivu, and gold deposits in Kilembwe in South Kivu. In addition, its sets up roadblocks (for example, there are six roadblocks along the Shabunda-Bukavu road) to 'tax' trade passing along roads under its control.[75]

Map 7–3: Map of natural resources and conflict areas



Source: Swisspeace.

Other activities engaged in by the FDLR and its civilian associates include taxing markets in Kibua and Nyabondo in North Kivu and in Kahumgwe, Sange and Kilembwe in South Kivu, producing a wide range of agricultural goods (even cannabis), exploiting timber in Minga territory, poaching hippopotamuses and elephants for meat and ivory in areas under its control along Lake Albert in Lubero and trade in charcoal produced from wood cut in Virunga National Park.[76]

PARECO is allied to the FDLR and thus by extension collaborates with FARDC. However, this group is less homogeneous and thus has a less well-defined political or economic agenda. It would seem to be involved in mining in an opportunistic way rather than as a well-organised strategy.

Rwanda and the CNDP

The CNDP was established on 30 December 2006 by Brigadier-General Laurent Nkunda, who had fought with the RPA to oust the Hutu government, which had

carried out the genocide. He then joined the RCD-Goma faction and by 1998 had become one of its main officers.[77] In 2009 he was indicted by the Kinshasa government for war crimes and a warrant for his arrest was issued.

The CNDP is an armed non-state group although Nkunda has tried to present it as a political tool to clean up Congolese politics.[78] The group has named the FDLR as its main enemy and in this way attracted active Rwandan support.[79] In fact, there is evidence that the Rwandan authorities have been complicit in the recruitment of soldiers (including children), have facilitated the supply of military equipment and have sent officers and units from the *Forces Rwandaises de Défense* (Rwanda Defence Forces, RDF) to the DRC in support of the CNDP.[80] The group relies on the civilian population to dig for minerals and takes a proportion of the production.[81] It controls coltan mines at Bibatama, a wolframite mine at Bishasha and cassiterite mines throughout North Kivu. It is also involved in mineral trade through extortion and imposition of taxes along roads in Sake, Mushake, Kilolirwe and Kitchanga, and at border crossings at Bunagana on the Uganda/DRC border, and collects significant sums from the charcoal trade from Virunga National Park.[82] The CNDP charges trucks transitting Kitchanga between US$100 and US$150 at illegal roadblocks, while pedestrians are charged 500 Congolese francs – those who attempt to evade the tax and are caught are charged triple the usual amount.[83]

In January 2009, the CNDP split when General Bosco Ntaganda deposed Nkunda as its leader and announced the transformation of the group into a political movement and integration of its fighters with FARDC. The close relationship between the group and Kigali was clear at a press conference at which Ntaganda appeared in the company of General Kabarebe and other high-ranking Rwandan officials.[84] During fighting in and around Goma in 2009, the RDF captured Nkunda and placed him under house arrest in Rwanda, where he has been ever since.

The fighting that erupted in North Kivu in late 2008 and continued into 2009 between the forces of FARDC and the CNDP has been presented as an attempt by FARCD to force the CNDP to demobilise and integrate into the national force. However, this fighting was actually an attempt by the Kinshasa government to assert its authority over the eastern DRC. In fact, the CNDP had created a state within a state in the areas it controlled where it exploited natural resources and 'exercised military, political and administrative influence' in Masisi and some parts of Rutshuru. The arrest of Nkunda has not stopped the CNDP's *de facto* control of North Kivu and to a lesser extent South Kivu. The above 'taxation' on commercial

routes continues, despite a communiqué issued on 31 March 2010 in which the lifting of all illegal barriers and taxes was announced.[85]

Uganda–MLC collaboration

From the above it is clear that Uganda had a hand in the creation of the MLC and the mutual relationship was maintained throughout the war. The following two examples further illustrate the support Uganda gave to the MLC. First, when the Sun City Talks, as part of the Inter-Congolese Dialogue, ended inconclusively in April 2002 and Bemba was named the transition prime minister, President Museveni immediately congratulated him to show support.[86] Second, when differences cropped up between Wamba and his lieutenants, Nyamwisi and Tibasiima, the Ugandan authorities brought them to Kampala for peace talks and succeeded in brokering a merger of the MLC and RCD-ML with Bemba as the leader of the new group called *Front de Libération du Congo* (Front for the Liberation of Congo, FLC).[87] This collaboration did not last, however, because Nyamwisi attempted to break away from the alliance to form his own group and because clashes erupted between former members of the MLC and RCD-ML over the extraction of gold and the harvesting of timber and coffee in Orientale Province when the RCD-ML attempted to challenge the MLC's monopoly over the production and trade in commodities, including diamonds, gold and coffee, in its territory.[88]

INTERNATIONAL AND REGIONAL RESPONSES TO THE CONFLICT

Because state and non-state actors have generally coerced civilians to help with the illegal exploitation of the DRC's natural wealth, it has resulted in human rights violations. These are, in turn, violations of international and regional human rights instruments such as the International Covenant on Civil and Political Rights[89] and the African Charter on Human and Peoples' Rights.[90] In the case concerning armed activities on the Territory of Congo (*DRC v Uganda*)[91] the International Court of Justice found, for example, that Uganda had violated various provisions of international humanitarian law and international human rights law instruments. [92] The court also found that 'the actions of various parties to the complex conflict in the DRC have contributed to the immense suffering faced by the Congolese population'.[93] The human rights violations have included

deliberate killing of civilians, rape, looting and some acts of cannibalism.[94] The violations in particular and the conflict in general have elicited regional and international responses, which are discussed next.

Regional responses

In 2004, under the auspices of the United Nations and the African Union, the states of the region established the International Conference on the Great Lakes region (ICGLR)[95] as a forum for resolving armed conflict, maintaining peace, security and stability, and laying the foundation for post-conflict reconstruction. In December 2006, in Nairobi, Kenya, the states concluded the Pact on Security, Stability and Development in the Great Lakes region,[96] which, *inter alia,* provides for the conclusion of two protocols that are very germane to this discussion, namely the Protocol on Non-aggression and Mutual Defence in the Great Lakes region (article 5),[97] and the Protocol against the Illegal Exploitation of Natural Resources (article 9).[98] The Protocol on Non-aggression and Mutual Defence declares that acts of aggression include 'the provision of any support to armed groups … which might carry out hostile acts against a member state' (article 3(h)), while it defines armed groups as 'any armed group that does not belong to, or is not officially incorporated into, the defence and security forces of member states' (article 3(4)). Under the protocol, member states propose several measures to deal with the armed groups including not to give any help, directly or indirectly, actively or passively, to armed groups operating against any member state; to apprehend and disarm members of armed groups who use or attempt to use their territories to prepare or mount armed attacks and/or conduct subversive activities against other states; to intercept and disarm members of armed groups fleeing across their common borders, and to accord each other mutual assistance in prosecuting armed groups throughout the Great Lakes region (article 8).

The Protocol against Illegal Exploitation of Natural Resources aims at promoting and strengthening mechanisms to prevent, curb and eradicate the illegal exploitation of natural resources; intensifying and revitalising cooperation among member states to achieve more efficient and sustainable measures against the illegal exploitation of natural resources, and promoting policies and procedures against the illegal exploitation of natural resources (article 2). The protocol declares that the illegal exploitation of natural resources is a violation of the rights of member states to permanent sovereignty over their natural resources, and commits member states to end impunity for persons responsible for exploiting natural resources illegally. The protocol also calls upon every member state to ensure that all acts of illegal exploitation of natural resources are offences under its criminal law. Finally, the protocol calls on each member state to impose effective and deterrent sanctions commensurate with the offence of illegal exploitation of natural resources committed, including imprisonment for individual persons convicted of such offences.

The ICGLR has drawn up an action programme for the disarmament and repatriation of all armed groups in the eastern DRC.[99] The four identified categories of groups are:

- Genocidal forces of the FDLR operating from the DRC territory
- The LRA, People's Redemption Army, Allied Democratic Forces and the National Army for the Liberation of Uganda
- Any group or militia that threatens the security and stability of the region, and
- Local defence militias opposed to central authority and armed dissident groups

Little is known about the implementation of this programme.

The AU, through its Peace and Security Council, has committed itself to a forceful disarmament of the negative forces in the eastern DRC. At its Libreville meeting in January 2005, it expressed serious concerns over the security situation in the eastern DRC, especially the presence of armed negative forces.[100] It accordingly called for the forceful disarmament of the ex-FAR, the *Interahamwe* and other armed groups. Between February and March 2005, it sent a preliminary evaluation team to make recommendations on how the disarmament would be carried out. This was followed in April 2005 by a meeting of the AU and military experts from Burundi, Rwanda and Uganda where consensus was reached regarding political and military support as well as sources of supplies to these negative forces. This meeting also discussed the modalities of implementing the Peace and Security Council decision reached at the Libreville meeting on forcefully disarming the negative forces, including a possible timeline and size and mandate of the envisaged African force to undertake the task.

As a result of the fighting that erupted in the eastern DRC late in 2008, an extraordinary regional summit of the ICGLR was held in Kenya, at which the former Tanzanian president, Benjamin Mkapa (the co-facilitator of the AU and ICGLR), and General Olusegun Obasanjo (the Special Envoy of the Secretary General for the Great Lakes region) were tasked with mediating between the DRC government and the CNDP. The mediation efforts in Nairobi and Goma resulted

in the conclusion of the peace agreement between the government and the CNDP on 23 March 2009.

The AU's Post-Conflict Reconstruction and Development Policy and Decision recognises that natural resource governance lies at the nexus of peace, security, stability and sustainable development. In addition, the AU-New Partnership for Africa's Development (NEPAD) peace and security agenda, which was developed in 2003, identified the need to generate standards for application in the exploitation and management of Africa's natural resources in situations of conflict, as one of the continent's eight peace and security priorities.[101] As a result, apropos the DRC, the Policy and Decision, *inter alia,* called on the DRC government to regulate artisanal mining to improve labour conditions, prevent human rights violations and ensure that artisanal mining contributes to poverty reduction and sustainable development.[102]

International responses

United Nations Security Council, MONUC and sanctions

The United Nations Security Council (UNSC) has declared that the situation in the eastern DRC in particular and the DRC in general constitutes a threat to the maintenance of international peace and security, and as a result has passed numerous resolutions to deal with the situation. In addition, the Council has recognised the linkages between the illegal exploitation of natural resources, illicit trade in such resources and the proliferation of and trafficking in arms as factors fuelling and exacerbating conflicts in the Great Lakes region. Thus, in Resolution 1493 (2003), it imposed an arms embargo on all foreign and Congolese armed groups and militias operating in the territories of North and South Kivu and Ituri, and on groups not parties to the Global and All Inclusive Agreement on the Transition in the DRC.[103] It followed this by establishing a sanctions committee and a group of experts to monitor the implementation of the arms embargo in Resolution 1533 (2004).[104] In Resolution 1596 (2005), the UNSC further imposed travel restrictions and a freeze on the assets of individuals and entities violating the arms embargo[105] and, in Resolution 1649 (2005), it extended the applicability of the travel and financial restrictions to political and military leaders of foreign armed groups operating in the DRC and Congolese militias receiving support from abroad that continue to impede the participation of their combatants in the disarmament, demobilisation and reintegration (DDR) processes.

The Council, in Resolution 1807 (2008), extended the asset freeze and travel ban to individuals operating in the DRC and committing serious violations of international law involving the targeting of women in situations of armed conflict, including killing and maiming, sexual violence, abduction and forced displacement.[106] In addition, it sanctioned individuals obstructing the access to or the distribution of humanitarian assistance in the eastern DRC, as well as individuals or entities supporting the illegal armed groups in the eastern DRC through the illicit trade in natural resources.[107] While extending the mandate of the *Mission des Nations Unies en République Démocratique du Congo* (MONUC), the Group of Experts and the Sanctions Committee, the Council also renewed the sanctions listed in various resolutions.[108]

Sanctions in the form of travel bans and asset freezes as envisaged in, for example, Resolution 1857 (2008) have been imposed on, among others, four FDLR leaders, namely Callixte Mbarushimana, Stanislas Nzeyimana, Pacifique Ntawunguka and Léopold Mujyambere. Although the FDLR military commander, Major-General Sylvestre Mudacumura, was placed on the sanctions list in 2005, this remains an essentially symbolic gesture because, like most of the sanctioned persons, he lives in Kivu province and has no bank account or any possibility of travel.[109]

Although *Mission des Nations Unies en République Démocratique du Congo (*MONUC) (now called *Mission de l'Organisation des Nations Unies pour la Stabilisation en République Démocratique du Congo [*MONUSCO]) is the biggest UN peacekeeping mission in the world, with a Chapter VII mandate, it has not lived up to expectations for a number of reasons. First, both the Congolese government and general population view the force with suspicion as a result of the history of the UN in the Congo. According to Prunier, the suspicion stems from, among others, the role played by the UN in Lumumba's murder in the early 1960s.[110] Second, troop numbers are small compared to the area that it is supposed to police. Third, when fighting has broken out between the different militias/rebel groups and/or between the militias/rebel groups and FARDC, as happened in 2004 in Bukavu between Nkunda's troops and the FDLR, MONUC troops seemed to be 'demoralised and rudderless'.[111] This is attributed to a lack of skills, resources and military equipment suited to counterinsurgency operations.[112] Finally, while the UNSC has directed it to work hand in hand with FARDC in the protection of civilians and in carrying out DDR,[113] the collaboration has been fraught with difficulties, as FARDC violates human rights, collaborates with rebel/militias (that

MONUSCO is supposed to demobilise) and engages in illegal exploitation of natural resources and illicit trade in those resources.[114]

UNSC Resolution 1925 (2010) [115] is the latest to change the mandate of MONUC and also renames MONUC the United Nations Organisation Stabilisation Mission in the DRC (MONUSCO). In the resolution the Council authorises MONUSCO to use all necessary means to carry out its protection mandate, including protection of civilians, humanitarian personnel and human rights defenders under imminent threat of physical violence, as well as the protection of the UN personnel, facilities, installations and equipment. The mission must also support government efforts to fight impunity and ensure the protection of civilians against violations of international human rights and humanitarian law, including all forms of sexual and gender-based violence.

During 2008,MONUC, in collaboration with FARDC, planned and began implementing an operation in North and South Kivu called '*Kimia*' that was intended to increase military pressure on the FDLR. However, the operation was called off after the resumption of fighting between FARDC and CNDP in August 2008. In 2009, MONUC and FARDC launched *Operation Kimia II* against the FDLR and other Congolese groups that still resisted integration of their forces into FARDC. In the operation MONUC provided rations, fuel supplies, medical evacuation of wounded personnel and supporting air and artillery fire upon request by FARDC.[116] During the operation, which ended in December 2009, a total of 1 564 FDLR combatants, including 42 children and 2 187 dependants, joined the disarmament, demobilisation, resettlement and reintegration (DDRR) process. The strength of the FDLR is also estimated to have been reduced by half due to this operation.[117] Since January 2010, FARDC and MONUSCO have conducted joint planned operations known as '*Amani Leo*', which targeted FDLR strongholds. What these operations have shown is that military pressure is essential to break down FDLR's command and support structures, cut off the group's sources of revenue and encourage a collapse in morale. In all, efforts by the FARDC and MONUSCO to demobilise and integrate Congolese armed non-state groups have resulted in the demobilisation of nearly 1 000 combatants during the first quarter of 2010.[118]

In my opinion, however, the suggested withdrawal of 2 000 UN military personnel by 30 June 2010 'from areas where the situation permits' has sent a wrong signal in as far as confronting the menace of the FDLR and other rebel/militia groups is concerned.[119] What is required is for MONUSCO to concentrate its forces in the eastern DRC to once-and-for-all deal with and end the phenomenon of rebel and militia groups in the region.

The Kimberley Process

The Kimberley Process Certification Scheme for Rough Diamonds[120] was established to find a solution to the international problem of conflict diamonds that are used to finance armed conflicts and the activities of rebel movements that aim to undermine or overthrow legitimate governments. Under the scheme, conflict diamonds are defined as 'rough diamonds used by rebel movements or their allies to finance conflict aimed at undermining legitimate governments' (section I). The Kimberley Process establishes an international certification scheme for rough diamonds based on national laws and practices. Each participant is, *inter alia,* called on to establish a system of internal controls designed to eliminate the presence of conflict diamonds from shipments of rough diamonds imported into and exported from its territory (section IV).

The DRC is a member of the Kimberley Process and has been involved since the negotiations stage.[121] However, the country has found it difficult to implement the Kimberley Process requirements because, first, the government does not control the trade in diamonds from rebel-held areas in the eastern DRC; second, the government itself faces enormous challenges in ending endemic corruption,[122] third, even when the government has deployed its forces in the eastern DRC, they have engaged in the smuggling of diamonds just like the numerous rebel and militia groups who pervade the region.

The International Criminal Court

The DRC signed the Rome Statute on 8 September 2000 and deposited its ratification on 11 April 2002. In July 2003, the Office of the Prosecutor started investigating crimes within the jurisdiction of the ICC that were being committed in the Ituri region. In March 2004, the DRC government decided to refer the DRC situation to the ICC and asked the Prosecutor to 'investigate in order to determine if one or more persons should be charged with such crimes (falling within the jurisdiction of the Court that may have been committed).'[123] As a result of the Prosecutor's investigations, arrest warrants were issued for Thomas Lubanga, Mathieu Ngudjolo Chui, Germaine Katanga and Bosco Ntaganda. Lubanga, Chui and Katanga were arrested and transferred to the ICC jurisdiction, but Ntaganda is still at large. The Prosecutor has now set his sights on Kivu provinces, where hopefully new indictments and warrants of arrest will be issued soon.[124]

On 28 May 2008, Jean-Pierre Bemba was arrested in Belgium on four counts of war crimes and two of crimes against humanity.[125] According to the warrant of arrest issued by the ICC, Bemba and his MLC had intervened in the conflict in the CAR in 2002–2003 and 'pursued a plan of terrorising and brutalising innocent civilians, in particular during a campaign of mass rapes and looting'.[126] It is unfortunate that the ICC has indicted Bemba as a result of its investigations into events in the CAR and not on any crimes he may have committed during the long war in the DRC. Also, there are no charges relating to the plunder of Congolese natural resources, which the MLC carried out during its occupation of large swathes of territory in Orientale and Equator provinces.

The failure to indict Bemba on crimes he may have committed during the DRC war has not gone unnoticed and the ICC has been criticised for allowing the rebel leader to 'get away too lightly', particularly in view of the prosecution of Thomas Lubanga with crimes relating to recruitment of children.[127] This seeming contradiction highlights the problem the ICC has experienced in the DRC, as in other countries, of not having the capacity to arrest the people for whom arrest warrants have been issued. The LRA's Joseph Kony and his top commanders, for whom warrants were issued in 2005, are still at large, while that issued against Sudanese President Omar el-Bashir is unlikely to be executed as long as he remains in power. This clearly shows that the ICC will face great difficulty in dealing with the numerous rebel and militia groups in the eastern DRC. It may indict rebel and militia leaders (for example Ntaganda), but it will be next-to-impossible to take the indicted persons into custody without the support of the relevant state.

CONCLUSION AND RECOMMENDATIONS

The countries initially involved in the DRC conflict, particularly Uganda and Rwanda, had hoped to find Laurent Kabila and the AFDL a useful cover for their strategic objective of creating a buffer economic and political security zone in the eastern Congo. However, Kabila disappointed them by failing to serve their interests. As a result, the two countries started a policy of creating and supporting rebel groups to unseat the Kinshasa government. The groups subsequently disintegrated into splinter groups and were not helpful at all as they started fighting among themselves and also gave raise to new movements that sprung up to challenge the foreign-created groups. This happened all over the eastern DRC. Although some of the rebel and militia groups, such as RCD-Goma, RCD-ML and RCD-Nationale, ceased to exist when they joined the transitional government, others such as the *Mai-Mai*, continue to sow terror in the eastern DRC.

In order to sustain their activities, the rebel and militia groups started exploiting the rich natural resources in the areas they came to control. This practice of exploiting the DRC's natural resources to support the war effort was started by the AFDL, when Kabila began signing mining concessions with private investors from all over the world to finance the war against Mobutu even before he came to power. Thus Kabila set a precedent that was subsequently followed by numerous rebel and militia groups in the DRC.

The question remains, what should be done about the various rebel and militia groups that continue to exploit the fluid situation to perpetuate their existence? My recommendation is that the strategy to defeat these groups should be based on short- and long-term timelines. In the short term, the capacity of the MONUSCO and FARDC forces should be improved to enable them to defeat these groups militarily. Experience has shown that military pressure could lead to the demise of these rebel and militia groups in the eastern DRC. The military operations against the FDLR (*Operation Kimia II* and *Operation Amani Leo*), for example, resulted in the rebel elements abandoning their bases, pulling out of their positions in villages and losing access to markets, communication routes and some mining areas. Thus, as the results of these operations exemplify, military operations against the rebel and militia groups should be intensified and sustained.

In the long run, however, there is a need to rebuild the state institutions of the DRC so that they become capable of maintaining law and order. Any foreign intervention is simply a temporary measure that does not address the basic causes of the conflict and so cannot redress the situation on a permanent basis. The rebel and militia groups have been fishing in troubled waters simply because the Congolese state is not strong in the east. In this regard, Reyntjens has, for example, observed that in the eastern DRC, possession of a gun is a sufficient excuse[128] for the imposition of 'taxes' by the rebels and militias. Security sector reforms are thus needed to build the capacity of the Congolese National Police and FARDC to ensure the maintenance of law and order.

Furthermore, the countries of Uganda, Rwanda, Burundi and the DRC need to normalise their relations so that they stop supporting and counter-supporting rebel and militia groups in each other's territories. From the above, it is clear that the majority of the rebel and militia groups in the eastern DRC have links with other states in the region. The establishment of regional frameworks such as the ICGLR and its various protocols on nonaggression and combating illegal exploitation of natural resources of the region will go a long way towards

promoting peace and security in the Great Lakes region and the elimination of the negative rebel and militia group elements. The normalisation of relations among the states of the region will eliminate suspicion(s) and promote cooperation and joint action to eliminate these groups and promote peace. This is indeed what happened in the case of the joint action taken by the DRC and Rwanda, which resulted in the arrest of Nkunda and the integration of most of his force into FARDC. Clearly, collaboration among the states of the region would be a powerful weapon for eliminating once-and-for-all the various rebel and militia groups that continue to sow unrest in the eastern DRC.

NOTES

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110 Prunier, *From genocide to continental war*, 246.

111 Ibid, 298.

112 ICG, *Congo: a comprehensive strategy to disarm the FDLR*, 25.

113 UNSC, Resolution 1856 (S/RES/1856 [2008[), 22 D ecember 2008. The resolution mandates MONUC to use its monitoring and inspection capacities to curtail the provision of support to i llegal a rmed g roups t hat der ive in come f rom t he i llicit t rade in n atural r esources. However, the resolution does not cover FARDC.

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Chapter 8

Militias, pirates and oil in the Niger Delta

Ibaba Samuel Ibaba and Augustine Ikelegbe

INTRODUCTION

Although the Niger Delta produces the bulk of Nigeria's oil and gas wealth, it remains one of the least-developed parts of the country. This paradox has triggered a conflict that has lingered on for five decades. This conflict has recently been manifested through huge militarisation of the region, militia insurgency, hostilities between youth militias and the Nigerian military, militia attacks on the oil industry and consequent huge disruptions, the theft of oil by syndicates, and militias and intra- and inter-ethnic, community and militia conflicts. Since the late 1990s, militia groups such as the *Niger Delta People's Volunteer Force* (NDPVF), *Movement for the Emancipation of the Niger Delta* (MEND), and *Niger Delta People's Salvation Front* (NDPSF) have been conducting hostilities against the military and transnational oil companies.

Fundamentally, grievances against development neglect, alienation from the nation's oil wealth, and oil-based environmental degradation are at the root of this militancy,[1] but greed and the resultant commercialisation of violence have led to what Ikelegbe[2] calls 'deviant insurgent militias'. Specifically, the emergence of diverse militia activities (underpinned by opportunism and crime which disconnect such activities from the insurgency) has resulted in the branding of militias as criminals. More confusing are interconnections among militias,

pirates, cults, oil theft syndicates, syndicates that kidnap for ransom, armed gangs, thugs and bouncers. The interconnections denote a confused agenda and activities that tend towards self-destruction. In addition, there is an increasing presence of militias in politics and they are emerging as pseudo-governments in rural communities.

These matters, among others, raise pertinent questions:

- What is the nature and essence of militia groups in the Niger Delta?
- Can militias be separated from pirates?
- What are the critical factors and conditions that sustain militia groups?
- What are the roles of state and non-state actors in the emergence of militia groups?
- What is the impact of militia activities on the national economy and security?
- How have the state and transnational oil companies responded to the conflict?

In this chapter, we attempt to answer these questions and give a systematic analysis of the phenomenon of militias and pirates in the Niger Delta.

The chapter begins with an introduction that raises questions to be addressed. It then reviews the literature on resources and conflict, particularly how the 'greed and grievance' thesis applies to the Niger Delta; maps the violence and crises in the region and the activities and engagements of the militias with the Nigerian state and the transnational oil companies, and examines the factors and developments that underlie the emergence of the militia phenomenon. The chapter also examines the diverse actors that are engaged in the conflict other than the militias, how the militias interface with politics and governance, the impact of militia activities, militia and military engagements, and the violent conflicts on the economy and human security. Furthermore, it interrogates the responses of the Nigerian state, the transnational oil companies, regional organisations and the international community to the conflict. The chapter concludes with the examination of current efforts aimed at resolving the conflict and raises issues needing further consideration.

Resources and conflict: the dilemma between greed and grievance

The current literature locates the causes of violence in the Niger Delta in the 'greed and grievance' perspectives of Collier and Hoeffler.[3] Although grievances resulting from the socioeconomic and political marginalisation of the minority ethnic groups in the Niger Delta by the major ethnic groups in Nigeria are seen to be the fundamental causes of the conflict,[4] looting of oil wealth for selfish purposes is now seen to be driving and sustaining the conflict.[5] However, according to Ukiwo, greed is held out as the main cause only because it exonerates the Nigerian state from culpability in the neglect, underdevelopment and marginalisation of the region.[6]

Greed, corruption and grievance appear to be interconnected, and Billon has highlighted three points of contact.[7] First, corruption can increase grievance. Second, corruption in governance induces greed that motivates marginalised political and military groups to act for change. Thus marginalised groups could seek political power for personal aggrandisement. Third, political institutions such as conflict resolution mechanisms are usually undermined by political corruption. Thus, though Collier and Hoeffler's 'greed' thesis may not aptly capture the Niger Delta condition, neglecting it could rob us of a clearer understanding of the conflicts in the region.[8]

In the context of the 'grievance versus greed' thesis, two broad categories of actors are involved in the conflict – those driven or motivated by grievance and those motivated by greed. But if we agree that corruption is a product of greed, and that it induces marginalisation and inequality, we may conclude that greed also can be a source of grievance.

It is true that oil wealth has been transferred out of the Niger Delta for the benefit of the ethnic majorities that control the Nigerian state. But how much of this wealth has benefited the ordinary citizens of the majority ethnic groups? Is the scenario different in the Niger Delta where the leadership lives in affluence while the vast majority of the citizens live in abject and deepening poverty? It is evident therefore that the ethnic and regional politics of hegemony, exclusion and prebendalism that underpin the grievances in the Niger Delta are a product of the greed of the ruling class.

In the Niger Delta, the political leaders who champion the 'grievance' thesis have also often embezzled development funds through misuse of public offices. Following the implementation of the 13 per cent derivation funds in 2000, huge revenues have flowed into the Niger Delta. In comparison, the region has received far more revenue than the other geopolitical zones, but this has had little impact on the citizens. For example, the six Niger Delta states were allocated about

US$4 billion out of US$11 billion meant for the 36 states of the federation from the federation account in 2007.[9]

Because of corruption and poor planning, only a small proportion of these funds trickled down to the masses. Thus there has been little improvement in the standard of living. The United Nations Development Programme (UNDP) reported in 2006 that people still suffer extreme deprivation despite the huge flow of oil revenue into the region.[10] It notes, for example, that one primary health facility serves 43 settlements, or a total of 9 805 people, in an area of 44 square kilometres. Similarly, only 20–24 per cent of the population have access to clean water. Awareness of the looting of development funds by political leaders and public officials has also become a source of grievance. The resulting disillusionment over corruption and failed access to development and resources have fuelled class, ethnic and social tensions that turn violent as each group lays claim to a fair share of the oil wealth.[11]

Explaining the conflicts from the perspectives of greed or grievance will be more meaningful when located in the context of the conflict system. For example, whereas the 'grievance' thesis may reasonably capture the essence of the agitations against the Nigerian state, it does not adequately explain intra- and inter-ethnic, community, militia/cult and related conflicts.

It is noteworthy that access to resources has been a source of grievance that underlies inter- and intra-community and inter-ethnic conflicts in the Niger Delta. Further, youths have overthrown community leadership structures primarily as part of a struggle for access to community and transnational oil company resources. On the other hand, it is possible that in cases where the political leadership supports youth movements, it is to further their ambition to embezzle state funds. Therefore, the struggle for resources born from a genuine need for development and compensation for resources on the one hand and opportunistic desires and greed for accumulation on the other is at the centre of the conflicts.

Murshed and Tadjoeddin also draw attention to the fact that the greed and grievance variables are not sufficient to explain the outbreak of violence and point out that the weakening of the social contract underlies conflict:

> … even if rents from capturable resources do constitute a sizeable prize, violent conflict is unlikely to take hold if a country has a framework of widely agreed rules, both formal and informal, that governs the allocation of resources, including resource rents, and the peaceful settlement of grievances … Viable social contract can be sufficient to restrain, if not eliminate, opportunistic behaviour such as large-scale theft of resource rents, and the violent expression of grievance.[12]

Murshed and Tadjoeddin further mention inequitable distribution of resources, unstable polity and declining economic growth as capable of weakening the social contract.[13] Clearly, this perspective provides a useful explanation for the conflicts in the Niger Delta. The issues of the national question and dissatisfaction with the country's administrative and political structure and misgovernance are other factors that are clearly indicated.[14] The nature and character of the state and corporate resource governance have been so inequitable and unfair that violent appropriation of resources has become the norm. Corruption and misgovernance have eroded confidence in the state and transnational oil companies. Electoral fraud has diminished the essence of the social contract and the general population has lost faith in governmental institutions at the three tiers of governance (federal, state and local). Frustration with the failure of governance explains to a large extent the diverse forms and dimensions of violent conflicts that plague the region. But apart from the issues of resource management and governance, there has been a breakdown of society's social fabric. Social disorganisation has led to the collapse of societal control and traditional norms, and has resulted in deviant behaviour and crime.[15]

Violence and crisis in the Niger Delta

The conflict has taken several turns and dimensions that have to be presented for a clearer appreciation of the violence.

Mapping the Niger Delta conflict: from agitation to resistance

The neglect, marginalisation and underdevelopment that generated activism and fomented unrest in the Niger Delta began during the colonial administration.[16] Indeed, the recent events defined by oil politics constitute merely the tipping point in a conflict dating back to the colonial era. Thus, conflicts in the Delta can be categorised as pre- and post-oil conflicts, with different strands of engagement characterising the post-oil conflicts.

The conflict can be mapped by means of the six phases in table 8–1.

Table 8–1: Trend of conflics in the Niger Delta

Phase	Period	Agitation
1	1950–1965	■ Civil agitation for special developmental attention because of unique ecological difficulties and for separate regions because of marginalisation by ethnic majority groups
2	23 February to 6 March 1966	■ Militant insurgent engagement by Adaka Boro and the Niger Delta Volunteer Service (NDVS) ■ Separation or autonomy as the goal of engagement
3	1970–1982	■ Agitations by host communities against transnational oil companies ■ Demands for basic social infrastructure and amenities, and payment of compensation for damages to land and property
4	1983–1990	■ Conflict between host communities and transnational oil companies over payment of adequate compensation for damages to land, water and property, and for development projects ■ Litigation and peaceful obstructions and protests as the instruments of engagement
5	1990–1996	■ Emergence of civil, community, ethnic and regional groups in response to state and transnational oil companies' insensitivity and repression ■ Peaceful demonstrations by host communities and occupation of oil production facilities, demanding adequate compensation for damages and development attention
6	1997–2009	■ Militant and militia actions against transnational oil companies ■ Demand for resource ownership and control by civil, political and militia groups ■ Violent confrontations and low-intensity war between militia groups and the military

Sources: compiled from L Owugah, Local resistance and the state, Paper presented at the Oil Watch African General Assembly, Port Harcourt, 9–14 February 1999, 5–8; and A Ikelegbe, Beyond the threshold of civil struggle: youth militancy and the militiaisation of the resource conflict in the Niger Delta region of Nigeria, *African Study Monographs* 27(3) (2006), 87–122, 104–106.

A number of issues are inextricably linked to the conflict:

- Deprivation, neglect, underdevelopment and associated alienation have been at the base of the agitations and conflict since the 1950s
- The insensitivity of the government and the failure of governmental institutions to address the issues effectively meant that the issues that caused the conflict remained unresolved
- There was a loss of faith in the government and its institutions as well as in the oil companies. This resulted in the mobilisation of the people, particularly the youth and civil society, against the state and oil companies[17]
- State repression and excessive use of force turned peaceful civil disturbances into violent engagements, as youth and militant activists adopted armed confrontation both as a defence mechanism and as an effective instrument in the pursuit of their goals[18]

Militias, pirates and cults in the Niger Delta

The insurgency in the Delta involves a welter of different groups[19] – civil society organisations, militias and cults. Memberships and roles overlap because individuals and groups who identify themselves as, for example, militias may also be members of cult groups and be engaged in piracy. Radical ethnic, pan-ethnic and youth-based civil society organisations have been so militant that they have been erroneously listed as militias.

Civil society groups in the Niger Delta include the *Ijaw National Congress*, the *Movement for the Survival of the Ogoni People*, the *Egbema National Congress* and the *Isoko Community Oil Producing Forum*. Cult groups include the *Greenlanders, Deegbam, Bush Boys, Black Braziers, Icelanders, Vikings, Vultures, Germans* and *Mafia Lords*. Militia groups include the NDPVF, MEND, NDPSF, the *Niger Delta Militant Force Squad* (NDMFS), and the *Egbesu Boys of Africa*.[20] Whereas the civil society and militia groups are pan-ethnic and are therefore found in all states of the Niger Delta, the cult groups are based in particular localities. For example, the *Deegbam* is based in Port Harcourt in Rivers State. It is noteworthy, however, that because some of them (such as the *Vikings* and *Black Braziers*) originated as campus cults, they are found at nearly all tertiary institutions in the country.

The first manifestation of the militia phenomenon in the Niger Delta was between February and March 1966, when Adaka Boro's *Niger Delta Volunteer Service* (NDVS), comprising armed militant Ijaw youths, seized some communities and oil facilities, declared a Niger Delta People's Republic, and engaged the Nigerian military until it was defeated and its members tried for treason. There was a cessation of militant activities until 1997 when the current manifestation began. The present militia groups, comprising mostly Ijaw militants, first emerged in the Warri region of Delta State, their Itsekiri neighbours, the oil companies and the Nigerian military deployed to protect the oil infrastructure and to contain the conflict arising from political and resource marginalisation. The

most prominent militant group, the *Federated Niger Delta Ijaw Communities* (FNDIC), supported mainly Ijaw causes and militant activities elsewhere (apart from violent clashes during the Warri crisis between 1997 and 2004).

Following the Kaiama Declaration[21] of December 1998 – which had been signed by several thousand Ijaw youths and marked the starting point of very radical demands – and subsequent military operations against youth protests that followed, militant groups engaged in counterattacks and resistance. Prominent militia groups that emerged during this period were the *Egbesu Boys of Africa*, the *Niger Delta Resistance Movement,* the *Niger Delta Oil Producing Communities Development Organisation*, the NDPVF, the NDVS and the *Supreme Egbesu Assembly*. Between 2003 and 2005, the NDPVF and the NDVS were prominent in the eastern part of the Niger Delta. Currently, the most prominent militia groups are MEND, the *Coalition for Militant Action* (COMA), and the *Martyrs' Brigade*.

Youth militias in the Niger Delta are actually a loose confederation of militia groups, bands, cults, and freelance, volunteer and hired fighters. They are based in numerous camps in the remote corners of the swamps, estuaries and creeks. The diffuseness of the overall militia organisation is further complicated by sometimes multiple and overlapping memberships, shared participation in battles called by other groups, and even broad mobilisations for causes of diverse groups and communities, sometimes across state borders and the eastern and western axis of the Delta.[22] As Okonta notes, the constituent groups within MEND 'take their own decisions and plan their attacks separately, but are able to coordinate with other units in joint expeditions where necessary'.[23]

The militias are organised on the basis of military hierarchy and formations. MEND, for example, which is the most prominent group, has a command and platoon structure in all states of the Niger Delta, each headed by a commander, with a central command in the Ijaw territory of Delta State. The intelligence unit undertakes strategic studies and provides tactics that underlie its operations. The leadership have false names and identities, and to a large extent are unknown, particularly to the Nigerian security forces and operatives. Other groups that are based in particular locations are organised into area commands, too. It is noteworthy that these commands all have a semblance of military formations, command structure and discipline. The militias have predominantly youth members. The militia groups along the eastern axis of the Delta interface with cult groups that usually serve as fertile grounds for recruitment.

The militias use essentially speedboats and guerrilla tactics when attacking oil and military installations. Although they have operated in the oil cities of Port Harcourt and Warri as well as other towns, their main targets are along the creeks, swamps, estuaries and waterways of the Delta. Their main strategy has been to disrupt oil production and compel government to negotiate with them on their demands. They have achieved this through issuing press releases, delivering threats and ultimatums to oil companies, attacking personnel and facilities of oil companies, disrupting and even shutting down oil production, kidnapping oil workers or taking them hostage, and carrying out armed attacks and counterattacks against security forces guarding oil installations and patrolling waterways. The objectives of the militias include ending injustice and neglect, achieving ethnic emancipation and survival, true federalism, obtaining a greater share of the oil revenue, redressing marginalisation and underdevelopment caused by the Nigerian state and oil companies, acquiring ownership in the oil industry, promoting employment and economic empowerment, achieving self-determination and increasing their political representation.[24]

The militias can be categorised on the basis of objectives or ethnic composition. There are private militias (NDPVF, *Adaka Marines, Martyrs' Brigade, Niger Delta Vigilante, NDMFS* and *Niger Delta Coastal Guerrillas*), ethnic militias (the *Meinbutus, Arugbo Freedom Fighters, Iduwini Volunteer Force* and *Egbesu Boys*) and pan-ethnic militias (MEND, COMA and the NDPSF).

Pirates are armed bands and gangs that attack boats and passengers along the coast and waterways. They often block and obstruct traffic on river routes, attack and seize boats, hold passengers hostage (demanding huge sums as ransom) and steal passengers' possessions. Attacks on some of the waterway routes in Bayelsa and Delta states have been so frequent and violent that the state governments have created security outfits to contain the menace. In Bayelsa State, the government created the *Bayelsa Volunteers* consisting of about 5 000 youths, while the Delta State government created the Waterways Security Committee. The Joint Military Task Force has been patrolling and policing the waterways since the late 1990s to curtail, among others, the threat posed by pirates.

These pirates are criminal and deviant elements in the militia groups or opportunistic elements that masquerade as militias. With small arms and opportunities to extort, these groups have turned the waterways into territories for profiteering. That the pirates and militias are closely related is clear from the fact that the militias dominate and control the creeks. The phenomenon has also been associated with increased militancy and militia activities along the creeks.

Ikelegbe[25] succinctly describes the interconnection between militias and pirates:

> There is a strong linkage between the militias, armed gangs and cultists, the pirates and the bunkerers. The boundaries between them may be fluid as one group could easily merge in to the other. The pirates for example are linked to the direct waterways robbery, are agents of larger bunkerers, guards to oil theft operations and guides to the boats, barges and ships of bunkers. They may be part of larger militias and armed bands that may be involved in popular violence.

Ukiwo states that to separate pirates from militias would be like separating Siamese twins rather than separating sheep from goats.[26] The fact is that pirates have become militias, just as militias engage in piracy to mobilise resources to sustain insurgency or for personal enrichment. Piracy has thrived because of the loose control, lack of discipline and loss of focus among the militia groups.

Cults started out as violent secret campus fraternities that moved beyond the campuses in terms of membership, organisation and operations. Once outside the campuses, the fraternities became more extensive, armed, criminalised and brutal. More importantly, in Rivers and Bayelsa states they became extensions of, or were affiliated with or worked in collaboration with and under the control and direction of, the militia groups, from which they also received arms and funding. The cult groups, particularly, formed alliances with the NDPVF and NDV in their intensive internecine wars over territorial and resource control in Rivers State between 2004 and 2007.[27]

Militias and military engagements

The region has been militarised since the early 1990s following the Ogoni protests and increased agitation and protests. Extensive military deployments and operations have turned the entire region into a large garrisoned command, particularly since the late 1990s. The forces of occupation and military action have included the Internal Security Force in Ogoniland, *Operation Hakuri I* and *II* and *Operation Flush Out*. A joint military task force codenamed *Operation Restore Hope* now operates in the region.

Military deployments intensified since December 1998 after the Kaiama Declaration and the Ijaw youth protests that followed. The deployments,

operations and brutalities were challenged for the first time by armed youths, resulting in clashes and bloody battles at Kaiama, Ekeki Yenagoa, Yenagoa, Oliobiri, Opia, Ikemya and Ogbia. Youth militias subsequently emerged as a major force of counter-violence and armed engagement. Militia and military confrontations have continued in several communities and oil installations, waterways, militia camps and even military barracks and facilities. The military has had to patrol the waterways and creeks, guard vessels, tankers and ships, protect oil installations and personnel, and intervene in cities and communities with militia presence and activities. In the process, the military deployed several thousand men with sophisticated weaponry such as naval warships, fast amphibious crafts, helicopter gunboats, armoured personnel carriers and tanks. The militias are also fairly well armed with rocket launchers, machine guns, rocket-propelled grenades, bombs, automatic and assault rifles, AK-47s and bazookas. The ensuing cycle of violence has been sustained by the availability of arms in the region, funds from forceful appropriations of resources from oil companies, the underground economy and persistent state military actions and repression.

Attacks and counterattacks have taken place in the oil installations, local communities, militia camps, military posts and along the waterways. The militias have attacked numerous oil facilities such as pipelines, gas facilities, flow stations, oil platforms and terminals, offshore oil facilities, vessels and even towns such as the main oil cities of Warri and Port Harcourt. They have seized vessels, cargo ships, boats, barges, helicopters, equipment and oil facilities, and kidnapped and abducted hundreds of foreign oil workers. It is noteworthy that it took the combined effort of the Nigerian navy, army and air force, and the use of military hardware such as helicopter gunships, to subdue one militant camp in Delta State in May 2009, during a counterinsurgency operation.[28]

Militia activities and attacks have been quite intense since 2006. Between 2003 and 2005 there were several incidents, including eight attacks on the security forces/police in which 36 people were killed and two injured; five attacks on oil companies that led to the killing of eight people (five expatriates), while 18 expatriates were taken hostage.[29] There were a further 39 militia attacks between January and August 2006, which led to the deaths of 36 people (including 21 soldiers and six naval personnel). Perhaps more significant was the bomb attack on Bori Camp, the headquarters of the amphibious brigade of the Nigerian army in Port Harcourt in Rivers State on 19 April 2006 and the 29 April 2006 attack on

the Joint Military Task Force headquarters in Warri in Delta State.[30] About 130 oil workers were taken hostage in 33 attacks with nine deaths between January and July 2007.[31] The February 2008 attack on Equatorial Guinea drew attention to the threat that Niger Delta militias could pose to regional stability and security in the Gulf of Guinea.

The militias, opportunism and crime

The core groups of militias such as MEND are clearly revolutionist and they pursue political objectives as well as development of the region. However, some militia groups have been criminalised and are driven by opportunism and greed, as evidenced by their participation in oil theft, kidnapping and hostage taking, and extortion from individuals, vessels, governments and oil companies. To these elements, violence has simply been commercialised in the context of lucrative opportunities. Initially, opportunistic militia elements were guards, escorts and agents of oil theft syndicates or bunkerers. However, such militias soon came into their own, in terms of the control of territory for bunkering, the crude refining or production of petroleum products and the collection of tolls from other oil bunkerers and vessels.

In stealing oil, the militias do not act alone but in collusion with high-ranking serving and retired military, security, government and oil company officials and merchants and syndicates.[32] The oil theft syndicates fund and arm the militias and armed gangs. The syndicates also benefit from the instability and insecurity that result from conflicts and clashes between the militias and the military. The involvement of such corrupt officials of oil companies and military and security units demonstrates the complex web in which militia activities and even the conflicts are enmeshed and how these webs endanger national security. At the core of this complex web are conflict beneficiaries who profit from the conflicts and therefore have interests in conflict perpetuation for greater or sustained profits. However, we should note that militia engagements in oil theft are sometimes not simply for profit but to sustain and finance militia operations.[33]

Militia criminality has been manifested in participation in piracy, kidnapping, extortion, political intimidation, thuggery, electoral violence, bank robberies, armed robberies and other crimes. Criminality is mostly engaged in by the small armed bands, cults, private militias and freelance militias, which are less under the control of the core and more insurgent ethnic and pan-ethnic militia groups.

The genesis of militias and pirates

The emergence of militias in the Niger Delta can be traced to historical and contemporary forces at five levels.[34]

The militarisation of politics

State power, institutions, resources and public office in Nigeria often have been privatised and manipulated for personal gain.[35] Because of the state's centrality to the politics of distribution, accumulation, welfare and development, it is an object of intense hegemonic struggle. This has spawned in tense, lawless and amoral struggles for power, leading to corruption, violence and conflicts. The nature of the state and state politics underlies and undermines electoral processes and has turned elections into fraudulent, violent and flawed exercises. The intense struggles for state power explain why extensive electoral irregularities and electoral violence have been perpetrated by armed thugs and bands, a point highlighted by Human Rights Watch:[36]

> The transition to democracy in 1999 exacerbated youth militancy as unscrupulous politicians used hired 'thugs' to carry out violence to ensure their victory at the polls. Prior to the 1999 and 2003 federal state and local elections, all parties, but most effectively the ruling People's Democratic Party (PDP), recruited and armed members of youth groups to intimidate opposing politicians and their supporters.

In the Niger Delta, elections have been violent and flawed because of the high stakes. Political parties and leaders have used youth groups to engage in electoral violence, buying them arms and paying them to use violence to intimidate opponents. This happened in Rivers State where the NDV and NDPVF were used in electoral violence.[37] Cults, confraternities and armed bands have also been used in struggles and contestations for political power in the Niger Delta.

This has had two broad effects. First, because of social disorganisation induced by increasing anonymity, poor social relationships and increasing competition for resources, politicians in or outside power lose control of the actions of youth groups.[38]Second, youth groups are often abandoned after the elections. There are three reasons for this:

- Politicians who use youth groups to win elections abandon them because their services are no longer useful or needed

- Patrons of the youth groups fail to meet the needs and aspirations of the youths because of their unrealistic demands. This breaks their social contract and results in the withdrawal of support/allegiance on the part of the groups and abandonment by the 'principal'
- Losing politicians also abandon the youth groups almost immediately after the elections because they cannot maintain these groups

However, the arms bought for youth groups by their patrons are not retrieved, and arms for mobilisation and operations are therefore easily obtained. This explains why incidences of militancy and militia operations and even violent crimes tended to increase significantly after the 1999, 2003 and 2007 elections.

Inter-ethnic struggles and antagonisms

One of the most significant outcomes of several decades of colonisation in Nigeria is ethnic consciousness and identity politics.[39] Perceived domination and exclusion among the different ethnic groups in the country have engendered suspicion, and even palpable hatred, that have sowed the seeds of ethnic antagonism and violence. Inter-ethnic and inter-community conflicts have been quite pervasive in Nigeria. The defining aspect of these conflicts is the use of ethnic militias to carry out such conflicts.

In the Niger Delta, there have been several inter-ethnic conflicts, for example between the Ijaw and Itsekiri in Delta State; the Ogoni-Okrika and Ogoni against the Andoni in Rivers State; and between the Ilaje and Arogbo Ijaw in Ondo State. The violence between the Itsekiri and Ijaw appears to be the most prominent and can be traced to colonial conquests, integration, trade relations and the institutionalisation of Itsekiri dominance through the paramount status acquired by the Itsekiri monarch.[40]

Antagonism reached a climax in 1997 when the headquarters of the Warri South local government area was relocated from Ogbe-Ijoh (an Ijaw community) to Ogidigben (an Itsekiri community). The Ijaw response and the counter-response by the Itsekiri led to intermittent violence between 1997 and 2004.[41] The revenue allocation criteria in Nigeria used among others the local government to determine a group's share of federal revenue. More importantly, the location of the headquarters benefits from the provision of social infrastructure and amenities. The struggle over the location of the headquarters was therefore a struggle over resources and development inputs.

However, the crucial point here concerns the character of the violence. Ethnic identity was the rallying point for mobilisation, and ethnic militias whose members were predominantly youths were responsible for the violent conflicts. Small arms and dynamite and other explosives were used freely and the elite and opinion leaders on both sides ensured that the youths did not lack weapons. However, these arms were not surrendered when the hostilities ended, and neither were the fighters rehabilitated and reintegrated into their communities. This was also the case with other inter-community and ethnic conflicts in the region. This underlies the intensification of piracy, violent crimes and opportunism when these armed youths had to struggle for survival and relevance.

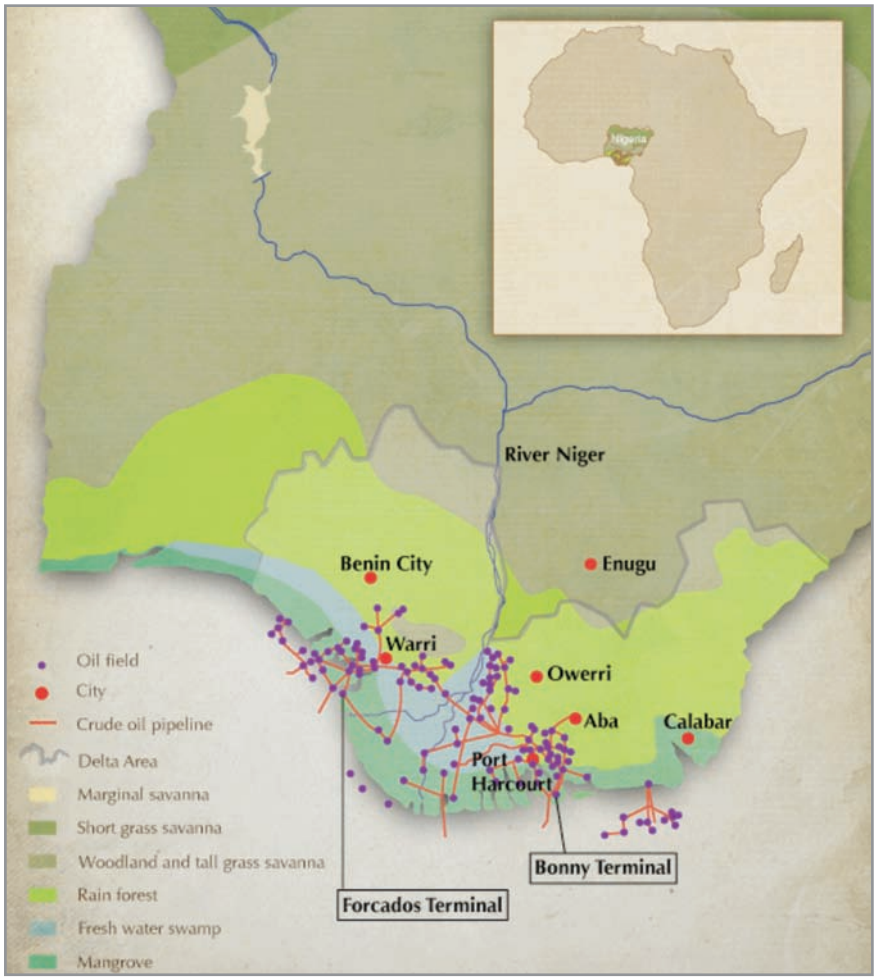
Inter- and intra-community struggles over oil resources

Inter- and intra-community conflicts in the Niger Delta over oil resources have provided a fertile ground for militia activities and piracy. It is not that there were no conflicts between communities prior to the regional conflict, but the number and intensity of conflicts have assumed alarming proportions due to militarisation, arms proliferation and the preponderance of armed groups or bands. Recent examples of inter-community conflicts include those between Emadike/Epebu and Ogbolomabiri/Bassambiri (Bayelsa State), between Bille/Ice and Ekunuga/Okolomade, between Alesa/Eleme and Okrika (Rivers State) and between Odimodi/Ogulagha and Isama/Gbarigolo (Delta State).[42]

A number of factors have triggered these conflicts. The first is the divide-and-rule tactics that oil companies use to factionalise communities and turn one community against another through partisan and partial patronage. The second are land disputes arising from the high value placed on land precisely because of the oil it might contain. The third concern chieftaincy disputes, the collapsing authority of traditional governance systems and the erosion of the roles of elders in the moderation of social and community life. The fourth is the generalised lawlessness arising from the collapse of social and moral values and social disorganisation. These have facilitated the tendencies towards the militarisation of inter- and intra-community feuds and the ready use of armed confrontations and violent conflicts to settle disputes.[43]

As a result, factions and communities now generally use violent confrontations to deal with disagreements. The mobilisation, recruitment, training and arming of youths were common factors in all these conflicts. In Rivers State, cult groups were

Map 8–1: Niger Delta region



Source: Yiruo Zhao (http://www.circleofblue.org/waternews/2009/world/war-on-water/).

recruited because of their fire-power and paid heavily for their services in the conflicts.[44] Ikporukpo captures part of these effects:

> The militarisation of people, particularly the youths, has a number of implications. Many of these 'warriors' believe that there are economic gains in the plunder of another community. Such gains mean a lot to many unemployed individuals who may regard them as much more beneficial than employment. The result is that there may develop a group of individuals reluctant to work even if offered employment opportunities. Such individuals, often than not, become societal rejects. The boy soldier who is introduced to violence at an early age may become unemployable and in most cases not willing to be educated.[45]

Oil politics and the criminalisation of insurgency

Fundamentally, insurgency in the Niger Delta can be blamed on decades of neglect, militarism and injustice.[46] Furthermore, oil politics is one of the underlying causes. Aaron, Ibeanu, Okoko et al, Ikein, Ikporukpo, Opukiri and Ibaba, Naanen and Nna[47] have all noted that inequitable oil wealth distribution and allocation are the most critical factors in the crisis. Besides majority ethnic group domination, the centralised nature of federalism and revenue allocation, the abuse of human rights, oil-based environmental degradation and failure of corporate social responsibility on the part of oil companies lie at the root of the oil politics. The fact is that the rapacious tendencies of government and oil companies have given birth to ethnic nationalism in the Niger Delta.[48]

Although income from oil and gas account for about 90 per cent of export earnings, 40 per cent of the gross national product, and 84 per cent of government revenues,[49] the Niger Delta that accounts for over 90 per cent of oil and gas production in the country suffers from neglect, underdevelopment and poverty.[50] The dominant view is that the drastic reduction in the derivation share of revenue allocation, particularly between 1980 and 2000, may be attributed to the shift in revenue endowment and generation from the majority groups that control the state to the minority groups that lack power.[51] The federal government under the hegemony of the northern region seized control of oil and gas revenues and diverted the dominant bases of revenue allocation from derivation to population, land mass and equality of states. This disadvantaged the Niger Delta and reduced the benefits from oil and gas to this area to a trickle.

The Niger Delta people attribute the situation to the politics of marginalisation of minority groups and Nigeria's perverted federalism. The main source of friction is thus the reduction in the derivation share of revenue allocation, which is set out in table 8–2.

Table 8–2: Changes in the derivation component of revenue allocation

Period	Share of derivation
1960–1970	50 per cent
1970–1975	45 per cent
1975–1980	20 per cent
1980–1983	2 per cent
1984–1992	1,5 per cent
1992–2000	3 per cent
2000 to date	13 per cent

Sources: Compiled from A M Jega, *Democracy, good governance and development in Nigeria,* Ibadan: Spectrum Books, 2007, 203–245; S I Ibaba, *Understanding the Niger Delta crisis,* Port Harcourt: Amethyst and Colleagues, 2005, 98–99; G I Mbanefoh and F O Egwaikhide, Revenue allocation in Nigeria: derivation principle revisited, in A Kunle, R Suberu, A Agbaje and G Herault (eds), *Federalism and political restructuring in Nigeria,* Ibadan: Spectrum Books, 1998, 213–231.

This awareness has radicalised political actions and agitations for greater access to the oil wealth, and has resulted in the formation and proliferation of civil society groups and militant youth movements. The ensuing militancy and insurgency were criminalised by the commercialisation of violence. A number of incentives led to this. First, the oil companies made it corporate practice to award surveillance contracts to youth groups to protect their facilities.[52] The huge sums paid for such security contracts not only ensured greater access to arms and firepower, but also led to the formation of splinter groups and violent competition among youth groups.

Another factor is that chiefs, elites and politicians used youth groups to further their agendas of accumulation of wealth. This is linked to the sabotage of oil installations, oil theft and kidnapping of oil workers for ransom. On the other hand, state governments in the region pay huge sums of money to steer militants away from violence. For example, the leader of the NDPVF has noted that at one time the Rivers State government was paying militants 100 million naira per month to refrain from violence.[53] These payoffs were intended to ensure that oil production continued and to secure the revenue allocations based on derivation.

The backlash, however, is that the youths who received these large sums of money were unwilling to take on other work. Even worse, the huge revenue inflows into the Niger Delta have not been adequately invested in the people, thereby creating an environment for grievance and conflicts. It is noteworthy that corruption in governance in the Niger Delta has created bad role models for the youths. There is a general feeling that the current 13 per cent derivation in revenue allocation was achieved through the youths' struggles, but that the youths have been alienated from the wealth through corruption. Therefore, it is not surprising

that the criminalisation of insurgency has become a means of sharing in the oil wealth.

The youth movement

As we noted earlier, militias in the Niger Delta are made up largely of youths, a fact attributable to the central role of youths in the conflicts plaguing the region. A number of factors have been identified as the reasons for this:

- Youths are the most active segment of the population
- Youths (including women) are worst affected by the widespread poverty in the region
- A growing awareness of the region's predicament and the radicalisation of unrest infected the youth, who began to see it as their role to champion the struggle
- The behaviour of the Nigerian federal government and oil companies, particularly their insensitivity towards the region's protests against repression, angered the youth, who began to organise themselves into groups at the community and ethnic levels. A significant outcome of this was the emergence of numerous youth groups such as the Ijaw Youth Council and the National Youth Council of Ogoni People, which among others, demanded justice and that attention be given to development

A dominant engagement strategy of youths in the Niger Delta from 1997 was to convene summits and conferences to draw attention to the plight of the region and – more importantly – to declare their stand on these issues. Perhaps the most famous of such meetings was the All Ijaw Youths Summit in Kaiama, Bayelsa State, in December 1998. The Kaiama Declaration included the following:

- The Ijaws own all land and natural resources including mineral resources in their land
- All legislation (Land Use Act, Petroleum Decree etc) that deprives and alienates the people from their natural resources stand abrogated
- All security forces of oppression on Ijaw land should be withdrawn immediately

- All oil companies exploiting oil in Ijawland should cease exploitation and withdraw immediately until the issues being contested have been resolved

The activities began as peaceful protests, but soon transformed into militant and violent confrontations. Significantly, it was the violent and repressive nature of the federal government's response to the demands and peaceful youth protests that forced the youth to fight back in organised armed groups. They drew inspiration from the Adaka Boro revolt, which lasted for 12 days, in 1967. As noted earlier, Adaka Boro, an Ijaw from Kaiama in Bayelsa State, formed the NDVS and declared the Niger Delta Republic. The youth movements identified with the popular and heroic movement of Adaka Boro in their quest for freedom. Whereas Nigeria's government considered him to be a criminal, he is revered and celebrated as a hero in Ijawland.

Actors in the conflict

Individuals, groups, security operatives and oil companies are central actors in the conflict. The actors differ in their roles in the conflict, their perceptions and goals, and the nature of their engagement. The conflicts in the region can be categorised

Table 8–3: Actors in Niger Delta conflicts

Type of conflict	Source of conflict	Actors in conflict	Instruments/mode
Intra-community conflict	Struggles between groups, local governance organs/ sub-structures and local elite for access to and distribution of oil-based resources	*Community factions:* ■ Urban elites versus local elites	*Urban elites:* Hijacking of community resources, disregard for local elites *Local elites:* Inciting youths and chiefs against the urban elites
		■ Youths versus elites	*Youths:* Destruction of property owned by the elites, harassment of their relatives *Elites:* Fractionalisation of youth bodies through partisan support and patronage, attacks on rival groups
		■ Youths versus youths ■ Youths versus community	*Youths:* Overthrow of community leadership and usurpation of power *Community:* Inequitable distribution of resources that short-changes the youths
		■ Claims agents versus community	*Claims agents:* Short-changing of community members *Community:* Refusal to pay agreed fees, rejection of double dealings
		■ Youths versus chiefs	*Youths:* Dethronement of chiefs, attacks on chiefs *Chiefs:* Fractionalisation of youth bodies through partisan support and patronage, kidnapping, encroachment on land and fishing grounds, attack of community member(s)
Inter-community conflicts	Inter-community struggles for location and ownership of oil-based resources, access to oil resources and struggles for favoured distribution	Youths, chiefs and elites of the communities	*Community:* Attacks on rival community members and property
Community versus transnational oil companies	Community struggles for transnational oil company attention, community development projects, compensation for oil spillages and memorandum of understanding with transnational oil companies	Youths, chiefs, elites, transnational oil companies security operatives and communities	*Transnational oil companies:* Fractionalisation of community leaders, refusal to pay compensation, breach of memorandum of understanding, payment of inadequate compensation *Community:* Attacks on oil installations, disruption of production, seizure of equipment, kidnapping of personnel
Community versus state	Struggles against repression, inequitable share of benefits from oil	Community youths and security operatives	*Community:* Disruption of oil production, attack on security operatives *State:* Militarisation/military occupation, attacks, arrests

Inter-ethnic	Struggles for greater access and favoured allocation of oil-based resources	Youths, elites and chiefs	Encroachment on land and water resources, attacks on communities
Intra-militia/cult/ confraternity groups	Leadership succession crises, conflicts over resources, methods and targets of engagement, struggles for territory, influence and access to oil resources, transnational oil company payments and patronage	Youths versus youths	Violent engagements, encroachment on area of control or oil theft zone

Sources: S I Ibaba, The environment and sustainable development in the Niger Delta: the Bayelsa State experience, Unpublished PhD thesis, Port Harcourt: University of Port Harcourt, 2004, 194–199; K Okoko, The Shell Petroleum Development Company (SPDC) – Host community relations survey, Unpublished report submitted to the SPDC Western Operations, Warri, Nigeria, 1998, 14.

as inter-ethnic, intra-community, inter-community, community-oil company, community-state, inter-militia/cult/confraternity groups and intra-militia/cult/confraternity groups, and militia/cult-oil companies/Nigerian state. The actors have had diverse objectives, played numerous roles and utilised diverse engagement methods.

It is clear that youths are key actors in the conflicts. Ikelegbe has noted that the current phase of agitations in the region has been taken over by the youths. However, it is significant that the youth movement is uncoordinated, and the associated disorderliness has created doubts about the direction, content and sincerity of the struggle.[54]

Militias and interfaces with civil society, politics and governance

The analysis so far suggests that militia activities in the Niger Delta endanger the national economy, security and development aspirations of the Niger Delta people. But the militia groups have continued to gain ground in numbers, camps, profile and activities, and the Nigerian state has found the suppression or defeat of the militias difficult. This section of the chapter examines the dilemma faced by

the federal and state governments in the Niger Delta. The first is the choice to act decisively in the common interest and end militia activities. The second option is to protect selfish and parochial interests, which in some instances are in tandem with the interests of the militant youth.

Militias in government

We noted earlier that the use by politicians of armed political thugs during elections partly laid the foundation for the formation of militia groups. It is also true that militia groups have provided support, or even sponsored candidates for elections. The involvement of militia groups in the electoral process has resulted in their leaders and members gaining political prominence.[55] In Rivers State, for example, the NDPVF and the NDV were drawn into the electoral process by opposing politicians.[56] Their leadership and members were thus favoured by the government with regard to political appointments, contracts awards and monetary payments.

The role of the militia groups in politics, the electoral process and their relevance to politicians can be attributed to several factors. First, since 1999, elections in Nigeria and particularly in the Niger Delta have almost always been rigged. For this reason, politicians relied heavily on armed youths to 'win' elections through violent actions. Second, election rigging in the Niger Delta is particularly pervasive in the rural communities in the creeks and swamps that are under the control of the militia groups. The militant youth are particularly useful for campaigning in such difficult terrain and for rigging elections there. Third, governments in the Niger Delta use militia and cult group leaders to secure the release of hostages, a process that benefits both sides through the payment of huge sums of money as ransom in which some public officials also share. Fourth, state and local governments pay the militia groups to maintain the peace or cease disruptive violent activities.

Militias as pseudo-government

Universally, a government performs three basic functions, namely the maintenance of law and order, the facilitation of development and social progress and, somewhat more specifically, the promotion of social welfare and living conditions.[57] However, the failure of the social contract in the Niger Delta, indicated by the failure of the various governments to significantly fulfil these functions, particularly in the coastal and swampy areas, has resulted in militia

groups and pirates taking over these functions in local communities.[58] Some militia groups engage in the following governmental functions in host communities:

- Procurement of drugs for health centres or hospitals
- Payment of stipends to medical personnel to encourage them to be at their posts
- Payment of stipends to teachers to enhance their dedication
- Provision of power generators and/or supply of petrol/diesel to power generators
- Payment of examination and school fees for students in primary and secondary schools
- Scholarship awards to university undergraduates, including those at foreign universities (particularly in Ghana)
- Sponsorship of individuals to acquire vocational skills
- Provision of potable water
- Financial grants to traders, entrepreneurs and artisans

The militia groups perform these functions because governments at all levels are either unable or reluctant to fulfil these duties. Thus militant leaders who see themselves as patriots, feel obliged to use part of their resources to support community development. This practice is common among militants based in the Ijaw communities of Bayelsa and Delta states and has resulted in some communities and local people identifying with the militia groups. These activities garner support for the militias, as they are seen by community members as not only benefactors but also an alternative to government.

Militias as members of civil society

Militias and civil society organisations (CSOs) in the Niger Delta have common origins and objectives, except that their methods of engagement differ. The paradox of poverty in the midst of plenty provided the context for the emergence of militias.

It is noteworthy that the youth movement that gave birth to ethnic and pan-ethnic youth associations emerged as part of a new social movement that started as a result of the agitation in the region, and that the youth groups were part of civil society. Some of these groups, such as the NDVF and the FNDIC, were militant and metamorphosed into militia groups. Furthermore, some segments of civil

society have tended to sympathise with violent engagements because of government repression. In fact, several civil groups in the Niger Delta are pro-militia, either declaring their support for militia activities or actually taking part in their mobilisation. This may be one of the reasons why some CSOs such as the *Ijaw Youth Council* are sometimes listed as militia groups.

Impact of militia activities and the conflicts

Militia attacks have led to the seizure, occupation, destruction, vandalisation and disruption of numerous oil flow stations, pipelines and terminals, as well as equipment, helicopters and ships since 1998. The activities of the militias have caused considerable disruption to oil production, destruction of oil production facilities and insecurity to oil company operations, equipment and staff. These activities have at various times led to a severe decline in oil production, with oil production along the eastern and western axis of the region being cut by 17 to 50 per cent.[59] In the first quarter of 2009, the country's daily oil production dropped to 1,6 million barrels from an earlier 2,029 million barrels per day, mainly because of disruptions in oil production caused by militia activities.[60] Oil theft, which is aided by and fuels the conflict, has caused heavy losses to the oil industry, particularly in terms of oil revenues. Between January and September 2008 alone, the country lost about US$20,7 billion to oil theft.[61]

The local economy of the region has been devastated, too. Farming, fishing, trading, commerce, schooling and related activities have been abandoned in several communities due to hostilities and attacks. Pervasive insecurity and threats have exacerbated already precarious living conditions and livelihoods and raised living costs. The lack of security in the region has also led to a lack of infrastructural development and discouraged investment and capital inflow. The backlash is that it has strengthened the conditions of underdevelopment and poverty that contributed to the conflicts in the first place.

The conflicts have also disarticulated the people from the social values, order and fabric that hold communities together. The same is true of traditional governance systems and institutions. As a consequence, there is pervasive lawlessness, militarisation of social relations, violence and acrimony between groups and disunity. Among the youths there has emerged an aggressive, violent, lawless, criminal and lazy culture.[62]

Resource conflicts and the human security crisis in the Niger Delta

The protests, militia activities and military operations in the region have combined to enshrine a system of indiscriminate killings, maiming, rape, looting and destruction of property and homes. On the roads, along the waterways, in their communities and ethnic regions, the people have been extensively harassed, flogged, beaten, detained and abused. Numerous settlements have been sacked or destroyed in the fighting between militias and the military and between the militias, ethnic groups, communities and youth groups or in the searches for militants in the communities by the military.[63]

Mobile police and military operations against protesting communities have caused severe devastation and deaths in Umuechem, Ogoniland, Iko, Choba, Ikenya and Ilaje. Communities such as the Odi and Odioma were literally destroyed. In 2003, military and militia confrontations led to the destruction of the Obumkiran, Kuntie, Setorubor and Okerenkoko communities. The cult wars and later military actions against militias in Rivers State caused devastation and killings and turned several towns and communities such as Tombia, Biguma, Bukuma, Ogbakiri, Amadi-Awa and Okirika and parts of Port Harcourt into ghost towns between 2003 and 2004, as most residents fled. The streets of Warri and Port Harcourt have not been spared militia attacks and military operations. Homes have been burnt or destroyed, as have schools, churches, stores, businesses and social facilities. Local people, residents, bystanders and community members, particularly youths, the aged, women and children have been killed in the fighting.[64]

Another consequence of military operations and militia activities has been internal displacements. Thousands of indigenes have been displaced from the communities and clans that have been scenes of intermilitia wars, military and militia confrontations and military attacks. Some simply disappeared into the forests, others have taken shelter in neighbouring communities and some migrated to the cities. Refugee camps were established and in the 2009 military operations in Gbaramatu kingdom in Delta State some displaced persons took refuge in schools, hospitals and other public facilities.

Resource conflicts and regional and international interventions

In spite of the intensity of the conflict and regional and international ramifications for security and stability in the West African region, the Economic Community of West African States (ECOWAS) has not significantly intervened. This is perhaps due to Nigeria's prominence in the regional organisation. However, there has been considerable international interest as a result of the heavy international investments in the Niger Delta and the Gulf of Guinea oil. It is noteworthy that Nigeria accounts for over 60 per cent of the oil in the Gulf of Guinea, and it is strategic in terms of being a secure source of future petroleum needs of the United States.[65] Furthermore, the effect of the insecurity and attacks in the Niger Delta on the volatility of oil supply and prices have raised international concerns and led to interventions to provide a secure and stable environment for sustained oil production and supplies. Second, countries whose citizens have been victims of kidnapping have tended to provide support to the Nigerian security agencies. Third, there have been attempts to support the Nigerian state or even intervene directly in the management of the conflict. The US and Britain have provided equipment and training support and the US has donated refurbished coast guard ships to the Nigerian navy.[66] Fourth, there have been deployments and exercises in the Gulf of Guinea by the US Africa Command, which has become more active in the region as part of US government efforts to protect oil investments, offshore oil installations and shipments from the Gulf of Guinea.

Responses to the militias and conflicts by the Nigerian state and transnational oil companies

Response of the federal government

The central strategy of the Nigerian federal government has been to protect oil installations, pacify the region in terms of militarisation, repress conflict groups and create an enabling environment for continued oil production. This was evident in the suppression of the peaceful protests by the Ogoni and the entire region since the early 1990s. However, state repression turned the peaceful protests into violent confrontations as youth activists adopted armed confrontation as the mechanism for the pursuit of their goals.[67]

Apart from the military and repressive response, the government has tried to build peace through development engineering. Notable efforts include the establishment of the Niger Delta Development Board in 1961, the Presidential Committee on the 1,5 per cent Oil Derivation Fund for the Oil Producing States in 1981, the Oil Minerals Producing Areas Development Commission in 1992, and the Niger Delta Development Commission in 2001. However, these extra-ministerial agencies failed to achieve much development of the region due to overt

centralisation, corruption, patron-client/prebendial politics, and the lack of political will. While these intervention efforts raised expectations, their failure and the continued absence of concrete development increased resentment and resistance.[68]

In 2009, owing to a balance of power and terror between the military and militias, particularly after the failure of a major military operation in the western Delta region, which was met by extensive militia counterattacks on oil facilities that saw daily productive decline to its lowest level ever, the federal government reached out to militia leaders and proclaimed an amnesty programme. The programme took effect in October 2009 and entailed a disarmament, demobilisation, rehabilitation and reintegration for militia members. The programme was embraced by the main militia groups and an estimated 17 000 members surrendered arms and entered rehabilitation camps. The main militia groups declared a unilateral ceasefire. However, there have been huge challenges of inadequate camp spaces, poor planning and implementation, inadequate funding, poor management of the camps and poor political will and commitment. As a result, there has been mounting disenchantment, which has manifested in the suspension of unilateral ceasefire by MEND and a low-scale resumption of hostilities.

Oil company responses

Just like the government, oil companies have responded to the conflicts with interventions in the form of community development projects. For example, the Shell Petroleum Development Company spent US$32 million on community development in 1997, US$42,6 million in 1998, US$60,23 million in 2000, and US$68 million in 2007. [69] However, because of the absence of community participation and input in the community development process, these interventions have largely failed to achieve the desired goals of providing infrastructure and social services. Because company interventions were often compelled by violent community protests, there have emerged cascades of conflicts that have led to a vicious circle of violence as more conflicts meant more development attention.[70]

Significantly, oil companies have been buying peace with phoney contracts and payments to community members in order to ensure uninterrupted oil production. But this has caused extensive division and fractionalisation in the communities as diverse community groups struggled for community leadership to

position them for patronage from the oil companies. These struggles triggered intra-community conflicts that aggravated the violence in the region. Such conflicts have occurred in Evreni (Delta State) and Nembe, Ogbolomabiri, and Peremabiri (Bayelsa State).

Oil companies have been instrumental in the repression of protest activities in the region. They often use security operatives to break up demonstrations by communities or to protect them against angry communities. The brute force employed by these operatives has sometimes resulted in deaths and destruction of property, as occurred in, for example, the Umuechem case. This has incensed the people who perceive the oil companies to be allies of the federal government. To make matters worse, oil companies do not only guard their premises and area of operations with heavily armed soldiers and policemen, but also armed and motivated them and thereby made them overzealous in harassing the local people. Armed youths have also been hired to protect oil installations, which aggravated inter- and intra-youth group squabbles and arms proliferation. However, in spite of operating under security shields, their facilities have been perennial objects of militia attacks.

CONCLUSION: ENDING THE VIOLENCE

The current discourse and opinion on the Niger Delta agree that military might is unlikely to provide a solution to the Niger Delta crisis.[71] As Michael Watts emphatically states:

> In the Niger Delta … militarisation cannot guarantee stability … Naked force, even with the best of American technical advisers and electronic gadgets, is doomed to failure and risks sliding more deeply into a low grade civil war – with the prospects of massive escalation of violence and attacks on oil installations.[72]

Clearly, violent suppression of the conflict will accentuate insecurity. The experience of Yugoslavia has shown that repression only sweeps the causes of agitation and dissent under the carpet for a moment, but that they then flare up again, often with disastrous consequences.[73] On the other hand, some participation in resource ownership and control, increases in the derivation fund and abrogation of repressive oil laws will certainly return large development funds to the region and improve the situation, even though it may not immediately ensure development.

One neglected account of the failure of the Willink Report[74] to engineer development in the Niger Delta is the absence of democratic input. The report predicated the success of its recommendations on the establishment of democratic institutions, which suggests that the many years of authoritarian rule in Nigeria may have aggravated the crisis in the region.

The adoption of democratic principles such as the rule of law, fundamental human rights, rule by consent and public interest-based political participation will enhance accountability and transparency, which are fundamental to peace building in the Niger Delta. Lack of political participation could induce and sustain poverty,[75] just as self-interested participation promotes corruption, which, in turn, deepens the inequalities that trigger conflicts. We contend, therefore, that the deepening of the democratic content of governance is the best option for securing peace in the Niger Delta.

Furthermore, it should be noted that democratic methods and democratically based negotiations are yet to be adopted as a mechanism for resolving the conflict. The processes of broad consultation, participation, dialogue, negotiations with critical actors and the building of compromises and agreements have been very poor. It should be noted that conflict resolution mechanisms, among others, are more effective in a democratic environment than violent confrontation. Thus, the democratisation of the conflict management process would be critical for the resolution of the conflict.

In Nigeria, elections – which are a most critical aspect of democratic governance – have been abused through rigging of votes. This means that the leadership have not been chosen by the people and that no social contract or compact have been established between the people and those who govern. The implication is that the needs and aspirations of citizens are not at the forefront of the government's agenda and activities. The result is frustrated expectations that have led to violence. Ike Okonta sums up the role of democratic, governance and rights deficits in the crisis as follows:

> MEND properly understood, is the violent child of the deliberate and long running constriction of the public space in the Niger Delta in which the ordinary citizens, now reduced to penurious citizens, can exercise their civil and political rights in the legitimate pursuit of material and social wellbeing. Behind the mask of the MEND militant is a political subject forced to pick up an AK-47 to restore his rights as a citizen.[76]

Finally, the idea of demobilising, rehabilitating and integrating militant youths through projects such as the 'arms surrender for cash payment' in Rivers State in 2004–2005 and amnesty for militias that repudiate violence and surrender arms by the federal government in 2009–2010, has had some weaknesses. To have maximal conflict resolution effects, these projects should be carried out within a framework of peace agreements based on inclusive dialogue and in a comprehensive, planned, funded and effective programme that provides sufficient incentives for voluntary mass demobilisation, productive economic engagements and effective reintegration into society. Existing programmes of skills development and economic empowerment by governments, international organisations, international donor agencies and non governmental organisations (NGOs) are still feeble, particularly in the light of the huge mass unemployment situation and economic decline.

Besides, something concrete has to be done to provide temporary economic support to militia members and leaders who have been receiving huge amounts from oil theft, kidnapping and extortion from oil companies, payments from governments and commissions from vessels and oil theft syndicates. Apart from efforts aimed at a militia amnesty, development and political reform goals would be futile without a fundamental and comprehensive resolution of the region's development and political problems. Tackling these challenges is further predicated on the willingness of the political leadership to commit 'symbolic suicide',[77] for democracy will be achieved only when the political leadership abandons its pursuit of parochial interests.[78]

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Chapter 9

Rebels, militias and governance in Sudan

Samson S Wassara

INTRODUCTION

Understanding the nature of rebellions and civil wars in Sudan requires a close look at the issues that contribute to suspicion, lack of confidence and mutual distrust in its heterogeneous society. The primary actors in the armed violence are the government, rebels and militia groups. Their commitment to the use of violence in addressing problems could be examined from the perspective of the economic and social structures of the country, ideologies, the quest for power at different levels, and the struggle for control of resources. It is difficult to disassociate the phenomenon of armed violence from the role of other factors influencing domestic conflicts. Human security is threatened by responses of governments, rebels and the militias that are directly involved in the different violent conflicts in Sudan.

The purpose of this chapter is to identify militia and rebel groups and review their roles and those of other actors in the Sudanese conflict situation. The chapter also examines factors of violence and the strategies actors adopt during the armed conflict. Hence, there are related concepts that should be explained in order to understand the nature of rebels and other armed Sudanese groups that operate across international boundaries.

The history of political instability in independent Sudan can be attributed to the colonial legacy that isolated Southern Sudan from northern Sudan. Furthermore, the causes of rebellions and armed violence are rooted in the ethnic composition of Sudan, in historical grievances and in economic disparities. Incompatible public policies and problems of marginalisation of the country's regions in terms of wealth and power-sharing are at the heart of centre-periphery disputes in the country. Nearly all rebel groups in the country claim that they are fighting because their regions have been neglected by Khartoum-based oligarchies since independence in 1956. Given the rise in the number of rebellions, post-independent regimes have used several strategies to undermine rebel groups in Sudan. The cheapest and most effective strategy to contain rebellions was to enlist civilians in militia groups. This chapter therefore attempts to provide an analysis of the Sudanese rebel groups, together with the government responses and the manner in which they manipulate ethnicity, social structure and ideologies to control power and economic resources. It also focuses on responses of the international community to the problems related to the violence in Sudan.

THE NATURE OF CONFLICT AND SECURITY IN SUDAN

Sudan is a country subject to ethnic fusion over millennia. Its early history has revolved largely around expansion of Egyptian influences southwards through trade and conquests. Ancient indigenous kingdoms in the Nile valley, such as Meroe, Alwa, Makuria and Soba, were infiltrated by the Arabs over centuries. The present Sudan is the product of the Turko-Egyptian military campaigns in search of gold and slaves led by Mohamed Ali from Egypt in 1821. The expansion of the invasion into the Blue Nile, the Nuba Mountains, and later to the southern part of Sudan, brought together populations with different origins. The ethnic composition of contemporary Sudan includes Arabs, Nubians, Beja and Fur in the north, Nilotics (Dinka, Nuer Shilluk etc), and non-Nilotic groups such as the Azande who live on the Nile-Congo divide plateau.[1] The domination of power by ethnic groups that claim Arab descent has been partially responsible for the conflicts and rebellions in Sudan. Indeed, the perception of the Sudanese conflicts as Arabs versus black Africans finds its origins in the ethnic structure of the society.

Historical grievances

The conflict in Sudan can be said to be partly a product of history and the colonial legacy.

The slave trade during the Turko-Egyptian period and the *Mahdist* regime at the end of the 19th century left its mark on ethnic relationships in Sudan. Reference to native Sudanese by some northerners as slaves *(abd)* perpetuates distrust and indignation. These ancient hatreds revive identity differentiations and violent rivalries, contributing to prolonged conflict in Sudan.

With regard to Sudan's colonial legacy, scholars such as Mohamed O Beshir, Sir James Robertson, Oliver B Albino, Robert O Collins and Severino Fuli argue that the British Southern policy was partly responsible for the north-south divide in Sudanese politics.[2] The Southern policy formulated by the British colonial administration in the 1920s advocated separate development for Southern Sudan. This consisted of closing Southern Sudan to all Islamic and Arab influences in terms of trade, education and religion. This policy changed only after an administrative conference on 12 April 1946 recommended that the future of Southern Sudan should be linked to a united Sudan. It is against this background that the colonial administration implemented a new policy of merging Southern Sudan and northern Sudan as an administrative unit after the Juba Conference on 12–15 June 1947. This was followed by the nomination of southerners into the Legislative Assembly in 1948. All these developments led to the involvement of Southern Sudanese in the political system tuned to self-determination of Sudan.

However, the implementation of the Sudanisation programme resulted in a public outcry in Southern Sudan because the civil service was dominated by northerners. Southerners were disappointed by the action of the transitional government because they held only six junior administrative positions. This development was regarded by Southern politicians as deceit and another effort at Northern internal colonialism.

Southern members of parliament called for a conference to discuss a constitution that would embody a federal status for Southern Sudan. On 13 May 1955, Prime Minister Ismail al-Azhari issued a stern warning against holding such a conference, but it nevertheless took place on 5–6 July 1955.[3] Conference participants demanded, among others, a federal system of government. The political confrontations that ensued led to riots of workers in July 1955 at the

Nzara agroindustrial complex. The death of civilians at the hands of northern troops during the riots accelerated the Torit mutiny (which started on 18 August 1955) and marked the beginning of rebellions in Sudan before independence was attained.[4]

Power and political rivalry

Policy incongruities adopted by the post-colonial governments of Sudan contributed to the political violence and the emergence of rebel movements and militia groups on the political scene. The roots of the divisive policies and political rivalry could be traced back to the vision and subsequent split of the Graduates' Congress in to rival political associations in the 1940s. This organisation was created in 1938 by Sudanese civil servants to advocate self-determination during the colonial period. The Graduates' Congress later fragmented into two political parties: Ashigga and Umma.[5] Ashigga became the National Unionist Party in the 1950s and led to the transitional government under the last colonial governor-general of Sudan. These political parties were at the centre of the divisive and violent political developments after independence.

The first post-colonial elections in 1958 revealed serious divisions in the ranks of the northern parties. The Umma Party won the election, but could not attain a decisive victory to enable it to push an Islamic constitution through parliament. The severity of the political feud between the Umma Party and other political parties invited the Sudanese military to the political arena. This led to General Ibrahim Abboud taking power through a military *coup d'état* on 17 November 1958.[6] The purpose of the takeover was to silence the demand of southerners for a federal system of government and to impose Arabisation and Islamisation by force. Abboud's policies precipitated a national political divide and led to the emergence of the *Anyanya* movement in 1963.

At the time, competition for power between civilian and military elites became a new phenomenon in Sudanese politics. In fact, power oscillated between the military and the civilian elites throughout the post-colonial history of Sudan. Rebellions were the common denominator in the rivalries between the military and democratic governments. Most regime changes took place in Sudan when an active civil war was raging in the country.

The quest for cultural and ideological domination

Issues of national identity, ethnicity, language and religion are underpinned by debates about the contradictory nature of Sudanese politics that drives the society into rebellion. Sudan is diverse in terms of geography, culture and the people. Lesch describes in detail the diverse ethnic composition of the society and the contested national identity of Sudan.[7] The ideological foundations of Sudanese politics were constructed on the platform of uniformities. It means the nationalist movements that stepped in to the shoes of colonial powers at independence formulated exclusive national policies based on race and religion.

Ethnic complex and economic marginalisation were important factors in subsequent rebellions against the political regimes in Khartoum. Lesch[8] and Jok[9] demonstrate that the military government of General Ibrahim Abboud took over power from civilians in 1958 to impose the policies of Arabisation and Islamisation that previous civilian post-independent governments could not enforce. The military regime took repressive measures such as forced Islamisation of chiefs, changing weekends from Sunday to Friday (that is, observing Friday as the weekly day off for government, public and business offices instead of Sunday) and forcing parents to send children to Koranic schools (*khalwas*) to enforce cultural domination on Southern Sudan. Although the regime was brought down by popular demonstrations in 1964, the successive central governments continued similar policies until the Comprehensive Peace Agreement (CPA) was signed in 2005.

Economic and social exclusion

Historically, the colonial government was not interested in balanced economic growth. It focused on export-oriented development programmes such as the production of cotton and gum Arabic. Agricultural schemes and transport infrastructure were planned and developed to respond to British demand for these products. For this reason, railway lines and agroindustry sprang up in central Sudan, while infrastructure in the outlying regions of southern and western Sudan was neglected. The colonial development programme laid the foundation of imbalanced economic development. As a result, the post-colonial governments of Sudan inherited the Gezira Scheme and Sudan Railways, in addition to a few light industries around Khartoum. There are manifest links between economic policies, welfare of citizens and armed conflicts in a given political system. Studies of

conflict economics demonstrate that there is a potential for violence when glaring economic disparities characterise an economic system and armed conflicts have economic costs related to waging civil wars or preventing them.[10] This was the situation in Sudan when Abboud's military regime launched the first ten-year national development plan in 1960 and the subsequent five-year plans during Nimeiri's military regime in the 1970s.

Plans formulated by the government reinforced concentration of development programmes in central Sudan. For example, new dams were built at Er Rusairis and New Halfa to boost irrigation projects in Khashm el Girba and Managil; sugar factories were constructed at Guneid Hajr el-Asalaya and Kenana; and cement factories were built in Rabak and Atbara. These plans allowed a concentration of development activities in the centre of the country while outlying regions such as Southern Sudan, the Nuba Mountains, southern Blue Nile, eastern Sudan and Darfur were excluded from economic development, thus exacerbating feelings of marginalisation. The rebellions and civil wars after the independence of Sudan could be attributed to economic and social exclusion from national development plans.

Oil exploration and exploitation

A new factor that contributed to the existing problems was oil. Oil is also considered an immediate cause of the civil war that started in 1983. The discovery of oil in 1978 and how it was exploited was a major factor in triggering the conflict between the government of Nimeiri and the regional government of Southern Sudan in 1983.[11] Oil exploitation in Southern Sudan adds to the region's strategic importance and attracted transnational companies (TNCs) such as the American Chevron, the French Total, and the Canadian Arakis Energy Corporation. These companies were involved in oil exploration and exploitation in the region in the period 1978–1998. Patey refers to Chevron, Total and Arakis as first movers and to Talisman, OVM-Austria and Lundin Petroleum – which entered the race for oil in 1998–2003 – as Western juniors.[12] But pressure from human rights groups forced out the first two in 2002 and 2003 respectively, leaving only Lundin Petroleum of Sweden still in operation in Sudan.

Map 9–1: Oil exploration and conflict areas

Source: http://www.rightsmaps.com/.

Asian TNCs, such as the China National Petroleum Corporation, the Malaysian Petronas and the Indian ONGC, filled the vacuum left by the departed Western oil investors. These TNCs continued to operate in Sudanese oilfields despite criticism by human rights organisations. The West accused them of sponsoring militia in Unity State and northern Upper Nile to protect their business interests. The desire to control the oilfields became a decisive factor in the creation and use of tribal militia forces to ensure the security of TNCs in the oil areas. The relations between TNCs and militia groups were not well received by the local population and the Sudan People's Liberation Army (SPLA). Oilfield security arrangements between the government, the TNCs and the local militia targeted local communities that were uprooted and replaced by new settlers. Paul Wani Gore[13] explains the demographic impact of oil exploration in the northern Upper Nile as follows:

> First, during the civil war people were forced to leave their land in masses either as displaced people within the GoS controlled areas or behind the SPLA lines. The population in the area was thus drastically reduced. Second, those who remained behind were dislodged or killed when oil was discovered on their land. About 80 villages were burned and the inhabitants were either killed or forced to escape from the advancing army and the militias who came to clear the area to make way for the oil companies.

Despite these incidents, the Asian TNCs remained immune to human rights groups' protests to excesses committed by government forces and the militias in Sudan. They were interested in the exploitation of the oil at any cost. In 2004, China had the largest share (41 per cent) in Petrodar, a consortium of the China National Petroleum Corporation, Petronas (40 per cent) and other lesser companies. The Chinese brand of bilateralism with the government of Sudan was not linked to conflict resolution, as it kept aloof from the excesses committed by the government or its tribal militias in oilfields and even sided with Sudan in multilateral forums such as the UN Security Council.

REBEL GROUPS IN SUDAN

Sudanese rebel groups can be defined as organised armed movements that have risen up against central governments in Khartoum to pursue identity, nationalism, justice, political rights and change in the political system established since independence of the country in 1956. From the inception of the SPLA in 1983, the distribution of rebel groups has tended to stretch beyond Southern Sudan. Various rebel groups have emerged to seek justice for the marginalised peoples of Sudan through armed struggle. The history of rebel groups since independence reveals that Southern Sudan was the hothouse of these rebellions, leading the world to describe the conflict in the country as a south–north conflict. As different civilian and military regimes emerged and collapsed, there were also a multiplication of rebel groups in the transitional areas such as the Nuba Mountains and the Blue Nile, as well as in other regions such as eastern Sudan and Darfur.

Although this chapter emphasises the SPLA and Sudan Liberation Movement/Army (SLM/A) rebel groups in Sudan, table 9–1 provides a summary of all the main rebel groups in Sudan from 1955 to 2009.

Table 9–1: Main rebel groups in Sudan

Rebel movement	Year launched	Estimated strength*	Leadership	Comments/notes
Torit Mutineers	1955	NA	Emidio Tafeng and Paul Ali Gbutala	Some disappeared into the countryside and others resettled in Congo-Léopoldville (Kinshasa) where they regrouped to launch the Anyanya I armed movement
Anyanya	1963	15 000	Emidio Tafeng, 1963–1969	Operations concentrated along the border areas of Congo (now the DRC), Uganda, Kenya and Ethiopia. Disbanded in 1972 with the signing of the Addis Ababa Agreement
			Joseph Lagu, 1970–1972	
Anyanya II	1977	NA	Samuel Gai Tut; Akuot Atem to 1975–1983; William Abdalla Choul; Gordon Koang	Remnants of the Akobo Mutiny in 1975 who escaped into Ethiopia. Leaders killed by the SPLA; dispersed and became government militia in Upper Nile. Choul and Koang replaced the murdered leaders
Sudan People's Liberation Army	1983	125 000*	Dr John Garang, 1983–2005	Launched in 1983 and supported by the Ethiopian Derg. Operated in the whole Southern Sudan, parts of the Nuba Mountains, Blue Nile and eastern Sudan. Transformed into an army in 2005 after the CPA

Eastern Front	2005	6 000 to 7 000	Musa Mohamed Ahmed and Mabruk Salim Mubarak	An amalgam of rebel groups that operated under the umbrella of the Democratic National Alliance established in 1989. They signed the Eastern Sudan Peace Agreement in 2007
Sudan Liberation Army	2003	8 000 to 9 000	Abdel Wahid el-Nur (2003 to date)	Operates in the three states of Darfur with a concentration around Jebel Marra Mountain. The SLA Abdel Wahid faction continues to wage an armed struggle to liberate Darfur
			Minni Minawi (2006 to date)	Joined the government of Sudan after signing the DPA in 2006. Operated in Darfur like a pro-government militia group
Justice and Equality Movement (JEM)	2003	5 000	Khalil Ibrahim	Operates in Darfur, but attacked Omdurman in May 2008. Signed a framework peace agreement with the government in Qatar in February 2010

*** Excluding joint integration units, police, prisons and wildlife services.**

Sources: constructed by the author from sources such as Mohamed Omer Beshir, *The Southern Sudan: from conflict to peace, Khartoum*: Khartoum Bookshop, 1975, 68; Gérard Prunier, *Armed movements in Sudan, Chad, CAR, Somalia, Eritrea and Ethiopia*, Analyse 02/08, Berlin: Centre for International Peace Operations, 2008, 3–4; ICG, *Sudan: saving peace in the east*, Africa Report 102 (5 January 2006), 6; Sudan Issue Brief 15, December 2009, 8, htpp://www.smallarmssurvey sudan.org (accessed 15 March 2010).

Historical facts about political conflict in Sudan show that the number of Sudanese rebel groups is increasing.[14] The first recognised rebel group in post-colonial Sudan was the *Anyanya* movement. This rebel group concluded the Addis Ababa Agreement with the military government of Jaafar Nimeiri in 1972. The agreement granted the group a form of autonomy similar to the federal system southerners were calling for before the independence of Sudan. Disenchantment with the implementation of the agreement came to light when the Akobo Wau garrisons and Juba Airport soldiers mutinied during the period 1975–1976, which led to the desertion from the army by former *Anyanya* soldiers. The Akobo mutineers congregated at Bilpam in Ethiopia under the command of Gordon Koang Chol. However, the Marxist-Leninist regime of Ethiopia did not lend its support to the *Anyanya II* movement, which called for separation of Southern Sudan. (This chapter will treat the SPLA and Sudan Liberation Army [SLA] as typical Sudanese examples of the proliferation of rebel groups that were established because of marginalisation and which strived to achieve justice in a united Sudan.)

THE SUDAN PEOPLE'S LIBERATION ARMY

The SPLA emerged as a result of accumulated grievances of Southern Sudanese against the central government in Khartoum, such as poor implementation of the Addis Ababa Agreement. The abrogation of the Addis Ababa Agreement and promulgation of September Laws in 1983 were merely the final nails in the coffin of the decade-long fragile peace.

The SPLA originated in the Bor mutiny on 13 May 1983 under the command of Karbino Kuanyin. It was the result of an underground resistance movement led by John Garang. The Ethiopian government requested the Southern Sudanese to submit concept notes outlining their goals and objectives to prove theirs was a liberation movement worth supporting. The first paper presented by the *Anyanya II* leadership stressed secession of Southern Sudan from the rest of Sudan. However, the Ethiopian government rejected the idea of secession and accordingly refused to support a cause that would play into the hands of Eritrean secessionist armed movements. John Garang then prepared a second concept paper, stressing unity of the Sudan on a new basis that would create New Sudan, which won the acceptance of the Ethiopian government. The paper stated that the Sudanese movement would create a socialist-oriented united Sudan and that the movement would be called the Sudan People's Liberation Movement/Army (SPLM/A). Ethiopian endorsement of Garang's paper sparked a deadly power struggle between his group and the *Anyanya II* supporters, the majority of whom hailed from the Nuer Nilotic group. The disagreement degenerated into a Dinka versus Nuer confrontation and political leaders of *Anyanya II* such as Samuel Gai Tut and Akuot Atem were killed.[15]

The launching of the SPLA on a divided platform of Sudan (secession versus unity) continued to haunt the rebel group in its development as a liberation movement. In recognition of this fact, Arop attributes the following statement to John Garang:

> Our objective was therefore to influence *Anyanya II* and to have them join us. The *Anyanya II*, on the other hand, were trying to influence us to join them. Thus, at the start … we had two movements with different objectives. While SPLM was for the unity of the Sudan, the *Anyanya II* was for the separation of Southern Sudan.[16]

The SPLA ideology was spelled out in the refined document John Garang presented to the Ethiopian government. The SPLM Manifesto issued in July 1983 embraced Marxism-Leninism as its official ideology. Tenets of the manifesto rotate around issues such as creation of a new united Sudan that would provide equality and justice to marginalised areas; adoption of a socialist system of rule; restructuring of power of the central government to end the monopoly of power by groups of individuals such as cliques in Khartoum, and fighting against racism that minority groups have institutionalised and instrumentalised to repress people of the marginalised areas of Sudan.

Having successfully overcome the *Anyanya II*, the SPLA institutionalised the military command structure and its political wing, the SPLM. John Garang became its chairman and commander-in-chief of the SPLA. Kerubino Kwanyin Bol and William Nyuon Bany were both promoted to the grade of lieutenant-colonel and were made deputy chairman and deputy commander-in-chief and chief of staff for security operations respectively. Salva Kiir was elevated to the grade of major and appointed deputy chief of staff for security operations. The SPLA was officially launched. Many officers and officials defected from the government and the army to join the SPLA. They were absorbed into the existing military and civilian structure established by the movement.

The SPLA was successful militarily in its early days. This was reinforced by intensive propaganda campaigns from a radio transmitter in Ethiopia. The rebel group was able to build a credible army that managed to overrun and control main towns in Southern Sudan. With the exception of Malakal, the SPLA captured all towns east of the White Nile by 1989. Military successes of the SPLA were accompanied by diplomacy. The rebel group left channels of communication open with groups such as the National Alliance of workers and political parties that culminated in the Koka Dam Declaration on 24 March 1986. The declaration called for commitment to conflict resolution; establishment of parliamentary democracy; reinstatement of the 1964 constitution of Sudan; abolition of the September Laws (*Sharia* laws); and formation of a unity government.

The collapse of the Mengistu regime in Ethiopia led to internal dissent in the SPLA. Two senior SPLA officers, Riek Machar and Lam Akol, staged a premature

military coup to oust the movement's leader, John Garang. The Nasir faction managed to release senior SPLA officers such as Kerubino Kuanyin and Thon Arok Thon William Nyuon from detention, who then joined the faction. The failure of the coup had a lasting effect on the SPLA, which led to it being divided into the Torit (or mainstream) and Nasir factions. It degenerated into intertribal violence that pitched the Nuer against the Dinka. The Bor Dinka bore the brunt of the conflict, as the Nuer-dominated Nasir faction overran towns and villages in Jonglei State. It drove out the Bor Dinka from their areas, forcing them to seek refuge in Equatoria. In addition, prominent southern politicians such as Joseph Oduho and Martin Majier were casualties of the power struggle between the Torit and Nasir factions. The Nasir faction collaborated with the National Islamic Front (NIF) regime, with the support of the new Tigrean-dominated regime in Addis Ababa under Meles Zenawi, to overrun almost all the towns east of the White Nile previously controlled by the SPLA.

The SPLA received moral and military support from Kenya and Uganda after losing its rear bases in Ethiopia. With this support, it was able to reorganise to halt government offensives in a narrow strip of land along the border of Sudan with Uganda. This led to the Nasir group being isolated from neighbouring countries, especially Ethiopia, which compelled the group to open communications with the NIF regime in Khartoum. This culminated on 21 April 1997 in an agreement known as the Khartoum Peace Agreement (KPA). This agreement revealed a level of fragmentation in the ranks of the Nasir faction.[17] There were seven signatories to the agreement:

- The Southern Sudan Independent Movement led by Riek Machar
- The SPLA Bahr el Ghazal group led by Kerubino Kuanyin Bol
- The SPLA Bor group led by Arok Thon Arok
- The SPLA independent group led by Kwac Makuei
- The Equatoria Defence Force led by Theophilus Ochang
- The Union of African Parties under the leadership of Samuel Aru Bol
- The SPLM-United led by Lam Akol (this group signed a separate agreement in 1997 called the Fashoda Peace Agreement)

These developments weakened the SPLA in the 1990s until the period leading to IGAD (Inter-governmental Authority on Development) rounds of negotiations culminating in the CPA signing in Kenya. The government of Sudan exploited the situation to incorporate the disparate forces of the Nasir faction into the ranks of

its militia groups. However, leaders of the Nasir group soon discovered that the government was not interested in implementing the KPA, and this led to their defection between 2002 and 2004.

In the meantime, the SPLA-Torit faction began to regain strength and overran towns such as Kurmuk, Yei, Rumbek, Tonj, Thiet Gogrial and Kapoeta. The SPLA increased its pressure on the government by besieging major cities of Southern Sudan such as Juba and Wau. As talemate on the war fronts provided better opportunities for a negotiated settlement of the Sudanese armed conflict. The SPLA Nairobi Declaration of January 2002 called for change and the establishment of a system of accountability to ensure unity in the IGAD peace process. This was followed by a number of seminars on the process of institution building.

Map 9–2: Rebel-controlled areas in south Sudan, 2001

Source: http://www.rightsmaps.com/.

The message was appealing to the disillusioned leaders of the Nasir faction in the Khartoum government, who entered into negotiations with the SPLA in Nairobi and defected to the SPLA. These included senior leaders such as Riek Machar, Taban Deng Gai and Lam Akol. They were reintegrated into the rebel military structure and organisation. In a gesture of unity before the signing of the CPA, the SPLA reshuffled its command structure to include Riek Machar, by persuading

Wani Igga to turn his portfolio of third-in-command over to Machar. The top four commanders of the SPLA were John Garang, Salva Kiir, Riek Machar and Wani Igga. This streamlining of command and the integration of former defectors into the ranks of the SPLA enabled the rebel group to conduct negotiations in Kenya as a united movement.

Although the political wing of the SPLA was not developed to the standard of the military wing, the rebel group was pragmatic in dealing with the international actors. John Garang's support of *Operation Lifeline Sudan* enabled the SPLA to penetrate the Western world. The organisation shifted much of its resources to SPLA-controlled areas in the 1990s because of government intransigence towards the Western world.[18] The SPLA also established the Sudan Relief and Rehabilitation Agency as an umbrella organisation for local Southern Sudanese non-governmental organisations (NGOs) based in Nairobi. It became the gatekeeper of both local and international NGOs operating in Southern Sudan. The SPLA used the agency to control civilians and assert its political dominance over external resources.[19] Also, the SPLA created faith-based organisations such as the New Sudan Council of Churches, which were loyal to it. This council enabled the SPLA to draw to its side Christian organisations such as the Christian Solidarity International and the Samaritan Purse. These organisations, together with Sudanese churches, dislodged the SPLA from the Marxist-Leninist character it adopted to garner the support of Mengistu's *Derg* in Ethiopia.

The SPLA learned from the mistakes that were made during negotiations of the Addis Ababa Agreement under Joseph Lagu in 1972. The first weakness of this agreement had been the vagueness and lack of guarantees to ensure its implementation. That the SPLA feared a repetition was demonstrated in the length of negotiations of the CPA and details of the agreement. Then John Garang made sure that there were many witnesses to the agreement. Another lesson learned by the SPLA from the Addis Ababa Agreement was in the area of security arrangements. The *Anyanya* forces (some 6 000 men) had been absorbed into the Sudan armed forces, while a further 6 000 had been absorbed into the police, prisons and wildlife forces of Southern Sudan.[20] Their most senior officers, including Joseph Lagu himself, had been transferred to the north, which left members in the south without senior military leadership. The SPLA avoided a similar arrangement. However, its presence in the joint integrated units (JIUs) has not fostered integration in the proper sense of the word. The SPLA coexisted in designated units in the locations of deployment as stipulated in the CPA.

Consequently, it remained as an army with its own command during the interim period.

The Sudan Liberation Movement/Army

The SLM/A was founded by Abdel Wahid Nur, a lawyer, Abd al-Shafi, a student of education, and Abdu Abdalla, a graduate in languages. It emerged as an organised rebel group on the Sudanese political scene when Minni Arkou Minnawi, the secretary-general of the SLM/A, made its political declaration in a press release on 14 March 2003. In the declaration the movement claimed that Darfur had been an independent state from the 16th century to the second decade of the 20th century, when it was forcibly annexed to the modern-day Sudan. The SLM/A accused the post-independent regimes in Khartoum of systematically pursuing a policy of marginalisation, discrimination, exclusion and exploitation of Darfur while waging war against ethnic groups of marginalised regions such as the Nuba, Funj, Beja and Rashaida. The declaration further highlighted the monopoly of power and wealth and institutionalisation of hegemonic policies of control by Sudan's successive civilian and military regimes in Khartoum.

The SLM/A also stated that its objective was 'to create a united Sudan on a new basis of feequality, complete restructuring and devolution of power, even development, cultural and political pluralism, and moral and material prosperity for all Sudanese'.[21] It made the following statements:

- The unity of Sudan must be anchored on a new basis that is predicated on full acknowledgement of Sudan's ethnic, cultural and political diversity
- There should be a decentralised form of governance based on the right of Sudan's different regions to govern themselves autonomously through a federal or confederal system
- Arab tribes and groups were an integral and indivisible component of Darfur social fabric that have been equally marginalised and deprived of their rights to development and genuine political participation
- The SLM/A would work to achieve an understanding and common ground with the Democratic National Alliance and other political forces in order to remove the NIF's dictatorial regime and establish a democratic system based on a new political dispensation of freedom, justice and respect for human rights, and equality for all Sudanese

The declaration of the SLA resembled the SPLA manifesto in many respects, indicating that there were connections between the two. Although the latter had denied any relationships with groups on another war front in western Sudan, these have been confirmed by Wear and Whitehouse:

> The SLA's connection to the south's SPLA is not just alphabetic or ideological. Since 1991, when the US started to support him, John Garang sought to open up a Darfurian front in his war against Khartoum. The International Crisis Group (ICG) reports that the SPLA gave military training to 1 500 Darfurians in March 2002. These then went on to become the core fighters of the SLA. Indeed the initial manifesto of the SLA was edited by the SPLA.[22]

Government forces and security agents began to harass members of the Fur tribes in Zalingei, Tour and Nyarteti on the western slopes of Jebel Marra in 2002. The lack of security along the Nyala-Kas-Zalingei road was blamed on gangs of bandits associated with the Fur people. Indeed, armed resistance had started earlier than the date of the SLA political declaration. The SLA was first known as the Darfur Liberation Front when it launched a military attack on Golou in West Darfur on 26 February 2003. After making its political declaration, the SLA attacked El Fashir Airport in North Darfur on 25 April 2003, killing 75 soldiers and destroying seven aircraft.[23] The SLA enjoyed the backing of the Fur, the largest African Muslim ethnic group in Darfur, as well as the backing of the Zaghawa and Masalit under the leadership of Abdul Wahid al-Nur.

Table 9–2: Main Darfur rebel factions after the Darfur Peace Agreement

Rebel groups / estimated military strength	Faction/year of establishment	Factional leadership	Comments
SLM 8 000 – 9 000	SLM Mainstream 2003	Abdel Wahid	The largest rebel group, which rejected the DPA and enjoys broad support in Darfur. The leader is rather isolated from his supporters
	SLM Government 2006	Mini Minawi	Signed a peace deal with the government in May 2006. Weak after the signing of the DPA and many field commanders deserted the group

	SLM Masalit 2006	Khamis Abdalla	Tribal in composition. Operated in Dar Masalit in west Darfur
	SLM/Classic 2006	Ahmed Abdel Shafie	The group is led by a founding member of the SLM. The faction rejected the DPA
	SLM Free Will 2006	Abdel Rahman Musa	Composed exclusively of Tunjur nationals. The leader was politically manipulated and the group became a pro-government faction
	Group of 19 2005	Suleiman Marajan	Umbrella organisation under the leadership of the Maidob group in North Darfur
	SLM/Unity 2006		Showed the highest military presence in Darfur in 2007 and Kordofan after defectors of Minnawi rallied around this faction
JEM 5 000	JEM Mainstream 2003	Khalil Ibrahim	The best organised and supported by both Chad and Eritrea. Its programme is Islamic and negotiated with the government in Qatar (Doha)
	JEM Field Revolutionary Command 2005	Mohamed Saleh Harba	Considered to be the militant Islamic wing of JEM, but merged with the SLM in late 2007
	JEM Collective Leadership 2007	Abdallah Banda and Bahar Abu Garda	Dormant since its establishment. It is one of the factions created with indirect support of the government to weaken the JEM mainstream
Other rebel groups 500	National Movement for Reform and Development 2004	Jibril Abdel Karim Bari	Supported by the Chadian military
	Darfur Independence Front/Army 2007	Mohamed Idris Azrag	The only faction that has called for secession of Darfur from Sudan

Sources: Gérard Prunier, *Armed movements in Sudan, Chad, CAR, Somalia, Eritrea and Ethiopia*, Analyse 02/08, Berlin: Centre for International Peace Operations, 2008, 3–4; Johan Brosché, *Darfur: dimensions and dilemmas of a complex situation*, Uppsala: Department of Peace and Conflict Research, Uppsala University, 2008, 24–38; Sudan Issue Brief Number 15, December 2009.

However, according to Brosché[24] and Gore *et al*[25] armed conflict had started in Darfur before 2003. Conflicts between ethnic groups have been part of community relationships over local political issues and administrative boundaries for more than four decades. The rebel groups in Darfur suffered from factionalisation due to ethnic differences and manipulation by the regime in Khartoum. Table 9–2 provides a summary of the main Darfur rebel groups and factions that were formed after the signing of the Darfur Peace Agreement (DPA) in Abuja in April 2006.

According to Prunier there has been an increased fragmentation of rebel groups in western Sudan after Minni Minnawi of the SLA signed the DPA in Abuja.[26] The SLM splintered further when Minnawi signed an agreement with the government of Sudan in May 2006, as most of his commanders deserted him. A major split occurred between Abdul Wahid al-Nur, who controlled the political wing of the SLA, and Minni Minnawi, who controlled its military wing. Groups such as the Group of 19 remained as umbrella organisations that fragmented further into SLM/Unity and SLM Free Will, as shown in table 9–2 alongside.

Unlike in Southern Sudan, factionalisation affected rebel movements of Darfur for a number of reasons. First, there was no history of armed movements from which the current rebel groups could learn lessons, which meant that they were unprepared in the extreme for a sustainable armed and political struggle. They launched a rebellion with the hope of finding a quick fix to their grievances, but without considering the political environment and the incompatible economic and cultural interests of their sub-region. Second, the government played an important role in splitting the SLA. For instance, the SLM Free Will leader ended up as government minister in February 2007.[27] The competing international interests over the possibility of oil reserves in Darfur and northern Chad attracted many peace brokers and spoilers. It should be noted that the regions adjacent to Darfur have potential oil resources. Finally, the informal factor in the current Darfur conflict is a cultural competition among Arab, English and French speakers.

RESPONSES OF THE GOVERNMENT: ESTABLISHMENT OF MILITIA GROUPS

Militia groups in Sudan are often hired and organised by the government as auxiliaries of the national army to fight rebels groups. They are heterogeneous in

composition and operate under different names, often according to their geographic locations. The militia groups in Sudan are part and parcel of the government's counterinsurgency strategy. As such, they are hired to fight for the government defence force. Some militia groups have an ethnic objective while others are created by influential individuals with the goal of enriching themselves. They make money from internal social disorder with the support of the government by waging violence against rebels and plundering properties of communities supporting rebel groups. The heavy reliance of the government on militia groups is both an economic and a tactical strategy.

From an economic perspective, the militias are cheap to maintain because they do not receive regular wages from the government. Their work is voluntary and self-paying because they keep all the loot acquired during an operation. Tactically, the government depends on militia groups because the war zones in Sudan are very extensive, leading to thin distribution of the professional army. Another reason for dependence on militia groups is that the military regime of Omer el-Bashir purged most of the professional officers from the army. The few remaining military and security officers were deployed around the national capital to protect the seat of the government, and light and heavy industries in central Sudan.

The various militia groups in Sudan are described in this study as ethnic and tribal. Other civilian paramilitary groups are recruited, trained and armed by the government for the purpose of waging proxy wars against rebels and communities supporting rebel movements. The formation of tribal militia groups started under Nimeiri in 1983 as a counterinsurgency strategy.[28]

The military regime of Omar el-Bashir institutionalised all militia groups supported by the government after promulgation of the Popular Defence Act in October 1989. This Act legitimised militia and allied paramilitary groups as auxiliaries of the national army. Scholars such as Salmon[29] and Young[30] examined the origins, composition and development of the Popular Defence Force (PDF). There were 12 main militia groups distributed in different parts of Southern Sudan, but the number increased depending on new political developments. The PDF was headed by Brigadier Babiker Abdel Mahmoud Hassan, who was directly responsible to the president of Sudan. After 1990, all militia groups were organised into military formations modelled on the structure of the PDF, and trained and deployed in sensitive areas such as oilfields and other oil infrastructures such as pipelines and refineries. This study examines two militia groups in order to deepen the understanding of the counterinsurgency strategy of the government in Sudan.

The Southern Sudan Defence Force and tribal militia groups in Southern Sudan

The establishment of militia groups in the context of political developments is closely related to the geographical distribution of actors and organisational structures. The government responded to operations of rebel groups by creating the PDF in 1989. It is an umbrella organisation for all paramilitary groups that existed before the NIF came to power on 30 June of the same year. There are about 10 000 active members of the PDF, with 85 000 reserves.[31] These forces were deployed alongside regular army units against various rebel groups. So the disparate militia groups were united under the PDF in northern Sudan and the Southern Sudan Defence Force (SSDF) in Southern Sudan. Several tribal militia groups already existed in Southern Sudan by 1989. They continued to be controlled by the military intelligence until the government and the Nasir faction of the SPLA concluded the Khartoum Peace Agreement.

The SSDF was created in 1997 as a Southern Sudan component of the PDF and as part of the Khartoum Peace Agreement to bring all the tribal militia groups under a unified command of Paulino Matip, who was appointed the chief of staff of the SSDF. The Fertit Friendly Forces was under El Tom El Nour in Bahr el Ghazal, the Mundari militia under Clement Wani in Equatoria, and the Peace and Reconstruction Brigade under Sultan Abdel Bagi Ayii in northern Bahr el-Ghazal, and so forth. Tribal warlords were given military titles and were authorised to control the areas where their presence was permanently maintained. This structure was composed of a number of militia groups distributed in all the main regions of Southern Sudan. Young observed that in the context of the second civil war, the territorial boundaries of Southern Sudanese armed groups were never demarcated and the loyalties of individual members to their groups were typically temporal and transient.[32] The turnover of both territory and group affiliation – including 'side switching' between the government of Sudan and the SPLA – was high among militia groups. Young summarised the problem as follows:

> There is no doubt that the SSDF comprised a significant number of fighting forces at its peak of activity. During the last stages of the second civil war various components of the SSDF (of which there are over 30) controlled large parts of western, central and eastern Upper Nile, parts of northern and western Bahr el Ghazal, and areas of Eastern Equatoria that were critical in making possible the development and operation of the country's emerging oil industry...

> But arriving at an accurate count of SSDF members remains highly problematic. First, the numbers change constantly as recruitment within some groups is ongoing. Secondly, the SSDF is largely made up of non-regular forces – and the dividing line between civilians and combatants is extremely grey. Thirdly, some individuals may identify themselves as affiliated at one moment but then reject the label once a particular objective has been achieved or given up.[33]

The CPA progressively changed the relations between the militia groups and the SPLA. In the beginning they were angered because of their exclusion from the negotiation process in Kenya. Militia groups were not accommodated in the SPLA as was stipulated in the CPA when John Garang was alive. The ascendance of Salva Kiir to power after the death of Garang was marked by reconciliation between the SPLA and main militia groups in the SSDF. The process of reconciliation was sealed by the Juba Declaration of 8 January 2006. This arrangement paved the way for absorption of about 18 militia groups under a number of warlords, while others joined the SAF as stipulated in the CPA. In short, the militias operating in Southern Sudan are referred to in the CPA as 'other armed groups'. Table 9-3 is a sample extracted from a longer table, compiled by Young and containing an exhaustive list of 60 different militia groups allied with the government army or the SPLA, which shows the heterogeneity of militia groups in Southern Sudan that constituted the SSDF before the Juba Declaration.

Table 9–3: Sample of militia groups according to the three regions of Southern Sudan

Militia group	Commander/ leader	Areas of operation before the Juba Declaration
South Sudan Unity Movement	Major-General Paulino Matip	Bentiu, Rubkona, Mayom, Makien Wankay, Nhialdiu, Heglig and Kharasana
Fangak Forces	Major-General Gabriel Tangyan	Bashlakon, Fangak, Deil, Kwerkan, Kwerdaf, Faguer, Fag, Kaldak and Dor
Pibor Defence Forces	Major-General Ismael Konyi	Pibor, Akobo Road, Likuangole, Juba and Bor
Mundari Forces	Major-General Clement Wani	Terekaka, Juba road, Tali, Rejaf East, Kaltok, Gemeiza and Jebel Lado
Equatoria Defence Force	Brigadier Fabiano Odongi	Torit, Juba, Torit Road and mountains around Torit
National Peace Forces (Fertit)	Major-General Eltom Elnur Daldoum	Bazia, Geitano, Taban, Bussere, Halima, Bagare, Mboro, Khor Gana, Deim Zubeir, Sopo, Raja and Tumsah
Peace and Reconstruction Brigade	Sultan Abdel Bagi Ayii	El Miram, Bahr el Arab, Agok, Malual, Tadama, Um Driesi and Bringi

Source: John Young, *The south Sudan defence forces in the wake of the Juba Declaration*, Geneva: Small Arms Survey, Graduate Institute of International Studies, 2006, 42–48, also available at http://www.googlesyndicatedsearch.com/u/SmallArmsSurvey?q=John+Young%2C+The+south+Sudan+defence+forces+in+the+wake+of+th&sa=go%C2%A0 (accessed 18 December 2009).

The increase in numbers is attributed to disagreements between militia groups over integrating into the government army or the SPLA. Most of the militia groups were divided into two groups under new leaders who joined the government. For example, when Paulino Matip joined the SPLA under the terms of the Juba Declaration, his senior lieu tenants, Gordon Kong and Gabriel Tangyang, established their own groups and allied with the Sudan government army. The huge number of militia groups complicated the implementation of the CPA in Southern Sudan because they created insecurity and continuously switched sides between the Sudan government forces and the SPLA depending on the benefits one of the two may offer. The militia groups that were dissatisfied with the CPA partners melted into communities and engaged in banditry and cattle rustling.

The *Janjaweed* in Darfur

The *Janjaweed* militia group became prominent after the Darfur rebellion in 2003. It is described as an 'Arab' paramilitary militia group on camels and horses and is known for perpetrating violence against civilians in Darfur.

The *Janjaweed* is a militia group organised by the government to wage war against rebel groups in Darfur. Its members enlisted with the Sudanese army within the framework of the PDF and the military structure in Darfur known as the Border Intelligence and are recruited from two categories of 'Arab' tribesmen, namely camel owners in the desert areas of North Darfur and cattle owners in South Darfur. The former comprise the Mahariya, Iraygat, Mahamid and Beni Hussein who use camels in the offensive against the civilians believed to be supporting the SLA. The cattle-owning Arabs are the Rezeigat, Beni Halba, Taaisha and Maaliya. The current estimated strength of the *Janjaweed* is about 5 000 men.[34]

Gore *et al* argue that 'Arab' paramilitary groups have been operating in Darfur since 1980 as Libyan proxy forces.[35] After the victory of Habré over Libyan-backed rebel groups in Chad, they retreated to Darfur in 1988. Hoile confirms that there is a Chadian factor in the evolution of the *Janjaweed*.[36] Armed 'Arab' groups known as the Islamic Legion, which operated in Chad but were based in Sudan and were allegedly equipped by Libya, were spotted in Darfur in 1987 during the government of Saddiq Al Mahdi. Authorities in the greater Darfur area described these armed groups as robbers and bandits.

Janjaweed militia groups have a well structured leadership at the political and military levels. The known political organisers in Darfur were Ahmed Haroun and Ali Kushayb, who both hailed from South Darfur. The latter is the commander of South Darfur and overall commander of *Janjaweed* armed units in the three Darfur states. The other two Darfur states were commanded by Abdullah Mustafa Abu Shineibat (West Darfur), and both Mohamed Ali Hamiditi and Musa Hilal (North Darfur). Musa Hilal was the most notorious field commander in North Darfur. The government of Sudan directed operations of the *Janjaweed* against the SLM and the JEM, which draw support mostly from the 'African' tribes of the Fur, Zaghawa, Masalit, Dajo, Maidoub, Berti and Tunjur. The *Janjaweed* strategy was to destroy villages and, according to Brosché, 1 595 villages were destroyed in the period 2003–2007.[37]

It should be noted that many *Janjaweed* attacks against civilian populations had both economic and racial motives. The government used the *Janjaweed* as counterinsurgency forces, with excellent knowledge of the terrain, to avoid spreading the army thinly in an expansive region the size of France. Sudanese authorities took advantage of the readiness of the *Janjaweed* to do the fighting because this enabled them to build up tight security around Khartoum where there are huge investments and oil business installations.

Actors in the Sudanese conflict of Darfur maintain complex relations in pursuing their interests. Ethnic contiguity plays its role as many tribes straddle the border with Chad. Interactions increased between rebel groups (such as the SLA and JEM) and sections of Arab militias in the wake of the DPA when the government of Sudan committed itself to disarming the *Janjaweed*. The latter felt betrayed by the government because it blamed it for all the atrocities committed in Darfur. This development brought some rapprochement between sections of the *Janjaweed* and the rebel groups in Darfur.

The popularity of the rebel groups at the beginning of active rebellion in 2003 cannot be overestimated. The call of the rebel groups for an end to government neglect of Darfur was popular, also among the 'Arabs'. Communities supported the rebels with food supplies and cash, and many youths joined the rebels. However, the DPA changed the degree of support to the government among African and Arab tribes. While the support for signatories of the DPA declined, the popularity of non-signatories (SLA-Abdul Wahid and the JEM) was remarkable. Although ethnicity was a factor in the fragmentation of the rebel groups, the majority of Arabs remained neutral in the conflict. Tanner and Tubiana observed that Mujib ar-Rahman az-Zubeir of the SLA-Abdul Wahid initiated contact with the Baggara and Abbala (Mahariyya and Mahamids) tribes at Wadi Toro and Sabanga in the northwest and in the area of Jebel Marra.[38] Agreements between the parties led to the opening of joint Arab-Fur markets in the rebel-held area of Jebel Marra. Looted livestock was returned to owners and eventually 500 'Arab' fighters, including formerly active *Janjaweed* elements, joined the SLA-Abdul Wahid faction.

IMPACT OF THE REBEL GROUPS AND MILITIA ON SOCIETY

Small arms threaten the lives of unarmed civilians in the aftermath of peace agreements. The situation of Southern Sudan after the CPA justifies this assumption. Garfield's study in the Lakes State of Southern Sudan demonstrates that violent insecurity is pervasive (with robbery and intercommunity fights most commonly reported) because residents are heavily armed.[39] This human insecurity is widespread across many states in the region. In some cases, disagreements between the SPLA and former militia forces erupt in violent confrontations in which hundreds of civilians lose lives and their properties are looted.

Destruction of basic services is inevitable in Sudanese armed conflicts. The army, rebel groups and paramilitary groups all contribute to the destructive processes. They deliberately destroy the infrastructure for education, health, markets and transport services. Vandalised schools, health centres and bridges are a common feature and continue to be so in war zones of Southern Sudan, the Nuba Mountains and the Blue Nile, and recently in the Darfur region. The tactic of destroying food supplies, bombarding cattle camps and displacing rural populations has resulted in food insecurity and market disruptions. The situation

has not stabilised sufficiently in Darfur to enable surveys on the impact of war. Some of the destruction is an inevitable outcome of the war strategies and the tactics used during the civil war.

Sudanese civil wars affected structures of government and rural economic systems in marginalised areas in the country. The nucleus of political systems is confined to garrison towns while the rural areas are the scene of military operations. Rebel and militia movements contributed to the systematic destruction of local authority that used to maintain law and order in rural areas. As the civil war intensified, civilian populations were dislodged and resettled in peace villages, IDP camps in Khartoum, or around the garrison towns. People holding guns were the sources of authority. For example, in Upper Nile, commanders of militia groups such as the White Army (Geish Mabor) acted as tribal chiefs. Actions of rebel and militia leaders disrupted customs, culture, civilian life and kinship structures and in the process destroyed human dignity. This resulted in the breakdown of law and order in society.

Roles of different rebels and militia groups in undermining rural economic systems could be seen in their capacity to brutalise civilian populations during hostilities in war zones. War tactics included destruction of crops and commandeering of livestock to bring besieged populations to submission. In other cases, rural pastoralists found it difficult to move long distances in search for richer pastures and the result was overgrazing and environmental degradation in war zones. The government-supported militia in oilfields stole livestock and drove away communities to leave space for oil exploration and exploitation. Similarly, some Nuba communities were besieged to submission and were resettled in peace villages. Finally, a huge disruption of the socioeconomic system was experienced in northern Bahr el Ghazal during the militia missions that accompanied trains from Babanusa to Wau. Civilian populations were subjected to systematic plunder of livestock, destruction of crops and abduction of women and children during these operations. A similar strategy was replicated in the Darfur region where civilian populations were displaced and ended up in camps. Although these camps were guarded by AU and UN peacekeepers, they have been subjected to attacks and raids.

Responses of actors and stakeholders

Responses of various stakeholders to armed conflicts are related to social and political structures of affected societies. These responses are as varied as they are

multidimensional. Approaches and responses to the complex armed conflicts in Sudan could be explained in terms of the interests, positions and roles of the main protagonists. The complexity of Sudanese conflicts, with the increasing number of rebel groups, is a challenge for gauging political and community reactions, sentiments and sympathies.

Responses of local communities

Conflict-affected communities in Sudan have limited options in the face of the military, rebel and militia offensives in war zones and in destinations of flight from violence. In the experience of Sudan, the first response of communities is to avoid being trapped in war zones. Many people flee armed conflict and become internally displaced persons (IDPs) around garrison towns or refugees in neighbouring countries. According to the Internal Displacement Monitoring Centre there are about 2,7 million IDPs within Darfur and nearly 250 000 refugees from Darfur in eastern Chad.[40]

The second option for communities is to protect their land and property from occupation by other ethnic communities. This is a patriotic approach that transforms community members in to rebels and other paramilitary groups. People remaining behind during armed conflicts are emotionally attached to their ancestral lands to the extent that they become embroiled in the violence between the warring parties. In the name of defence of ancestral land, local communities seek protection from either side of the war and in extreme cases opt for self-defence groups, thereby militarising the community. This kind of community action leads to the breakdown of the rule of law and loss of authority of local communities. Communal militarisation is a factor in the different types of banditry experienced during the conflict or in the post-conflict period.

Militarist responses of the government

The military government has used force to maintain unity since 1989, when it overthrew the 'democratically' elected government of Saddiq Al Mahdi. One of the main reasons for ousting the civilian government was that the latter was too weak to deal with the SPLA, which was the dominant rebel movement at that time. The combination of militaristic and diplomatic approaches began in 1994 under the auspices of the IGAD. However, it took more than a decade for the government to

reconsider militarism as an approach to resolving the conflict with the SPLA in Southern Sudan and the three areas of Abyei, Blue Nile and the Nuba Mountains. Despite the CPA, there have been sporadic military operations in Abyei and South Kordofan, too. The Abyei Administrative Area experienced clashes between the government and SPLA forces in 2008. The government denied involvement and blamed the Misseriya militia and the SPLA for engaging in armed violence. President el-Bashir addressed the problem by issuing Republican Decree 146, and an agreement entitled 'Roadmap for return of IDPs and implementation of Abyei Protocol' was signed by the ruling National Congress Party and the SPLM.[41]

Militarist tendencies persist in war-affected regions covered by peace agreements. For instance, violence erupted in Upper Nile (Malakal town) on two occasions in 2006 and 2009, resulting in heavy civilian casualties. The African Union Mission in Sudan (AMIS) lost ten soldiers on 29 September 2007 in its camp at Haskanita, with government and rebel groups trading accusations about the incident.[42] Brosché confirmed that AMIS and UN experts were unable to identify the perpetrators of the incident. However, the assumption is that the government of Sudan was behind the attack, its purpose being to frustrate negotiations about the deployment of troops from the UN African Mission in Darfur (UNAMID). Darfur was the scene of sustained military action by the government against the rebel groups that did not sign the DPA.

INTERNATIONAL RESPONSES TO SUDANESE ARMED CONFLICTS

The complexity of the Sudanese conflicts has invited both bilateral and multilateral responses. Bilateral responses to armed conflict have rarely helped Sudan in addressing the underlying causes of the political conflicts, for they are expressed in terms of ideology and business interests. The relationship of the US with Sudan has been ambiguous because the country appeared to put pressure on Sudan to resolve its chronic conflicts, but at the same time tried to appease the country to gain anti-terrorism cooperation. Sudan proved to be useful for intelligence gathering about institutions and people associated with Osama bin Laden, who lived in Sudan until 1994. However, another role of the US was to contain the spread of militant Islam from Sudan to neighbouring geopolitical regions. These two incompatible US policy goals only aggravated the conflict in Darfur and made the CPA rather shaky.

This US approach is not only applied in bilateral relations, but also at the multilateral level with regard to international organisations and seems to have worked in the case of SPLA-led conflict in Sudan. The US supported the SPLA in the IGAD peace initiative, and influenced its European partners. The IGAD process was a combination of a regional approach backed by multilateral support. The roles of the IGAD Partners Forum (IPF), the US and the UN in supporting mediation efforts of Kenya yielded positive results, as was demonstrated by the signing of the CPA. However, this type of approach is lacking in the Darfur conflict. The AMIS was deployed in Darfur and was later transformed into UNAMID. This hybrid force lacked the logistical and financial support that would make it effective in its operations. Western powers such as the US and France are reluctant to commit critically needed equipment to the force. The UN Security Council made resolutions that remain blueprints, because both Russia and China frustrated the possibility of strong action in the Darfur armed conflict. Accordingly, the positive contribution of the UN to the Darfur conflict is restricted to the provision of humanitarian assistance to IDPs within Darfur and Sudanese refugees in eastern Chad.

The strongest response of the UN to the armed conflict in Darfur could be seen in the handling of atrocities committed by the *Janjaweed* against unarmed civilians. The UN Security Council referred the case of atrocities to the International Criminal Court in March 2005. The Court issued a warrant for the arrest of Ahmed Haroun, a government minister and the governor of South Kordofan, and Ali Kushayb, a *Janjaweed* commander, in April 2007. The refusal of the government to cooperate with the Court escalated the conflict to the extent that the president of Sudan was indicted for crimes against humanity in Darfur. This was released in a press statement of the judges on 4 March 2009. The AU considered the decision inappropriate with regard to an African president still in power.

CONCLUSION

Sudan experienced numerous conflicts in nearly all its regions except the extreme north. Sudan emerged as an independent country amid mutiny and rebellion. The length of the civil war and faulty policy development highlighted national consciousness about marginalisation and social exclusion and resorting to violence to solve problems. The essence of governance is at stake in Sudan, with the number of rebel and militia movements constantly increasing since

independence. This is an indicator that the underlying causes of conflict have yet to be addressed by the parties to Sudanese conflict. Human security is threatened in zones of armed conflict, which extends to peaceful areas inside and outside the country. This happens in terms of war-related migrants who try to escape the excesses of the civil war that destroyed their property and institutions of governance.

One key finding of this study is that rebel groups seek policy or regime change through violence, forcing governments to recognise their identities and their participation in the formulation of political, social and economic policies. Meanwhile, militia groups lack a vision of their own, but are part of war strategies of ruling elites that attempt to remain in power or pursue vested economic interests. In this respect, militia groups operate like mercenaries because their motives are primarily economic. They are empowered to loot and disrupt community livelihoods and force civilians into submission through the weapon of hunger. Both rebel and militia groups are sources of banditry and insecurity in the regions of Sudan that have been affected by armed conflict. For instance, the proliferation of small arms constitutes a major source of insecurity in Southern Sudan in the post-conflict period.

The future of Sudan will continue to hang in the balance so long as critical demands of the peripheral regions are not seriously addressed by the central government in Khartoum. The demands revolve around the national questions of identity and culture clashes, economic development, power sharing and wealth sharing. The grievances expressed by the marginalised people could lead to balkanisation of Sudan. This can be prevented only if African countries take the lead in finding suitable compromises to ensure that peace prevails on the continent as a whole. The Southern Sudanese are pressing for the referendum to take place in 2011, in line with the terms of the CPA. If the referendum results are in favour of secession of Southern Sudan, there is a likelihood of more social and political instability in Sudan, which will certainly have an adverse effect on the African continent.

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Chapter 10

The regionalisation of rebel activities: the case of the Lord's Resistance Army

Paul Omach

INTRODUCTION

Since 1986, n orthern U ganda h as b een b edevilled b y v iolent a rmed co nflict between s uccessive r ebel g roups a nd t he N ational R esistance A rmy/Movement (NRA/M) government led by Yoweri Museveni. The most resilient of these rebel groups has been the Lord's Resistance Army (LRA), led by the enigmatic Joseph Kony. Th e a rmed co nflict in n orthern U ganda i s r ooted in U ganda's do mestic politics and the problems of state-making and nation-building, including the lack of national integration and failure to build consensus on the role of the constituent groups in national politics. But the conflict has been regionalised. Louise Fawcett defined regionalisation as a si tuation in w hich inter- and intrastate conflicts spill over in to n eighbouring co untries, lin k u p w ith co nflicts in t hose co untries a nd draw t hem a nd o ther ac tors, a nd a lso a ttract t he in tervention o f in ternational actors.[1]

In n orthern U ganda, s uccessive r ebel g roups, es pecially t he LR A, o rganised and sought support externally and set up bases and 'sanctuaries' across the border and, in s o doing, have destabilised regional security. The government of Uganda countered support for the LRA by supporting rebel groups in neighbouring Sudan

and the Democratic Republic of Congo (DRC) and by intervening in conflicts in those countries. The conflict in northern Uganda has thus been linked to conflicts in neighbouring countries and within traregional conflicts in the Great Lakes complex. US intervention to safeguard its geostrategic interests against the threats of Islamic fundamentalism and terrorism increased the complexity of the conflict and has made it more difficult to resolve. The linkage of the conflict to a regional conflict complex contributed to transforming the LRA from a rag-tag rebel outfit to a formidable guerrilla force whose activities span state boundaries and have serious consequences for foreign policies of states and for regional security.

This chapter examines the regionalisation of the conflict in northern Uganda and the transformation of the LRA rebel movement into a regional actor in the security of East and Central Africa regions. It does so by examining the problems of state-making and nation-building and conflicts in Uganda; the regional security environment and relations of the countries in East and Central Africa; global geostrategic interests, and coincidence of the domestic, regional and global.

INTERNAL CONFLICTS AND REGIONAL CONFLICT COMPLEXES

Recent attempts at understanding the problem of internal conflicts, which have become the dominant threat to peace and security, have focused on the nature of the state and on domestic politics. A review of the debates on internal conflicts in Africa by Richard Jackson offers useful insights in this regard.[2] Internal conflicts are the result of state-making and nation-building and of 'accumulating, centralising and concentrating the power resources necessary for effective territorial domination'.[3] State-making in Africa has been compared with the European experience, which took centuries and generated collective violence from rebel groups.[4] Africa has been likened to Western Europe between the 16th and 18th centuries when the earliest sovereign states emerged.[5] This was a period of violent conflicts during which 'weak states were eliminated and political arrangements that were not viable were either reformed or disappeared'.[6] But in Africa, external interference created and preserved several unviable states, added to the security predicament, and made conflict a character of the continent.[7] Colonial powers created states with artificial boundaries, lack of legitimacy and incapacity to control their territories.[8] The processes of state-making and nation-building have been compressed within a relatively short time. This is in contrast to the European experience, which saw simultaneous attempts at state-making,

institution-building and democratisation. International norms have also locked diverse groups within colonially defined boundaries, and granted them rights to make demands that the state cannot satisfy due to the lack of empirical attributes of statehood. This has proved to have a destabilising effect on the emerging states.

The historical process of state-making that Africa experienced resulted in the creation of 'weak states' lacking the attributes of 'empirical statehood'.[9] Weak states lack domestic political and social consensus, the idea and institutions of the state are contested and governments face challenges to legitimacy and viability. Regimes rely on the suppression of opponents, the use of force and political cooptation to remain in power. In such situations threats to the stability of the state emanate from domestic sources. Security in a weak state is viewed in terms of factional struggles, whereby ruling cliques obscure the distinctions between regime security and security of the state.[10] However, the conflicts that result from domestic incoherence are rarely purely internal or confined within the boundaries of a single state. They 'spill over' into neighbouring states and are linked to conflicts in those states and with neighbourly relations. Politics and violence become interconnected and intertwined at the local, national, regional and global level as insurgents and governments compete for external support using various networks. The preservation and strengthening of the state becomes the priority of governments, both domestically and externally. The boundary between internal and international conflict is blurred, and the value of foreign intervention becomes harder to assess in the national security state, as outside powers and forces intervene to support conflicting factions.[11]

Recent studies have highlighted the regional and global dynamics of contemporary intrastate conflicts. These dynamics and links have been labelled regional security complexes, regional conflict formations and regional conflict complexes.[12] These studies build on the old analysis of regions, which is defined as the existence of distinct and significant subsystem of networks or relations among a set of states located in geographical proximity to each other. A region mediates the interplay of the state and the international system. Buzan observed that the 'reality of security interdependence is unavoidable', especially with neighbours, because threats and friendship are most intensely felt at close range.[13]

Interaction between states results in a web of security interdependence or formations called 'security complexes'. This refers to a group of states whose primary security concerns link together sufficiently that the national security of each cannot realistically be considered apart from the others. This definition is consistent with those of Vayrynen that 'regional conflict formations' are so

complex and entangled that they 'cannot be easily decomposed into individual conflicts'. He defined 'regional conflict formations' as 'a complex mixture of intra-national, intraregional and extraregional conflicts of violent character'.[14] In a study of armed conflicts in the period 1989–1997, Wallensteen and Sollenberg identified 15 'regional conflict complexes', which they defined as 'situations where neighbouring countries experience internal or interstate conflicts with significant links between the conflicts'.[15] This accounted for more than half of the conflicts that were taking place at the time. Links between conflicts impact on peace efforts since changes in conflict dynamics or resolution of one conflict will have an effect on a neighbouring conflict.

Conflict linkages are composed of numerous transnational networks, ranging from military, economic and social to political networks.[16] Military networks increase activities like the cross-border flow of arms and combatants, overt and covert military intervention and harbouring of rebels from neighbouring countries. Political networks include cross-border links between elites, personal connections and friendship between politicians, ideological affinity and historical antagonism. Economic and financial networks, especially those of an illicit nature, increase regional and global links of war economies and of conflicts. Rebel groups, criminal gangs and the state all rely on cross-border networks of the 'shadow trade' in looted goods and natural resources as a source of revenue. Social networks, such as the existence of ethnic groups across borders, refugee flows and diaspora communities, facilitate illicit trade and arms transfers and promote the regional interconnectedness of conflicts.

The link between the conflict in northern Uganda and conflicts in neighbouring countries as well as intervention by extraregional actors, notably the US, led to regionalisation of the activities of the LRA. This has made the conflict more complex and difficult to resolve. The link involves various networks by which arms and combatants move across porous state boundaries and different conflicts with ease. There is also widespread involvement by government army officers and rebels alike in a trade in valuable resources and basic commodities across the conflict zones in the Great Lakes region. Diaspora communities and refugees have also added to the interlinking of conflicts.

STATE-MAKING AND INTERNAL CONFLICTS IN UGANDA

To understand the roots of conflict in northern Uganda and why it has been so intractable, it is important to examine the problems of state-making and nation-building. In Uganda, the social contract of independence dissipated fairly rapidly. Since then, violent internal conflicts have been endemic. This may be explained by the structure and processes of a weak state. The Ugandan state is a 'dislocated polity', characterised by the lack of domestic political and social consensus and sufficient structural integration of the constituent regional, ethnic, religious and ideological parts.[17] Internal threats to stability of the state and regimes are endemic and governments face challenges to their legitimacy and viability. In a weak state like Uganda, the political elite is preoccupied with its political survival and maintaining an integrated state. It has to manage both internal threats from local 'strongmen' or groups and external threats. This leads to exclusive politics, authoritarianism and an intense struggle for political dominance.

The political struggles in Uganda after independence, specifically after the collapse of the 1962 semi-federal constitution and the first post-independent coalition government headed by Milton Obote, reflected precisely such a struggle for political dominance. The first post-independence government was an attempt to delicately balance various regional, ethnic and ideological interests. But this ultimately collapsed when Obote arrested dissident members of the cabinet, suspended the constitution and forced the Kabaka of the Baganda, the dominant ethnic group in Uganda, into exile in 1966.[18] This resulted in a crisis of legitimacy and heightened conflicts in the ethnically fragile state. With dimini shed legitimacy, Obote began to rely increasingly on the army to maintain power, but it also gave the army a taste for power and in 1971 the army, under the command of Idi Amin, overthrew the Obote government. Initially, Amin attempted to win support among groups that were hostile to Obote, but before long, violence, repression and terror, which the regime used as the methods of control, caused widespread alienation, generated bitterness and hostilities, and intensified ethnic and religious conflicts in Uganda.[19] It also resulted in to social dislocation and institutional decay. The presence of a large number of Ugandan exiles in Tanzania who were committed to the overthrow of Amin's regime and Tanzania's hostility led to the interface of domestic and regional security. Amin was eventually overthrown in 1979 by a combined force of the Tanzanian People's Defence Force and Ugandan guerrillas after the invasion and occupation of Tanzanian territory north of the Kagera River by Amin's army in October 1978.[20]

After the overthrow of Amin, violence and disorder continued, and the successive regimes were confronted with the problem of re-establishing societal and political order. There was an institutional and political vacuum, which the anti-Amin coalition (which was hastily put together during the Moshi conference

in Tanzania) was not able to fill. The major political actors of the time, most of whom were political returnees whose claim to a role in national politics rested on their 'roles' in the overthrow of Amin, were deeply divided along regional, ethnic, military, political and ideological lines.[21] Intrigues and manoeuvres were rife, as different groups positioned themselves for political control, but the euphoria and hopes of progress and national reconciliation that followed the end of Amin's brutal rule dissipated.[22] The first post-Amin choice for the presidency, Yusuf Lule, held power for only three months, while his successor, Godfrey Binaisa, was deposed from office after nine months.

After the overthrow of Binaisa, a 'caretaker' military council organised multiparty democratic elections in December 1980. Four political parties contested the elections: the Uganda People's Congress (UPC) led by Obote, the Democratic Party (DP) led by Paul Semogerere, the Conservative Party (CP) under the leadership of Mayanja Nkanji and the Uganda Patriotic Movement (UPM) led by Yoweri Museveni. But the elections were held in a tense atmosphere of considerable controversy, mistrust, political violence and threats of civil war. Allegations of irregularities in favour of the UPC, which obtained the most parliamentary seats, created problems of legitimacy for the new government and triggered more armed conflict. Museveni, who had threatened to 'go to the bush' and wage war if the elections were rigged, formed a rebel group and launched a guerrilla war against the UPC government of Obote. The conflict increased the militarisation of politics, with the military being used to resolve political differences. The conflict also polarised Uganda along the regional and ethnic north-south divides, creating conditions for more conflicts. The army gradually succumbed to fragmentation along ethnic lines, and in July 1985, it deposed the UPC government of Obote. After a military takeover, President Daniel arap Moi of Kenya intervened in the conflict and unsuccessfully tried to mediate in the peace talks between the military government and Museveni. In January 1986, Museveni and the NRA deposed the military junta of General Tito Okello.

The NRM promised to restore peace, political stability and democracy, and within a few months it succeeded in extending its control over the entire country and establishing a measure of stability.[23] In May 1987, the NRM government signed an agreement with the International Monetary Fund and the World Bank and began to implement structural adjustment programmes. This endeared the NRM government to Western donors and resulted in a flow of aid. Western donors began to view Uganda as an island of stability in a troubled region and a country that enjoyed political stability and sustained economic growth.

However, the optimism was premature. The country was highly polarised and divided along the regional and ethnic north–south divide. The support base of the NRA was also centred in and confined to the southern parts of the country. Furthermore, the capture of power by the NRA had not addressed the crucial question of the post-war order, including issues related to political control and the roles of the various actors in national politics. The NRA adopted the language of inclusion and exclusion, and that determined the role of the different actors in national politics. It excluded those Museveni labelled 'criminal elements' from participation in politics. The peace the NRA claimed to have restored was therefore a victor's peace, which depended on the ability of the NRA to impose and maintain its control over the defeated groups.

The immediate challenge to the NRM government emerged from elements associated with the parties the NRA defeated. A number of rebel groups of varying political and military significance took up arms against the NRA government. They included the Uganda People's Democratic Army (UPDA), Uganda People's Army, Ninth October Movement, Holy Spirit Mobile Forces (HSMF) and the National Army for the Liberation of Uganda (NALU).

THE REGIONAL CONTEXT OF THE CONFLICT IN NORTHERN UGANDA

From the outset, there was an overlap of the conflict in northern Uganda with conflicts in neighbouring countries. The overlap was created by, among others, a massive inflow of refugees from Uganda to Sudan, permeable borders, a proliferation of arms across the border, a large number of armed Ugandan exiles in neighbouring Sudan, and a history of mutual suspicion and elite networks. The capture of state power in Uganda by the NRA after a guerrilla war and Museveni's negative attitude towards the internationally acclaimed principle of state sovereignty and non-interference in internal affairs of other states created anxiety among Uganda's neighbours and heightened suspicion. During the OAU summit in Addis Ababa in July 1986, Museveni castigated African leaders for advocating the sanctity of state sovereignty and non-interference in internal affairs of states in the face of oppression.[24]

The linkages of the domestic security between Uganda and Sudan were highlighted in the outbreak of violence in northern Uganda simultaneously with attacks on Ugandan refugees in the east bank refugee camps in Southern Sudan by

Sudan People's Liberation Army (SPLA) rebels. The SPLA feared that the Sudan government would enlist the help of Ugandan refugees to fight against it. The NRA government, which was sympathetic to the SPLA, on the other hand feared that the Sudan government would help the exiled group to recapture power in Uganda.[25] The attack accelerated the reorganisation of exiled soldiers of the defeated Uganda National Liberation Army (UNLA) and the formation of the UPDA rebel group and armed attacks against the NRA in Uganda.

Following attacks on government army positions in Uganda by UPDA rebels, President Museveni accused the Sudanese government troops stationed in Nimule of re-arming and providing transport for the UPDA. He said that the Sudanese government wanted to use northern Uganda as a rear flank against the SPLA.[26] Sudan strenuously denied a role in the attack and, in turn, accused Uganda of supporting the SPLA and of trying to export its revolution. President Museveni denied the accusation, and tried to calm his neighbour's fear:

> [I]t is not our duty – not even our desire – to export this revolution to anybody else, or to any other African country. Likewise, it is not correct for anybody to seek to export counter-revolution to Uganda. Let us allow the people of each country to shape their destiny without interference from external quarter, be it brotherly or foreign.[27]

The two neighbours held several bilateral meetings between 1987 and 1993, during which they pledged not to support 'each other's criminals, and to cooperate on border security. In 1990 Uganda and Sudan reached an agreement in terms of which Sudan deployed a military team to monitor whether Uganda was supplying the SPLA. These bilateral agreements were limited to confidence building measures such as an exchange of military missions. They did not address the underlying issues in the conflict or face up to the reality that the 'criminals' were not only proxies; they had their own interests and strategies. Meanwhile, distrust and recriminations continued amid occasional air raids by Sudan on Ugandan territory, and cross-border skirmishes involving armies of the two countries and rebel groups.

The conflict in northern Uganda also overlapped with internal conflicts in Kenya and influenced regional relations.[28] Like neighbouring Sudan, Kenya harboured a suspicion that the Ugandan leader would support dissident groups seeking to overthrow the regime of President Moi. Since the abortive coup in 1982, Moi's regime had been under growing threat from dissident groups. There were fears that Museveni's ascent to power through an armed struggle would have

'contagious' effects.[29] Moi also felt personally insulted when Museveni marched to Kampala and took power by force after signing a peace agreement that he had facilitated, for Moi had staked his reputation on brokering the peace agreement between Museveni's NRA rebels and the Okello government.[30] Faced with internal threats, the Kenyan leader in 1987 accused Uganda of supporting Kenyan dissidents and of training Kenyan youth and helping others to travel to Libya for military training.[31] On its part, Uganda accused Kenya of allowing insurgents to use Kenya as a rear position and transit route. Suspicion was heightened by the capture in November 1987 of Brigadier Smith Opon Acak and Major John Olwol, two former officers of the defunct UNLA, in eastern Uganda, after they had entered Uganda from Kenya.[32] The media in the two countries heightened tension with hostile propaganda, but the two countries undertook numerous bilateral initiatives to reduce the tension.

The NRA government used a combination of military and diplomatic initiatives in its response to the conflict in northern Uganda. In an address to the nation on the anniversary of Uganda's independence, President Museveni declared that 'fighting and annihilating these types of elements is a justified cause'.[33] He embarked on a diplomatic offensive to criminalise rebel groups, among others referring to them as 'the elements that have caused untold suffering to the people of Uganda, violated human rights, murdered people, destroyed the economy and violated the sovereignty of the people of Uganda.'[34] Criminalisation of rebels was aimed at rationalising the government's militarist policy and mobilising international support. The government sought to delegitimise opposition of the Ugandan diaspora, which was critical of the NRM government and sympathetic to the rebels. Internationalisation added to the complexity of the conflict.

After more than a year of military stalemate, the NRA government agreed to grant amnesty to those who renounced rebellion. It also agreed to negotiate with the UPDA, the main rebel group operating in northern Uganda. At the time the UPDA was under pressure from the Holy Spirit Movement, a splinter rebel group led by Joseph Kony, which was emerging as a formidable and contending rebel group. Negotiations between NRA and UPDA commanders began in earnest in March 1988, culminating in an agreement on 3 June 1988. However, a split occurred within the ranks of the UPDA: the larger faction under the command of Lieutenant-Colonel Angelo Okello Okeno surrendered and was integrated into the NRA, while another faction under Brigadier Odong Latek disowned the peace talks and the settlement, and opted to continue fighting. According to a former UPDA rebel, some Ugandans in the diaspora advised the UPDA not to agree to the

terms of the settlement.[35] The peace initiative failed to acknowledge the complexity of the conflict. It did not include strategic actors like members of the Ugandan diaspora or other national and regional actors. As Wallensteen and Sollenberg argued, it is vital for any peace initiative to acknowledge regional conflict complexes where they exist and develop processes that involve them all.[36]

The faction of the UPDA rebel group, which disassociated itself from the peace agreement, allied with Kony's Holy Spirit Movement to form the Uganda Christian Democratic Army. In 1992, the group was renamed the Lord's Resistance Army. By then, Kony had purged the group of other leaders and consolidated his control over the group. The LRA is an arcane rebel movement, of which little is known, due to the failure by its leadership to present a coherent programme to the public, apart from the obvious objectives of overthrowing the government of Museveni. The organisation comprises former soldiers and child soldiers who have been forcibly recruited and is a highly mobile guerrilla group, with the deplorable reputation of killing civilians and committing other human rights abuses. Kony, who claims to be a spirit medium, started his rebel 'career' as 'spiritual adviser' to a UPDA battalion commanded by Major Opia. After Major Opia died in a battle in 1987, Kony took command of the unit and formed the Holy Spirit Movement. He embarked on forcible recruitment of former soldiers and UPDA rebels, and abduction of civilians, mainly children, to build his force.

The LRA emerged as the most formidable rebel group in the 1990s, after the surrender of the UPDA. But the rise of the LRA coincided with a decline of support for rebels among the local population in northern Uganda, and the government's policy of involving the local population in counterinsurgency operations as 'vigilantes'. By 1993, the loss of civilian support began to impact on the group, which also lost a number of its fighters when they surrendered to the government. Through intermediaries, the LRA contacted the Uganda government's minister of state in charge of 'pacification of the north', Betty Bigombe, and requested negotiations to end the conflict. Peace talks between LRA commanders and their NRA counterparts and Bigombe began at the end of 1993, with religious leaders and elders attending as observers. Agreement was reached on a ceasefire and free passage for LRA rebels, but collapsed in February 1994 when Museveni gave an ultimatum to the LRA to surrender within seven days or face military action. Museveni accused the LRA of dishonesty and lack of good faith, and argued that the LRA was using the negotiations to rebuild its capacity through recruitment and that it was negotiating with the government of Sudan for military assistance. Others blame political rivalry between local politicians, while yet others blamed NRA military officers for sabotaging the negotiations.[37]

THE ROLE OF THE LORD'S RESISTANCE ARMY IN THE REGIONAL CONFLICT COMPLEX

Renewed hostilities followed the collapse of peace talks and the LRA launched numerous attacks to prove that it was still a force to be reckoned with. It intensified its guerrilla activities and abducted children and took them for training in Sudan, which had begun to provide substantial logistical support for the group. The conflict thus became closely intertwined with the conflict in Sudan and the global and geostrategic issues such as the US-led war against terrorism. The LRA became an actor in regional security, and a pawn in relations between Sudan and Uganda.

In October 1994, Uganda cancelled the agreement it had reached with Sudan in 1990 allowing Sudan to station a military monitoring team in Uganda, accusing the team of engaging in activities incompatible with its mandate.[38] Uganda broke off diplomatic relations with Sudan in April of the following year on the grounds that the latter was supporting its dissidents.[39] During this period, the Uganda government army clashed with and destroyed the camps of alleged Islamic fundamentalist rebels at Buseruka on the escarpment of the western Rift Valley near Lake Albert. Incidences of armed attacks on police stations in Mpigi and Mukono districts in central Uganda were also reported.[40]

By now, Uganda's policy towards Sudan had converged with those of Western states. Sudan had been increasingly isolated since the first Gulf War, due to its perceived radical Islamist ideology and expansionist agenda. In 1990 the Gulf states stopped economic assistance and finance of Sudan's three-year recovery programme. In 1991, the European Community halted non-humanitarian economic assistance to Sudan. In the same year, the US added Sudan to its list of state sponsors of terrorism. By 1995, the US was actively providing military assistance to armed opponents of the Khartoum regime: the rebel umbrella, the National Democratic Alliance and the SPLA, as well as Ethiopia, Eritrea and Uganda. These three states were considered by the US to be the 'new frontline states' against the Islamist regime in Sudan. In 1996, Washington approved US$20 million to the three countries.[41] In the same year, the United Nations imposed sanctions on Sudan to force it to hand over suspects implicated in the assassination attempt on Egyptian president Hosni Mubarak. Appearing before the Senate

Subcommittees on Africa and on Operations and Human Rights, US Assistant Secretary of State for African Affairs, Susan Rice, acknowledged that the US had delivered 'non-lethal, defensive military assistance' to Uganda 'to help improve the effectiveness of its military to defend itself against Sudanese sponsored aggression, in particular that of the LRA'.[42] The US provided US$3,85 million in financial years 1997 and 1998 in addition to a US$400 000 in ternational military education and training programme to improve professionalism of the Ugandan army.[43] I have also pointed out elsewhere that the US used the conflict in northern Uganda as a proxy to supply the SPLA, with which the UPDF shared military facilities.[44] US policy was influenced by its perception of Museveni as a reliable partner and as an 'interlocutor' in the region.[45] In the process, the conflict in northern Uganda and the LRA were linked to a complex web constituting the Great Lakes conflict complex. This increased the cycle of violence and counter-violence.

Between 1995 and 1998 Uganda fought proxy wars with Sudan that drew in Ethiopia and Eritrea, both members of the 'new frontline states' against the Islamist regime in Sudan. Both countries had broken off diplomatic relations with Sudan after accusing it of destabilising their countries by supporting dissidents and sponsoring the spread of Islamic fundamentalism. Ugandan troops made periodic incursions into Sudan in pursuit of the LRA and two other Uganda rebel groups, the West Nile Bank Front (WNBF) and Uganda National Rescue Front II (UNRF), and also in support of the SPLA. The WNBF and UNRF II rebels operated from bases in Sudan and Zaire. Between 1994 and 1997, the WNBF launched a series of attacks in the West Nile, from their bases in Sudan and northeastern Zaire. In September 1996, between 600 and 800 WNBF soldiers were reported to have entered Uganda through Zaire.[46] They, among others, destroyed bridges, mined roads and attacked refugee camps. Museveni reasoned that Sudan and Zaire under Mobutu intended to 'keep the Ugandan army pinned down' and make it incapable of coming to the aid of Rwanda, which was under threat from former *Forces Armées Rwandais* and Hutu *Interahamwe* militias operating from bases in eastern Zaire.[47]

In 1996, Uganda, together with Rwanda and Angola, which felt their security was threatened by Mobutu, intervened in Zaire in support of dissidents fighting to overthrow his regime. WNBF camps in northeastern Zaire were overrun by Ugandan government troops, and the security of the border areas was handed over to the Alliance of Democratic Forces for the Liberation of Congo rebels, who were

fighting against Mobutu's government.[48] In March of the same year, the SPLA destroyed WNBF bases in Sudan and captured a number of its soldiers, while others surrendered to Ugandan government troops.

REGIONAL AND INTERNATIONAL INTERVENTIONS

Concerns about the inter-linkage of conflicts in Uganda and Sudan in the regional conflict complex and the increased threats to regional stability led to numerous interventions in the form of mediation, among others, by Libya, Iran and Malawi, without much success.[49] The complexity of the conflict, multiplicity of issues and lack of sincerity bogged down the negotiations. Nonetheless, widespread abduction of children by the LRA and their use as child soldiers and sex slaves, together with other gross violations of human rights and abuses, led to widespread international pressure on Sudan and Uganda to seek a peaceful end to the conflict. Former US President Jimmy Carter, acting through the Carter Center, brokered an agreement between Uganda and Sudan that was signed in December 1999 in Nairobi and witnessed by the UN Children's Fund (UNICEF), Save the Children and some friendly foreign governments. Under the accord, Uganda and Sudan agreed to cease hostilities against each other, stop supporting each other's dissidents, exchange prisoners of war and facilitate the return of war captives, and restore diplomatic ties by the end of February 2000.[50] Although a lack of trust stalled the process of implementation, the accord provided the basis for future relations. In the course of 2000, intense diplomatic activities by the Carter Center and UNICEF, the UN High Commissioner for Refugees, the Canadian government, Libya and Egypt resulted in the signing of a new agreement.[51]

In the wake of improved relations between Sudan and Uganda, the International Organisation of Migration (IOM), UNICEF and the governments of Sudan and Uganda repatriated about 323 people who had been abducted by the LRA but had escaped to northern Sudan from the south.[52] A turning point in relations between Uganda and Sudan occurred on 12 January 2002, when Presidents Omar el-Bashir and Museveni held a meeting in Khartoum. The improved relations between the two countries culminated in the signing of a protocol on 10 March 2002, which allowed the Ugandan government soldiers to 'execute a limited military operation within the borders of Sudan' against the LRA.[53] Thereafter, Ugandan government troops were deployed as far as Juba, the regional capital of Southern Sudan.

REGIONAL CONFLICT COMPLEX: DYNAMICS AND TRANSFORMATION

The improvement in the relations between Sudan and Uganda reflected the interplay of domestic, regional and international developments. Since the mid-1990s, the Khartoum government had been under growing international pressure to prove its anti-terrorist credentials. Sudan had been internationally isolated since 1991 and subject to UN sanctions since 1996. Sanctions were beginning to have an impact on the regime in Khartoum. The costs of armed conflict and pressure from various dissident groups were also affecting the government. As a result, the Khartoum regime ended the alliance with the radical National Islamic Front Party of Al Hassan Turabi and also ratified the 1997 Convention for the Suppression of Terrorism and the 1999 International Convention for the Suppression of Financing Terrorism.[54] Uganda was also under international pressure to peacefully resolve its conflict with the Khartoum government, and end the killings and abduction of civilians by the LRA. The military solution to the conflict had proved ineffective and the 'new frontline' alliance had floundered with the Ethiopian-Eritrean conflict and the conflicts in the DRC and that between Uganda and Rwanda during the intervention by the two countries in the DRC. In 1999, the government reluctantly agreed to grant amnesty to rebels and the Amnesty Act was promulgated in 2000.

The 11 September 2001 terrorist attacks on the World Trade Center in New York and the Pentagon in Washington DC, and the resultant US 'war on terror', added a new dimension. After the attacks, rebel groups began to be viewed as potential terrorist organisations and possible cells in an international network of terrorist organisations. Most states were therefore at pains to prove their anti-terrorist credentials. In December 2001, the US added the LRA and the Allied Democratic Forces (ADF) rebels in Uganda to its 'Terrorist Exclusion List' designed to protect the safety of the country and its citizens under the new US Patriot Act. Both rebel groups were being supported by Sudan. In March 2002 Uganda followed suit and passed the Anti-Terrorism Act, thereby criminalising the LRA and other rebel groups.[55] Thus Uganda and Sudan presented the cooperation between them as a demonstration of 'their coordination and readiness to support the international community in its legitimate measures to combat terrorism as reflected in UN Security Council Resolution 1373'.[56]

Following the signing of the protocol of 10 March 2002, under which Sudan allowed the Ugandan army to carry out military operations against the LRA in Southern Sudan, the Ugandan army launched *Operation Iron Fist* to destroy the LRA rebels at their bases in Southern Sudan. The Ugandan government had for a long time argued that cooperation by the government of Sudan was vital for defeating the LRA and for ending the conflict in northern Uganda. Intervention by the Ugandan army into Southern Sudan had a boomerang effect, for instead of destroying the LRA, it elicited counter-violence against the civilian population in Southern Sudan and northern Uganda. The LRA crossed back into northern Uganda, spreading more mayhem and destruction. Within a short time, the scale of the humanitarian crisis reached unprecedented heights as entire communities beyond the traditional area of LRA operation in the Acholi sub-region were displaced. International attention on the conflict increased, as did protection activities by international non-governmental organisations (NGOs) and UN agencies.[57] Chris Dolan and Lucy Hovil have argued that the UN used humanitarian protection as a 'Trojan horse' to intervene in the conflict because of resistance by the Ugandan government to external intervention in the conflict.[58]

In November 2003, Jan Egeland, the UN Under Secretary-General for Humanitarian Affairs and Emergency Relief, referred to the conflict as one of the world's largest neglected humanitarian emergencies and, on 14 April 2004, he briefed the Security Council on the humanitarian situation in northern Uganda. Among others, the Security Council stressed the importance of 'exploring all peaceful avenues to resolve the conflict, including through creating a climate in which solution based on dialogue might be found'.[59] The Ugandan government described the Security Council statement as 'unacceptable',[60] and the call by the Permanent Representative of Canada to the President of the Security Council for the situation in northern Uganda to be put on the agenda of the Security Council as 'unjustified'.[61] It reiterated its view that 'the situation in northern Uganda is an internal matter on which she is the only one who can recommend, call for, and initiate action as she sees fit.' It insisted on a military solution to the conflict, and demanded a regional military approach involving the *Mission des Nations Unies en République Démocratique du Congo* (MONUC), United Nations Mission in the Sudan (UNIMIS), African Union Forces in Sudan, the SPLA, Sudan and DRC to disarm the LRA.[62] In doing so, the Uganda government contradicted itself and unwittingly acknowledged the regional and global entanglement of the conflict.

The demand by the government of Uganda for a regional military offensive against the LRA did not receive a sympathetic hearing[63] and relations between Uganda and the DRC were less than cordial. Uganda had only recently ended its military intervention in the DRC in support of various rebel groups and the government of the DRC had also filed a case against Uganda with the International Court of Justice, accusing Uganda of illegal exploitation of natural resources from

Map 10–1: LRA activities, December 2008 – April 2010

Source: Amelie Desgroppes, IFRA/ICG.

the DRC. The SPLA and the government of Sudan had just signed the Comprehensive Peace Agreement (CPA) and the autonomous government of Southern Sudan had been established. As the organisation leading the government of Southern Sudan, the SPLA was trying to enlist support and cooperation of the various armed groups in the south, including former allies of the LRA. Engaging the LRA militarily would create a split and jeopardise efforts aimed at uniting the various factions in the south, and unleash serious reprisal against civilians. A military campaign against the LRA would be burdensome for MONUC in the northeastern DRC and UNIMIS and African Union forces in Sudan who were too thin on the ground and overstretched. The UN and AU were therefore reluctant to take on another conflict.[64]

The government of Uganda contributed further to internationalisation of the conflict by referring the LRA to the International Criminal Court (ICC). The ICC opened investigations against the LRA in July 2004 and in October 2005, issued arrest warrants against five top LRA commanders for committing war crimes and crimes against humanity. Adam Branch[65] correctly argued that the government of Uganda was using the ICC as a political instrument to advance its militarisation of the conflict and was scriminalising the LRA as a means of de legitimising its political and military opposition. The government expected to benefit from internationalisation of the conflict and hoped that the ICC indictment would put pressure on the government of Sudan to stop supporting the LRA, which would accelerate the demise of the rebel group. However, the ICC indictment made the conflict more complex and entangled in the politics of international criminal prosecution and has proved to be an obstacle to peaceful settlement of the conflict rather than a help.

When conflicts are entangled in a regional complex, the dynamics or resolution of one of the conflicts has an effect on neighbouring conflicts. Improvement in relations between Uganda and Sudan, and the signing of the CPA between the government of Sudan and the SPLA, affected the conflict in northern Uganda and the LRA. The establishment of the autonomous government in Southern Sudan, in line with provisions of the CPA, deprived the LRA of the freedom to operate from bases in Southern Sudan and of direct support from the government of Sudan. It prompted the LRA to shift its base from Southern Sudan to Garamba National Park in the northeastern part of the DRC. Ugandan security officials[66] suspected that the relocation was done with the help of the government of Sudan and full knowledge of officials in the DRC. There were also fears by Ugandan security officials that the LRA might have established bases in the Central African Republic (CAR), and linked up with rebel groups in Chad and the CAR. Chad has consistently accused Sudan of supporting Chadian rebel groups. A visit to Uganda in late 2007 by the president of the CAR at the invitation of Museveni might have been related to these fears.

Relocation by the LRA to the northeastern part of the DRC resulted in LRA attacks spreading to a wider area. The LRA has been accused of attacking civilians

and humanitarian workers in Southern Sudan, and impeding repatriation of Sudanese refugees from the DRC, the CAR and Uganda.[67] A high-profile LRA attack in the DRC took place on 23 January 2006 when the rebel group attacked a detachment of MONUC forces and killed eight Guatemalan peacekeepers and severely wounded five others. This led to discussions by the UNSC and the sponsorship by the UK of a resolution for military action against the LRA.[68]

Transformation in the regional conflict complex also acted as a spur for the historic Juba peace talks between the LRA and government of Uganda. An improvement in the relations between Uganda and Sudan deprived the LRA of direct support, while *Operation Iron Fist* disrupted the military formation and organisation of the LRA. In May 2006, Kony, the LRA leader, released a video in which he called for peace negotiations with the government of Uganda. The message was delivered to President Museveni by President Salva Kiir of Southern Sudan, who offered to mediate. He made this offer because the government of Southern Sudan knew that if the conflict in northern Uganda did not end, it would complicate the implementation of the CPA and lead to a fresh outbreak of conflict in Southern Sudan. Therefore, the government of Southern Sudan was intent on getting rid of the LRA factor and strengthening its position in dealing with the government of Sudan.

Initially, Ugandan president Museveni insisted on an unconditional surrender by the LRA, but he later agreed to take part in the peace talks with the LRA.[69] In an address to the nation, the president acknowledged that there was tremendous pressure on the government to negotiate with the LRA rebels. At the time Uganda was preparing to host the prestigious Commonwealth heads of states and governments meeting. Since the disastrous intervention in the DRC and increasing authoritarianism at home, Western governments had begun to rethink their previously favourable opinion of the Ugandan leader. It was therefore vital for Museveni to reinvent himself as a peacemaker.

Talks between delegations from the LRA and the government of Uganda began on 14 July 2006 in Juba under the mediation of the vice-president of Southern Sudan, Riek Machar. However, the talks got off to a difficult start with both parties taking hard-line stances. From the onset, the government viewed the purpose of the talks as negotiating the terms of surrender for the LRA. It rejected LRA calls for cessation of hostilities. The LRA adopted the tactic of walking out and stalling the negotiations.[70]

The peace talks were facilitated and witnessed by a number of friendly countries, such as Norway, Canada and Denmark. The UN appointed a special envoy, which raised the profile of the negotiations. Other African countries like Kenya, Tanzania and South Africa sent observers, while NGOs such as Caritas, Saint Egidio and Pax Christi also acted as observers and peace advocates. Despite initial challenges, in an unprecedented development, the LRA and government of Uganda signed a landmark cessation of hostilities agreement in August 2006.[71] Agreements were also later reached on the other items on the agenda.

However, the failure of Kony to show up in Rikwangba for the signing of the final agreement raised doubts about the future of the peace talks. Demands by the LRA leader for 'clarification', including on some issues already agreed upon, showed that mistrust and suspicion remained between the two parties. Even the fact that the talks were going on did not stop Museveni from entering into an agreement with the DRC for a joint military action against the LRA.[72] The cessation of hostilities agreement finally collapsed when, on 14 December 2008, the Ugandan army, with the consent and backing of the DRC and the US, launched military strikes against LRA rebel jungle hideouts in the Garamba National Park. The offensive, which lasted three months, was a dismal failure. It did not achieve its intended objective of decimating the leadership of the LRA and instead provoked brutal LRA reprisals against civilians in the DRC and to some extent in Southern Sudan.

REGIONALISATION OF CONFLICTS AND REBEL ACTIVITIES

The preceding discussion shows that the conflict in northern Uganda has been very dynamic. It evolved from a local and national level conflict that was rooted in the problems of a weak state, to a regional level conflict with global dimensions. Weak internal governance, failure to establish state control and meaningful administration in the border areas of northern Uganda, Southern Sudan, northeastern DRC and the CAR provided an opportunity for rebels to operate almost unhindered. Likewise, arms and government soldiers have been moving across porous borders in pursuit of rebels and intervening in neighbouring conflicts. The UPDF has made periodic incursions into Southern Sudan and the DRC in pursuit of the LRA, and also to assist the SPLA. This has resulted in interlinking of the conflicts across the region, regionalisation of rebel activities and the development of the Great Lakes regional conflict formation. The conflict in northern Uganda is part of this regional conflict complex or formation. The boundaries of the regional conflict complex are fluid and dynamic. The conflict is

also linked by networks of illicit trade in natural resources, such as timber and minerals, which has sustained the conflict.

Against the background of regionalisation, the LRA rebel group has changed over time from an organisation made up of former soldiers of the defeated UNLA who were fighting to recapture state power, to an army of predominantly children abducted from northern Uganda. It has operated as a proxy in the war between Uganda and the US on the one hand, and the Islamist government in Sudan, which the US accused of sponsoring fundamentalism and terrorism, on the other. Since 2007, the LRA has been abducting civilians from the DRC and Southern Sudan and conscripting them into its ranks. Inevitably, the composition and interests of the LRA have varied and changed with time. The conflict also attracted other actors: the US added the LRA to its list of 'terrorist organisations', and humanitarian agencies and the ICC also intervened in the conflict. This has made the conflict more complex, and has had an impact on the search for a negotiated settlement. In addition, the interaction between the LRA and states within the region and other actors has evolved and it is conceivable that with time, the character of the LRA might change as its interaction with other actors continues to change. Any analysis and intervention to resolve the conflict must take note of the dynamic nature of the conflict.

Regionalisation of rebel activities and links between conflicts in neighbouring countries mean that changes and dynamics in one conflict have effects on other conflicts within the region. The signing of the CPA in Sudan in January 2005 and election in the DRC in 2006 had an impact on both the LRA and the conflict in northern Uganda. It lessened the value of the LRA to Sudan, so that Southern Sudan was not willing to continue hosting the UPDF on its territory, while in the DRC efforts were made to integrate various rebel forces into the national army. Efforts to resolve the conflicts in the DRC through peaceful means provided a solution to the problem of the meddling by the UPDF in the conflict. Apart from directly intervening in the DRC, the UPDF had also been providing support for rebel groups in the DRC. These developments influenced the strategic options and choices of both the LRA and the government of Southern Sudan (GoSS) and provided an impetus for the Juba peace talks.

The implication is that conflicts that are interlinked need to be addressed within a regional framework. Attempts must be made to involve all strategic actors, at the local, national, regional and global levels. Conflicts that are entangled in a regional web cannot be meaningfully addressed in isolation of other conflicts that impact on it.

CONCLUSION

Since the 1990s, most violent conflicts have had an intrastate nature. An explanation for these conflicts can be found in internal discord, linked to the process of state-making and nation-building. These conflicts involve the state as well as non-state actors such as rebel movements and militias that contest the political authority and legitimacy of governments. But contemporary conflicts are not only internal, they are also regional. They spill over borders, link up with conflicts in neighbouring countries and draw in neighbouring states, and develop into regional conflict complexes. In the process, they attract the intervention of international actors. This has transformed non-state rebel groups into major actors in regional and international security. In Uganda, the conflict in its northern part and which has its roots in domestic political problems related to the failure to build national consensus, has linked up with conflicts in neighbouring states and regional conflicts. The conflict became regionalised and the LRA, which has been the most formidable rebel group in northern Uganda, expanded its activities to the whole region.

The increased role of rebel movements in regional and international security has presented problems on whether to engage with them and how to do so. Most of the rebel groups have the dubious reputation of engaging in criminal violence and perpetrating widespread human rights abuses. The LRA rebel group in Uganda has such a reputation too, which has made it unattractive to engage using peaceful means. This dilemma has become more acute since September 2001, when rebel groups began to be viewed as terrorist organisations, although opinion is divided on this classification. Thus, countries like the US and Uganda added the LRA to the list of terrorist states, but other countries still feel that Uganda should engage with the LRA and seek a peaceful solution to the conflict. There is a need to develop a coherent policy on how to engage rebel groups. To label them as terrorist and preclude any engagement with them is not a useful option. The voices of rebel movements must be heard. However, engaging rebel groups should not be misconstrued for condoning their criminal activities.

Emphasis should also be placed on understanding the domestic contexts that lead to conflicts and the emergence of rebel groups, and on trying to address them. The border areas where rebels operate have low levels of governance and administrative control. Establishing an effective state authority and meaningful administration over frontier territories would be an important step towards addressing the regionalisation of conflicts.

It is also vital to examine existing regional security frameworks and their suitability for helping the grievances of the rebel groups to be heard, for these are often left out of negotiations. Conflict management needs to have a regional awareness and take into account various dimensions of regional interlinkages. It should not be restricted to individual states or conflicts, because the resolution of conflict in one country may require resolution of other conflicts within the region.

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Chapter 11

Militant Islamist groups in northern Nigeria

Muhammed Kabir Isa

INTRODUCTION

This chapter focuses on the activities of militant Islamic groups in northern Nigeria and recounts how in recent times they have capitalised on the opportunity provided by the current democratic dispensation to increase their activities as non-state actors. The objective is to interrogate the increasing challenges and threats posed to state power and its territorial integrity by the growth and spread of militant Islamist groups in northern Nigeria, particularly since the 1980s. A major aim is to provide an explanation of the resurgence and re-emergence of these groups in northern Nigeria.[1] The chapter also assesses the trends and dynamics that have accounted for the emergence of groups such as the *Maitastine* sect, the *Zakzaky Shiite* movement, and the Nigerian *Taleban* in Yobe State and its subsequent transformation into *Boko Haram*.

Pertinent questions that the chapter seeks to answer are:

- How has the emergence of militant Islamic groups/movements in northern Nigeria posed a challenge and threat to the power of the secular state and its sovereignty?
- What are the historical trends and dynamics associated with the emergence of the militant Islamic groups in northern Nigeria?

- What are the conditions that breed militant Islamism?
- What roles do religious doctrine, sociopolitical realities or ideology play?

The analysis is based on the assumption that the emergence, growth and spread of militant Islamist groups in northern Nigeria pose a challenge to the legitimacy of the state and are symptomatic of the weak nature and character of the state. The causes and consequences of the resurgence of militant Islamist movements and their challenge to the political *status quo* are discussed in the context of existing political realities.

The Nigerian state has, over time, been characterised by unmitigated despotism, capricious government policies, fiscal crises, debt-ridden economy, inequalities and injustices, bad governance, large-scale corruption, fractionalisation of the ruling class, weak political and economic institutions, and a near absence of security of lives and property. The current economic crisis manifested by the harsh realities of existence reinforces the challenges to the legitimacy of the state by these militant Islamist groups. The seemingly complacent way in which the state manages the emerging issue of militant Islamic groups points to one fact – the inability of the ruling class to properly manage the state affairs.

ISLAMISM AND MILITANT ISLAMISM – CONCEPTUAL CLARIFICATIONS

Studies on Islamism, *jihad*, fundamentalism and militancy are varied and divergent, specifically in terms of their perceptions. Daniel Pipes, an editor of the *Middle East Quarterly*, is a leading scholar among those who perceive Islamism and militant Islamism as a dangerous threat to the political stability of the world. He views Islamism and fundamentalism as a belief system, a form of political ideology that is very bit as dangerous as communism and one that should therefore be confronted head-on, just as America and the West confronted communism.[2] The strength of this argument lies in the fact that even some Muslims consider Islamism and fundamentalism as representing a threat to political stability in the countries where they are active and by implication a threat to world peace in general. Pipes argues that religious and civil law should be kept separate from each other and that Qu'ranic law is flexible enough to permit changes in tradition.

On the other side of the debate is John Esposito, who argues that Islamism or Islamic fundamentalism does not pose a major threat to world political stability.[3]

He posits that there is a need to appreciate each case of fundamentalism and Islamism independently in the country where it is found and constitutes a political force, and to consider its developments in that particular cultural context. Esposito further maintains that talk of a worldwide Islamic uprising and a clash of civilisations[4] in which Islam may overwhelm the West is just a part of the search for a 'new enemy', something to fill the 'threat vacuum' created by the demise of the Soviet Union and subsequent discreditation of communism. His conclusions are that the fear of a unified Islamist uprising is unwarranted.

In the perception of Mahmood,[5] and scholars such as Marty and Appleby,[6] the analysis of Islamism and religion in general is consistent with the assumptions of the theories of modernisation that perceive religion as antithetical to the development of democratic, modern societies. Hence, Islamism and other politico-religious movements are considered to be opposed to modernity, while opportunistically tapping its achievements for developing its own tenets.

Islamism conceptually is about political movements that pursue Islamic idealism, modern ideologies and a political programme. Islamism, which in Arabic denotes *al-'islaamiyya*, is a set of ideologies depicting Islam not only as a religion but also a political system comparable to socialism or capitalism and which holds that modern Muslims must return to the roots of their religion and unite politically by the formation of Islamic political movements *(al-harakat al-islamiyya al-siyassiyya)*.[7] However, this does not imply that there are universally accepted conceptions of Islamism.[8]

Islamism – which does not necessarily imply militancy – is an umbrella concept applicable to diverse Islamist movements that are often commonly grouped under the banner of 'Islamist', such as the Saudi *Wahhabism, al-Qaeda*, the Muslim Brotherhood in Egypt and Algeria, the *Hizb ut-Tahrir*, and the *Taleban* in Afghanistan and Pakistan.[9] Simply lumping together these varied and distinct streams of Islamist groups, for example by implying that the *Wahhabism* of the *Taleban* and the *Salafism* of *al-Qaeda* constitute a homogeneous brand of Islam, is likely to add to the confusion.[10]

Islamism does have its roots in both the *Salafiyya* movement and the radical Islamist organisations currently competing for political power all across the Middle East and similarly can be said to have its roots in the nation-states of the Middle East and North Africa. Other variants of Islam that have gained prominence are *Shiism* and *Sunni*. The former is a minority variant of Islam that acquired prominence in the wake of the 1979 Iranian revolution. The minority status of *Shiites* compared to the *Sunni* Muslims, the *Shiite* communal activism,

and also the leading political role played by Shia scholars (*ulama*) and religious authorities of the *Shiite* over time have unified *Shiite* Islamism, saving it from fragmentation and degeneration.[11]

Nevertheless, the principal responsibility for militant Islamism lies with Muslims and, more specifically, with the Arabs. How can they confront these responsibilities? Should the response be national or international, theological or philosophical, intellectual or political, repressive or accommodating, Muslim or Arab?[12]

Islamism as a concept also increasingly denotes the political manifestations of Islam. Leading Islamic thinkers such as Muhammad Iqbal, Jamal ad-Din al-Afghani, Sayyid Abdul A'la Maududi (Pakistan), Sayyid Qutb (Egypt) and the Ayatollah Khomeini (Iran)[13] have aspired to apply many aspects of the *Shariah*, particularly that dealing with reviving and revitalising modern society, creating pan-Islamic political unity, and eliminating non-Muslims and particularly Western influences from the Muslim world.[14] These Islamic philosophical underpinnings laid the basis and premises for contemporary Islamism. Islamism is therefore a form of identity politics that is usually expressed through movements whose aim is to promote Muslim identity. Examples of Islamist political movements are the Islamic Salvation Front in Algeria, *Jamaal Islamiyya* in Egypt, the Justice and Development Party in Turkey and Morocco, and the Society of the Muslim Brotherhood in Egypt, Algeria, Jordan, Kuwait, Sudan and Syria.[15]

The militant Islamist movement is a modern phenomenon that constitutes a part of a wider resurgence of religious identity developing across the Muslim world. Militant Islamism – as well as radical Islamism – is rooted in the recurring cycles of revivals characteristic of Muslim history. It is also a reaction, more often than not very violent, to the severe crisis of modernity converging with the rise of charismatic prophetic leaders. Militant Islamism is a religious movement and a political ideology that encompasses a social element of protest, engagement in a counterattack on secularism and an identity for the have-nots of the Muslim world.[16]

Militant Islamists seeks a way of life that differs from Western secularism. They also want to totally Islamisise the social and political systems under God's sovereignty, rule and law. These goals are to be realised through revival or establishment of a worldwide Islamic state based on *Shariah* law. Their emphasis is on the state, which is seen as the main instrument for actualising the Islamic religion that will guarantee the revival of and a total return to the *Qu'ran* and the *Hadith*. Militant Islamists therefore seek to capture the state through legal and democratic means or through a violent revolution, *coup d'état* or secession.[17]

Militant Islamists radically reinterpret traditional Islamic concepts, particularly its views of battles or *jihads*, when mobilising the faithful by warning them against 'enemies of Islam' and urging them to defend the faith. The faithful are encouraged to train, organise and actively participate in the actualisation of their goals by employing tactics such as temporary withdrawal from society.[18] The faithful can also be urged to target state institutions and symbols that are regarded as secular or state instruments, or agencies that are perceived to be tools of oppression and domination.

There are three main variants of militant Islamism: the internal militancy against Muslim regimes that are considered to be impious (such as in Morocco, Libya and Algeria), the irredentists fighting to redeem the land ruled by non-Muslims or under occupation (such as in Nigeria) and the global militants waging a *jihad* against the West.[19]

ISLAMISM AND MILITANT ISLAMISM IN NORTHERN NIGERIA

Contemporary militant Islamist movements in northern Nigeria can be identified by the manner in which they pursue the principles of Islam. They seek to achieve their goals by violently confronting the symbols and institutions of state power, authority and legitimacy with the ultimate aim of taking over state power. Further, they seek the strict application of Islamic law, the transformation of Muslim society, and the abandonment of European/Western cultural influences and innovations.

The logic of Islamism and political Islam is a distinct and unifying idea that characterises and is inherent in Islamic history and experiences through the Muslim eschatology on the idea of Islamism that is associated with the *Mahdi*. The Islamic doctrine of death and afterlife is based in the belief in the *Mahdi*, the great reviver who will eventually come back to purify the Islamic 'faith' by struggling with and conquering the enemies of the Islamic order. The conquering *Mahdi* would eventually establish justice and equality in the global order and freedom from tyranny and oppression.[20]

This belief in the resurgence of the *Mahdi* is widely accepted by *Sunni* and *Shiite* Muslims in northern Nigeria (as well as the global Islamic community/order), even though the *Shiite* (*Shia*) sects view the *Mahdi* as the hidden *Imam*. Therefore, Muslims have come to define and justify most and any attempts at reviving religion through militant Islamism to fight injustices and oppression as part of their religious obligations. Ultimately, the belief is that a charismatic Islamic leader would emerge to oust an existing order of injustice and inequality and establish in its place one that is equal and just, as enshrined by the *Qu'ran* and the *Sunnah* or practices of the Prophet Muhammad. It is therefore not uncommon for the followers of organised Islamist movements to identify their leaders as the *Mahdi* and to also refer to him as a *mujaddid* (reviver or reformer).[21]

One of the major trends that have characterised northern Nigeria from the early 19th century to the present is the emergence and/or resurgence of revivalists, reformists, radicals, fundamentalists and revolutionary Islamist movements. Most of these movements have, at various stages of their development and during almost every period, opposed and in some cases totally rejected established and existing Islamic scholarship. More often than not, the militant and extremist variants of these movements have become very critical of the nature, character and constituent order of the state in Nigeria.[22]

A cursory examination of the recorded history of the resurgence of Islamism and militant movements in northern Nigeria reveals that they are a recurring phenomenon that is similar to the 19th-century *jihad* of Uthman dan Fodio. The key to understanding contemporary militant Islamism in northern Nigeria is to comprehend the role and place of the Sokoto *jihad*, the *caliphate* order that was established to resist colonialism and secular Western rule through a regional network. Islamist movements in northern Nigeria have capitalised on this network to create transnational connections with global Islamic society.

The most recent militancy has been spurred by both the economic crisis and governance deficiencies at all levels of the Nigerian government, as well as by opportunities provided by the opening up of the democratic space. But it is mainly based on the traditional protest agenda of challenging and undermining the post-colonial secular state. This has been accompanied by anti-Western sentiments fuelled by external influences that included Arab financial support for *Wahhabi*-style preaching, the regression of the Nigerian economy, and the Middle East conflicts.[23] All through Nigeria's chequered political development since the pre-colonial to the present times, there has existed increasing appeal to an Islamic alternative, manifested by calling for the Islamisation or reIslamisation of society.

THE STATE AND RESURGENCE OF SOCIAL MOVEMENTS IN NIGERIA

In Nigeria, the burgeoning capitalist class comprises not only the *comprador* and indigenous businesspeople but also state employees from the civil service, the military and the police. The state itself over the years became the major source, facilitator and protector of their wealth, either through deliberate policies such as indigenisation, commercialisation and privatisation and trade liberalisation policies, or through corruption. It is fundamental given the critical role of the state in capital accumulation in the post-colonial era that political contestation would be based on capturing state power. Hence, the contest for the capture of state power is intense between the competing sections of the polity. This is especially true in view of the expanded revenue base the state has acquired from petroleum export earnings, which has risen dramatically from the 1970s.[24]

The historical origin of the state in the colonial era and its role in the development of capitalist production processes and relations, largely shaped and defined its role in the accumulation process in the post-colonial era. The existence of the ruling class revolves around the state from which it derives its origin and wealth by employing every available means to secure power and access. Thus, the competition and struggles for state power, particularly in the economic crisis period and the post-adjustment era, heightened identity politics in Nigeria.[25]

The accentuation of identity politics is linked to the phenomenon of prolonged military rule and its institutionalisation of 'permanent transition', which led to increased repression of mass and popular opinions and equally increased disarticulation from the legitimacy of the state. This situation intensified different forms of identity mobilisation and consciousness on the ethnic, regional, religious, communal and minority political levels.

Identity consciousness and mobilisation are often positive features of plural societies but may become counterproductive when they are employed for 'discriminatory practices and unjustified use of violence'.[26] The perception of denial of rights and domination by others creates the basis for identity conflicts, with identities becoming highly politicised over the issues of control of political and economic power.[27]

The accentuation of religious identities and the phenomenal growth of religious revivalism exploded in the era of the post-adjustment economy. The rise of religious identity is linked to the phenomenon of increased economic hardship under the structural adjustment programme, which accounted for the sharp rise in religious activities and the mobilisation of religious identities in competitive politics. Ibrahim convincingly showed that 'the dynamics of religious movements in contemporary Nigeria is very complex and cannot be reduced to a simple "revivalist movement" or a mechanical response to political and economic crisis'.[28] However, he observed that it is fundamentally important to comprehend the multiplication of religious movements in Nigeria and the intensification of their fervour within the context of economic and social crises. One should also consider the conditions created by the failures of the military transition programme to democracy, failure of the civilian and democratic processes, and most importantly amid these failures and crises, the attempt by the common people to seek and produce autonomous spheres of meaning and actions in the context of the severity of economic hardships created by the mortgaging and sale of the state through the policy of privatisation of the state and its investments.[29]

It is safe to postulate at this juncture that colonial and post-colonial Nigeria had been characterised and dominated by regimes that have been repressive and, over time, these regimes imposed their ideologies and political authority on the people. Ibrahim also avers that 'the repression, imposition of an official ideology, and the excesses of the party machine forced people to retreat into ideological domains not controlled by the state and it would seem that religion is the major expression of this possibility'.[30]

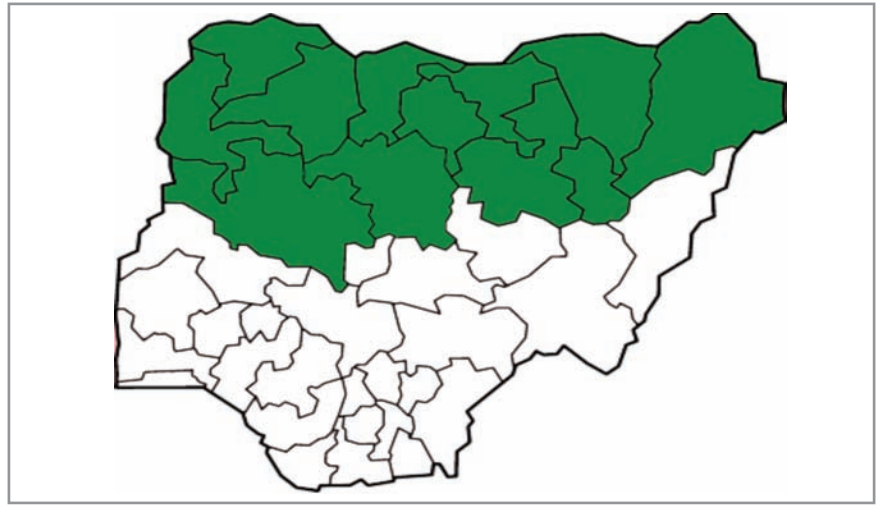
In the past decade, Nigeria has witnessed some mainly Muslim states in the north transform their legal systems to conform to *Shariah*, with penal laws that apply severe punishment for crimes. The judiciaries in these states were reorganised and in some instances created to administer purely *Shariah* law. In furtherance of *Shariah* law, state policies were aimed at cleansing society in order to establish social justice through organising *Zakkah* collection and distribution to the needy, banning begging, rehabilitating the destitute and prostitutes, improving education, and creating a state-controlled and -funded security machinery called the *Hisbah* to function alongside the Nigerian police force.

Several reasons have been advanced to explain the advocacy of *Shariah* implementation in Nigeria. One explanation is that the Nigerian federation is becoming more decentralised and part of the decentralisation is taking the form

of cultural self-determination. In Yorubaland, this cultural self-determinism assumed the form of Yoruba nationalism, in Igboland it manifested in demands for confederation, while in the Muslim north it took the shape of *Shariah* advocacy.[31] A second explanation for the ascendancy of *Shariah* was its use as a bargaining chip by the north, which was losing political influence and relevancy in the Nigerian federation. In order to reassert the region's influence, its dominant class employed *Shariah* as a negotiating chip for a new national pact among contending national forces.[32]

One of the triggers of *Shariah* advocacy in some northern Nigerian states was the resentment of being at the periphery of Nigerian politics and its power configuration. There were times when the northern political leaders held powerful political positions in Nigeria and others when the northerners accepted their economically marginal position. However, with the federal elections of 1999, the balance of political power shifted to the south without a marked transformation in the economic marginality of the north. Hence, the politics of *Shariah* advocacy was part of a protest against regional economic inequalities in Nigeria.[33]

Map 11–1: Nigerian map of states with *Shariah* laws and principles



The 12 northern states, in green, that have adopted *Shariah* laws and principles are Borno, Yobe, Gombe, Bauchi, Jigawa, Kano, Katsina, Kaduna, Zamfara, Sokoto, Kebbi and Niger. The northern states that have not adopted *Shariah* are Adamawa, Taraba, Benue, Plateau, Nasarawa, Kogi and Kwara.

Another factor that may not be completely ruled out is that the implementation of *Shariah* in some northern Nigerian states was not unconnected to the desire of Muslims to embrace Islamic law to govern their lives, coupled with the failure of Western-trained elites to deliver services through Western secular state functions. They believed that obedience to God endenders peace and progress, which their elites were incapable of providing. These Muslims – who are largely peasants, unemployed or landless proletariats – aspired to have their society liberated from injustice, inequality, corruption, crime, inefficiency, backwardness, social dislocation and neglect through Uthman Dan Fodio's *jihad*.[34]

The rising popularity of militant Islamist movements in northern Nigeria can be attributed to a combination of factors, including increased inequality, injustices, poverty, failed social services, insecurity and legitimacy crises of the weak authoritarian Nigeria state, as well as failed structural adjustment programmes.[35]

Ironically, Islamist militant movements regard themselves as pragmatic and a modern adaptation of Western-styled organisations that are better suited to deliver the services demanded by large educated cohorts of Muslim youths in northern Nigerian cities. These movements are quick to adopt Western information technology to advance their cause, reach out to adherents and solicit funds, as well as to connect to other global Islamic movements.[36]

The contemporary militant Islamist movements and organisations in northern Nigeria have remained the driving force behind the spread of Islamism in the country. In fact, some of these organisations have come to represent the embodiment of an Islamic alternative and, if you like, a threat to Western secularism, democracy and Western-oriented perceptions of rights in the views of Western observers and scholars such as Huntington, Pipes, Marty, Appleby and Fuller, as well as the Nigerian and many Middle Eastern governments.

However, to many ardent adherents of Islamism and Islamist movements in northern Nigeria, these represent an alternative to corrupt, exhausted and ineffectual regimes that have failed to deliver on promises made. To many observers from outside the movements,[37] they represent a destabilising force and tools in the hands of demagogues who will employ whatever means available in the globalised world to seize power. To national governments and their officials, movements such as the *Maitastine*, *Shiite* (Muslim Brothers or Islamic Movement of Nigeria) and Nigerian *Taleban* (*Boko Haram*) conjure up the image of confrontational outfits, violence and terrorist groups.[38]

MILITANT ISLAMIST GROUPS IN NORTHERN NIGERIA

Recent political developments, such as the implementation of *Shariah* law in states of northern Nigeria and the resurgence of radical and revolutionary Islamic movements, can best be understood from their history, nature and character, and the society in which they evolved. This would require an in-depth study of the ideas and philosophy of these movements.

Militant Islamist movements and their organisation are spread across a wide range of demographics and vistas in northern Nigeria. Central to understanding these movements is the Sokoto *jihad* and *caliphate*, founded by Uthman Ibn Fodio, which serve as a framework, an inspiration and a model for present-day movements, both *Sunni* and *Shia*.[39]

Early militant Islamic movements of northern Nigeria

Militant Islamist movements of the early 19th century in Hausa societies that later evolved into today's militants in northern Nigeria were the *Quadriyya* and *Tijjaniyya*. These movements advocated the purification of Islamic beliefs and practices, which had been corrupted by practices and customs considered to be unIslamic. Early Islamic militants under the banner of the *Quadriyya* accused the leadership of the then Hausa societies and their associates of ungodly practices leading to 'polytheism' and 'syncretism'. This laid the basis for Ibn Fodio's Sokoto *jihad*, which challenged unjust and corrupt rulers, particularly their distortions of the Islamic system.[40]

According to Uthman Ibn Fodio's manifesto, '*Jihad* was aimed at teaching and spreading pristine or true Islam and the establishment of a system of government based on the *Shariah*'. With support from Hausa and Fulani peasants, Uthman Ibn Fodio succeeded in establishing an Islamic political order governed by the *Amir ul-Muminin* (commander of the faithful), who later transformed himself into the *Sarkin Musulmi* (ruler of Muslims). The *jihad* challenged and questioned the management of religious and political power in northern Nigeria and succeeded in replacing the Hausa aristocratic group with an intellectual and scholarly elite that led the emirates across the region. The administrative structures put in place after the *jihad* represented the symbolic importance and place of the Sokoto *caliphate* today.[41]

The *jihad* of Uthman Ibn Fodio continues to exert a great cultural influence in northern Nigeria. At its ception, the *caliphate* state emphasised justice, the

removal of unfair taxes, and an Islamic education for the Hausa communities. The *jihad* was also a challenge to the 'polytheism' and 'syncretism' that was prevalent in the Hausa states at the time.[42] To date, the *jihad* has represented one of the major landmarks in the political history of events of Islam in northern Nigeria and West Africa as a whole. It was a turning point that shaped the history of West Africa in the 19th century.[43]

Under colonialism, the greatest challenge to the state and colonial authority came from the rise of the *Mahdist* militant Islamist movement (*Mahdiyya*), with *Mahdism* as its guiding philosophy and principle. The *Mahdist* movement evolved as a trans-Saharan anti-colonial Islamic fundamentalist movement. Its origins can be traced to a messianic doctrine that proffered that at the turn of each century, a *Mahdi* would emerge with powers to strengthen Islam and make justice triumph. The doctrine holds that when the *Mahdi* emerges, he would attract a large followership of Muslims in his quest to establish justice and Islamism in society. Most Muslims look towards the arrival of the *Mahdi* for deliverance from inequalities, unjust leadership and bad governance.

The *Mahdist* militant Islamist movement considered British colonial rule and the amalgamation of the northern and southern protectorates as satanic and evil. The movement was inspired by the resistance of Sultan Attahiru and his rejection of British rule by undertaking the *hijra* or flight to Sudan as symbolic of the Prophet Mohammad's flight from Mecca to Medina in 621 AD (the *Hijrah*), after the sultanate fell to British imperial and colonial rule in the 1900s.[44] In 1907 concerted efforts were made by the *Mahdist* movement to regain the Sokoto Sultanate, but it failed to match the superiority of British power and military might. However, some of the members of the ruling aristocratic elite and Islamic scholars compromised by entering into some form of understanding with the British to recognise and allow the *emirs* and their subjects to practise the Islamic faith and religion unhindered.[45] In spite of the British assurances that it would not interfere with the way of life of *caliphate* society, the British colonial state and *emirs* were threatened and challenged by the *Mahdist* movement for several years.

The awakening and rising tide of contemporary militant Islamist tendencies – apart from the 19th-century Ibn Fodio *jihad* – are intimately linked to the perception of the successful Iranian revolution of the 1970s. The Iranian revolution provided a symbolic orientation to radical scholars such as Ibrahim el-Zakzaky that revolutionary change can lead to a replacement of the secular state order with an Islamic *caliphate* state. It radicalised Muslim politics in northern

Nigeria, as exemplified in the intensification of the demand for the inclusion of *Shariah* laws in the Nigerian constitution during the constitutional conference of the 1970s. The Iranian revolution occurred at a time when most scholarly endeavours were directed at debating the acceptance of either capitalism or socialism. Islamism served as a third option, but the perception was that it was dominated and suppressed by the other two. Islamism was also linked to the Muslim Students' Society of Nigeria (MSS) in the 1970s.[46]

Recent militant Islamist movement in northern Nigeria: the *Maitastine* and *Shiite* movements

It should be stated clearly that the reason for classifying the *Maitastine* movement with the *Shiite* is not because they share common doctrinal beliefs, approaches or principles, but rather because of certain shared characteristics. The two movements emerged at about the same time, and it is likely that the same conditions dictated the logic of their emergence. In addition, they both have a radical and revolutionary anti-establishment stance and share the total rejection of the existing state order. This was prominent in the continuous and pervasive confrontations and very often violent armed conflicts with constituted authority or its agencies, and also in the concerted pursuit and desire to change the secular state order through a *jihad* or Iranian-styled revolution that would ultimately replace the corrupt, Western-styled secular state with an Islamic state.

Apart from these similarities, there was no distinctive link between the two movements in terms of Islamic doctrines and principles. As a matter of fact, the *Shiite* movement took a lesson from the state handling of the *Maitastine* movement to realign its strategy and approach towards the state, while not rejecting or jettisoning its ideals and principle of a revolution or *jihad* for establishing an Islamic state.

The *Maitastine* radical militant Islamist movement became very popular in the early 1980s in the city of Kano and other areas of northern Nigeria. It came to the limelight as a result of its prolonged armed and violent confrontation with the security and military agencies, hence the reference to the 1980 *Maitastine* civil disturbance in Kano. This violent confrontation later spread to other cities of northern Nigeria.

The *Maitastine* was an anti-*status quo* movement driven by Islamic fundamentalism. Its members are anti-establishment syncretists who challenge

both the dominant religious and political authorities, and indeed the larger Muslim *ummah* (community). The movement was founded by Alhaji Marwa Maitastine, who was killed in a confrontation with the political authorities in the 1980 disturbances in which more than 4 177 people died.[47] The movement has been classified as radical and militant with a millenarian belief largely because of its expressed perceptions that the dominant Muslim population is derailing from the tenets of the *Qu'ran* and getting richer and more Westernised to the detriment of the lowly, poor and non-Westernised segment of society.[48]

The *Maitastine* movement represents a radical shift from other forms of Islamist movements because it operated at variance with established or accepted beliefs or theories, especially with regard to Islamic beliefs and in junctions (heterodox movement). The *Maitastine* movement believed that it should be constituted only of genuine Muslims and righteous servants of God. The members rejected other Muslims for having gone astray while maintaining that their beliefs are the most realistic because they revolve around '*Qu'ran* only', a tendency towards an obsession with the *Qu'ran* and a rejection of the *Hadith* and *Sunnah* of the Prophet Muhammad and other related sanctioned sources of Islamic law. Members of the movement live in secluded quarters isolated from other members of society while rejecting everything that is European or Western, especially education, schools and material things like radios and wristwatches. They are opposed to affluence and as such condemn material wealth and the rich.[49] The members exhibit intense hatred for agents of the state such as the police and armed forces. These feelings partly contributed to the recurrence of violent confrontations with the security and military agencies in Kano and other parts of northern Nigeria in the 1980s.[50]

It was believed that the group had been completely suppressed by the state in 1980, but it resurfaced in 2005 in the Jigawa and Kano states of northern Nigeria. This implies that the *Maitastine* movement must have been operating underground in northern Nigeria for years. The members are scattered all over northern Nigeria, as far as Jalingo in Taraba State.[51] It is difficult to identify its leaders and current ideological underpinnings because of its covert and clandestine manner of operation and the fact that it has gone unnoticed in society in northern Nigeria.

The first group of contemporary Muslims in northern Nigeria to be classified as radical and militant Islamists were the Muslim Brothers led by Ibrahim el-Zakzaky. He was a student at the Ahmadu Bello University at the time of the 1970 Iranian revolution and was inspired by it to lead the MSS. El-Zakzaky used the

MSS to mobilise Muslim students to advocate in 1978 for the inclusion of the *Shariah* penal code law in the Nigerian constitution and later for a revolution that would lead to a transformation of the Nigerian secular state into an Islamic one. These firebrand revolutionary tendencies led him to confront the agencies of the state, which ultimately led to his expulsion from the university.[52]

The Muslim Brothers, then under the leadership of el-Zakzaky, do not regard themselves as members of an organisation, but claim total commitment to Islam. As such their aim is to establish a 'nation which should be wholly Islamic; Islamic in the sense that it considers *Allah* as the Lord of the nation'.[53] To the Muslim Brothers, no Muslim can be a Muslim and a secularist at the same time; in fact, secularism is disbelief.[54]

The Muslim Brothers attracted members from mainly the youthful segment of society, particularly from universities and other tertiary institutions and from secondary schools. Initially, it was more of an elite Islamic vanguard in its membership and recruiting style. It saw itself as a missionary and revolutionary group that sought to address the ills of Muslim society. Its initial doctrine, among others, focused on the ills of the Muslim *ummah* in Nigeria, including moral laxity, unIslamic practices, dissatisfaction with governance by Muslim leaders, and the lack of access to political expression, particularly participatory politics, under an authoritarian regime. The situation in Nigeria – particularly under military rule – was exacerbated by serious economic and social crises that resulted in the vast majority of people suffering poverty, unemployment and hunger. The Muslim Brothers offered the anxious youths seeking change, a brighter future.[55]

When it was initially established, the Muslim Brothers was a purely *Sunni* group. However, the close association of its leadership with Iran subsequently brought about the infiltration of the movement by *Shiite* doctrines, and el-Zakzaky later identified with the Islamic doctrine of *Shiism*. This ultimately led to a fractionalisation of the Muslim Brothers into a *Sunni* group and a *Shiite* group. The *Shiite* splinter group was led by el-Zakzaky and was later transformed into a militant Islamist group, the Islamic Movement in Nigeria (IMN). The *Sunni* group was led by el-Zakzaky's former loyal supporters Abubakar Mujahid (in Zaria), Aminu Aliyu Gusau (in Zamfara) and Hallam Ahmed Shuaibu (in Kano). The *Sunni* group differed fundamentally from el-Zakzaky on issues of doctrine and rejected the injection of *Shiite* doctrine and theology into the movement. It has continued to retain its commitment to a radical process of Islamisation under the *Sunni* doctrine.[56]

In the past, the disregard for state authority of the Islamic Movement in Nigeria (IMN) was exhibited in a number of confrontations with the state. Its leader, el-Zakzaky, spent in total about nine years in nine different prisons from 1981 to 1998, under different administrations and regimes. The *Shiite* denounced the state and government, disregarded party politics and elections, was contemptuous of Nigeria's constitution, refused to recognise its laws, refused to respect the national anthem and national pledge, and disregarded the Nigerian flag. In other words, the *Shiite* rejected every symbol of Nigerian statehood.[57] The *Shiite* faction had open confrontations and running battles with security agents of the state for several years that often resulted in the loss of lives and property. Bloody confrontations and clashes have characterised its relationship with the state and the mode of state responses until 1999, the beginning of the era of democratic enterprise in Nigeria.

Over time, the IMN has restrategised and changed tactics. It is no longer confrontational and, as such, has shed its militant garb. However, it retains its ideals and goals of an Islamic state. This was aptly captured in its condemnation of the introduction of Islamic *Shariah* laws and penal code, especially with regard to punishment in what it regards as an unIslamic state. In the *Shiite* view, the politicians who started the reform do not have a history of Islamic activism and are seen as opportunists.[58] In recent times, the leaders of the movement have been coopted by dominant state elements such that they are espousing and using the same symbols of power that they had denounced in the past. In fact, between 1999 and 2007 the leader of the movement was a senior special adviser to the governor of Kaduna State, which guaranteed him direct access to the corridors of power rather than the corridors of prisons.

The *Sunni* splinter group went into decline and was reduced to mainly missionary activities (*da'awah*). Its membership further shrunk as a result of the growing influence of the mainstream *Sunni Wahhabi* movement of *Jama'atul Izalatul Bid'ah Wa Ikamatus Sunnah* (JIBWIS) in northern Nigeria.

The emergence of neo-militant Islamist movements in northern Nigeria: the Nigerian *Taleban* or *Boko Haram* phenomenon, 2001–2009

The emergence of a nebulous neo-militant Islamist movement in the eastern part of northern Nigeria in 2001 should not be equated to or classified with established Sufi *Sunni* movements such as the following:

- The *Tijjaniyya* and *Quadriyya*, which have spiritual and commercial links with other Sufi orders in West and North Africa
- The *Wahhabi Izala* movement, which runs a charity and first aid organisation and has links with the Saudis
- The *Salafiyya* movement, which runs schools, internet cafés and business outlets, or
- The militant Islamic Movement in Nigeria (IMN) (formerly under the banner of Muslim Brotherhood), which not only has a website, runs schools and clinics and publishes newspapers, but also possesses the attributes and disposition of an organisation like *Hezbollah* (with which it is linked and which operates like a state within the state in Lebanon)

The emergence and subsequent transformation of this movement are linked with the dissatisfaction associated with the weak economic base of the contemporary Nigerian economy, which is characterised by poverty, deteriorating social services and infrastructure, educational backwardness, rising numbers of unemployed graduates, massive numbers of unemployed youths, dwindling fortunes in agriculture, inadequate and near lack of support for agriculture, and the weak and dwindling productive base of the northern economy. According to this movement, the current democratic enterprise has produced a set of political leaders who lead by deception and sloganeering of Islamic revivalism to mobilise and capture support by claiming to be reintroducing Islamic legal principles despite a massive collapse of services, poverty, failed governance, absence of social justice and a fair electoral process that produced consensus candidates that lack legitimacy. These corrupt and power-hungry politicians hijack votes and are self-imposed leaders. They declare billions of fictitious amounts of *naira* as assets to be recouped as investments through falsification and overpricing of contracts – all of this in spite of the existence of a framework of due process and diligence in contracts awarded and procurements.[59]

The neo-militant Islamist movement was aimed primarily at overthrowing the present 'Western' and 'secular' state order in Nigeria and replacing it through violent means with a holistic Islamic model and order. The group called *Muhajirun* holds that it should start by exclusion from other segments of society by replicating the *hijira* (the epic historical retreat and exile of the Prophet Muhammad from Mecca to the mountains) that ultimately led to the creation of the first Islamic state in Mecca (the kingdom of Saudi Arabia). The *Muhajirun,* in

its early formative stage in 2001 strove for self-exclusion of its members from the mainstream corrupt society by living in areas outside or far away from society in order to intellectualise and radicalise their evolutionary processes that would ultimately lead to a violent takeover of the state. It also advocated for the strict application of Islamic law and the transformation of tainted Muslim society through a violent armed and revolutionary takeover of the secular state, which was seen as evil and unjust. The movement also sought to eliminate external influences and innovations in the practice of Islam.[60] However, it did not reject or refuse to use technological elements such as motorcycles, cars, cellular phones and AK-47 guns, and other benefits that modernity confers on society and which are derived from Western civilisation.

The *Muhajirun, Hijrah* or *Ahl al-Sunna Wal Jama'ah* – as it was known before its metamorphosis into *Boko Haram* – aptly fits the description of a neo-militant Islamist movement. Although its Islamist doctrine was inspired by the Afghan *Taleban* of the late 1990s, it has no established link with the Afghan group. The members of what is sometimes referred to as the 'Nigerian *Taleban*' and 'Afghanistan' are mainly from the upper and middle classes of northeastern Nigeria. According to the former governor of Yobe State, Alhaji Bukar Abba Ibrahim, some of its leaders and members are university graduates and students from influential and affluent backgrounds. The movement recruits its followers from unemployed youth and is based on a cell network to ensure adequate training and skills in the use of weapons as well as ideological orientation.[61]

In 2003, the *Muhajirun* organised and replicated the *hijrah* of the Prophet Muhammad from Maiduguri – once the ancient capital of the Kanem Bornu Empire, the earliest Islamic empire in the region before the advent of the Sokoto *caliphate* – to an uninhabited area between Yobe State and the Niger Republic called Kanamma. It was from this location that it began to launch its attacks. Their first victims were members of the local community with whom it clashed over farmlands and fishing grounds. Subsequently it began launching attacks on the symbols of state authority such as the police stations in Kanamma, Geidam and Damaturu, the state capital of Yobe State. In some of the raids on police stations it stripped them of caches of arms and ammunitions, burned them down, and killed several police officers. After the attack on Kanamma police station the group retreated to a primary school in Kanamma where it hoisted the flag of Afghanistan.[62]

The Nigerian army sent in troops to deal with the militants when it became clear that the Nigerian police could not contain them. At least 18 people were killed in a fortnight of clashes between the group and a combined force of the army and the police. After the escalation of the conflict, the concern was how the authorities had allowed the group to evolve into a public security threat. Related questions were how the group obtained arms and weapons training and who its internal and external sponsors and links were. It was obvious that the militants had an extensive network of cells that recruited members from places as varied as Maiduguri, the capital of Borno State in the northeast, to the states neighbouring Niger and Chad.[63]

Early in 2003, the then governor of Yobe State intervened by requesting the members of the group to disband peacefully and return to their parents, but they refused to heed his call. In a last show of defiance, they engaged in a violent and confrontational outing with the security agencies in December 2003, attacking Geidam police station. This resulted in the arrest of about 200 members and loss of 18 lives. Since then there have been sporadic violent confrontations between fragmented members of *Ahl al-Sunna wal Jama'ah* and the security agencies, the latest being in July 2009.

Boko Haram is a transmutation of the *Muhajirun, Hijirah* or *Ahl al-Sunnal wal Jama'ah* group once referred to as the Nigerian *Taleban*. It is the same movement that was dislodged from the Kanamma region of Yobe State in December 2003 and was then led by Aminu Tashen-Ilimi, a university dropout. It is also the movement that reincarnated and reinvented itself as *Boko Haram* in Maiduguri, from where it established, directed and controlled cell networks with cell commanders in all the major cities of northern Nigeria (Maiduguri, Bauchi, Potiskum, Wudil, Kano, Zaria, Katsina, Jos, Jalingo, Danja etc) between January 2004 and July 2009. The Islamist Movement, after its reinvention as *Boko Haram*, was led by a new leader, Muhammad Yusuf. With some of his former allies and compatriots from the *Muhajirun*, the movement engaged in a series of new forms of violent confrontations with the police and other security agencies.[64]

Boko Haram set up its headquarters at the Ibn Taimiyya Mosque in the ancient city of Maiduguri, in the eastern part of northern Nigeria. The mosque doubled as the residence of Muhammad Yusuf and as its ideological, orientation headquarters and training camp. *Boko Haram* did not really change its doctrine from its earlier one of opposition to all forms of Western education and civilisation (while still using its technological tools). This opposition to Western education and

civilisation could be seen in the light of the class consciousness of the group, in that the elites of northern Nigeria had failed to live up to expectations and deliver on promises made, especially regarding the establishment and enactment of the *Shariah* and principles in Muslim-dominant states in northern Nigeria.[65]

The word *boko* is derived from the English word 'book' and was coined at the inception of colonialism in northern Nigeria.[66] It has come to mean the ability to read and write, especially in the Western-styled educational system, as distinct from the Islamic, Arab and Middle Eastern educational systems, which existed in northern Nigeria before being dislodged by colonialism. It served as a rejection – and in its earliest form as a resistance – to colonial imposition of Western education and its system of colonial social organisation, which replaced and degraded the earlier Islamic order of the *jihadist* state.

Islamic scholars and clerics who once held sway in the *caliphate* state and courts, assigned the name *boko* to northern elites who spoke, acted, ruled and operated the state like their Western colonial masters. It is not uncommon to hear in discussions among Islamist scholars and average northerners that poverty and collapsed governance – the bane of the region – can be blamed on the failures and corrupt attitudes of *yan boko* (modern elites trained at secular schools) who have acquired a Western education and are currently in positions of power. As such, the system represented by the *yan boko* is unjust, secular and has no divine origin. It is therefore unIslamic, which in turn accounts for its ineptitude and corruptness.

All of this forms a sound basis for the ideological orientation and mobilisation of unemployed and unskilled Muslim youths in northern Nigeria. These youths have unfettered access to Islamic education in which the criteria for admission are informal and less cumbersome as long as one can serve one's master/tutor for the duration of one's study in farmlands and in petty trading in urban centres – as opposed to access to Western education that is restricted by entry requirements and that is not readily available.

In colonial and post-colonial northern Nigeria, acquisition of a Western education became the *sine qua non* of a better standard of living and a key to opportunity, a means of uplifting one's position and access to power. In the post-structural adjustment era of the late 1980s, a new form of neo-liberal market economy was ushered in that privatised the state and resulted in university-educated graduates struggling to find employment. Employment became a matter of a patron-client relationship, coupled with access to state power.

The idea of *boko* is not just about rejecting Western education per se; it is a judgement of its failure to provide opportunities for better lives and thus became a symbol for the *Boko Haram* movement to capitalise on the shortcomings of *yan boko*. Subsequently it was coupled with *haram* (forbidden). The movement used the term to mobilise unemployed, unskilled and poverty-stricken youths to join its cause, dislodge the secular, *boko*-controlled state in Nigeria, and introduce the strict application of *Shariah* law and the creation of an Islamic state. This partly explains why *Boko Haram*'s primary targets of attack were symbols of the state such as security agencies, which had become widely despised.

Boko Haram considers itself to be the law enforcement agent against those opposed to its doctrine. In its violent confrontation with the Nigerian security forces (a combined team of the army, police and other agencies) from 25 to 31 July 2009, its leader, Muhammad Yusuf, was killed in Maiduguri.[67] Confrontations between the group and the police in several cities in northeastern Nigeria revealed that *Boko Haram* had grown in size and membership and had learned from its experiences since relocating from Kanamma. It had changed its ideology and strategy of advocating for a strict compliance with Islamic laws and principles of *Shariah* to also condemning Western education and secularism. It also targeted northern elites and Islamic clerics who have adapted to and followed Western-styled democracy and secular ideology. The July 2009 encounter left about 700 people dead in Maiduguri alone and displaced about 5 000 in just five days. It was reported that, in Bauchi, about 50 members of the sect had been killed and hundreds arrested. Between 2003 and 2009, the group had grown to such an extent that it was able to mobilise thousands of members from Katsina, Damaturu and Potiskum to rally behind their leader, Muhammad Yusuf. The security forces had to use intensive fire power to dislodge the group and its leaders from their hideout. The arrests of some Chadians led to speculation that there could be an international dimension through a network of Chadian and Nigerian rebels.

A chilling revelation is that some of the captured graduates belonging to the movement are children of the affluent in society. The fact that most investigations initiated by the government in the past few years were never concluded leads some to conclude that the current investigations would suffer the same fate as previous ones. For example, six years after the 2003 incident nothing has been heard of a report or government white paper about the outcome of the investigation on the neo-militant Islamist movement's activities, or about its source of funds, support

base, recruitment style and networking, and – most importantly – sources of arms and ammunition.

The resurgence and spread of this and similar groups confirm that the state in Nigeria is weak and incapable of managing militant Islamists or groups such as those in the Niger Delta because of the weak character, ineptitude and corrupt nature of the leadership and its ruling class. The state seems to lack a common approach of dealing with armed non-state groups. Although the state responded with massive and unprecedented force to the *Boko Haram* uprising and the Niger Delta insurgence, it has so far extended amnesty only to the Niger Delta militants. It is obvious that the presence of natural resources such as oil has influenced the different approaches taken by the government to address militant uprisings in different regions of the country.

Global and regional response to militant Islamic groups in Nigeria and Africa

The significance of this study also lies in the 11 September 2001 attacks on American soil. In the aftermath of the 9/11 attacks, US foreign policy dramatically changed from the Cold War and immediate post-Cold War era to a heavy focus on defining, conceptualising, preventing and combating global terrorist threats against American interests and allies. The aftermath of 9/11 included a change in US foreign policy towards countries with predominantly or substantially Muslim populations. Muslims in Nigeria, North Africa and elsewhere were perceived to espouse radical views or the ideology of Islam that promoted violence against Western interests. Islam was intrinsically and incorrectly linked to terrorism and regarded as a major threat to US national security. This, in turn, created misconceptions of Muslims, by the development of events post 9/11, as terrorist suspects and Islam as an anti-Western ideology.

Americans and their Western allies evolved a number of misconceptions and prescriptions about Islam, Islamism and militant Islamist movements in Africa.

First, they view Muslims in Africa as generally attracted to a radical ideology that is promoting violence against Western interests. Second, they see this form of terrorism as a threat to African interests themselves. In other words, Islamist terrorism is seen as a major and fundamental threat to the livelihoods of the people in Africa as opposed to security threats such as urban violence, pastoralist conflicts, the proliferation of arms and state violence. Similarly, Islamism in Africa is perceived as a greater threat than – among others – hunger, disease (HIV/AIDS, malaria etc), lack of life's basic needs, oppressive laws, bad leadership, poor governance, unfair terms of international trade, foreign debt and conditionalities of international financial institutions.[68] And finally, Africa is regarded as being incapable of addressing its own problems despite efforts such as the formation of the New Partnership for Africa's Development (NEPAD) and the African Union (AU) and the efforts of such African organisations to address underdevelopment, violent conflicts and threats to human security. African governments are seen as too weak to govern, or being governed by corrupt governments that 'have limited or unreliable capacities for internal security, law enforcement and border protection. As such, this lack of governance capacity makes them attractive venues for the development of violent extremism, terrorism and criminal activities.'[69]

In order to prop up these weak and failing African states, the US in February 2007 launched AFRICOM (the US African Command), which has as one of its objectives addressing the terrorist threats emanating from Africa. AFRICOM seeks to build the capacities of African states to prevent and combat militancy, terrorism, extremism and insurgencies that could interfere with access to oil supplies from countries such as Nigeria.[70] There is a very strong African apprehension that AFRICOM, in the guise of development assistance and combating terrorism, could be used to destabilise African countries with whose leaders and governments the US does not get along. Similarly, there is a fear that instead of preventing and combating terrorism, AFRICOM could make countries that are closely associated with Islamism targets of American hostilities.[71]

AFRICOM's stated mission is to prevent conflicts by promoting stability regionally and 'prevail over extremism' by never letting its seeds germinate in Africa. This was to be realised through 'active security missions' that address the underdevelopment and poverty that are making Africa a fertile breeding ground for terrorists. In essence, AFRICOM is a reincarnation of the US 'manifest destiny' policy that seeks to save Africans from their inability to rule themselves and to transform the conditions under which they can be turned into terrorists.[72]

Although Nigeria is one of the countries AFRICOM has targeted to benefit from its wide range of programmes, its government has been nervous about openly embracing it in view of the widespread opposition on the continent. However, AFRICOM has gone ahead and included northern Nigeria in the Pan-Saharan region that it is closely monitoring for terrorist threats. It would be interesting to see how the leadership in Abuja will behave in the future in terms of

accepting American assistance to deal with Islamic militancy in the northern and the insurgency in the Niger Delta regions. Such acceptance would imply acknowledgement of the state's incapacity to deal with national security threats and also inflame anti-government and anti-Western passions.

CONCLUSIONS

It is fast becoming obvious to social observers and scholars alike that in the years ahead religion as a social phenomenon – more than any other social variable such as ethnicity – will take centre stage in the discourse on Nigeria's political landscape. It will play a major role in shaping the future direction of the country. Many factors account for this development and it is crucial to appreciate the challenges they pose to the Nigerian project at this early stage of the debate.

Globally, there is also a rising tendency towards what is termed 'religious essentialism'. This phenomenon, which is also termed militancy, extremism, radicalism or fundamentalism, has the potential of extending across national boundaries and regions. Nigeria is not spared from the global wave of this phenomenon. Through the use of information technology, Nigerian militants now have access to material, finance and other resources that they can use to create organisations and networks, proselytise radical ideas and recruit new members. The activities of these radical groups could be inadvertently assisted by the failed neo-liberal policies of structural adjustment, negative consequences of globalisation, the poorly performing Nigerian economy, and the poor leadership and governance that are marginalising certain groups in the country. In such circumstances, religion becomes a viable alternative for social discourse and identity, as well as a means to achieving social justice and equality.

Militancy, extremism, radicalism and fundamentalist means or ideologies are used to fill alternative spaces that the state has either failed to provide or closed; or they are a reaction against alienation from modern institutions of governance that fail to deliver social services and other benefits to the people. The search and quest to re-assert identities, institutions, values and norms that make meaningful sense to the average citizen in Nigeria cannot be wished away, particularly amid the decaying infrastructure and deteriorating social services in the country. The search for alternative or new orders is particularly attractive to the vulnerable, disempowered and marginalised Nigerians who are also susceptible to manipulation by elites wielding or seeking power.

It is ironic that the expansion of democratic spaces in Nigeria has created opportunities for civil society as well as non-state actors to increase their powers and activities. Militant religious and social movements of varying persuasions, some of which pursue extreme ideals, are more willing than ever to capitalise on the weakening power and legitimacy of the state in order to assert their doctrines and philosophy. In some instances, avowed militants use extremist movements to create quasi-states within the Nigerian state, thereby further weakening and undermining its legitimacy. The failure of the government in Nigeria to provide social and economic benefits to the citizens has severely undermined its support from the populace.

However, the government can turn around this negative trend by strengthening its capacity to provide public goods, proactively responding to the needs of its citizens, and strengthening democracy as well as free and fair elections to guarantee the rights and security of citizens. The state must also distribute national resources equitably and transparently, and has to be accountable to the population for how it uses these resources. The state in Nigeria must pursue a social and economic policy that will ensure the realisation of rights, equity and justice for all Nigerians, regardless of their identity (religious, ethnic, regional and or other affiliations).

The best guarantee for a peaceful and prosperous Nigeria is one that is not threatened by extremism or radicalism, has deep democratic values and institutions, promotes good governance, and equal and fair treatment of all citizens, and has a visionary leadership that is fully committed to the Nigerian nation. Anything short of this would guarantee the continuation and even generation of more militancy that we are witnessing in the northern and Niger Delta regions of the country at present.

NOTES

1 Politically, Nigeria is divided into 36 administrative divisions, referred to as states, and one federal capital territory, namely Abuja. Northern Nigeria is a large geographical area and contains 19 of the 36 states that make up the administrative units of Nigeria. The country is further constituted into six geopolitical zones, of which three are part of northern Nigeria. The northeast zone consists of Adamawa, Bauchi, Borno, Gombe, Taraba and Yobe states. The northwest zone is made up of Kano, Jigawa, Katsina, Kaduna, Zamfara, Birnin Kebbi and Sokoto, and the north-central zone of Niger, Kwara, Benue, Kogi, Nasarawa and Plateau states. See Nations Online: countries of the world, Federal Republic of Nigeria – country profile, http://www.nationsonline.org/oneworld/first.shtml (accessed 9 June 2009).

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Chapter 12

Armed Islamist groups in Egypt, Algeria and Morocco

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INTRODUCTION

This chapter examines the most prominent and current major armed Islamist groups in Egypt, Algeria and Morocco. It discusses their common features and differences, including ideology, recruitment and particular features such as development and activities. Contemporary armed Islamist groups in these three countries have emerged as a violent manifestation of Islamist opposition against the state, which originated in Egypt in the 1960s, but also draws inspiration from earlier forms of Islamism. Their emergence is simultaneously a response to state policies, social crisis and international factors.

Since the 1970s, the appearance of social, political and financial Islamist networks has culminated in the unprecedented internationalist character of the now 'global' *jihad*. These networks have become increasingly important in the recent development and agendas of Egyptian, Algerian and Moroccan armed Islamist groups as they have sought to overcome their local weaknesses through regional and international linkages. This development reflects changes in the conception and practice of *jihad*, as armed Islamist groups have adapted their ideology and praxis to the local, regional and global context. Regional and international factors have been significant in shaping their agendas, targets and

recruiting practices since the 1990s, resulting in a combination of both internal and external activities, while apparently lacking, however, any strategic cohesion.

The major groups discussed in this chapter are the *al-Jihad/Egyptian Islamic Jihad* (EIJ) in Egypt, the *Salafi* Group for Preaching and Combat *(Groupe Salafiste pour la Prédication et le Combat,* GSPC) / al-Qaeda in the Land of the Islamic Maghreb (AQIM) in Algeria, and the Moroccan Islamic Fighting Group (*Groupe Islamique Combattant Marocain,* GICM) in Morocco. The EIJ and AQIM insert themselves within a historical legacy of armed Islamist violence, which has now assumed a more international approach, while the GICM can be deemed more clearly a direct product of this recent internationalisation.

The chapter is organised in the following manner: the next section provides a general overview of the evolution of armed Islamist groups and their ideology within the broader context of Islamism, and examines the external factors that have influenced this evolution. It is followed by a third section that provides an outline of the internal factors that have impacted on the development, activities and recruitment practices of the groups as well as on their internationalisation. The fourth section examines the global war on terror (GWoT) and how initiatives such the Trans-Saharan Counterterrorism Initiative (TSCTI) have affected not only armed Islamist groups operating in the region but also, and perhaps more importantly, the regimes governing these three countries. The fifth section contains some concluding remarks.

IDEOLOGY AND EXTERNAL FACTORS IN THE EVOLUTION OF ARMED ISLAMIST GROUPS IN EGYPT, ALGERIA AND MOROCCO

Violent forms of Islamism and their extreme manifestations exemplified in the actions of armed Islamist groups are but one of the trajectories followed by dissenting and contesting voices in the Islamic world against established sociopolitical order and practices. The emergence of these groups represents a particular and singular trajectory conditioned by the interplay between wider historical factors operating at a national and international level, and the corresponding evolution of Islamism as it has responded to the challenges posed by modernism, nationalism, secularism, communism, internal political change and stagnation, and most recently globalisation. How and why some advocates of the most radical brand of Islamism in Egypt, Algeria and Morocco have chosen to

pursue their objectives through the violent actions of armed groups and how this development fits into the context of wider trends within Islamism is the subject of this section.

Islamism, political Islam and *Salafi jihadism*

The armed Islamist groups active in Egypt, Algeria and Morocco are *Sunni* in orientation and often claim some form of association with *Salafi jihadism (al-Salafiyya al-Jihadiyya)*, the global *jihad* nominally led by *al-Qaeda*. *Salafi jihadism* is just one manifestation of *Sunni* Islamism, itself part of a wider Islamism understood here as 'the active assertion and promotion of beliefs, prescriptions, laws or policies that are held to be Islamic in character'.[1] Islamism is a complex and multifaceted phenomenon, but for the purposes of this analysis it may be said to encompass three broad approaches.[2]

Insofar as it offers guidelines for the organisation and governance of Muslim communities, Islam as a religion may be said to be inherently political. Nonetheless, the term 'political' Islam is analytically useful in assigning a classification to those groups possessing certain specific characteristics within Islamism. Political Islam as an expression first gained currency after 1979 in the context of Iran's Islamic revolution as the combination of Islam and politics became perceived as a threat in the West. In the process, it established the lasting perception that the linking of Islam and politics was a radical deviation rather than a historical constant in Muslim societies.[3] The Muslim Brotherhood is emblematic of those groups and organisations that now recognise some degree of distinction between the political and the religious, and pursue societal reform 'institutionally' through a usually non-violent political process. Muslim Brotherhood organisations are present throughout the Middle East as well as in Algeria and Sudan, and similar political groupings are active in Turkey, Morocco and Indonesia. While these organisations have continued to seek guidance from Islam's holy texts, they have favoured an interpretation of Islam that is compatible with elements of modernity, allowing them to operate and function openly within modern state structures and their institutions.

The Muslim Brotherhood was founded in Egypt by Hassan al-Banna in 1928 against the background of Ataturk's abolition of the Ottoman *Caliphate* four years earlier, growing Western influence in Muslim lands, and the budding anti-colonialism of the Western-educated elite. The demise of the symbolic unity of the

Arab Muslim world and the imported modernist visions of nationalism, secularism and progress led the Brotherhood to adopt an outspokenly anti-Western outlook based on respect for Islamic values. The Brotherhood's popularity grew and the organisation extended its reach beyond Egypt and into neighbouring countries through a combination of social work, preaching (*da'wa*), and 'Islamic' anti-colonialism.[4]

In 1954, two years after Egypt's independence, the clash between Nasser's nationalism and the Islamism of the Brothers resulted in the organisation being banned and violently suppressed. These violent clashes witnessed the rise of Sayyid Qutb, who by equating the nationalist regime with *jahiliya*, a state of pre-Islamic ignorance, challenged the regime's legitimacy on profoundly accusatory and divisive religious grounds. Following Qutb's execution in 1966, the Muslim Brotherhood re-assessed his controversial application of *kufr* (impious) and whether it applied to the regime only, to the whole of a corrupt society, or was to be interpreted metaphorically.[5] The implications were significant, given that Qutb had argued that Muslims had the religious duty to conduct *jihad* against those who were deemed to be *kufr* in order to salvage Islamic society from decay. Taken to the extreme, the logic of Qutb's thinking inspired armed groups, most notably in Egypt and in Algeria, to pursue violent campaigns of terror against regimes accused of profanation against divine sovereignty, their perceived supporters, and eventually against all those who failed to share the same radical politico-religious beliefs.

The Muslim Brotherhood continues to be a major force within political Islam. Its political engagement and renunciation of the violence inherent to Qutb's ideas helped to lay the foundation for what Tibi refers to as 'institutional Islamism',[6] the hallmarks of which are a reconciliation of Islam with elements of modernity and a non-violent attempt to gain power through established political structures. Indeed, the majority of Muslim Brotherhood organisations have worked within 'a legal framework, except where they were prevented from taking political action'.[7] Second, the writings of al-Banna and, in particular, those of Qutb have provided key sources of inspiration and form part of the 'ideological' framework for the current *Salafi jihadist* movement.

A second manifestation of Islamism includes movements such as the *Salafi*, which have remained apolitical and sought to achieve societal reform through non-violent action, often focused on preaching. Since its beginnings in the early 20th century, *Salafism* has looked to the teachings of the 'venerable ancestors', the

al-Salaf al Salih, for guidance, and it initially sought to integrate elements of modernity to prepare Islamic societies for the challenges of the contemporary world. *Salafists* eventually became increasingly concerned with resistance to Western influence and developed what would turn out to be long-lasting links with the *Wahhabi* Islam of Saudi Arabia. The opposition to political Islam reflects a pan-Islamist, anti-nationalistic doctrine that has facilitated convergence of interests for decades between religiously conservative *Sunni* regimes and Western interests opposed to Arab nationalism. Moreover, Saudi Arabia's wealth has enabled the Kingdom to export *Wahhabi* Islam and solidify its connection to the *Salafis,* while extending its influence in the context of its rivalry with Iran.[8]

The *Salafis* place great importance on a strict adherence to 'Islamic' individual behaviour and adopt a conservative fundamentalist interpretation of Islam. The emphasis on preaching and the promotion of Islamic virtues and values reflects the traditional *Salafi* concern with preserving and uniting the Muslim community of believers (*ummah*) and rejecting the legitimacy of modern concepts such as the nation or the nation-state as forms of social organisation and governance. The *Salafis* have focused on *da'wa* rather than politics, and opposed the Muslim Brotherhood's political activism. Nonetheless, their religious authorities, the *ulema*, have called attention to corruption and unIslamic moral behaviour and officials have responded by integrating them into state structures, which has allowed their influence to impose itself in certain communities and push sections of them in the direction of violent disposition towards 'Islamic' law and order.[9] Because of its rapid growth in recent years, and while remaining ostensibly apolitical, '*Da'wa Salafism*' now represents a decisive constituency in places such as Algeria.[10]

Salafi jihadism, a third form of Islamism, borrows elements from the legacy of both the *Salafis* and the Muslim Brotherhood. It shares with the *Salafis* a strong conviction that Islamic values must be restored and a refusal to reconcile the modern concepts of political organisation and nation-states with its interpretation of Islamic doctrine. Contrary to the traditional *Salafis*, however, it advocates *jihad*, a religiously sanctioned armed struggle, rather than preaching as the means of achieving its ends. *Jihad* symbolises the sacred defence of Muslim lands and the Algerian war of independence, for instance, associated the concept of *jihad* with the armed struggle against the colonial power. A contemporary parallel exists today in the Palestinian Muslim Brotherhood organisation, Hamas, and its struggle as a form of *jihad* in response to occupation. Thus depending on its

interpretation, *jihad* may be conducted internally against Muslim rulers, globally against the West or be irredentist in character, as in the case of Palestine.[11]

The *Salafi jihad* adopts the thought of Qutb when it considers violent action against Muslim rulers deemed *kufr* a religious duty. As leader of the Muslim Brotherhood in Egypt during the 1960s, Sayyid Qutb called for the overthrow of the nationalist Nasser regime, which he considered unIslamic for placing the sovereignty of the nation ahead of divine authority. As seen above, this occurred as the US fomented a pro-Western pan-Islamism with religiously conservative regimes in Saudi Arabia and Pakistan as a bulwark against the rise and spread of Nasser's Arab nationalism. Qutb used the concept of denunciation (*takfir*) to declare the Nasser regime *kufr* and believed that Muslim society was reverting to a state of pre-Islamic ignorance (*jamaliya*). By adopting these views, the contemporary *Salafi jihadists* have departed significantly from the traditional *Salafi* respect for Muslim authorities, provided these abide by Islamic principles. *Salafi jihadists* have objected to the strategic alignment of Muslim governments with the West in countries such as Saudi Arabia, Egypt and Algeria. In line with this criticism, beginning in the 1980s, the focus of the *Salafi jihad* expanded to include Western interests in Africa, Europe, America and South Asia.

After ideology: external factors in the evolution of armed Islamist groups

The evolution of armed Islamist groups in Egypt, Algeria and Morocco has been marked by four key milestones: the initial response to Qutb's ideas and the accompanying radicalisation of certain elements within a wider Islamism; the congregation, struggle and eventual victory of a multinational Muslim fighting force in Afghanistan and creation of *jihadi* salafist networks; the return of these combatants to their home countries and their contribution to an internal *jihad* against unIslamic regimes, and finally, the global *jihad* targeting enemies of Islam around the world.[12] These milestones have been reached against the background of a series of internal and external factors that, in effect, have conditioned the evolution of armed Islamist groups.

In Egypt during the 1970s and 1980s, as well as in Algeria in the 1990s, the internal *jihad* against 'impious regimes' aimed at toppling and replacing the state. The merging of religious fundamentalism and a violent political ideology in these two countries crystallised with devastating results and it is now characteristic of

the groups and individuals claiming to form part of *al-Qaeda*. Throughout these three decades a series of military and political events, beginning with the 1967 Israeli defeat of the Arab states and Egypt's peace with Israel in 1978, continuously undermined the 'Islamic' legitimacy of nationalist regimes in the eyes of radicalised Islamists. The Palestinian cause has been an important rallying cry for Egyptian armed Islamic groups since the 1970s and the unresolved conflict may have inspired some of the attacks against the Egyptian tourist industry in 2004–2006. The Palestinian question appears to have been converted into a source of funding and used to recruit volunteers internationally for the global *jihad*.[13]

Secular Arab nationalism has responded by asserting its dominion over the religious sphere, either through violent repression or by coopting dissenters. Religion has been used as a source of legitimacy for these regimes, both to consolidate their hold on power and to forge a national identity. Islamism was itself at times profoundly nationalist and drew on the association of religion and the nation for its own legitimacy. The idea of a *jihad* against a foreign non-Muslim oppressor was a popular mobilising factor in the war of independence of the *Front de Libération Nationale* (FLN) in Algeria, while in the late 1980s and 1990s the *Front Islamique du Salut* (FIS) portrayed its Islamism as a continuation and recuperation of the liberation struggle against France.

During the 1980s, a series of events further encouraged the growth of armed Islamic groups and added a layer of complexity to their relationship with the governing regimes of their home states. These regimes reacted cautiously to the growing power of radical violent Islamism, exemplified by the Iranian Revolution of 1979, Anwar Sadat's assassination in 1981 and the attacks on US Marines in Beirut in 1983. The Soviet invasion of Afghanistan in 1979 thus proved timely by providing an external enemy and a cause towards which worried regimes could redirect internal dissent and anti-US sentiment. It also offered a vehicle for the spread of Saudi *Wahhabism* and for a Cold War rapprochement between Pakistan and the US. Saudi *Wahhabism* has been strategically aligned with the US since 1945, which has resulted in the orientation of *jihad* towards Arab nationalist regimes and Soviet influence in places such as Egypt, Algeria and Afghanistan.

It is estimated that up to 50 000 'Arab'[14] fighters went through Afghanistan, the majority coming from Saudi Arabia, Egypt and Algeria. The 'victory' of the *mujahedeen* and their subsequent return to their countries of origin furthered the radicalisation of violent Islamism in several ways. This future 'first generation' of *al-Qaeda* came directly from Muslim countries where they had already been

politically active. The Afghan experience created opportune conditions for the reinforcement of Saudi-financed international Islamist networks around *Salafi jihadists* and forged increased commonalities between armed Islamist opposition in Egypt and Algeria. It allowed, for instance, the EIJ to tap into private financing to fund its activities, permitted operations without an elaborate social constituency, and facilitated an eventual merger with *al-Qaeda* in 2001. EIJ was founded in Afghanistan during the 1980s before becoming active in Egypt, and exerted influence over Osama bin Laden, a son of an important Saudi family and a founding leader of *al-Qaeda*.

The radicalisation of the returnees was compounded by the difficult re-insertion of the veterans into civilian life, leading some Algerian *mujahedeen* to influence the creation and strategies of both the FIS and the *Groupes Islamiques Armés* (GIA). Finally, following the Soviet defeat, the US turned its attention away from Afghanistan, leaving Saudi Arabia and Pakistan less subjected to American influence as they reconfigured their relationship with the armed groups. In the five years that elapsed between the first World Trade Centre attacks in New York in 1993 and the bombings in Kenya and Tanzania in 1998, the US paid little attention to the activities of armed Islamist groups.[15] During the 1990s, however, a number of US foreign policy decisions shifted the attention of the *jihadists* from targeting the regimes of Islamic countries to a global *jihad* against external enemies.

Armed Islamist groups interpreted the 1991 US-led Gulf War in Iraq and the deployment of troops in Somalia in 1993 as evidence of US imperial designs on the Muslim world, and responded with their own February 1993 attacks in New York. While relations with the West and the issue of how to confront or coopt violent forms of Islamism were already factors before 1991, the conflict accentuated a crisis in Muslim states and within Islamic movements that divided even the supranational Islamism of the Muslim Brotherhood. After the 1996 *Taleban* rise to power, the 'Arab' volunteers remaining in Afghanistan reorganised around the networks supported by bin Laden, himself only recently arrived from Sudan. In Algeria, the GIA began targeting France as an ally of the regime, and networks of returning *mujahedeen* promoted the internationalisation of violent Islamism. Young 're-Islamised' Algerians in France with little connection to the project of an Islamic state in their homeland, were drawn to the more radical GIA before later aligning themselves with the global *jihad* and surfacing in Afghanistan, the US and

Yemen in defence of a supranational *ummah*. A connection began to appear between 'deterritorialisation and radical Islamisation'.[16]

Compared with other manifestations of violent Islamism, this global *jihad* appears as the only one with no detectable strategy or clear objectives.[17] Drawing on Qutb's legacy, the five-pillar doctrine[18] of 's*unni jihadists* internationalism' calls for a 'violent world revolution' against *jahiliya* (pre-Islamic barbarism) and *al-kufr al-alami* (international unbelief).[19] It is thus markedly different from the 'internal *jihad*' against impious regimes or the 'irredentist' *jihad* in Palestine. The internal *jihad* in Egypt and Algeria largely failed to reach their objectives in the 1990s and groups such as the EIJ and the GSPC reoriented their struggle to include international objectives and remote enemies such as the US, Israel and their Western allies. Groups of more recent creation such as Morocco's GICM have focused directly on international targets and, together with the EIJ and GSPC, claim membership with the *al-Qaeda* network.

While this international tendency continues to be prevalent, internal agendas persist as well, binding together the internal and international struggle against Qutb's *jahiliya*. This is the case with the Algerian AQIM, which continues to target the state and its allies in Algeria. *Salafi jihadism* also continues to be oriented towards regime change in places such as Iraq, where the insurgents reject democracy and *Shia* rule and seek to establish an Islamic emirate,[20] taking aim at 'sheikist' *Salafists* and more moderate Muslim Brothers known to seek political compromises with secularists.[21] In Saudi Arabia, the close connections between *Salafis* and *Wahhabis* and a regime aligned with the US have combined to place the Kingdom in a delicate position in relation to the 'politically radical wing of neo-fundamentalism'.[22] As the next section will explore, the development and activities of armed Islamist groups continue to respond to the demands of an ideology constantly adapting to internal and external factors.

INTERNAL FACTORS IN THE RECRUITMENT AND ACTIVITIES OF THE MAIN EGYPTIAN, ALGERIAN AND MOROCCAN ARMED ISLAMIST GROUPS

A number of internal factors help one to understand the rise of armed Islamist groups in Egypt, Algeria and Morocco. This section identifies and examines these factors and their influence on the recruitment and activities of these groups, and concludes by looking at the recent trend towards internationalisation.

Internal factors and general recruitment trends

Since independence, post-colonial regimes in Egypt, Algeria and Morocco have engaged in authoritarian and repressive policies, which lay emphasis on coercion and concentration of state resources at the disposal of the governing elite. Consequently, the socioeconomic landscape has become a reflection of state agendas in which political and economic power has been placed in the hands of a small number of privileged individuals. This has resulted in growing economic imbalances, amplified by the late 1980s recession, and the inability or unwillingness of the states to provide 'social, economic, political and psychic goods to their expanding, increasingly youthful, urbanised and literate populations'.[23]

Thus, an expanding youth population has found itself alienated due to a lack of opportunities, which contrasts with the media images of wealth in Europe and America. The dream of a better material life has remained unfulfilled, leading to disenchantment and bitterness across wide sectors of the population. In Egypt, this has manifested in a generalised hopelessness particularly among an urban youth that has grown increasingly religiously conservative in response to unmet material expectations.[24] In Morocco, similar sentiment has been witnessed in the phrase *ana daya* (my life is a mess),[25] and in Algeria in *hitiste*, a combination of the Arabic word for 'wall' and a French suffix used by the Algerian youth to suggest employment prospects limited to or reclining against a wall.[26] This malaise is reflective of a social crisis not addressed by state policies. It is symptomatic of populations in Arab countries no longer willing to see 'their dignity, their worth as human beings, their human rights and their fundamental freedoms trampled upon on a daily basis by institutions and individuals, including "security" forces, who act on behalf of, and on orders from, national political authorities'.[27]

This deepening disillusionment has contributed to the conditions conducive to political extremism manifested in an Islamic resurgence and its more violent expressions as a counterforce to the authoritarian states. Alienation from an increasingly modern society that remained inaccessible provoked a militant response among the growing, conservative sections of the poor and educated youth, and provided momentum for Islamist organisations and their ideologies. Linking identity issues with social justice, Islamist groups became particularly appealing to the marginalised sectors of the population because they provided services where the government failed to do so and offered remedies to other aspects of the social crisis.[28]

Some Islamist groups, such as the *Salafi* in Algeria, have sought to establish an alternative community through the provision of services and Islamic order and the creation of alternative Islamic networks.[29] Others have engaged in providing education and social services through charitable activities, civil society, student unions, professional labour organisations, social help associations and Islamic banks. These groups also appeal to liberal professionals and members of the urban middle classes disgruntled by the lack of prospects under military rule and economic crisis.[30]

In Egypt, Algeria and Morocco, the state's withdrawal from impoverished neighbourhoods and slums has created space for the growth of local Islamic orders based largely on neo-fundamentalist foundations. These spaces, consisting of parts of individual neighbourhoods, are often governed by *Shariah* (Islamic law) and at times, violent coercion is used to enforce the Islamist order seen as a prerequisite for establishing an Islamic community. This trend has also reached poor Muslim neighbourhoods in the West, where some armed Islamist groups have recruited in 'places of congregation' (mosques, internet cafés, cafeterias, gyms, summer camps etc), among the vulnerable and marginalised (prisons, refugee centres, welfare agencies, possibly universities etc), and through radical mosques and bookshops that act as 'recruitment magnets'.[31]

Egypt

The origins of *al-Jihad*/EIJ relate to the Egyptian state's increasing instrumentalisation of religion in the context of a regional Islamic resurgence during the 1970s. This led to a growing Islamisation of society and the politicisation of religion. The Islamist political opposition's challenge to the state as a religious-political actor gained strength,[32] which in turn provoked a regime crackdown on the Islamist movement in the latter 1970s. While the Muslim Brotherhood operated as the outlawed mainstream religious opposition, its armed offshoots adopted a violent approach that eventually birthed the founding of groups such as *al-Jihad* (now known as the EIJ), *Takfir wal-Hijra* and *Hizb al-Tahrir al-Islami*.

While regime repression weakened the violent *jihadist* elements under Kamal Habib in Alexandria, the groups of Mohammad Abd al-Salam Farag in Cairo and followers of Karam Mohammed Zuhdi in Assiut survived. In 1980, *al-Jihad* took shape with the fusion of Farag's group in Cairo and Zuhdi's branch in Assiut, with the latter incorporating his *al-Jama'a al-islamiyya al-jihad iyya (Jihadi* Islamic

Group, JIG) into the new movement.[33] The leadership of *al-Jihad* was further reinforced by a member of Egyptian military intelligence, Abbud al-Zumur, who orchestrated the group's armed activities. *Al-Jihad* rejected both Sadat's credentials as a pious Muslim leader and the state's instrumentalisation of religion.[34] Borrowing the arguments put forward earlier by Qutb, *al-Jihad* embarked on a campaign of violence against the regime and propagated popular mass rebellion. Despite orchestrating the assassination of Sadat on 6 October 1981, *al-Jihad*'s planned Islamic revolution failed to materialise and only isolated disturbances took place near Assiut. The state retaliated by imprisoning al-Zumur, Farag and a number of *al-Jihad* leaders as well as Sadat's assassin, Khaled al-Islambouli.[35]

Armed Islamist groups in Egypt regained strength in the early 1990s with the return of the *mujahedeen* from Afghanistan. They reinforced their presence in urban areas of Upper Egypt and neighbourhoods of Cairo and Alexandria by employing a mixed strategy of conviction and intimidation while continuing to target the Egyptian political elite.[36] Obtaining financing used as an extension of Saudi foreign policy,[37] the movements were driven mostly by students of lower socioeconomic standing and the urban middle-class bourgeoisie, imposing morality and discipline through an authoritarian community.[38] Their appeal to the middle classes was brief, however, as the poorer cadres of the society and eventual power base of the groups turned increasingly violent, targeting the middle classes which then turned to the state structures for stability and protection.[39]

One principal characteristic of *al-Jihad*'s recruiting strategy was religious agitation. It used a network of private mosques, some Saudi-funded, in which radical preachers such as Muhammad Abd al-Salam Farag engaged in recruitment. In its heyday during the 1990s, the organisation also recruited from the ranks of the presidential guard, the civil service, military intelligence, the media and academia.[40] Farag's branch of *al-Jihad* in Cairo was composed of five to six autonomous and loosely linked cells presided over by '*emirs*'[41] such as Ayman al-Zawahiri, and controlled through a common strategy. In Assiut, the other main *al-Jihad* branch operating under Karam Mohammed Zuhdi consisted of a number of small groups in university towns recruited through kinship and tribal bonds.[42]

In the early 1990s, al-Zawahiri assumed the leadership of the EIJ faction, breaking ranks with the imprisoned al-Zumur and converting the group into a network isolated from a clear social constituency[43] and increasingly targeting the Egyptian regime. In 1990, five members of the organisation were arrested for assassinating the speaker of the national assembly, and from 1992 to 1997 it

engaged in isolated attacks designed to paralyse the regime's tourism industry, ending with the November 1997 massacre in Luxor. On 25 June 1995, it staged an assassination attempt on President Mubarak during an Organisation of African Unity (OAU) summit in Ethiopia in collaboration with the Sudanese intelligence, which included as protagonists individuals claiming affiliation with *al-Qaeda*. By this time, however, Egypt's armed Islamists had already begun to shift their focus to international targets, as the EIJ moved closer to the networks orchestrated by Osama bin Laden.

The EIJ's current base resides principally with an exiled leadership in Western countries and, to a lesser degree, in urban centres of northern Egypt. In 1998 the group announced that it had joined *al-Qaeda*, with which it merged in 2001. Bin Laden has provided financing to the group through the Faisal Islamic Bank and the Al-Shamal Islamic Bank in Sudan, where he was hosted by the country's Islamist regime from 1992 to 1996. The international activities of EIJ are attributed to the influence of al-Zawahiri, whose prominence in the organisation has convinced some followers to associate themselves with *al-Qaeda*. Divisions within EIJ appeared in December 2007 when imprisoned leader Sayed Imam abandoned the use of violence and announced the cessation of armed activities.

There is now evidence that the internet has gained importance as an international recruitment tool. *Al-Qaeda* has reportedly recruited individual cells by facilitating operations within Egypt through information sharing, training and networking.[44] On 23 February 2009, a bomb exploded in Cairo's Khan al-Khalili market killing a French tourist. The attack was allegedly perpetrated by an isolated group possibly inspired by the internet,[45] or a *jihadist* 'self-starter', rather than a 'commanded' or 'guided' group.[46]

Algeria

By the late 1980s, an Islamist movement consisting mostly of university professors and students had taken form in response to state repression in Algeria. This group recruited largely by preaching in 'popular neighbourhoods' where local *ulema* enjoyed support. Unlike Egypt, where the regime had weakened the Islamist opposition though the application of a state religious doctrine, the Algerian authorities proved incapable of channelling religious sentiment in their favour.[47] Algerian Islamist groups used the available political space to create a mass movement revolving around the *ulema* and an increasingly receptive poor urban youth harbouring grievances arising from the economic crisis and the disruption

of the democratic process. This culminated in the creation of the FIS in March 1989 as an Islamist alliance of various groups.[48]

The early success of the FIS stemmed from its ability to unite the poor urban youth with the pious bourgeoisie under the same Islamist ideology in order to challenge the regime and provide an alternative project to an exclusive and repressive state. However, in the course of the 1990s and especially after the government cancelled elections in 1991 to prevent the victory of the FIS, violence escalated to such levels that it fragmented the Islamist movement and its constituency. Factions dominated by the *mujahedeen* leadership migrated to the ranks of the more radical and violent GIA, rallying the urban youth underclass and opposing any compromise with the regime. The GIA deliberately targeted civilians and its violence alienated a more moderate pious bourgeoisie that threw its support behind the *Armée Islamique du Salut* (AIS), the armed wing of the FIS, ultimately resulting in a reconciliation of sorts with the regime in a process that mirrored the Egyptian experience.[49]

By 1998, popular support for the GIA had eroded dramatically and the global *jihadist* movement offered a desperately needed ideological and strategic alternative, particularly for the *Salafi jihadists* from Afghanistan. This resulted in Hassan Hattab breaking from the GIA to form the GSPC in September 1998, publicly condemning attacks against civilians and limiting its violence to representatives of the state.[50] The GSPC has attracted the most attention among the remaining armed Islamist groups in Algeria for both its alleged ties to *al-Qaeda* and its activities. In September 2006, the group officially announced its adherence to *al-Qaeda*, changing its name to *Al-Qaeda in the Land of the Islamic Maghreb* (AQIM). AQIM has since continued to orient its attacks on the state security apparatus, as well as foreign interests, while undertaking kidnappings that also appear to have been financially lucrative. In May and June 2009 it engaged in a campaign of suicide attacks and ambushes, notably against a military convoy protecting Chinese workers, police recruits and paramilitary gendarmes.[51]

Integration into an international campaign grants an external legitimacy to AQIM that it has failed to obtain internally and provides an outlet from its ideological position to 'purify' society. While the Afghan veterans and the remaining members of the Islamic insurgency share an ideological and personal connection with other groups of the *al-Qaeda* network, the continued focus on overthrowing the FLN regime in Algeria has hindered its capacity to attract new recruits more inspired by the transnational *jihadism* of *al-Qaeda*. As a result, the

media-savvy AQIM has produced propaganda videos in the local Berber language and couched its recruitment in terms of historical grievances by calling for the reconquest of Al-Andalus, which includes large parts of Spain, and anger at a century of foreign domination. This has been combined with more traditional preaching in mosques, the invocation of a pervasive state of social malaise and humiliating images of Muslim immigrants in Western countries.[52]

This propaganda has been used to raise the profile of the international *jihad*, most notably in Iraq, above internal concerns and to facilitate the recruitment of young people detached from the nationalist project of the FIS and more attracted to *jihadist* internet sites. New recruits have reportedly been sent to 'radicalising training camps' for three to six months either to prepare them to fight in Iraq or oblige them, knowingly or not, to take part in suicide attacks in Algeria.[53] This demonstrates that both AQIM's internal and external agendas remain significant and interlocked.

Morocco

The *Groupe Islamique de Combat Marocain* (GICM) was formed during the 1990s around a nucleus of Moroccan Afghanistan veterans endorsing a rigorous interpretation of the *Quran* and *Sunna* and the rejection of a state not based on Islamic law.[54] The founding of the GICM coincided with the Moroccan state's decision to reduce its presence in the impoverished outskirts of Casablanca, increasing the appeal of Islamism within disenfranchised and disconnected sectors of the population. The GICM provided a sense of solidarity in these quarters through recruitment into small groups and local orders led by an *emir* and united by a common *Salafist* ideology. As in Egypt, these organisations police their neighbourhoods and enforce their interpretation of a strict moral and legal Islamic code. Yet, rather than being led by prominent individuals as with *al-Jihad*/EIJ, any Islamist individuals to whom at least one other person is willing to pledge allegiance can potentially achieve the status of *emir*.[55]

The GICM represents the increasingly international approach adopted by the armed Islamist groups since the 1990s. The GICM appears to have maintained contacts with violent Algerian Islamists in France and Belgium ,and its activities have included propaganda, recruitment for international *jihad* and coordination of local cells through what is portrayed as the 'international *al-Qaeda* network'. The May 2003 Casablanca and March 2004 Madrid bombings as well as accusations of serving as a logistical base for *al-Qaeda* have placed the group under renewed

scrutiny.[56] According to newspaper accounts, the GICM has received funds from *al-Qaeda* and its European financiers, and logistical support, training and religious education from the *Taleban*, the Libyan Islamic Fighting Group, the Algerian GIA and GSPC, and several other violent extremist groups.[57] As far as its internal *jihad* is concerned, however, the GICM has been unable to build a national agenda that successfully challenges the religious legitimacy of the monarchy in the eyes of the general population.

INTERNATIONALISATION

The armed Islamic groups in Egypt, Algeria and Morocco have shown a growing international orientation since the late 1990s through their *al-Qaeda* affiliation.[58] This should not distract from continuing 'national' or internal agendas and activities, particularly in the case of Algeria, while recognising that the frustrated attempts at internal *jihad* in the 1980s and 1990s have led many followers to renounce violence and demand a more inclusive political process through democratisation.[59] Algerians, moreover, have also adhered in large numbers to conservative, non-political, non-violent *Salafi* organisations, or simply aspire to leave the country.[60]

Outside North Africa, recruitment into armed Islamist European cells in Britain, France and Spain has also taken place. It has been achieved by drawing on a sense of alienation and separation, humiliation, religious commitment, peer pressure, the *ummah* as an alternative to the European concept of nation, and emphasising the importance of violent *jihad*.[61] Radical *imams* and activists have used in doctrination, subversion and socialisation as methods of religious and political propaganda,[62] at times resulting in violent acts that seek to emulate the *jihadist* cause in Iraq.[63]

Moreover, the internet continues to attract followers to the *al-Qaeda* agenda in the transnational *ummah* with *jihadist* networks extending into Western countries. Recruiting activities are known to have taken place in mosques in Hamburg, London, Marseilles and Montreal.[64] Whereas internet propaganda reaches sections of disgruntled second-generation immigrants in the Western countries, it alone appears not to be sufficient for successful recruitment,[65] but it may inspire individual acts of Islamist violence.[66] In North Africa, the uncertainty concerning the exact nature of the activities of armed Islamic groups and the perceived threat of violent Islamism using the region as an incubator before spilling out into Western countries have led the US to turn its attention to the vast lands that lie to the south of these countries.

The global war on terror and armed Islamist groups in Egypt, Algeria and Morocco

The global war on terror (GWoT)[67] has had important repercussions in Egypt, Algeria and Morocco. These three countries have all collaborated with the US-led war on terror and one of the keys to determining state response has been the degree to which the actions and presence of violent actors have been perceived by the regimes not as a threat, but as beneficial to stability and security.[68] While officially meant to offer new measures against the threat of armed Islamist groups in the region, initiatives such as the TSCTI have also created a framework by means of which regimes can gain access to new resources in exchange for a more muscular foreign presence to penetrate the region.

The global war on terror and regime response to armed Islamist groups

Egypt, Algeria and Morocco openly supported the US in 2001 and 2002, but found their domestic support compromised by the decision to invade Iraq, an event met with demonstrations of anger across North Africa.[69] Morocco is considered by the US to be a key non-NATO partner[70] and reports have suggested that terrorist suspects were questioned by Moroccan authorities on behalf of US intelligence services. Egypt has also provided interrogation services, although it has kept its support low profile in an effort to reconcile public opinion and the annual US$2 billion in aid received from the US.[71] One report on Algeria already noted in 2004 that states openly supporting the war on terror risked finding the threat of extremism increasing rather than diminishing. For these regimes, US involvement may undermine 'the strategic weakness, dependent nature and possible legitimacy deficits' of the states concerned.[72]

Joining the war on terror, however, also conceivably offers an opportunity to settle political scores and gain newfound international legitimacy.[73] In exchange for support, demands for improvements in the areas of human rights and democracy may more easily be ignored and even refuted under the pretext of controlling the Islamist threat.[74] Egypt has had a state of emergency in place since

Sadat's assassination in 1981 and Algeria since the cancelled elections of 1991. Algeria has supported the war on terror and, in exchange, received military equipment previously withheld due to human rights concerns. An apparent resurgence of armed Islamic groups in the region, evidenced in the reported 2003 kidnapping of 32 European tourists in southern Algeria for which AQIM claimed responsibility, strengthened the regime's military capabilities, and by extension, the US presence in the area.[75] A certain duality may be detected in the official Algerian response; on the one hand, its internal discourse has announced violent groups to be on verge of disappearance, while the regime has simultaneously emphasised the omnipresence of danger for external audiences.[76]

Armed Islamist groups and the Trans-Saharan Counterterrorism Initiative

Algeria and Morocco have both collaborated with the US on its Trans-Saharan Counterterrorism Initiative, a programme that also includes Mauritania, Mali, Niger, Chad, Nigeria, Morocco, Tunisia and Senegal. The stated objective is to help secure the region from potential terrorist threats and underlies the fear that the Sahara may become, or may already be, a base for terrorist camps. It thus seeks to enhance the military and police capabilities of regional states to support the eradication of violent non-state actors.[77] The programme is headed by the US State Department and includes the US Aid Agency as well as the Department of Defence. Its anti-terror activities range from 'diplomacy, development assistance, and military activities aimed at strengthening partner countries' counterterrorism capabilities and inhibiting the spread of extremist ideology'.[78]

The rationale for the TSCTI is arguably based on what Keenan has referred to as the 'banana theory of terrorism', whereby terrorists coming out of Afghanistan move through Iraq and into the Horn of Africa and the Sahel to receive *al-Qaeda* training before making their way to North Africa, Europe and the US.[79] This threat was magnified by the March 2004 Madrid train bombings, leading to the fear that armed Islamic groups now had a firmly established capacity to strike along Europe's southern periphery. Thus, the globalisation of the terrorist threat has allowed the US to pressure its allies, increased the sense of fear within Europe, and set the stage for the creation in 2007 of the first US command dedicated to Africa and responsible for the military component of the TSCTI.

While Egypt's position as a major US partner in the region remains uncontested, Algeria has sought to challenge Morocco's privileged role by emphasising its own experience with violent Islamism and portraying the country as a bastion of regional and international security. Algeria has received US army training and accepted the presence of the US Federal Bureau of Investigation (FBI). Moreover, it is suspected that some sectors of the armed forces connected to the oil industry are receptive to the US securitisation of the Sahara, since it may in fact be beneficial to their interests.[80] This situation reflects the Algerian leadership's propensity to continue its exclusive governance, this time by using US military support to monopolise oil-generated revenue. For the US, it remains unclear how strongly democratisation, good governance or respect for human rights should be prioritised when strong-armed regimes may be considered more efficient and compliant allies.[81]

CONCLUDING REMARKS

Armed Islamist groups in Egypt, Algeria and Morocco emerged in the generalised context of a crisis of the post-colonial state. As such, these groups initially sought to provide an alternative Islamic political order and violently challenged their respective regimes in order to achieve their goal. After three decades and unsuccessful internal *jihads*, the strategy and objectives of the now global *jihad* is no longer clear. While there is no denying that the global *jihad* has appealed to individuals across the world and at times produced spectacular and devastating results, the route chosen by political Islamists where regimes have allowed Islamic parties to enter the political arena appears to have yielded more results in terms of setting the groundwork towards the creation of an Islamic society, albeit one that incorporates some elements of modernity.

This political Islam, however, has been the subject of intense criticism not only from *Salafi jihadists*, but also from non-violent and apolitical *Salafi* movements. In countries such as Algeria, a tendency to withdraw completely and without confrontation from the political arena and from the state appears to be gathering momentum and enjoying greater popular support than the global *jihad*. The emphasis on the security of the state as opposed to that of the individual, which partially explains the state's gradual withdrawal from the everyday life of its citizens as a provider of services, a mediator or a facilitator of opportunities, contributed to the appeal of radical Islamist ideas among the poor and disgruntled

sectors of the population and within the ranks of a frustrated middle class. This frustration and disenchantment have not vanished and should not be underestimated, but for the most part they do not appear to be channelled towards violent *jihad*.

Moreover, although the perpetrators now come from across the Muslim world, the ranks of armed Islamic groups do not appear to have swelled proportionally to the level of dissatisfaction felt by the general population. Armed Islamist groups in Egypt Algeria and Morocco, weakened internally by a combination of lack of popular support and regime crackdowns in the context of the war on terror, have embarked on a campaign to compensate for their internal failures by increasingly emphasising external agendas. Armed Islamist groups have thus been portrayed as real threats to the prevailing *status quo* by both their respective states and the international community, irrespective of their actual capacity. This explains why regional and international contexts have become progressively pertinent, or in some cases, even a dominant part of their agendas and activities.

Despite lacking common strategic unity, these groups do continue to pose a threat. This threat, however, does not appear to lie in the capacity to destabilise regimes or the wider international community. Above all, it is a menace to the security of the individual citizen falling victim to an isolated manifestation of armed Islamist activity in Egypt, Algeria, Morocco and elsewhere.

NOTES

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Chapter 13

From rebellion to opposition: UNITA in Angola and RENAMO in Mozambique

Justin Pearce

INTRODUCTION

It is tempting to consider Angola and Mozambique as two countries with parallel histories.[1] Both were colonised by Portugal and remained under colonial domination for more than a decade after the decolonisation of most of the continent. Both became independent in 1975 with governments dominated by Portuguese-speaking urban elites that had nationalist aspirations but which were firmly rooted in particular regions and whose rhetoric inclined to the left. Both of these governments were seen as a threat by apartheid South Africa and by right-wing elements in the West. Both Angola and Mozambique experienced internal conflicts that were fuelled by South African backing for armed opposition movements: *Resistência Nacional de Moçambique* (RENAMO) in Mozambique and *União para a Independência Total de Angola* (UNITA) in Angola. The international détente of the late 1980s led to internationally supported peace processes, which envisaged the ruling parties and rebel movements in Angola and Mozambique competing at the ballot box.

From that point, the well-known stories diverge. Angola returned to war only months after the 1992 elections, and peace did not arrive definitively until after the

death of Jonas Savimbi, founder and leader of UNITA, in February 2002. In Mozambique, by contrast, there has been no threat of a return to civil war since the first election in 1994, and further elections have been held regularly since that time. Moreover, to concentrate on the obvious historical parallels between Angola and Mozambique is to ignore some fundamental differences, most crucially in the respective origins of UNITA and RENAMO. UNITA, along with its rivals the *Movimento Popular da Libertação de Angola* (MPLA) and *Frente Nacional de Libertação de Angola* (FNLA), started out as a nationalist movement that was founded to oppose Portuguese colonialism in Angola, and only later acquired its foreign connections. In Mozambique, FRELIMO was the only movement that mobilised against colonialism. RENAMO came in to being only after independence, founded by Rhodesia with the purpose of destabilising the FRELIMO government.

Today, however, we might see the narratives converging again: the MPLA and FRELIMO remain firmly in power, with UNITA and RENAMO looking weaker than ever before. To understand why these parties have not become effective opposition movements, we need to ask a number of questions about the political space in Angola and Mozambique, as well as about the parties themselves. To what extent is this about the weakness of democratic institutions, and to what extent is it about the parties' own shortcomings? To what extent are the problems experienced by UNITA and RENAMO specific to former rebel movements, and to what extent are they analogous to the difficulties faced by all opposition parties? To answer such questions will require an examination of the individual histories of UNITA and RENAMO and their relationship with the people whom the leaders of both movements saw as their constituencies.[2] This chapter will argue that ideas about politics that were formed in wartime, more particularly about the concepts of party, state and government and their relationship with people, still persist today and have hindered the former rebel movements in establishing a role befitting players in a multiparty democracy.

UNITA'S BEGINNINGS

UNITA's origins must be seen within the wider context of anti-colonial mobilisation in Angola. The MPLA and FNLA had been active for several years before UNITA's inception in 1966. Savimbi, formerly an official in the FNLA, broke away and founded UNITA on the grounds that the FNLA, based among the Bakongo ethnic group of northern Angola, discriminated against southern Ovimbundu migrant labourers who were working in the north at the time. Before 1974, UNITA guerrillas were able to infiltrate eastern Angola from bases in independent Zambia. But the colonial government's suppression of anti-colonial activity prevented UNITA from operating in the Central Highlands, the region with which it is usually associated and in which it made its strongest identity-based claims.

It was only after the coup of 25 April 1974 in Portugal that the liberation movements were able to operate freely in the colonies. When UNITA, the MPLA and the FNLA arrived in the Central Highlands, the lack of previous politicisation meant that they were received as strangers and outsiders. The three movements competed in an open field for the support of the local population. It was, however, UNITA that succeeded in making the most forceful identity-based claims to the people of the Central Highlands. Savimbi used his facility with the Umbundu language to persuade the people of the Central Highlands that he and UNITA could represent their interests better than the Portuguese-speaking MPLA leadership in faraway Luanda. Respect for local tradition and for the churches also formed an important part of UNITA's early discourse. UNITA evoked the MPLA's alliance with Cuba as evidence that the party was committed to an atheist doctrine, and used this to win the support of a mostly Christian rural population.

Relations between the three independence movements deteriorated during 1975 and their rivalry became an all-out struggle to take unique control of the state upon independence. The support that UNITA had mobilised in the 18 months following the Portuguese coup allowed Savimbi to declare independence in Huambo on the same day that the MPLA's president, Agostinho Neto, declared independence in Luanda. Savimbi's reign in the city of Huambo lasted only until February 1976, when UNITA was expelled by Cuban forces allied to the MPLA.

Guerrilla warfare against the MPLA

The following 12 years were crucial in shaping the character of UNITA as it established itself in rural Angola. The MPLA never gained control over the countryside, and the state that it established consisted essentially of urban enclaves. The rural zones were either the domain of UNITA, or contested militarily between the two sides. UNITA sought to establish bases that served both a military and civic function. Its success in doing so depended on how secure its military control was over a particular area. Accounts of UNITA's violence against people on the margins of areas of control are many, but my concern here is with

the areas where UNITA was well established: here, bases became the home to soldiers, to political officials, and to professionals such as teachers and nurses, and were central to UNITA's relationship with the farming population. UNITA would establish a relationship with the *soba* (village chief), persuading him of the need for the village to supply food to UNITA. A UNITA loyalist in the village would be recruited to coordinate the rendition of a quota of food production to the people at the base. Teachers and nurses would go into the villages to offer education and health care to the local population. UNITA as a political organisation was indistinguishable from UNITA as a provider of services and from UNITA as a military movement. UNITA tried to convince people that it was the defender of their own best interests against a hostile MPLA. This type of relationship between UNITA and the people reached its most sophisticated expression with the establishment of Jamba, UNITA's bush capital in Cuando Cubango province, in the early 1980s. Jamba's location, far from the Ovimbundu heartland, was determined by ease of access for the South African planes that supplied it. But to the people who spent time there, Jamba was 'almost like a city' or 'a state within a state'. Its hospitals, its schools, its international air links and its visits from South African dignitaries were seen as evidence of UNITA's potential as a government in waiting.

A parallel state?

As UNITA built its bases in the countryside and at Jamba, the MPLA was establishing its state in the towns. Within these enclaves, the MPLA's state-building efforts included the establishment of a system of state-run shops that ensured low-cost food for the urban population, which was issued with ration cards. People who lived in the city during this period would speak with approval of the MPLA's efforts to keep a supply of food coming into a city, which, thanks to the war, was virtually cut off from its agricultural hinterland. They also spoke of the provision of education and health services under the MPLA: services that were made possible only by the presence of Cuban expertise. It was a politicised society – attendance at MPLA rallies was encouraged, if not obligatory.

While the MPLA state was recognised as such, and UNITA was not, there are some striking parallels to be found in the manner in which they constructed a relationship with local populations. Both sought legitimacy by positioning themselves as providers of services and as the defenders of the nation against foreign aggression. The movement of people became an important strategy for both sides. Whenever UNITA was forced to retreat either permanently or temporarily, it would take the peasant population with it, removing people from areas where they might be controlled by the government and placing them in areas that were more securely under UNITA's control. UNITA also conducted raids on government-held areas, or attacked groups of people as they journeyed from one town to another. The people kidnapped in these attacks were typically put to work for UNITA, sometimes as soldiers or porters, but often in professional roles. The movement of people was no less important for the MPLA: the government relocated people from the contested zones to resettlement areas alongside the main roads, or within the limits of cities that were controlled by the government, physically bringing people under the control of the state.

Identity politics

To each of the political movements, the people under its control were 'our people', and those under the control of the other side were 'enemy people'. People came to identify themselves as 'government people' or 'UNITA people'. Yet these identities were not a matter of political choice, they were a matter of necessity. To profess to be a 'UNITA person' in government territory was to risk death, and vice versa. Hence the paradox of political identities in wartime Angola: identities had to be maintained as a matter of life or death, yet the depth of the conviction that underlay these identities was questionable, and identities could (and had to) be changed as one passed from the control of one armed force to another.

Those people who lived close to the frontlines of military control would talk about both sides as predators. But those who spent extended periods under the control of one or other or both sides, exposed to the state-building efforts of either or both, were more likely to acknowledge the legitimacy of the movement, or movements, whose control they experienced. When asked why Angola experienced such a protracted conflict, several interviewees answered along the lines of 'there were two governments – the MPLA and UNITA – and both wanted power'. The concept of the political movement as a competitor in a game for absolute power and exclusive legitimacy is important for understanding political developments after the end of the war.

The peace process and renewed war

The Angolan peace process that culminated in the 1991 Bicesse Accord was largely a product of the détente in international politics of that period and the 'end of history' narratives that accompanied it.[3] It took little account of Angola's internal

politics. As I have outlined, there was no space for political choice in wartime Angola. Politics was understood as compulsory identification with a movement that was in power in a particular region of the country by force of arms. Angola in 1992 remained divided militarily between the MPLA and UNITA; there was no reason why a notional ceasefire would change the way in which political control was understood. The 1992 election results largely reflected the pattern of military control as it was at that stage of the conflict. Voting was a matter of endorsing the authority of the party in charge, hence UNITA's strong showing in the Central Highlands.

The circumstances and actions that led to the return to war early in 1993 are beyond the scope of this chapter; suffice to say that they reflected the continuing aspirations to absolute power by both parties to the conflict, neither of which complied with the spirit of the peace accord, and both of which acted in a provocative manner. It was only after the Lusaka Accord of 1994, when the UNITA deputies elected in September 1992 took up their seats in parliament, that we can start to talk about UNITA's role as an opposition movement. But the parliamentarians' role was circumscribed by the extraordinary situation in which they found themselves. With the leadership on both sides dedicated to winning the conflict by military means, there was no space for democratic engagement. Even if UNITA at the time had had the political imagination to mobilise in the civilian sphere, it would have been impossible to do so thanks to the repressive political climate in Luanda at the time. After 1998, the civilian wing of UNITA was further weakened by the emergence of UNITA Renovada, a split in the party that was engineered by the government in a way that was made possible by the MPLA's command of the financial and judicial resources of the state. Messiant argues that the Bicesse Accord entrenched a military logic in politics by virtue of being a settlement that excluded the majority of Angolans, and gave a voice only to the MPLA and UNITA; these two parties 'had been fashioned by this war … and by intense and various connections with other countries that each had woven in and for this war'.[4] The elections were thus 'the last battle in the war', and the return to war was inevitable.[5]

Neither side complied completely with the Lusaka Accord; as the agreement collapsed, the government's endgame to the war comprised a counterinsurgency strategy aimed at destroying UNITA's agricultural base. The result was the displacement of several million rural people, many of whom thus entered

government controlled territory in some cases for the first time ever, or at least for the first time since the 1992 elections.

From military collapse to political defeat

The memorandum of understanding signed by the Angolan Armed Forces and UNITA after Savimbi's death in February 2002 laid out a process whereby the people still remaining under UNITA control at that point would be reincorporated into civilian life. Simultaneously, those UNITA leaders who had been in the bush with Savimbi were relocated to Luanda, far from the movement's core constituency in the Central Highlands.

The massive movement of people at the end of the war may have been conceived for military purposes, but it also had political consequences. Political identity was still equated with political control, and the state remained identified with the MPLA. People who may have spent decades under the control of UNITA now became 'government people'. This provided the context for the parliamentary elections of 2008, in which a clear MPLA victory in the provinces of the Central Highlands contrasted with UNITA's electoral success in the region in 1992.[6] The notion that the former 'UNITA people' were now 'government people' was reinforced by the MPLA's firm control of state resources throughout the national territory. In some cases, being employed in government service after the end of the war was contingent on joining the party.

The MPLA began promoting its electoral message months before the official start of the campaign, and was helped by the bias towards the party in state media. Party campaigners presented tools and grain to rural communities, and motorcycles to the chiefs. At the same time, the government hurried to finish projects such as national roads, electricity infrastructure and city centre renovation schemes. These were inaugurated during a national tour by President dos Santos in the weeks before the election, in which the new projects were presented as the gift of the MPLA. All this helped to project the MPLA as the party of peace and reconstruction, a point of view that was further emphasised by references to UNITA as having been wholly responsible for the war and its associated destruction. Interviews with villagers revealed that political thinking was still guided by an either-or logic learnt during wartime.

UNITA had neither the space nor the resources to promote an alternative message. The party had little more than its statutory allocation from the state budget, which in any case was disbursed several weeks late, after the electoral

campaign had supposedly begun. Nor could UNITA call upon its old foreign allies, since international opinion had during the 1990s shifted towards an MPLA government whose control of the country's oil resources appeared unchallenged.[7] This shift in opinion was manifested, *inter alia*, in government's support for UN sanctions against the diamond trade with UNITA, and later for the Kimberley Process that seeks to exclude from international markets diamonds mined in rebel-held areas. By the time of the parliamentary election in 2008, UNITA's former foreign allies showed little interest in challenging the MPLA's domination of the political system.

Already constrained by a lack of resources, UNITA's most skilled leaders appeared more dedicated to reconstructing the party as a national force in Luanda than to mobilising in the party's heartland. Those who remained in the provinces seemed to be concentrating their resources on providing for the welfare needs of those people whose pro-UNITA convictions remained strong enough to keep them with the party. Those who still identified themselves as 'UNITA people' would habitually approach their local party branch for help with money in an emergency, or to find a job in a business run by a UNITA sympathiser. Many of these people felt that their continued adherence to UNITA prevented them from seeking jobs in the state sector, and they saw UNITA as the body to which they should turn for welfare. UNITA, in the eyes of its followers, played a state-like role for those who felt no sense of citizenship in a state that remained strongly identified with a single party.[8]

It was significant that in 2008 UNITA achieved its best result (31,37 per cent of the parliamentary vote) in Cabinda, a long way from its historic heartland. Cabinda has a well-organised civil society, which had coalesced around demands for autonomy several years before UNITA turned its attention to the exclave province. As the elections approached, UNITA built links with existing networks of opposition to the MPLA. Operating in an environment where it had no strong historic ties with the people, UNITA was able to break free from the old-style politics that it practised in the Central Highlands and seek a mode of engagement more befitting a democracy.

RENAMO'S BEGINNINGS

RENAMO's origins were not propitious for its development into a popular opposition movement. It was created by the intelligence services of white-ruled Rhodesia with the purpose of destabilising the FRELIMO government, later finding a new patron in a partheid South Africa. Before 1990, most accounts of RENAMO's activity emphasise its role as a force alien to Mozambican society, 'pseudo-guerrillas'[9] who engaged in violence with no political purpose other than what was ordained by its foreign backers. It was only in 1981 that RENAMO adopted a political programme, and then it did so only at the urging of its South African sponsors. Its professed commitment to a free market economy seems, with hindsight, to have been a cynical choice designed to gain the approval of foreign backers. During the war, 'RENAMO's political structure in side Mozambique [was] little more than an offshoot of its military command structure'.[10]

Political engagement in wartime

Yet despite its foreign origins and lack of a consistent political programme, RENAMO succeeded in some areas in establishing a political relationship with rural Mozambicans as opposed simply to subordinating them in a regime of fear.[11] The nature of the relationship between RENAMO and the civilian population has been the subject of controversy among observers of Mozambique.[12] What is clear, however, is that RENAMO's ways of operating differed from one part of Mozambique to another, depending on how receptive the local people were towards the guerrillas, and on RENAMO's military success in penetrating a particular area. During the war, RENAMO was best able to establish a relationship with the rural population in those areas where FRELIMO's rural development policies, particularly villagisation, created discontent among the farming population.[13] Opposition to villagisation was most marked in the north, where peasants had no experience of living in large villages. Geffray goes so far as to suggest that peasant farmers in Nampula Province were in conflict with FRELIMO before RENAMO even arrived, and the rebel movement simply took advantage of existing grievances in mobilising the farming populations. By contrast, RENAMO's relationship with people in the south was largely one of terror and predation, a fact that Roesch attributes to southern farmers being more enthusiastic about FRELIMO's agricultural reform policies than was the case in the north.[14] Yet even within the southern province of Gaza, Roesch found there were different attitudes towards FRELIMO in different parts of the province, and resentment of FRELIMO in certain areas again created a more conducive environment for RENAMO.

Ethnicity was another tool that RENAMO used to gain adherence in certain areas. RENAMO made claims to ethnic solidarity with the Ndau (Shona-speaking) people of central Mozambique, an area quite distinct from Nampula, where RENAMO was best able to make its strongest political claims.[15] But even if RENAMO's principal ethnic association was with the Ndau, RENAMO nevertheless managed to make identity claims in the north as well, capitalising on the historic marginalisation of the Makua people of the region.

An influential analysis by Gersony divides RENAMO's areas of influence into zones of taxation, control and destruction.[16] Tax areas were those with a dispersed population that was left alone in exchange for tribute. Control areas were those where RENAMO organised labour. Destruction areas were where RENAMO had no hope of establishing a political relationship, and relied on pure terror. According to Vines the major function of RENAMO's control areas was:

> … to provide food and services for the organisation … RENAMO obtains most of its labour forces from the other two zones, 'tax' and 'destruction' areas. Its workforce is therefore predominantly captive, detained against its will and forbidden to depart. RENAMO exploits those very areas from which its first constituency of support was drawn – rural peasant communities.[17]

Vines nevertheless observes that RENAMO's relationship with the population in control areas was not only one of forced labour:

> Despite the overall picture of RENAMO's harsh treatment of the population it encounters, there is another side to its administrative practices. When RENAMO enters a district for the first time there is some attempt to win over peasant support. Already in the early 1980s RENAMO played in this way on local discontent with FRELIMO's achievements, particularly about the lack of consumer goods and villagisation, to obtain sympathy …
>
> Promise of power and land has also been one of the offers RENAMO has made in rural areas to obtain support … Further confirmation that RENAMO was attracting the disgruntled and the power-hungry came in 1982 through research conducted by FRELIMO. It showed that many of the rebels in Inhambane province were failed local election candidates from 1978, who saw RENAMO as an alternative method to take power.[18]

Roesch found that about half of people on the bases came to accept life under RENAMO as preferable to life elsewhere.[19] RENAMO encouraged identification with the movement through 'perfunctory' political education, though 'neo-traditional religious discourse' seemed to be RENAMO's favoured strategy for gaining the allegiance of people under its control.

The kind of positive incentives described here – the promise of patronage and influence in return for support – are significant in that they prefigure the methods used by RENAMO after the end of the war. Nevertheless, the failure of both FRELIMO and RENAMO to establish a peaceful and sustainable relationship with much of the rural population led to many people being alienated from both sides, even if they had no choice but to profess support for whichever side controlled the area in which they lived: 'It appears they now support[ed] whichever side [would] protect them, in order to save their own skin.'[20]

Peace settlement

As with Angola's Bicesse Accord, the peace settlement in Mozambique grew out of international political developments rather than as a result of any internal change in the country. Following the General Peace Accord of October 1992, RENAMO benefited from funding from foreign donors, who saw the former rebel movement as the logical counterpoise to FRELIMO in a multiparty Mozambique, and was encouraged by its former principal backer, South Africa, to take up this role. However, the modality of the peace plan was such that RENAMO was able to continue behaving not so much as a political party as a military movement with aspirations to statehood.[21]

RENAMO retained control of its armed forces during the electoral campaign period, and restricted the access of FRELIMO campaigners, and even some voter education trainers, to RENAMO-controlled zones. European parliamentary monitors observed that at one location in Nampula province, the polling station was located inside a RENAMO camp that remained essentially intact, patrolled by armed RENAMO soldiers, despite the supposed demobilisation process.[22]

The situation described here suggests a similar 'logic of war' to that which Messiant identified as underlying the failure of the Angolan peace process in the early 1990s.[23] The fact that the militarised, territorial politics of wartime continued into the transition period in Mozambique was a powerful bargaining chip for RENAMO's leader, Afonso Dhlakama, a point that he underscored when he announced that he was pulling out of the election; it took diplomatic intervention

to bring RENAMO back in.[24] Yet fears that this situation of divided military control would destroy Mozambique's electoral process just as it had done in Angola two years earlier proved to be unfounded, possibly because FRELIMO avoided any action that might have provoked a reaction from RENAMO.[25]

Electoral gains

Some have suggested that RENAMO's threatening behaviour ahead of the elections scared people into voting for RENAMO.[26] What is more certain is that RENAMO managed to win votes above and beyond those of the people in the areas that it controlled. UN figures suggest that at the time of the peace accord, RENAMO controlled 24 per cent of the territory and 7 per cent of the population,[27] but in the elections, the former rebel movement gained 37,78 per cent of the parliamentary votes, while Dhlakama, its presidential candidate, gained 33,73 per cent of the presidential votes. In other words, RENAMO's share of the vote was greater than the population that it controlled at the end of the war.

However, its support remained concentrated in those regions where it had been able to make its strongest political and ethnic claims during the war, namely the centre and centre-north of the country. Its worst results were in the south, where even the areas that RENAMO had controlled during the war voted for FRELIMO: this was a reaction to the brutality practised by RENAMO in the areas where it had never managed to consolidate its power by political means during wartime. Cahen suggests that for RENAMO, having a political programme was less important than providing a voice to 'a variety of social elements and communities – a sort of coalition of marginals which have been excluded politically and socially from the state, from the market and from development, not just since FRELIMO's coming to power but in many cases since the beginning of the century'.[28]

After 1994, RENAMO was able to build on the political base that had been confirmed by the elections. Fortuitously for RENAMO, the farmers of northern and central Mozambique – those who were RENAMO's key constituency during the war – were the same people who were worst hit by the economic liberalisation programme that international financial institutions obliged FRELIMO to adopt as a condition for loans to finance redevelopment. The resulting resentment was compounded by the fact that the mid- to late 1990s saw rapid growth in southern Mozambique as the area's proximity to South Africa helped it to attract investment. The growing wealth gap served to consolidate RENAMO's position as a political force in the north.[29] RENAMO's success went beyond the areas that it had controlled militarily during the war. In Ilha de Moçambique, for example, RENAMO became the dominant party because the island's residents had, for geographical reasons, been spared the violence of the war. This left room for RENAMO to mobilise long-standing resentment over the belief that the island, the original core of colonial Mozambique, had been marginalised since independence. In certain provincial urban centres, notably the city of Beira, RENAMO proved able to mobilise local sentiment of discontent with the government in Maputo.

Waning support

This apparent firming of RENAMO's political position in the decade following the first elections led commentators to suggest that the 2004 presidential and parliamentary elections could prove to present the biggest electoral challenge to FRELIMO ever. Instead, the 2004 elections saw a sharp drop in RENAMO's support. More recently, controversy over the nomination of candidates in Beira for the 2008 local elections has presented RENAMO with arguably its deepest crisis since the end of the war. RENAMO's electoral decline is not an isolated event, nor the result of a sudden change in fortunes; it is best understood by tracing RENAMO's trajectory since the peace accord.

RENAMO's guerrilla origins left it with a lack of cadres, and the party came to be run by a small group centred around Dhlakama. This group's position was reinforced by the fact that it became a channel for funding to the party from foreign donors who recognised Dhlakama's legitimacy.[30] RENAMO continued to operate according to a patron-client logic with respect to its supporters, in a manner analogous to the way in which it had tried to win support in some areas during the war. In the early 1990s, the party faced a crisis over young people who had been recruited to the party with the promise of study bursaries, which never materialised. The result was an angry protest, in which RENAMO officials were taken hostage and Dhlakama was called upon to intervene; his response was to promise that the party would contact foreign sponsors with a view to resolving the situation.[31] The Comprehensive Peace Agreement (CPA) guaranteed the deployment of RENAMO personnel in teaching and other government service positions. In those areas that were seen as RENAMO areas, this process was delayed by a lack of cooperation between the government and RENAMO, and ultimately it was RENAMO that suffered through the loss of resources of

patronage. In another example of patronage politics,[32] RENAMO granted timber concessions to businessmen in areas that it controlled.

What is significant about these instances is that they reflect habits learnt during the time of war, when RENAMO operated as a quasi-governmental entity in the areas that it controlled. The persistence of this mode of operating is a sign that RENAMO has had difficulty in adapting to a role appropriate to a multiparty political system. Manning characterises RENAMO as 'a military organisation with weakly developed administrative and political wings having to downplay its military character and strengthen its political and administrative side, largely by recruiting new people in the cities'.[33] The result was tensions between the new, urban RENAMO cadres and the old guard whose sense of entitlement was derived from the time they spent in the bush. When fears were raised of defection from RENAMO or resignation, '[a]lmost universally among top level officials, the solution most commonly proposed for this problem is more money to distribute as patronage'.[34]

Thus RENAMO approached the 2004 elections without having consolidated the gains it had made in the previous ten years. The elections were characterised by a sharp drop in turn-out compared with the previous national elections of 1999.[35] Such voter apathy, much remarked upon by political commentators, was far more damaging to RENAMO than to FRELIMO: RENAMO received 1,6 million votes in 1999 but only 900 000 in 2004. For those who took a negative view of the *status quo*, FRELIMO had not delivered, but RENAMO had not delivered either, and manifestly had nothing to deliver. Moreover, the idea of democracy, which had been so prominent in the political discourse that surrounded the end of the war, had also failed to present the better life that was promised. In other words, those who were dissatisfied with the government's performance appeared to have become dissatisfied with the political system as a whole. Rather than voting for the opposition, they saw no reason to participate in the democratic process at all. In 2004, Dhlakama managed to gain only 31,74 per cent of the vote, just under half the 63,74 per cent received by FRELIMO's candidate, Armando Guebuza. This is in contrast to the 1999 presidential election, in which Dhlakama received 47,71 per cent of the vote, less than five percentage points behind incumbent president Joaquim Chissano, who gained 52,29 per cent.

Events surrounding the 2008 municipal elections in Beira provide a further illustration of RENAMO's leadership problems. Intraparty tensions saw Daviz Simango, the 'natural' RENAMO candidate for the city leadership, pushed aside by the party hierarchy in favour of Manuel Pereira.[36] Simango stood as an independent running on a ticket that sought to put the local needs of Beira ahead of national party-political concerns. He won convincingly, apparently having attracted the support of a large number of people who would otherwise have voted for RENAMO. As Luís de Brito's analysis makes clear, RENAMO's failure in this case was due to a decision-making process that favoured the views of party elites above those of the mass support base. Simango was expelled from RENAMO in September and went on to form a new political party, the Mozambique Democratic Movement. Early in March 2009, RENAMO's political commission sacked the head, deputy head and spokesperson of the parliamentary group, Maria Moreno, Luis Trinta and Eduardo Namburete. The party explained Moreno's dismissal in terms of her having appeared on a public platform with Simango, while reports suggested that Trinta and Namburete were also close to Simango.[37] The lesson of Beira for RENAMO was that the party was able to capitalise on popular discontent – but only for as long as RENAMO was prepared to put the wishes of potential voters ahead of the priorities of the party hierarchy. The more recent events give credibility to De Brito's warning that the crisis surrounding the Beira local election bodes ill for RENAMO and in deed for the future of the multiparty system in Mozambique.

THE BURDENS OF OPPOSITION

This chapter has so far attempted to trace the continuities between RENAMO's and UNITA's history as rebel movements, and the difficulties they have faced in becoming effective opposition parties in peacetime. It is, nevertheless, evident that some of the most serious challenges that they face are the same difficulties that all opposition parties have in common. It would be short-sighted to look at UNITA's and RENAMO's problems without considering that the opposition parties that have emerged since 1990 in both countries have proved to be considerably less successful than the former rebel movements in consolidating electoral support. All opposition parties must contend with the fact that the ruling party enjoys abundant favourable media coverage and has the resources at its disposal to present state-sponsored benefits and development as the gift of the party.[38] At present, these phenomena are more evident in Angola than in Mozambique, thanks to the greater concentration of Angola's media in the hands of the state, and Angola's oil-based economy that leaves the party-state cash-rich. The opportunities for patronage enjoyed by ruling parties encourage them to swallow sections of the opposition, while themselves remaining intact: witness the large

number of defections from UNITA and other opposition parties to the MPLA in the months preceding the 2008 elections in Angola.

On the level of public discourse, all the opposition parties suffer from under-representation in the media: more so in Angola than in Mozambique. But here the former rebel movements have a particular problem over and above the difficulties faced by parties that do not have a military history. The MPLA and FRELIMO have virtually monopolised nationalist discourse in their respective countries, each party portraying itself and itself alone as the guardian of the national interest. RENAMO's own history makes it difficult to put forward credible nationalist claims of its own. UNITA, on the other hand, has so far proved unable or unwilling to reclaim its early history of anti-colonial mobilisation. This appears to be the result of the MPLA both having cornered the political initiative and having the monopoly over the means of expression. Similarly, when the ruling party enjoys a disproportionate level of loyalty from the national media, it becomes easy to discredit the opposition by blaming it for the past conflict.[39]

TURNING ARMIES INTO PARTIES

Turning now to the internal difficulties that the former rebel movements face as a consequence of their history, it is clear that both UNITA and RENAMO have suffered as a result of a particular kind of authoritarian leadership, in the persons of Dhlakama and Savimbi. Authoritarianism is not exclusively a problem of former rebel movements, although such a leadership style flourishes in a military environment. But aside from the character of leaders, there is a more fundamental and more obvious point to be made: an armed rebel movement is not the same thing as a political party, and it is here that I would suggest that former rebel movements are at a particular disadvantage when compared with those parties whose origins are in civil society.[40]

In wartime, both UNITA and RENAMO engaged with populations in ways that ranged from terror and coercion to the cultivation of a consensual political relationship between the political movement and the people under its control. The latter case represents the more positive face of the rebel movements, and it is this version of events that tends to be evoked by the movements' leadership in making their claims to political legitimacy: a legitimacy that would be denied by those who saw the rebel movements only as violent and predatory. Yet the examples of UNITA and RENAMO illustrate that this political relationship, forged in wartime, has nothing in common with the workings of a political party in a democracy. For

the rebel movements in the bush power, achieved by force of arms, came first. The political relationship came later, and it was an exclusive one. The political relationship did not consist in people choosing a movement to lead them: it consisted of a political-military elite determining the terms of engagement between the movement and the population. At no stage was there a question of political choice for the people under the control of the movement. In Angola, UNITA and the MPLA were perceived as 'rival governments'. There is evidence to suggest that RENAMO, too, saw itself and presented itself as an organisation with the prerogatives and the responsibilities of a state. Both movements claimed exclusive power, and the exclusive right to exercise the prerogative of violence, in the territory and over the people they controlled.

Once the two movements are understood in this way, it should become clear why their transition to working within a democratic polity has not been easy. The post-war transitions of the early 1990s appear to have been based on the assumption that the rival movements represented the interests of different groups within the population, whose differences could best be resolved at the ballot box. People would vote for the party of their choice, and in this way the election would become an expression of popular will within a single polity, this polity being associated with a non-partisan state and a common vision of nationhood. Such a vision had little in common with the nature and the modus operandi of UNITA and RENAMO – nor indeed of the MPLA and FRELIMO – in the 1970s and 1980s, yet the elections were organised on assumptions that ignored this fact. Indeed, instead of asking why former rebel movements have not done well as opposition political parties, it might be more instructive to ask why it was ever assumed that rebel movements – and, for that matter, authoritarian party-states – were capable of transforming themselves into political parties worthy of the name.

The examples quoted earlier from Manning's research illustrate how RENAMO continued after the 1992 peace accord to operate according to a logic learnt in wartime: a logic in which RENAMO controlled territory and had certain rights and responsibilities regarding that territory and the people who lived in it. UNITA has been operating in a peacetime environment only since 2002, a decade less than RENAMO, and its mode of engagement with its constituents in peacetime has yet to be established. There are, however, signs that UNITA, like RENAMO, continues to attempt the politics of patronage in dealing with the minority of supporters who, despite pressure from the MPLA, have remained loyal to UNITA since the end of the war.[41]

This strategy is sustainable for neither side, given the superior resources enjoyed in each case by the government. While patronage politics is not unique to former rebel movements, the quasi-governmental character of RENAMO and of UNITA in the bush meant that both movements – and their constituents – entered the democratic era with entrenched ideas about the responsibilities of the political movement towards those under its control, and with no tradition of articulating popular demands within a democratic system. RENAMO may have started to break the mould by adopting a more socially engaged style of politics in, for example, Beira, but then high-handed leadership reversed its successes. It is too soon to tell whether UNITA will learn lessons from its significant gains in Cabinda.

CONCLUSION

Given the youth of Angolan and Mozambican political systems, it would be premature to make definitive judgements regarding their success and failure as opposition movements. First, it is difficult and perhaps meaningless to disentangle assessment of the parties themselves from the assessment of democratic systems as a whole. A restrictive constitutional system limits opposition parties' possibilities for action, but at the same time a system that on paper offers opportunities to opposition parties is of little value if the parties do not actively seek to define and defend the political space that is available to them. UNITA in this sense is at a particular disadvantage, given that the MPLA government used the smokescreen provided by the resumption of war in the 1990s to strengthen its grip on the institutions of state in a manner contrary to the democratic promises of the post-Bicesse constitution. Second, success and failure are relative; however, at the time of writing it is evident that neither UNITA nor RENAMO is a serious contender for government, nor is either party in a position to bring strong pressure to bear on legislation in parliament. In terms of these minimal definitions, neither party can be described as effective.

The reasons for this are complex, as the histories outlined in this chapter demonstrate, and the different trajectories followed by UNITA and RENAMO should serve as a warning against making blanket assumptions about the political efficacy of former rebel movements. Similarly, there are no obvious comparisons to be drawn between UNITA's and RENAMO's post-war trajectory and those of other African guerrilla movements.

First, the nature of the two guerrilla movements is hard to pin down. Christopher Clapham has presented an influential typology of guerrilla warfare; he identifies liberation insurgencies (which seek independence from a colonial power), separatist insurgencies (which seek independence for a region of an existing state), reform insurgencies (which seek profound changes in an existing state), and warlord insurgencies, 'where the insurgency is directed towards a change of leadership that does not involve the creation of a state any different from that which it seeks to overthrow, and which may involve the creation of a personal fiefdom separate from the existing state structures and boundaries'.[42] UNITA defies categorisation here, since it began as a liberation movement that became a reform insurgency that also had elements of warlordism. RENAMO likewise straddles the latter two categories, if not the first. Clapham himself acknowledges that reliance on such typologies 'runs the risk of imposing oversimplified categorisations on movements whose character is both changeable and mixed'.[43] This is particularly true of a movement like UNITA, which existed for over 30 years and adapted to different political and military circumstances.

Second, cases in which former armed movements became civilian opposition parties are extremely rare, which again leave us little basis for comparison. Let us consider the various uprisings in independent African states that have ended in a change in the political order: Ethiopia, Eritrea and Rwanda present cases of rebel movements that came to power by force of arms rather than by converting themselves into civilian opposition movements. Sudan presents a unique case in that the CPA ensured the admission of the Sudanese People's Liberation Movement rebels to government as junior members of a coalition at the national level, but also as the governing party in a newly devolved regional government. Since then, the priorities of the Sudan People's Liberation Army have been determined by the real prospect of leading an independent Southern Sudan. Liberia's post-war settlement served to accommodate several former rebel leaders as public office bearers, and with only one election having been held since the end of the war, there is no evidence of any other former rebels making headway in opposition politics. In Burundi, the *Forces pour la Défense de la Démocratie,* a former rebel group associated with the ethnic Hutu majority, gained power in a free election in 2005 that resulted from a peace settlement. It took several more years, to 2009, before a smaller rebel group, the *Forces Nationales de Libération*, laid down its arms and transformed itself into a political party. Its effectiveness as an opposition party has yet to be demonstrated.

The cases most comparable to Angola and Mozambique are those of Sierra Leone and the Democratic Republic of Congo (DRC): these provide examples of former rebel movements attempting to operate as political parties, though making less impact than either RENAMO or UNITA. In Sierra Leone, the Revolutionary United Front Party (RUFP), the peacetime incarnation of the Revolutionary United Front (RUF) rebel group, contested the post-war elections in 2002. However, the party gained a mere 2 per cent of the parliamentary vote and five years later effectively disappeared in a merger with the All People's Congress. Kandeh ascribes the RUFP's failure to the fact that 'Foday Sankoh, the RUF leader, was in jail and the RUF faced an uphill task convincing the public to vote for the very elements that had laid waste to the country'.[44] This contrasts with Angola and Mozambique, where the votes for the opposition came from those people whose experience of the rebels had not primarily been one of violence and where the lack of any post-conflict justice mechanism left rebel leaders at liberty to campaign. In the DRC, members of the former rebel movement, the *Mouvement pour la Libération du Congo* (MLC), assumed seats in parliament after the 2006 post-war election. No conclusive research has been done on the MLC's effectiveness as a political actor, in a country where the reach of the state system remains limited.

If the Angolan and Mozambican cases allow few points of direct comparison with other African conflicts, what then do they have in common with each other? In both Angola and Mozambique, a government was opposed by a single rebel movement, and each of the rebel movements was highly centralised around an iconic leader: this largely eliminated the possibility of rogue troops and splinter groups threatening the peace. However, in the Angolan case it also made it easy for Savimbi to remobilise his forces when he became dissatisfied with the 1992 election results. The political discourses associated with UNITA were more coherent and more entrenched among a certain section of the Angolan population than was the case with RENAMO, and this enabled UNITA to retain some of its support base when it went back to war. Though both RENAMO and UNITA were associated with certain regions of their respective countries, neither movement had a strong ethnic character that could guarantee it votes purely on the basis of identity, and nor did either have separatist aspirations in the manner of the Sudan People's Liberation Army. Although there were many instances of the abuse of state power in Angola and in Mozambique in the 1980s, there was nothing on a scale that provoked the kind of dissatisfaction that ensured widespread popular support for the Ethiopian and Eritrean rebellions. On the other hand, neither UNITA nor RENAMO was operating in the environment of state collapse that allowed the Rwanda Patriotic Front to sweep to power following the genocide of 1994.

In brief, the fact that neither UNITA nor RENAMO won a war, and the fact that both had the chance to contest elections, stems from particular contingencies that were replicated in no other cases. To these we must, of course, also add the internationally dominant political ethos of the early 1990s: the idea of liberal peace that enjoyed a resurgence with the end of the Cold War. However, as argued earlier, in hindsight the assumption that rebel movements could easily transform themselves into opposition parties appears misguided; in their relationship with society in peacetime, both parties have been constrained by the habits of the past.

Yet the military origins of UNITA and RENAMO tell only part of the story. The different choices by the two parties made after the elections of the early 1990s also affected their later fortunes, UNITA's unwillingness to play an oppositional role after 1992 contributed in the end to the greater consolidation of power by the MPLA, while RENAMO's participation saw its support grow during the decade following elections, as it seemed to turn its back on its military origins and managed to mobilise support within a democratic system. Both movements retained the support of some of their wartime foreign allies through the early 1990s but such support was no longer available to UNITA as it emerged from the last phase of the war in 2002. Particularly in the case of Angola, the superiority of resources enjoyed by the ruling party cannot be ignored. Leadership styles, too, are to blame, particularly for RENAMO's inability to consolidate the support that it gained after the war ended.

It would be wrong to blame all of UNITA's and RENAMO's problems on their wartime origins. What is clear is that where they have enjoyed success in peacetime politics, they have not done so as a consequence of being former rebel movements. On the contrary, they have succeeded only inasmuch as they have managed to move away from their military past. If there is a policy lesson to be learnt from these observations, it is that the strategy of offering rebel movements the opportunity to contest elections in the ambit of a peace process must be recognised for what it is: an expedient medium-term measure to facilitate the laying down of arms without any party to the conflict having to lose face. It should not be mistaken for an easy route to a functioning democracy. A former rebel movement is, at best, no more than a basis for the construction of a political party. This basis may provide visibility and, depending on the wartime behaviour of the movement, a measure of legitimacy, but the cases of RENAMO and UNITA

demonstrate that former rebel movements come with a legacy of political arrogance and authoritarian methods. As a contributor to a new and participatory democratic system, a former rebel movement has no natural advantage over a newly established party.

NOTES

1 P Chabal, with D Birmingham, J Forrest, M Newitt, J Seibert and E Andrade, *A history of post-colonial lusophone Africa,* London: Hurst, 2002, and W Minter, *Apartheid's contras*, London: Zed Books, 1994, provide a concise overview of the decolonisation process and subsequent developments in the former Portuguese colonies in Africa.

2 The observations made about UNITA's wartime strategies, unless otherwise attributed, are based on interviews conducted by the author in Angola in 2008 with people formerly attached to UNITA. The analysis of Mozambique relies more on existing literature on the country.

3 F Fukuyama, *The end of history and the last man*, London: Hamish Hamilton, 1992, provides the best-known exposition of this thinking, while a trenchant critique of its blanket application to situations such as that in Angola is provided by Margaret Anstee, who was UN special representative in Angola during the 1992 elections. M Anstee, *Orphan of the Cold War: the inside story of the collapse of the Angolan peace process, 1992–3,* Basingstoke: Macmillan, 1996, 127, observed 'an alarming tendency in Western international politics – post-Cold War … – to preach universal remedies in the starkest terms of black and white … On the political side it lies in embracing democracy and carrying out, as quickly as possible, "free and fair" multiparty elections. The problem with the engagingly simple – and very possibly simplistic – approach is that when you try to follow the precepts, reality has the uncomfortable habit of getting in the way … Democracy cannot be created overnight, least of all in places with a long history of authoritarian rule or civil war.'

4 C Messiant, MPLA et UNITA: processus de paix et logique de guerre, *Politique Africaine* 57 (1995), 40–57, 43.

5 Ibid, 49.

6 In the 2008 elections, the MPLA gained 82 per cent of the vote in Huambo province and almost 75 per cent in Bié, in contrast to 1992, when UNITA achieved a majority in both provinces.

7 C Messiant, Angola: Une 'victoire' sans fin? *Politique Africaine* 81 (2001), 143–161.

8 J Pearce, L'Unita à la recherche de 'son peuple': carnets d'une noncampagne sur le planalto, *Politique Africaine* 110 (2008), 47–64.

9 A Nilsson, From pseudo-terrorists to pseudo-guerrillas: the MNR in Mozambique, *Review of African Political Economy* 58 (1993), 35–42.

10 A Vines, *Renamo: terrorism in Mozambique,* London: Centre for Southern African Studies, University of York, in association with James Currey, 1991, 80.

11 M Cahen, Check on socialism in Mozambique: What check? What socialism? *Review of African Political Economy* 57 (1993), 46–59.

12 C Geffray, *La cause des armes au Mozambique: anthropologie d'une guerre civile*, Paris: Karthala, 1990; R Gersony, *Summary of Mozambican refugee accounts of principally conflict-related experience in Mozambique: report submitted to Ambassador Moore and Dr Chester A Crocker*, Washington, DC: US Department of State, Bureau for Refugee Programs, 1988; M Hall, The Mozambican National Resistance Movement (RENAMO): a study in the destruction of an African country, *Africa* 60(1) (1990); J McGregor, Violence and social change in a border economy: War in the Maputo hinterland, 1984–1992, *Journal of Southern African Studies* 24(1) (1998), 37–60; Minter, *Apartheid's contras*; Nilsson, From pseudo-terrorists to pseudo-guerrillas; T Young, The MNR/Renamo: external and internal dynamics, *African Affairs* 89(357) (1990), 491–509.

13 Vines, *Renamo: terrorism in Mozambique*, 114–115.

14 O Roesch, Renamo and the peasantry in southern Mozambique: a view from Gaza Province, *Canadian Journal of African Studies / Revue Canadienne des Études Africaines* 26(3) (1992), 462–484.

15 Roesch, Renamo and the peasantry in southern Mozambique, 469, describes RENAMO as 'very much a Ndau political project'. Vines, *Renamo: terrorism in Mozambique*, 83, attributes the association between RENAMO and the Ndau to the fact that the Ndau inhabit the area closest to the Zimbabwe border from which the first RENAMO insurgents arrived, and the choice of Ndau as a *lingua franca* in the RENAMO military.

16 Gersony, *Summary of Mozambican refugee accounts*.

17 Vines, *Renamo: terrorism in Mozambique*, 91.

18 Ibid, 93.

19 Roesch, Renamo and the peasantry in southern Mozambique, 472.

20 Vines, *Renamo: terrorism in Mozambique*, 94.

21 M Cahen, 'Dhlakama é maningue nice!': an atypical former guerrilla in the Mozambican electoral campaign, *Transformation* 35 (1998), 1–48.

22 African-European Institute / AWEPA, *Report of AWEPA's observation of the Mozambique electoral process* 1992–1994, Amsterdam: AWEPA, 1995.

23 Messiant, MPLA et UNITA.

24 African-European Institute / AWEPA, *Report of AWEPA's observation*.

25 Contrast this with the actions of the Angolan government in the months following the 1992 elections: see Messiant, MPLA et UNITA.

26 African-European Institute/AWEPA, *Report of AWEPA's observation*.

27 Ibid, 13.

28 Cahen, Check on socialism in Mozambique, 56.

29 J Pearce, 2004, Mozambique: across the great divide, *Mail & Guardian*, 29 November 2004, http://www.afrika.no/Detailed/6788.html (accessed 20 March 2009).

30 C Manning, Armed opposition groups into political parties: comparing Bosnia, Kosovo and Mozambique, *Studies in Comparative International Development* 39(1) (2004), 54–76, 64–65.

31 C Manning, Constructing opposition in Mozambique: Renamo as political party, *Journal of Southern African Studies* 24(1) (1998), Special Issue on Mozambique.

32 Ibid, 185.

33 Ibid, 188.

34 Ibid, 188.

35 Voter turnout was 69,51 per cent in 1999 but fell to between 36 per cent and 43 per cent in 2004 (Mozambique News Agency, Supreme court ratifies election results, AIM reports 173, 5 January 2000, http://www.poptel.org.uk/mozambique-news/newsletter/aim173.html (accessed 22 March 2009); Mozambique News Agency, Frelimo win huge election victory, AIM reports 289, 22 December 2004, http://www.poptel.org.uk/mozambique-news/newsletter/aim289.html (accessed 22 March 2009) comments that '[t]he low turnout is largely a RENAMO phenomenon, with its supporters failing to go to the polling stations. FRELIMO mobilised its core votes, RENAMO did not'.

36 L de Brito, Beira – o fim da Renamo? *IDeAS: Informação sobre Desenvolvimento, Instituições e Análise Social* 5, Maputo: Instituto de Estudos Sociais e Económicos, 2008.

37 Allafrica.com, Mozambique: Renamo sacks parliamentary leadership, 10 March 2009, http://allafrica.com/stories/200903100433.html (accessed 18 March 2009).

38 The comment by Chabal and Daloz on the difficulties faced by many African opposition parties is of relevance here: 'If the notion of the individual and the meaning of representation are bound up with the identity, defence and furtherance of the interests of the community, then there can be no place in the political system for a no opposition with no means of delivering resources to its constituents' (P Chabal and J-P Daloz, *Africa works: disorder as a political instrument*, Oxford: James Currey, 1999, 55).

39 The FRELIMO campaign in the 1999 national elections in Mozambique played on threats that RENAMO might return to war (Carter Centre, Observing the 1999 elections in Mozambique: Final report, 2000). Interviews conducted by the author in Angola in 2008 suggest that the MPLA used similar tactics against UNITA.

40 For example, Zimbabwe's Movement for Democratic Change, with its origins in the union movement. South Africa's African National Congress, although it had an armed element, was able to benefit from the widespread popular mobilisation against apartheid that had taken place in the 1980s by its allies and sympathisers within South Africa.

41 J Pearce, L'Unita à la recherche de 'son peuple'.

42 C Clapham, *African guerrillas*, Oxford: James Currey, 1998, 7.

43 Ibid, 6.

44 J Kandeh, Sierra Leone's post-conflict elections of 2002, *The Journal of Modern African Studies* 41(2) (2003), 189–216, 199.

Part III
Responses

Chapter 14

Local communities, militias and rebel movements: the case of the Revolutionary United Front in Sierra Leone

Krijn Peters

INTRODUCTION

African rebel movements emerging after the end of the Cold War have readily been dismissed as lacking any clear ideology or political agenda, let alone representing the voice of the people. Evidence for this can be found in the uneasy, if not oppressive, relationship these movements have with local communities and in the need to increase their ranks by force, rather than on a voluntary basis, or so it is argued.[1] On top of that, African conflicts are presented as having clear dividing lines between, on the one hand, civilians – often portrayed as passive victims – and, on the other, atrocious rebels. The conflicts in Sierra Leone and Uganda and their respective rebel movements, the Revolutionary United Front of Sierra Leone (RUF) and the Lord's Resistance Army (LRA), are repeatedly used as examples to underline this thesis.

Material presented in this chapter, collected from former RUF combatants and civilians who lived in RUF territory, gives reason to doubt these rather one-dimensional perceptions.[2] Instead, the data hint at a much more complex

relationship, constantly changing over the course of the war. Accounts of ex-RUF combatants and civilians who lived in rebel-controlled areas suggest that a wide and diverse range of interactions were taking place, in which both groups expressed significant levels of agency,[3] necessary to navigate the dangerous war terrain to their best ability. To better understand how both combatants and civilians 'move' through an unstable political landscape, I use the concept of 'social navigation', as developed by Mats Utas and Henrik Vigh. Social navigation can be described as 'the way in which agents seek to draw and actualise their life trajectories in order to increase their social possibilities and life chances in a shifting and volatile social environment'.[4] In their work, Utas and Vigh focus mainly on (ex)combatants in Liberia (Utas[5]) and Guinea-Bissau (Vigh[6]), but the framework of social navigation is also helpful for understanding the trajectories of other combatants in other conflicts (including those of Sierra Leone and Uganda). Equally, I believe, the concept of 'social navigation' is useful to understand how civilians (are forced to) 'move' in a war context. As Vigh explains, 'navigat[ing] the terrain of war is primarily a question of evaluating the movement of the social environment, one's own possibilities for moving through it, and its effect on one's planned and actual movement',[7] and this is what civilians in war zones have to do all the time in order to survive.

Rather than 'evaluating the social environment', Vigh argues for 'evaluating the *movement* of the social environment [own emphasis]' and by so doing acknowledges the rapidly changing and fluid social terrain created by war. For instance, the RUF in 1991 was not the same movement as the RUF in 1995, in 1998 or in 2000. Among the features that changed (on several occasions during the course of the war) were its military tactics, its mode of conscription, the level of civilian support, the number and nature (local, national or international) of enemies and allies, and the kind of atrocities it committed. As the RUF created and responded to new situations, these in turn offered new possibilities and terminated previous ones for civilians living in the danger zone, requiring active navigation. I thus suggest an approach in studying local communities in war zones that is able to take this constantly moving terrain into account and acknowledges civilians in war zones as active survivors rather than passive victims.

Four different phases in the conflict are discussed below. In each of these phases, the RUF did undergo significant changes and as a result represented a different social environment that local communities had to navigate. I will discuss some of the attitudes and responses of the local communities to the demands of,

and situations created by, the rebel environment, and show how these changed during the course of the war. On several occasions I refer to the conflict in Uganda and the LRA, with which, I believe, the RUF shared considerable similarities. The phases distinguished in the conflict are as follows:

- Phase I (1991–1993): conventional warfare, from the RUF incursion to its near defeat
- Phase II (1994–1996): bush camps, from the establishment of isolated RUF jungle bases to their destruction
- Phase III (1997–1999): collaboration, from joining the military junta to the Lomé Peace Accord
- Phase IV (1999–2002): stalemate, from territorial occupation to demobilisation

Preamble: the making of the Revolutionary United Front

In 1978, Sierra Leone became a one-party regime under the authoritarian rule of President Siaka Stevens of the All Peoples' Congress Party. Political opposition was either oppressed or bought off by Stevens. Radical students in Freetown and some other major towns, interested in socialism, Gaddafi's 'Green Book' and Pan-Africanism, organised themselves in the Mass Awareness and Participation (MAP) movement and became increasingly proactive in their protests against the regime.[8] Forced into exile by the regime, MAP leader Alie Kabbah then approached the Sierra Leonean Pan-African Union (PANAFU) with the request to gather candidates for revolutionary training in Libya, but PANAFU rejected the idea of an armed struggle. Nevertheless, in the late 1980s, around 50 Sierra Leoneans travelled to Benghazi, Libya, to receive military training.[9] Among them was Foday Sankoh, a former corporal in the Republic of Sierra Leone Military Force (RSLMF) and future leader of the RUF. After Sankoh returned to Sierra Leone to further organise his rebellion, he met with Charles Taylor – leader of the National Patriotic Front of Liberia (NPFL).[10] The NPFL – with the support of Sankoh and a group of Sierra Leoneans – first launched its incursion into Liberia in December 1989. Fifteen months later, the RUF used NPFL-controlled territory to start its incursion into Sierra Leone.

Phase I (1991–1993): Conventional warfare; from the RUF incursion to its near defeat

In March 1991, no more than a hundred fighters entered Kailahun district in eastern Sierra Leone from neighbouring Liberia. Ten days later this was followed by another group of fighters entering the southeastern border district of Pujehun. The groups were composed of Sierra Leoneans – some were trained in Libya and some were more recently recruited in Liberia and trained at the NPFL's infamous Sogoto base – and Liberian 'special forces' on loan from Charles Taylor's NPFL. In addition, both groups had some revolutionaries from Burkina Faso among them.[11] Although it was well known that the RSLMF did have a more ceremonial role – Stevens and his handpicked successor Momoh relied more on a special and well-armed police force unit, the Internal Security Unit, than on any real capacity to deal with military threats – it was clear to the insurgents that they had to embark on a massive recruitment campaign to increase the movement's numbers. The NPFL rebels had previously employed this tactic in Liberia. When, in December 1989, the NPFL entered Liberia (from Côte d'Ivoire), it also did this with a relatively small force. However, it quickly increased its ranks by effectively recruiting predominately among the Mano and Gio ethnic groups, which had been marginalised and oppressed by the authoritarian President Samuel Doe, an ethnic Krahn. A brutal counterinsurgency by Doe's forces only played in the hands of the NPFL.[12]

As was the case in President Doe's counterinsurgency in neighbouring Liberia, the response by the Sierra Leonean army did not make things much better.[13] In a number of cases it sealed the fate of the voluntary and forced rebel recruits and civilians, as is explained by an administrator within the Civil Defence Force, a militia group fighting against the RUF (see below):

> The counterinsurgency of [among others] the Sierra Leone army was quite ruthless, straight from the beginning, [and this] made those RUF fighters and civilians forcibly conscripted and who were looking out for an opportunity to escape to hesitate about their escape plans. If summary execution was waiting after a successful desertion attempt, it was probably a better deal to stay in the movement and adapt to it as [well] as possible.[14]

This is underlined by a female ex-RUF combatant who refers to the counterinsurgency tactics of the army as the main reason why she joined the RUF:

> It was in 1993 that the rebels captured my brother. Then the soldiers came to our village. They accused my father that he had given his son to the rebels. To punish him for that they killed him. That was the reason for me to join the rebels. At that time, if you only were giving water to the rebels, the soldiers would kill you.[15]

Part of the explanation for these particular brutal counterinsurgency practices and the opposite effect they had on ending the war or winning the support of the local population may be found in the ethnic manipulation of the military forces. For instance, after coming to power in 1980, President Doe turned the Liberian national army into an ethnic Krahn-dominated force that went on the rampage in Gio- and Mano-dominated areas. Stevens and Momoh made the Sierra Leonean army an almost completely ethnic Temne, Koranko and Yalunka (all ethnic groups from the northern part of the country) institution, which had less affiliation with civilians living in Mende-dominated areas. In Uganda, the first president, Milton Obote, himself a Langi from the northern part of the country, relied heavily on the army dominated by northerners. Idi Amin, who ousted Obote in a coup in 1971, massacred thousands of soldiers from the Langi and Acholi ethnic groups.[16] Amin was overthrown in 1979 and Obote came back in power as a result of a controversial election in 1980. Yoweri Museveni, who helped in the overthrow of Amin, took his forces to the bush and fought against Obote for the next five years. In 1986, Museveni seized power, ignoring negotiation attempts by Tito Okello, an Acholi who had overthrown Obote the previous year. Ethnic groups from the southwest and south dominated Museveni's National Resistance Army, and this may explain to some extent the unscrupulous behaviour of a section of his soldiers when on a mission in Acholiland.

To copy the NPFL's tactic of recruiting among oppressed ethnic groups – perhaps on the suggestion of the Liberian 'special forces' – the RUF tried to exploit the resentments of local people against the All People's Congress (APC) regime. The APC – a party mainly representing the interests of the Temne ethnic group – was widely condemned by the Sierra Leone population. This resentment turned into open hatred in the eastern part of the country, which formed the political homeland of the banned Sierra Leone People's Party (SLPP), an organisation that mainly represented the Mende ethnic interests. Nevertheless, the reality on the ground was more complicated. Many civil servants and police officers of Mende ethnicity had little choice but to cooperate with the APC regime. Others, whose political or economic positions were endorsed by the regime, often in exchange for loyalty to the APC, acted as brokers and patrons for the peasantry. Local

populations at all levels were thus navigating the pre-war (but clearly not peaceful) terrain to the best of their abilities.

The indiscriminate killings by the rebels of those who were even vaguely associated with the APC regime did not evoke the widespread support among the population in the eastern districts the RUF had hoped for. The larger part of the population – although in favour of change and perhaps even endorsing an armed struggle – judged their own possibilities for surviving and moving through these insecure times the highest if they did not join. But there was some level of voluntary conscription, in particular among a class of socioeconomic marginalised young people, often belonging to the weaker lineages in society. The labour of some of these youngsters had been exploited by landlords or families-in-law (as part of a bride price). Others were school dropouts.

By the end of the 1980s, the extent of support trickling down to the end of the patrimonial chain, where most of the rural youngsters were positioned, dried up completely – and the youngsters tried to survive by doing piece jobs (and sometimes committing petty crimes) in urbanised centres or in the country's many alluvial diamond-mining pits. Or they ran away from their villages to escape the made-up charges of kangaroo courts controlled by the rural elite.[17] For these rural vagrants, the RUF's populist ideology of 'no more slave, no more master' and its promises of free education and medical care for the 'masses' must have sounded attractive and of particular relevance to their own situations.

In contrast, young people from stronger lineages or more firmly tied to a patrimonial network were much more likely to join the Civil Defence Force (CDF) militia. This is confirmed for instance by William Reno, who shows how the level of control over youth (more particularly, illicit diamond mining gangs) by chiefs determined whether these gangs joined the RUF or were turned into militia units to defend local communities.[18] Similarly, support for the (chiefly aligned) CDF – a militia that was based on the hunter guilds called the *Kamajoisia* in Mende – in the main villages in the eastern district was higher than in the smaller and more isolated villages, which often have their origin as a main village's farming outpost, staffed by domestic slaves.[19] The above shows that to better understand local communities' responses to, and support for, rebel movements, a detailed historical and political analysis of the local situation is necessary.

Local and pre-war factors did influence the RUF and its campaign in a different way, too. The first rebels to enter Sierra Leone – the so-called 'Vanguards' – had limited information about who was and who was not an APC supporter, beyond the most visible public figures. Therefore they had to rely on information provided by villagers and/or new recruits from the area. In more than a few cases, the RUF and the other factions were used by civilians to settle local disputes, as is evident from a comment made by a former RUF clerk:

> The civilians played a double role. They were going to the RUF and from there to the SLA [Sierra Leone Army] and then to the CDF [Civil Defence Force]. So that is how the RUF became suspicious. Many civilians used the factions for taking revenge on each other for old quarrels and grudges. So the enemy of the RUF was not only the CDF or the SLA, but the whole society. Many of the earlier atrocities of the RUF can be explained by this double role of the civilians.[20]

The above comment suggests an agentive – that is, expressing agency – role by local communities/people. Rather than being passive victims, they were active survivors, in some cases using the armed factions to their own benefit. Clearly, civilians caught up in the war terrain tried to build up some relationship with the armed groups to increase their possibilities for survival. This is also illustrated by the following comment of a civilian who remained in his village throughout the war (first under RUF control, then under Sierra Leone Army [SLA] control, and then again under RUF control):[21]

> It was important to have a good relationship with the commander, so whenever he asked you do something, you do it quickly and do it right. Then he can protect you. If you give him a small present or so, he starts to like you. The majority of the civilians are under the protection of a specific commander or fighter. My own commander, M Rogers, was not too bad. At least he was much better than M [the RUF commander in charge during the second RUF occupation]. Rogers talked for the civilians [pleaded on their behalf], for all civilians. His wife is from W [a nearby village].[22]

On 29 April 1992, a successful coup was staged. The National Provisional Ruling Council, headed by the 27-year-old Valentine Strasser, took power and was much more favourably predisposed towards the Mendes. However, the regime made the tactical mistake of sending some of the APC loyalist and predominately Freetown-based army commanders to frontline positions to let them, too, taste the bitterness of war.[23] These commanders had little interest in fighting for their new masters and sabotaged the struggle against the rebels by looting rather than protecting villages

and towns. The 'soldier by day, rebel by night' or 'sobel' phenomenon was born. Nevertheless, as a result of campaigns by the combined forces of the RSLMF, Kamajors, Guinean soldiers (in Sierra Leone as part of a mutual defence agreement) and the United Liberian Movement for Democracy (a rebel movement created by Liberian exiles in Sierra Leone opposed to the NPFL and the RUF), the rebels found themselves nearly defeated by the end of 1993. Driven back to the far east of the country, they abandoned their heavy military equipment and 'disappeared' in the Gola Forest, a long strip of primary rainforest along the Sierra Leone/Liberian border.

Phase II (1994–1996): Bush camps, from the establishment of isolated RUF jungle bases to their destruction

The RUF did not disappear for long, however. Early in 1994 it started to establish jungle camps in inaccessible terrain all over the eastern and southern half of the country, including the so-called 'Zogoda' in the Kambui South Forest Reserve, where rebel leader Foday Sankoh stayed most of the time. From these camps the RUF launched hit-and-run campaigns or sent fighters on ambush missions. The movement had completely changed its strategy from a more or less conventional rebel force aiming to conquer towns and mining areas – and ultimately the capital Freetown – to a forest-based guerrilla movement with very little control over any territory. The isolated bush camps were under closed canopy and provided protection to the RUF, but at the same time created a considerable dilemma with regard to recruitment. During the first years, the RUF at least partly relied on voluntary recruitment. Sometimes volunteers stepped forward after the RUF explained its ideology in the villages and communities; sometimes those interested in joining the RUF actually went to RUF territory to join up.[24] If it had had control of villages and towns, it could have rounded up people and forced them to join or have used slightly more subtle coercive measures to safeguard new recruits. However, as a forest-based guerrilla movement these possibilities no longer existed.

During these years, few volunteered and even if potential conscripts had the intention of joining the RUF, it was not easy to find a camp and reach it unharmed; both the army and the rebels were highly suspicious of everyone moving around in the combat zones. To increase its ranks, the RUF during this period depended

mainly on the abduction of people, as the following statement of a former RUF commander attests:

> We got our manpower mainly via capturing people. It was not easy for civilians in the government territory to get accurate information about the RUF and its aims and objectives, so they were not likely to join out of free will. But once we captured them we started to sensitise them and people started to join the movement because of the ideology and because they were not harassed any more.[25]

The environment in which the LRA in Uganda – the other rebel movement infamous for its abductions of (predominately) under-age combatants[26] – operates does show some striking similarities with the RUF in phase II. When the LRA moved its military bases to Southern Sudan, it increasingly became detached from the local population, which was forcefully resettled by the army to so-called 'protected villages'.[27] Moving in terrain sparsely populated by civilians, conscription by abduction seemed to be the only way open for a movement that could not rely on voluntary conscription to fill its ranks.

Abductees quickly found out that it was better to become a fighter than remain a RUF civilian in the camp (or for that matter, an LRA civilian) and be extremely vulnerable to 'harassment' (read: forced labour, physical punishments, rape etc). The RUF acknowledged that forced recruitment was not the preferred option because of the risk forcible recruits present if they manage to escape,[28] but it had several ways of preventing defection. A mixture of warning against desertion by publically punishing those who attempted to do so, and rewarding those who showed willingness to fight for the RUF's cause with higher ranks and privileges, turned out to be quite effective in limiting desertion. Added to this was the tight security around the camps – probably as much to prevent enemies from entering as to prevent RUF conscripts from escaping – and the hostile attitudes of the army towards everyone even vaguely suspected of being connected to the rebels or coming from its territory. Even upon reaching their home area, escapees were far from safe – or so the RUF conscripts believed – as the following statement by another former RUF fighter confirms:

> The reason for their [the RUF conscripts] loyalty was that when you are away from your brothers or family during the war for a long time, they will consider you as their enemy, especially if the people hear that you are rebel. No sooner you come to

> your home town than they will kill you. So that was why we from the RUF stayed together to continue fighting till we were getting peace.[29]

Moreover, communities within the RUF zone were under strict orders to return escapees.[30] Similarly, Ugandan camp dwellers who had welcomed 'home'-deserted LRA combatants were sometimes hacked to death by LRA fighters. This happened at, for instance, the Pagak camp in May 2004.[31]

Because of its change in tactics, the RUF no longer had to limit its actions to the eastern part of Sierra Leone. Virtually all villages and communities were now within the reach of RUF units, which sometimes travelled for days along the country's numerous bush paths to suddenly appear and launch their hit-and-run actions.[32] Local communities served as little more than a source of manpower, food and other essentials to the RUF, obtained by intimidation or violence. The military, restrained by its heavy equipment to the more inhabited areas and passable roads, hardly represented a threat to the remote RUF camps or was in any position to protect local communities (if it was willing to do so in the first place).

It became clear that if local communities wanted protection against the RUF (and the 'sobels'), they had to organise it themselves. Hence, the birth of the *Kamajor* militia. *Kamajors* (in Mende *kamajoi* or *kamasoi* [singular], *Kamajoisia* [plural]), were specialist (bush animal) hunters and had superior knowledge of the forest and its bush paths.[33] Helping the army from the early days of the conflict as scouts, they were subsequently organised by local chiefs to protect villages and increasingly did go on the offensive.[34] A similar development took place in Uganda where (state-sponsored) homeguard groups or local defence units (LDUs) were established in early 1990 in answer to the ambushes and hit-and-run actions of the LRA, against the background of a military force with no capability (nor willingness) to protect local communities.[35] The *Kamajors* became increasingly successful in their actions, and highly popular among the population. However, their close ties with local communities – many of the earlier *Kamajors* did the job on a part-time basis, being on guard for several months after which they returned to their farms for the harvesting season[36] – probably triggered the RUF in a further paranoia against the civilians, for they perceived all to be potential *Kamajor* supporters (see also the comment above by the RUF clerk on the 'double role' civilians played).

In Uganda, the atrocities of the LRA towards local communities also increased when government officials created the LDUs. As observed by Finn ström on Acholiland: 'Even villagers who happen to have a spear or only knife in the hut are now and then accused [by the LRA] of having joined the government [as LDU members].'[37] In short, while the *Kamajor* (and the LDUs) created new possibilities for civilians (that is, to stay in their villages with some level of protection or return to reclaimed villages), at the same time it (unintentionally) provoked further hostile reactions from the rebel movements. Overall, the war terrain became even more complex and more difficult to navigate for the local population.

During the second half of 1996, the RUF and the newly elected SLPP government were negotiating a peace that culminated in the signing of the 30 November 1996 Abidjan Peace Accord, but the *Kamajor* – trained and guided by the South African mercenary firm Executive Outcomes – attacked a number of RUF base camps, including the Zogoda. These successful attacks may have forced a reluctant rebel organisation into signing the peace accord. Alternatively, it may have caused the RUF to lose what little confidence it had that a post-war Sierra Leone under a SLPP government favouring the *Kamajor* would ever be a safe place to reintegrate. The following comment by a former RUF commander – referring to the attack on Freetown in January 1999 in which more than 5 000 civilians died – suggests that the combined actions of the *Kamajor* and Executive Outcomes (with the endorsement of the government) in the months before the signing of the 1996 peace accord, provoked a desire for a deadly revenge: 'In [the attack on] the Zogoda we lost so much manpower. You know, January 6 [1999] was our revenge.'[38]

Phase III (1997–1999): Collaboration, from joining the military junta to the Lomé Peace Accord

Although a peace accord was signed, few soldiers, CDF fighters or rebels registered for the disarmament, demobilisation and reintegration (DDR) programme. There were high levels of distrust between the different factions and a number of violent clashes were reported during the first post-Abidjan months. In February 1997, Sankoh was arrested in Nigeria on weapon charges and kept in custody at the request by the Sierra Leonean government. It increasingly became clear that the peace accord would not hold and that the war was not over yet.

Nevertheless, the successful military coup on 25 May 1997 still came as a surprise to all who did not have their ears to the ground. But those who had, had noticed that large segments of the army felt increasingly sidelined by the SLPP government, which put its confidence and support in the popular and widely praised *Kamajor*. And an end to the war would also mean an end to the war

economy from which many soldiers and commanders profited. However, the next move of the renegade army was truly surprising. Within hours of the successful coup, the renegade soldiers – calling themselves the Armed Forces Revolutionary Council, AFRC – invited their enemy, the RUF, to come out of the bush and join the army's forces in the capital. For eight months, the RUF/AFRC junta was in control of the capital, most of the larger towns and the diamond mining areas. After more than three years in the bush, the RUF was among the civilians again.

But it soon found out how unpopular it was. By sheer intimidation, however, the RUF was able to recruit new forces, as the following statement of the paramount's speaker (second in command, after the paramount chief) of a large village in central Sierra Leone makes clear:

> The RUF just put an ultimatum: if the *Kamajor* would not surrender it would burn down the whole town. So the paramount chief asked the *Kamajor* to surrender. The *Kamajor* leader even became the second-in-command here in Makali under RUF control.[39]

Still, civilians employed a range of tactics to deal with these threatening situations. According to the same villager: 'To prevent harassment or forced conscription people hid in the jungle during the daytime; only in the night-time we came back to the town.'[40] And another villager explained how they prevented the RUF from confiscating their food:

> One year before the [1999] ceasefire I started to work on the community farm of which the produce goes to the RUF. Normally you can keep the produce from your own private farm, but if you have a lot of produce the rebels can still take some of it. So what we did was to hide the produce in the 5 gallon containers in the ground. Sometimes the rebels used sticks to search the ground.[41]

Nevertheless, despite the fact that the RUF and the AFRC had joined forces (to form the so-called People's Army), their days were numbered right from the start. The international community widely condemned the coup and after several ultimatums, in early 1998 the Nigerian-dominated ECOMOG (Economic Community of West African States Monitoring and Observation Group) troops, supported by loyal government forces and the civil defence forces, repelled the junta from the capital, the major towns and the mining areas. But it failed to crush the RUF/AFRC completely.

Again, there are some striking similarities with Uganda, where the army launched a major military campaign in 2002, the '*Iron Fist Offensive*', to deal with the LRA once and for all. The campaign included some 10 000 army troops, the use of military gunships, US logistical support and the open support by the SPLA (post-September 11, the LRA was put on the US terrorist list and pressure on President Omar el-Bashir's government in Sudan was increasing).[42] However, the campaign failed and the LRA moved into new territories.

Similarly, the AFRC/RUF forces in Sierra Leone regrouped during the second half of 1998. Starting from their bases in the east (RUF) and north (AFRC), they recaptured town after town. On 6 January 1999, the combined forces attacked Freetown and entered the eastern part of the city. After several days of intense fighting the RUF/AFRC forces were beaten back by ECOMOG troops, but an estimated 6 000 people (civilians and fighters) died. The rebels and renegade soldiers raped, mutilated and burned alive hundreds, if not thousands, of civilians, taking random revenge on the capital's inhabitants who they perceived as betraying the RUF/AFRC cause.

So again the rebels were driven back, but this time it was clear that no military victory would be possible for either side. The international community pushed for new peace negotiations and in July 1999, the Lomé Peace Accord was signed between the RUF and the SLPP government. The accord promised a blanket amnesty for all fighters and commanders and a government of national unity that included cabinet posts for the RUF and AFRC.[43]

Phase IV (1999–2002): Stalemate, from territorial occupation to demobilisation

Again, disarmament and demobilisation of fighters did not really take off. At the time of the signing of the Lomé Accord, the RUF was in control of a large cigar-shaped area – which included the diamond mining areas – running from the eastern district of Kailahun all the way to the western district of Port Loko. It was reluctant to hand over its territories or even allow free access to government officials or UN military observers. For nearly two years – until DDR really started in May 2001 – the RUF was the *de facto* government in these areas and again the relationship between the RUF and the civilians changed significantly. For instance,

although the RUF had already created a so-called G5 branch to deal with civilian and civilian-military affairs early on in the conflict, this branch now quickly expanded to deal with issues such as land disputes, theft, accusations of adultery and local quarrels.[44]

With the RUF claiming to be the (*de facto*) 'government' in the areas under its control, local populations could expect at least some level of service provision by the new authorities. In fact, when the RUF launched its struggle in 1991 it propagated an ideology of free education and medical health care to all.[45] Some of the larger phase II jungle camps had primary schools, and medicines were provided to the fighters and their families free of charge.[46] In phase IV the RUF made some attempts to institutionalise these services in its occupied territory, or so the accounts seem to suggest. Perhaps this was no more than a kind of opportunistic and last minute attempt by the RUF to win the hearts and minds of the people, but equally it can be argued that only at this stage – when not all efforts and resources had to be directed towards fighting – was the RUF in a position to implement its ideology. In any case, the following comments by two civilians who lived in RUF territory suggest that there was indeed some level of free education and health care under the RUF 'government':

> Here in Pendembu there were free medicines, but not too much. There was also free primary education.[47]

> There were no medicines so we treated ourselves with the native ones [herbs]. But there was a school and it was free education. The teachers were not paid. Six of my grandchildren were in that school. There was no harassment taking place at all.[48]

Controlling the major diamond mining areas, but without the constant risk of being attacked or bombarded by ECOMOG fighter jets, the RUF's approach to mining did start to change somewhat. Previously, mining operations had been likely to be less constant or frequent, but very intensive and heavily dependent on forced labour. During phase IV, mining became more formalised and the RUF experimented with various mining schemes to regulate the mining of diamonds, as is evident from the following extract from an interview with a village chief:

> It was from '98 that the RUF was in control of Tongo and Kono, right up to the end of the war. I came here in 2000. The arrangement in place at that time was one pile [of gravel] for the RUF and one pile for yourself, but you had to arrange the expenditures [fuel, equipment, food for the miners etc] yourself. If a big diamond was found in the RUF pile they could confiscate your pile as well because they then expected something in there. But if they did not find a good diamond they leave your pile untouched. They introduced these mining licences ... Later in 2000 they banned the card system [mining licences] and introduced two days of labour for the RUF and three days for yourself.[49]

In pre- and post-war Sierra Leone, mining was/is based on a two- or three-pile system.[50] One pile of gravel (the gravel might contain the diamonds) is for the landowner, one is for the supporter (who pays for the fuel, equipment and food) and one is for the labourers. The rebels used a similar system, with the RUF 'government' taking the position (and the pile) of the landowner and at times replacing the pile system with a number of days of labour. Evidence suggests that the RUF system became less exploitative after phase III.[51] However, it is important to point out that, at the same time, an increasing number of RUF and AFRC commanders arranged their own mining operations, and some of them used a much more exploitative system of mining.

This 'governmentalisation' of the RUF can also be observed with regard to agriculture. Ex-RUF fighters (both rank and file and commanders) claimed that farming was a central part of the RUF's ideology.[52] In phase II, most RUF bases had their own rice farms in proximity to where fighters and civilians worked (the latter most likely as forced labourers). According to an ex-RUF fighter:

> Every base got its own [rice] swamp. In a circle of about five miles around the base no civilians were living. Beyond that civilians were living in villages under the control of combatants. There were the [rice] swamps located where both the civilians and the combatants worked.[53]

During phase IV, accounts seem to suggest that the RUF enforced its ideas about food production in most of its territory, as is suggested by the following comments by a civilian in the Kailahun area:

> In G [a village in eastern Sierra Leone] we laid [made] upland [rice] farms. All the landowners had fled, so it was all common land now. We were farming for ourselves and there was a community [RUF] farm. For the community farm, the seed rice was provided by the RUF. There was a [RUF] government store, and the seed rice in

> there was given to the farmers for their own individual farms, but they did not provide us with food for work when we worked on the community farm. We had to work one day a week on the community farm. The produce from our own farms was for us to keep. If you sell it at the Guinea border, you have to give some commission to the RUF.[54]

As with many of the landowners in the mining areas, the (bigger) farm and plantation owners were often the first to flee (or to be killed). By confiscating this land for community farming activities, the RUF in effect implemented its own rough-and-ready land reform agenda. This must have been an attractive element to a rural underclass lacking secure land entitlements. However, the RUF replaced the 'village farm or field' by a 'community farm' on which civilians and fighters had to work. The harvest of these community farms went straight to the RUF and was used to feed the fighters or traded.

The number of days civilians in RUF territory had to work on these farms varied, but seemed to be lower in phase IV. The RUF also introduced 'government stores' that acted as seed banks. Various accounts suggested that these operated on a no- or low-interest basis, reflecting the RUF's socialist ideas about agriculture. Overall, the accounts above do not seem to indicate an extremely high degree of civilian labour exploitation by the RUF during phase IV, but it is important to acknowledge that other informants indicated higher levels of exploitation, in particular when civilians lived closer to the frontline or within the territory of a particularly unscrupulous commander.[55]

THE RESPONSES OF LOCAL COMMUNITIES TO MILITIA AND REBEL ACTIVITIES IN AFRICA

Above, the conflict in Sierra Leone was discussed, with a special focus on its main rebel movement. I showed how the RUF's multiple changes in (military) strategies offered new opportunities for civilians to respond, while frustrating other possibilities. It is clear that in situations of prolonged armed conflict civilians and local communities are forced to respond and act for their survival. In essence, three responses are possible:

- *Try to limit any chance of (further) contact with rebel or militia groups by physically distancing oneself from the danger or war zone.* Escaping violence by moving to safer areas is a response employed by millions – in 2008[56] there were an estimated 10 million war-induced refugees in the world. The number of internally displaced people (IDPs) was even higher: 26 million in 2008. Civilians can decide to move to safer areas (such as urban centres in non-violent parts of the country, special camps, or they can stay with relatives) as a pre-emptive measure, but more likely they have already experienced some level of disturbance and violence. In a number of cases (for example in Uganda), people are forced by the government to move to camps. In other cases, a move can follow the destruction of a village by fighting forces. Neither IDP nor refugee camps are necessarily zones of safety. IDP and refugee camps (in particular if refugee camps are located close to a border) are frequently targeted by both militias and rebel movements in search of manpower, food or for acts of retaliation. The levels of structural violence (resulting from war-induced trauma, for instance) and sexual harassment can be significant within the camps.

- *Stay in a danger or conflict zone, but try to limit risks by limiting contact and exposure to the fighting forces.* Large numbers of civilians in conflict zones decide not to run away but to stay in their villages and communities (at least to start off with). They try to survive the threats posed by the various fighting forces by employing various tactics. Temporarily (days or sometimes even weeks), hiding in the bush or in farming fields when there is an attack or the threat of it has enabled civilians to remain in their communities for extended periods. Clearly, information and early-warning mechanisms are crucial for this (civilians on the run from an earby village are a clear signal). In other cases, fighting forces have a constant or highly frequent presence in villages and communities so that it does not become feasible to hide anymore. Key to surviving in these situations is to keep a low profile, be obedient and mind one's own business, and not give any reason to be singled out or draw attention.

- *Remain in one's village in a danger zone and actively support a militia or rebel organisation.* One deliberately builds up a relationship with a fighting force, beyond and above a certain compliance that may take place under the previous response. Local community members can support the fighting faction financially, with manpower – for example a family member or child is enlisted – or through providing vital information. In return, the armed group will offer some level of protection. However, by taking sides, one exposes oneself, which can work against one if the fighting force leaves (retaliation by community

members) or worse, when the enemy manages to capture the village or town (but collaborators may decide to flee before this happens, together with the repelled fighting forces).

Clearly, there can be some level of overlap of these three reactions. Moreover, since war terrains are in constant motion, it is possible (and even likely) that within a conflict's lifespan, civilians employ more than one response. Also, these three responses do not necessarily imply free choice: civilians can be forced to actively support faction fighters or a minor has no other choice but to flee with his parents to safer areas. And most importantly, communities are not homogenous entities, so there are likely to be considerable differences among the villagers and community members with regard to the survival mechanism they choose and at what point they do so.

There are many factors influencing the nature and timing of civilians' responses to the threat posed by fighting factions. Some of these factors are related to characteristics of the fighting force, while others concern the traits of a community. Below I list some of the most important ones.

Variables for the fighting force

- Does the fighting force have a clear and meaningful ideology or political agenda that is likely to attract the support of civilians? Clearly, this was one of the weaker points of the RUF, which had little to offer beyond a superficial and populist critique of the political and economic state of the country. In contrast, the Tigrayan People's Liberation Front, which successfully fought against the *Derg* regime and overthrew Ethiopia's dictator Mengistu, had a political agenda that included a ban on early marriages, equal divorce rights, equal access to education and equal property rights. Many – including women and girls – joined voluntarily.[57] More profound political agendas can also attract non-combatant supporters and intellectuals to enable a group to become more than just an armed movement.

- Does the fighting force behave well and are there means to address misconduct and harassment of fighters towards civilians, which would allow civilians to stay in their communities without too much risk? The RUF quickly became known as a fierce rebel movement, and mechanisms to control the behaviour of fighters and commanders were often not adequate. As a result, few civilians took the risk to remain in their communities when there were rumours that an attack might take place (in return, this fearsome reputation was sometimes used by the RUF as a military tactic). In the conflict (1977–1992) in Mozambique, the Mozambican National Resistance Movement, RENAMO, had a similar reputation for being extremely brutal, in particular in the southern areas, in stilling fear among the people and causing mass displacement.[58]

- Is the fighting force roaming, which may make it possible for civilians to temporarily hide (and also hide their most precious possessions), or is it static and likely to stay for prolonged periods in one community/village? In the latter case, such a response is unlikely to be feasible. Communities under prolonged control of the RUF – such as in its stronghold in Kailahun District – had to find ways of surviving this occupation, and often built up some relationship with fighters and commanders. However, the phase characterised by the RUF hit-and-run attacks did not allow such a response and it was often difficult to take cover in time when there was yet another surprise attack. The conflict in Côte d'Ivoire between government forces and the Patriotic Movement of Côte d'Ivoire (later joined by two other factions forming a politico-military alliance called the New Forces), quickly resulted in a split of the country (including an internationally monitored buffer zone) with the New Forces controlling the northern half of Côte d'Ivoire.[59] At least in this case communities in the different parts of the country knew with which armed group they were dealing.

- Is the fighting force predatory on the community for its survival? If so, communities can be exploited beyond their point of survival. Evidence suggests that in areas under sustained control of the RUF, the movement applied a mixture of means to look after its fighters and supply them with food, without exploiting communities beyond regeneration. With reference to the first war (1989–1996) in Liberia, Outram suggests the warlord model (referring to ancient China) for understanding the ruthless predation of the civilian population by fighters of all factions. This is partly explained by the fact that commanders accumulated the spoils of the conflict but did not provide for their fighters or pay them.[60]

- Is the ethnic, religious, national or political composition of the fighting force similar to that of the community? If not, there is a greater risk that civilians will be harassed by the fighters. The atrocious behaviour of the Liberian 'special forces' within the RUF in the early days of the insurgency is explained by many ex-combatants and war-affected civilians as a result of the fact that these Liberians were fighting in another country than their country of origin. This would imply, on the other hand, that Liberian fighting forces in Liberia would have a cleaner record, or that Sierra Leonean RUF fighters behaved better in their own country, and both assumptions have proven to be wrong. However, the multiple insurgencies by Rwandan forces into the Democratic Republic of Congo and their atrocious behaviour to local civilians[61] makes one wonder if there is after all some truth in this argument.

Variables for the community

- Is the location of the community within or close to a war zone, which increases the risk of encountering violence? Communities in Sierra Leone that were close to or within contested areas hosted relatively large groups of fighters that were often in 'fighting mode'. Community members sometimes chose, if allowed, to move deeper into RUF territory where fighters were under less pressure. Villages that changed hands on multiple occasions were particularly vulnerable to suspicion and retaliation, and were more likely to be abandoned. Outram – referring to a 1994 report by the Catholic Church of Maryland County – notes that: 'A report of an NPFL attack on Pleebo, Maryland County, in October 1994, held by the LPC [Liberia Peace Council, one of the armed factions], states that after taking the town the NPFL murdered civilians, targeting church and medical personnel and any persons suspected of aiding or supporting the LPC, often merely on the grounds that they had remained in the town while it was under LPC control.'[62]

- Does the physical location of the community restrict the possibilities of villagers to go to safer places, for instance because of its remote location (no easy access to main roads), the inhospitable terrain or because the nearest safe area (such as a neighbouring country) requires a journey through an area controlled by multiple and hostile armed factions? Civilians in the RUF-controlled eastern part of Sierra Leone did find themselves locked in place at some point by an increasingly hostile army and civil defence forces to the west and United Liberian Movement for Democracy forces to the east. Here, the experience of thousands of young Southern Sudanese (nicknamed the 'lost boys' of Sudan) who walked many hundreds of kilometres – first to Ethiopia and then to Kenya – to escape the violence during Sudan's second civil war (1983–2005) between the government and the Sudanese People's Liberation Army/Movement comes to mind.[63]

- What is the strategic importance of a community or village? Communities near bridges, at crossroads, close to mining areas etc, may all become highly contested in the conflict and are likely to experience more fighting. In Sierra Leone, communities within the diamond mining districts experienced high levels of violence due to the frequent attacks by the different fighting forces for control of the area, with a resultant massive displacement. Because of the resumption of fighting between the Angolan government and UNITA in 1992, nearly 400 000 people died, 1,5 million were displaced and 330 000 became refugees:[64] the closer the government forces came to UNITA-controlled diamond areas, the fiercer the fighting became.

- What is the nature of counterinsurgency? If it is indiscriminate and unscrupulous, treating all civilians coming from rebel-held territory as potential rebel collaborators, civilians can become locked in place. This happened in the early stages of the conflict in Sierra Leone but also during the January 1999 attack on Freetown. Then, civilians from the eastern and AFRC/RUF-controlled part of the capital took a significant risk when crossing to the western and ECOMOG-controlled part, not only because they could have been killed by the AFRC/RUF, but also because ECOMOG soldiers were executing suspected rebels and their collaborators on the spot.[65] A (state-sponsored) counterinsurgency that has alienated, uprooted and killed vast numbers of the population is that of the *Janjaweed* in the Darfur region in Sudan,[66] although in this case the objectives of the Khartoum government should be questioned in the first place.

- Is the community capable of, willing to and supported in actively defending itself? The rise of the *Kamajor*/Civil Defence Force in the conflict is a clear example. The example of the Ugandan LDU has also been discussed. Both initiatives, although starting as grassroots initiatives, received state support.

These are just a selection of the variables[67] that influence the behaviour of factions and the responses of civilians/communities. Most, if not all, of these variables can change over the course of a conflict: a faction can become more exploitative and hostile to civilians (perhaps in reaction to a lack of military success) over time, or a particular community may experience less harassment by a faction (because a particular unscrupulous commander is stationed somewhere else and replaced by a more genuine commander). This will then influence the responses of communities. Ethnicity may, in the initial stage of a conflict, be of no importance, but can later be used as a tool by warlords to engender support, forcing civilians with another ethnic background than that of the fighting force to fear for their lives and thus flee.

In short, there are few, if any, general patterns that can be distinguished in the responses by communities to the threat posed by armed militias and rebel groups. Rather, the response is based on a complex equation with multiple variables – and I have not even brought 'opportunity' (in other words luck) or 'psychological traits' (such as resilience) of community members in to the equation. Moreover, the responses are not even fixed over time. While it is important to guard against an over-rationalisation – amid an attack few would remain fully capable of making completely calculated decisions – by war-affected civilians, it would be wrong not to acknowledge the tactics and strategies these civilians employ to survive in a situation created by protracted armed conflict.

CONCLUSION

In this chapter, I have described some of the responses of local communities to the demands of, and situations created by, a rebel environment. I have also shown that these environments are constantly changing, requiring an agentive and active 'navigation' by civilians in the war zone in order to survive the unstable and dangerous times. Within the narrow concept of military or national security, there is little scope for taking the active strategies of civilians within war zones into account.

However, the concept of human security – in its restricted sense as freedom from violence but even more so in its broader view, which includes protection of basic human rights, food security and adequate shelter – demands a better understanding of the full range of interactions rebel movements have with civilians in war-affected countries. Using a human security approach gives one insight in to how 'local or community security may be dependent upon traditional authority and allegiances (provided by local militias established by the community to provide security), dependent upon local warlords or politicians with their own armed forces'.[68]

But it can also show how local communities can actively increase their level of human security (in the broader sense, of for example, gaining access to food or health care) by building up relationships with rebel movements or commanders. In phase II, when it was cut off from the wider society, the RUF forged its millenarian sodalities.[69] Attacking the RUF's jungle bases did not break the fighters' spirits but – as is the case with so many sectarian movements, including the LRA – only triggered a more deadly and fatalistic attitude. If there are any possibilities for de-isolating sectarian-styled rebel movements – for instance by building on the trading activities that were already going on between the RUF camps and petty traders in the area – this is worth exploring. In his 1996 book on the conflict in Sierra Leone, Richards describes the following possible scenario in cases where low-level conflict persists in definitely (given the sheer number of disgruntled young people who can be easily be mobilised, if not by the RUF then by some other opportunistic peace spoiler):

> … one in which civilians give up their understandable nostalgia for 'peace', come to accept war as a normal condition of life, and think creatively about how to build, through civil defence, spiritual sanction, and other inventive uses of a war-oriented, ancestral, informal institutional culture, islands of more regular rural pursuits in the midst of a sea of conflict.[70]

Starting from the observation that: 'Belligerent groups are likely to tolerate civil re-colonisation of at least parts of the war-shattered zone, to ensure better supply of basic commodities,' Richards gives the example of market women in government territory who have found ways to navigate the numerous checkpoints and trade palm oil from rebel-controlled plantations for items of interest to the combatants.[71] This example of the 'attack trade' – first described with reference to the Biafra war, 'may be one of the important processes through which the civil agrarian zones in war-torn Sierra Leone get back on their feet, and extend "peace from within"'.[72] Initiatives based on this idea of 'peace from within' also materialised in phase IV, giving rise to the RUF's process of 'governmentalisation'. This was made possible because the RUF's survival was less challenged and simultaneously created opportunities for civilian peace-building initiatives.

The overall observation must be that rebel movements are (of course) not static entities and that their composition, agenda, targets and strategy can and are likely to change over time. This affects the relationship they have with local populations, but these changes are also the result of the responses of civilians to the actions and threats posed by the rebel organisations. Interventions, whether they are aimed at brokering a ceasefire or a peace accord, helping civilians in the war zone or planning the best counterinsurgency strategy, should take these relationships and how they impact on each other into account.

NOTES

1 See for instance Thandika Mkandawire, The terrible toll of post-colonial 'rebel movements' in Africa: towards an explanation of the violence against the peasantry, *Journal of Modern African Studies* 40(2) (2002), 181–215.

2 The material presented was collected during fieldwork undertaken in three periods, namely November/December 2001, November 2002 to October 2003 and November/December 2006. (See Krijn Peters, Expert report on the Revolutionary United Front of Sierra Leone, unpublished report, 2007.) The first two periods of fieldwork collection formed part of my PhD research. The last fieldwork period, November/December 2006, was part of the preparation of an expert witness report on the RUF, requested by the Sesay defence team of the Special Court for Sierra Leone. I applied the normal rigid scientific standards of objectivity, independency and triangulation to the data collection processes for this report. No material provided by the Sesay defence team has been used, and conducted all the interviews, without help or support from the defence team. The defence team has not called upon me as a witness. Part of this interview material is used for Krijn Peters, *War and the crisis of youth in Sierra Leone,* New York: Cambridge University Press/International African Library Series (forthcoming in 2011).

3 Norman Long defines the concept of 'agency' as follows: 'The notion of agency attributes to the individual actor the capacity to process social experiences and to devise ways of coping with life, even under the most extreme forms of coercion. Within the limits of information, uncertainty and the other constraints (for example physical, normative or politico-economic) that exist, social actors are "knowledgeable" and "capable". They attempt to solve problems, learn how to intervene in the flow of social events around them, and monitor continuously their own actions, observing how others react to their behaviour and taking note of the various contingent circumstances.' N Long, From paradigm lost to paradigm regained? The case of the actor-oriented sociology of development, in N Long and A Long (eds), *Battlefields of knowledge, the interlocking of theory and practice in social research and development,* London: Routledge, 1992, 22–23.

4 Henrik Vigh, *Navigating terrains of war: youth and soldiering in Guinea-Bissau*, New York/Oxford: Berghahn Books, 2006.

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Chapter 15

State, regional and international responses to militia and rebel activities in Africa

Macharia Munene

INTRODUCTION

States are expected to maintain general harmony and satisfaction among the people, or generic peace, as well as to keep the peace, meaning law and order. Most states, however, tend to concentrate on keeping the peace at the expense of maintaining generic peace and the result is often confrontations.[1] This is particularly the case with fragile states, which, argues Eka Ikpe, lack the 'capacity and resilience' to protect themselves from various challenges. This means that they cannot protect citizens, absorb shocks and manage conflict without resorting to violence.[2]

Fragility creates an environment for violence because of the perceived inability of security forces in a state to command trust. Such states become breeding grounds for illicit activities that compound their problems.[3] If properly handled, the agitations can lead to reforms or semblances of reform as a way of keeping the peace, for it is the unheeded calls for reforms that lead to rebellions. When the point of rebellion has been reached, it means that the ruling elite would have lost legitimacy in the eyes of the ruled, who have transferred their loyalty to new groups or leaders.[4] In the process, different types of militia and rebels emerge.

Militias and rebel groups tend to destabilise individual states and their regions and some have extra-continental ramifications and require different types of responses. Both these groups challenge constituted authority, whether at the state, regional or international levels. Militias are organised and often armed groups that operate within a state and sometimes appear to be condoned. They generally do not challenge the legitimacy of the government. Rebel movements, however, do not consider the government to be legitimate and may aim at overthrowing it. Since rebels can transform a local conflict into a much wider issue that calls for solutions beyond the capacity of any single state, it calls for concerted effort within the region to resolve the conflict, on a regional or even continental basis.

Responses to militia and rebel movements, whether at state, regional and international levels, vary according to the challenges they present. Responses include attempts at suppression or political accommodation through constitutional restructuring in the form of power-sharing. If unresolved, it could lead to state fragmentation and separation. Regional as well as continental players, worried about their complex interests, contribute to each of the responses.

STATE RESPONSES

State responses generally include suppression, creating counterinsurgency forces, constitutional restructuring and inviting foreign intervention. In the case of suppression, the state tries to destroy militias and rebel movements by mobilising all types of security apparatus in a show of force. The use of force is justified as the proper response of the state to internal enemies. Suppression becomes a law and order operation and a lesson to other would-be troublemakers that the state has the capacity to act. In Kenya, for instance, Mwai Kibaki's administration repeatedly tried to crush the *Mungiki* by arresting members and leaders in paramilitary operations.[5] *Mungiki* operations, however, appeared to decline only after its leader, Maina Njenga, was released from prison. Njenga then linked up with former President Daniel arap Moi in a crusade for peace in which he advised his estimated five million followers to change their ways.[6]

At times, states engage in deceptions and portray questionable behaviour as inevitable and in the best interests of the country.[7] To deal with perceived threats, they encourage pro-government militias or even create counterforces to militias in the form of special units. In Sudan, the government initially encouraged Arab militias to counter the advances of the Sudan People's Liberation Army (SPLA).[8]

In Uganda the government encouraged and trained the *Arrow Boys* and *Amuka Boys* supposedly to protect the citizens, while its soldiers were fighting Joseph Kony's Lord's Resistance Army (LRA) in the north. This was in the hope that the government would be able to disarm the militia once the LRA had been defeated.[9] In Rwanda the state helped to create the *Interahamwe* as a way of meeting an assumed threat in the challenge posed by the Tutsi, but then it seemingly lost control of the group.[10] The danger is that such counterforces could embarrass those who start or condone them when they become uncontrollable and take the law into their own hands.[11]

Another type of response is to engage in constitutional restructuring, a socioeconomic and political redistribution mechanism to deal with two internal challenges. The first is the political differences among politicians and the second is the friction between the idea of state and the idea of nation. Accommodating political differences takes into account political interests of key players who have the proven ability to exercise influence on militias to disrupt or continue to disrupt the peace if they are not addressed. Of various options, all of them focusing on political control, power sharing has increasingly become the accepted mode of constitutional restructuring.[12] This is done by creating special positions to accommodate vocal leaders who influence militias, as happened in Kenya and Zimbabwe in 2008.[13]

The second type of constitutional restructuring takes into consideration the existing friction between the idea of a nation and the idea of a state[14] by recommending different ways of splitting the state. One way is to create mini-states, or provinces and districts, within the state, which then receive local autonomy, while remaining subordinate to the national government. They also tend to compete with each other for national attention. Another way is to permit territories to secede from the state and become independent countries. Both types are found in conflicts in Ethiopian constitutional reconstruction.[15] While states were free to secede in the reconstructed Ethiopian federal system after meeting laid-down stipulations, they still tend to compete for benefits from the national government.

A different type of response is to invite external intervention, which is an admission of defeat. Often it is the leaders of the 'rebellions' who call for external intervention. In Liberia, for instance, critics of Samuel Doe, such as Taylor, stirred up foreign interest groups.[16] However, when governments are desperate they, too, call for intervention. The transitional government in Somalia, unable to contain *Al Shabaab*, repeatedly called on Ethiopia or Kenya to intervene on its behalf.[17]

Although Kenya did not intervene, Ethiopia and Uganda did in the name of the African Union.

CLUSTERS OF CONFLICT AND REGIONAL RESPONSES

The calls for intervention focus attention on the role of neighbours in a given region, particularly on the African continent. Political disputes among leaders that degenerate into disruption of the peace have garnered an assortment of regional responses. The presence of rival militias and rebel movements in a state or in the region makes intervention problematic, yet Africa, as a continent, has had to respond.

Since independence in the 1960s, militias and rebel movements have been a source of concern to the African continent and the creation of the Organisation of African Unity (OAU) was itself a response to this concern. The OAU had to deal with rebel movements that challenged, in the first place, the states as territorially constituted and, in the second, the legitimacy of governmental authorities. The response of the OAU was to discourage both types of challenges. It upheld the sanctity of colonial boundaries and thereby discouraged secessionist rebel movements. It also prohibited interference in the internal affairs of a sister state, which implied no support to those who challenged governmental legitimacy.[18]

This position, however, did not stop member states from interfering in the internal affairs of others or encouraging dissidence, and as a result there were numerous quasi-wars between states. Somalia had irredentist ambitions in Kenya, Ethiopia and Djibouti and supported rebels in those areas. Like Somalia, Sudan supported Eritrean secessionists against Ethiopia.[19] Sudan and Libya supported rebellions in Chad with Libya's troops occupying the Aouzou Strip in northern Chad.[20] Libya's Muammar Gaddafi did not consider artificial colonial boundaries an obstacle to his grand idea of unifying 'brothers and sisters' in Tunisia, Chad, Mali and Niger with Libya.[21]

The OAU therefore eventually had to deal with the growth of militias and rebel movements that tended to destabilise regions and generate refugees. Security was a major concern and so members at the 1969 OAU Convention on Refugees requested that those offering asylum to refugees ensure that the latter 'abstain from any subversive activities against any member state of the OAU'. In return, signatory states undertook 'to prohibit refugees residing in their respective territories from attacking any state member of the OAU, by any activity likely to cause tension between member states, and in particular by use of arms, through the press, or by radio'.[22] Despite these undertakings, disputes in one country spread to neighbours and led to the development of some four geographical clusters of conflict, namely the Mano River cluster, the Southern Africa cluster, the Great Lakes cluster, and the Horn of Africa cluster. In each cluster, militia and rebel activities that started in one country tended to spread to nearby states and to become regional problems.[23]

The Mano River cluster

The conflicts in West Africa revolved mainly around the Mano River and attracted their fair share of regional intervention. Although the Mano River cluster affected mostly Sierra Leone and Liberia, it disrupted Guinea and Côte d'Ivoire, too. Sierra Leone and Liberia are products of post-American revolution debates on the future of free blacks in North America. To start with, the English created Sierra Leone as a place to take blacks from Nova Scotia or slaves caught on the high seas rather than take them to Canada or Britain. The 'returnees' became the *Krios*, who dominated the indigenous populations.[24] Liberia was a product of fear of the presence of free blacks among slaves in the United States. Given that free blacks were suspected of inspiring slave revolt, the US did its best to find an alternative place for such people, and Liberia was forcibly acquired for that purpose.[25] The blacks, who went to be free in West Africa, whether in Sierra Leone or Liberia, became members of the privileged class that tended to dominate the 'natives,' which in turn created simmering resentments. When Doe, a Krahn rather than an Americo-Liberian, took power in 1980, he gained popularity for executing 13 Americo-Liberian top officials from the previous government at what became known as the 'Liberian Beach Party'.[26]

Conflicts in Liberia and Sierra Leone erupted in the 1990s, starting with Liberia when Taylor launched his attack in December 1989, after mysteriously escaping from a Massachusetts jail, before spreading to neighbouring Sierra Leone. Taylor had broad-based support in Liberia (including current President Ellen Johnson-Sirleaf, who donated US$10 000)[27] and was also supported by 'international' operators.[28] After Taylor's coalition of rebels rapidly annihilated Doe's forces by July 1990, it started fragmenting into feuding power-seeking groups that seemingly threatened the rest of West Africa.

The regional response in West Africa was both diplomatic and military and had mixed results. The Economic Community of West Africa States (ECOWAS)

tried to intervene diplomatically but failed. ECOWAS, led by Nigeria, then transformed itself into a military organ called ECOMOG to intervene and restore peace in Liberia.[29] Not all member countries were willing to send troops and so ECOMOG seemed to become part of the problem as other countries questioned Nigeria's role and activities.[30] ECOMOG eventually helped to settle the Liberian civil war by promising Taylor immunity from international prosecution and asylum in Nigeria. Nigeria's foreign affairs minister, Oleyumi Adeniji, asserted that the asylum was given 'on humanitarian grounds in order to save the Liberian people from fighting, in order to save the peace process' and vowed that Nigeria would 'not be harassed by anybody' to hand over Taylor because 'that is not what a sovereign country would do'.[31] Pointing out that if Nigeria reneged on the asylum, 'nobody will respect us', Nigerian President Olusegun Obasanjo insisted that 'nothing should be done to erode the credibility of Nigeria'.[32]

The impression created was that since the level of conflict in the Mano River cluster declined, providing a safe haven to warlords might be a way for regions to end prolonged conflicts in their clusters. This type of response, however, was eroded in 2006, when President Obasanjo, under pressure from US President George W Bush, reneged on Taylor's asylum. By handing over Taylor, Obasanjo eroded the credibility of Nigeria, which then undermined Nigeria's standing as a possible mediator in other conflicts.[33]

The Southern Africa cluster

The response to rebel movements in the Southern Africa cluster had two racially opposed aspects. The first responses came from 'white' political entities trying to survive in the midst of growing anti-colonialism in Africa. The second was engendered by the attitudes and activities of 'liberated' African states in support of 'freedom fighters' in the remaining colonial states, namely Rhodesia, South Africa, South West Africa, Mozambique and Angola. The OAU expected every member to contribute financially according to ability, to assist such freedom fighters.[34]

On their part, the racist regimes tried to put up a united front against what they believed was an affront to the Western way of life. This was particularly the case in the 1960s, when, other than South Africa, only the Portuguese colonies and Rhodesia remained as bastions of white supremacy, defending what Rhodesia's prime minister, Ian Smith, called 'Western, Christian civilisation'.[35] When the Portuguese quit in the 1970s, Mozambique fell under the *Frente de Libertação de Mocambique* (FRELIMO) and Angola under the *Movimento Popular da Libertação de Angola* (MPLA). South Africa had also responded to the presence of the MPLA in Angola with an invasion, condoned by the US, and thereby made Angola an ideological and physical battleground in the Cold War.[36]

South Africa and Rhodesia adopted a strategy of destabilisation of anti-racist forces in the neighbouring states. Given that FRELIMO worked closely with the Zimbabwe African National Union (ZANU), Rhodesia supported a rebel movement called the National Resistance Movement (MNR or RENAMO) to destabilise Mozambique. When ZANU won and Rhodesia became Zimbabwe, South Africa inherited the sponsorship of RENAMO and helped to make it politically acceptable.[37] South Africa also mounted raids on frontline states in its total national strategy of destabilisation.[38] To this end, South Africa forced Mozambique to sign the Nkomati Accord, denying bases to the African National Congress (ANC).[39] Destabilisation of frontline states, however, could not stop the metamorphosis of Rhodesia into Zimbabwe in 1980 or South West Africa into Namibia in 1990. And although South Africa tried to undermine the anti-apartheid image by sponsoring a 'third force' in support of black-on-black violence within South Africa, it was forced to abandon apartheid because it could no longer guarantee white rule in the midst of increasing pressure for change.[40]

The response from the African side of the racial equation was twofold. One, victims of colonialism and apartheid mounted guerrilla warfare against the regime and appealed for international help, starting with neighbouring African countries. Two, just as South Africa appeared to have the tacit support of the West, black South Africans fighting apartheid had both open and tacit support of African countries. These countries, however, were individually vulnerable and together formed the frontline states to coordinate their responses to the threats posed by South Africa. The threats were both military and economic, leading, among others, to the formation of the Southern African Development Community (SADC). The purpose was to lessen the economic dependence of the 'frontline' states on South Africa, but SADC also aimed at coordinating its support for anti-apartheid forces operating in their own countries. This objective changed when apartheid was defeated.

The Great Lakes cluster

Zimbabwe president, Robert Mugabe, along with UN Secretary-General Kofi Annan and AU Commission Chairman Alpha Oumar Konare, as well as the

presidents of South Africa, Gabon, Mozambique, Nigeria, Namibia and Malawi, were witnesses to the 2004 declaration by the International Conference on Peace, Security, Democracy and Development in the Great Lakes region (ICGLR), which was signed in Dar-es-Salaam by presidents of 11 African countries (Angola, Burundi, the Democratic Republic of Congo, Tanzania, Uganda, Kenya, Rwanda, Republic of Congo and Sudan). The declaration stressed that member states should not be allowed to use their territories as bases for aggression and subversion against each other. They agreed to 'neutralise, disarm, arrest and transfer to relevant international tribunals the perpetrators of genocide' and also committed themselves to preventing 'any direct or indirect support, delivery of arms or any other form of assistance to armed groups operating in the region'.[41] To prove it was serious, ICGLR officials facilitated the arrest and transfer to The Hague for trial by the International Criminal Court (ICC) of Jean-Pierre Bemba.[42]

The Dar-es-Salaam Declaration was one of the regional responses to developments mainly in the Great Lakes cluster that involved Uganda, Rwanda, Burundi and particularly Congo. It was a response to the challenges posed by rebel movements and militias, which required concerted efforts in the form of mediations, power-sharing deals and invasions. At independence, with many politicians willing to be bought to undermine the government of Patrice Lumumba, Joseph Mobutu ultimately replaced Lumumba and plunged the Congo, which he renamed Zaire, into protracted chaos that affected the neighbours for a long time.[43] With the emergence of Mobutu as the strong man soon after independence, activities by Congolese militias and rebel movements affected and tended to destabilise its neighbours.

Among those neighbours that were affected were Uganda and Rwanda in the east and both had their own problems that were compounded by events in the Congo. Internal problems in Uganda had led Idi Amin to overthrow Milton Obote, who then organised rebel movements from Tanzania. After ousting Amin in 1980, the rebels fragmented and Kenya's effort to mediate was not successful. Eventually Yoweri Museveni's National Resistance Army came to power in 1986.[44] Museveni was helped by Rwandese rebels, called the Rwanda Patriotic Front (RPF).

Members of the RPF were Rwandese exiles, mostly from a Tutsi background, who were in conflict with Juvénal Habyarimana's government. Under the umbrella of the OAU, the region tried to mediate between Habyarimana and the RPF at Arusha, Tanzania, and succeeded in getting the two sides to sign a power-sharing deal. The deal did not last and instead, following the assassination of

Habyarimana, there was a mass slaughter of the Tutsis. A government-sponsored militia, the *Interahamwe*, went on a rampage in 1994 and killed more than 800 000 people.[45] The mass killings stopped when the RPF, operating from Uganda, took over control of the country and former government officials as well as the *Interahamwe* militias escaped to eastern Zaire, where they became a source of concern for the cluster.

By the late 1980s, Mobutu had become a regional embarrassment for other leaders in the Great Lakes cluster. Their response to the crisis in eastern Zaire was twofold, with countries united but then turning on each other. At first leaders – Paul Kagame of Rwanda, Yoweri Museveni of Uganda, Robert Mugabe of Zimbabwe and José dos Santos of Angola – formed a temporary alliance to support a rebellion against Mobutu.[46]

The second response led to the fragmentation of the alliance as allies turned on each other. Each appeared bent on exploiting the natural wealth in the Congo and some became big exporters of minerals not found in their own countries. The allies started accusing each other of all sorts of things, and Kabila kicked Kagame's men out of Kinshasa and then Museveni and Kagame turned on each other in the eastern Congo. State interests took centre stage. They all started using rebel movements that were identified with one country as opposed to the other, as proxies within the eastern Congo.

The Horn of Africa cluster

Some countries in the Great Lakes cluster are linked to the Horn of Africa cluster, which is equally complex in terms of the impact of, and responses to, rebel movements and militias. It is a cluster in which conflicts tend to be in multiples of seeming incompatibles and there have been at least four border disputes, two leading to wars.[47] In competing for land, resources, the historical memory, faith and ideology, countries tend to support rebel movements in the perceived rival country. The regional organ through which issues were to be handled was the Inter-governmental Authority on Development (IGAD), which started as a body concerned with the effects of drought, but then turned to security matters.[48]

Three countries that dominate the Horn of Africa as far as regionally destructive rebel movements are concerned, are Sudan, Ethiopia and Somalia. They have competing interests that encourage rebellions and even wars, some of them in the form of 'proxy wars' in which rebels are used against other states.[49]

They suffer, notes Ruth Iyob, from a 'crisis of identity, stemming from the contest for hegemony by Christianity and Islam and African and Arab civilisations'.[50] At one time, Pan-Ethiopianism appeared to be the dominating influence in the region in competition with the Arab Muslim influence, which was expanding southwards. Both Ethiopia and Sudan stressed historical claims that pre-dated European conquests. These were complicated by the Somali vision of occupying Djibouti, Ethiopia and parts of Kenya.

The regional response varied from mediations to taking part in peacekeeping operations, and even crafting governments of national unity, and was often specific to the particular country. The first were challenges from Somalia, in its Pan-Somali dream, in the form of support of rebel activities in Kenya and Ethiopia. This resulted in the latter two entering into a defence agreement and seeking OAU help. It also led Somalia into a quasi-war with Kenya, known as the *Shifta*, and a real war with Ethiopia, the Ogaden War.[51] Instead of achieving its dream, Somalia eventually disintegrated after 1991, when President Mohammed Siad Barre was ousted by forces of the United Somali Congress.[52]

Somalia thereafter became a United Nations and OAU security problem, as it fragmented into warlord fiefdoms. The issue was handled in two ways. First, the US led a UN-attempted intervention to restore order by disarming Somali warlords. This was poorly executed and forced the UN to leave in an embarrassing manner.[53] Second, the OAU paid more attention and encouraged IGAD to deal with Somalia and it seemingly adopted a two-track strategy: on the one hand restoring central authority and, on the other, keeping the peace. To restore governance, IGAD facilitated the creation of a federal transitional government with elections being held in Nairobi.[54] Transferring the Somali government from Nairobi to Mogadishu required security because the number of warlords was increasing, and some were comfortable in Nairobi.[55] IGAD authorised the creation of a peacekeeping force, first known as the IGAD Peace Support Mission to Somalia, which did not take place because of logistical failures. Next, IGAD authorised the AU Mission to Somalia, which was partially realised in 2007 and tries to keep the Federal Transitional Government afloat in the midst of opposition from *Al Shabaab* and the warlords who are responsible for piracy along the Somali coast.[56]

Apart from Somalia, IGAD also concerned itself with Sudan, where neither negative peace nor positive peace exists, particularly in the southern part. Rebellion in Southern Sudan started soon after independence and despite many

attempts at peacemaking, has not been resolved yet. Instead, the neighbouring countries of Sudan and Uganda ended up trading accusations that each was supporting rebels. Uganda supported the SPLA, while Sudan supported the LRA. IGAD facilitated the peace process in Sudan between the government and the SPLA that led to the Comprehensive Peace Agreement in Sudan.[57] This had the effect of reducing the need for Sudan to continue using the LRA or Uganda using the SPLA as proxies. The region remains volatile especially with regard to the question of Somalia, which has called on its neighbours to intervene and save it.[58]

In the Horn of Africa cluster, the organisation for responding is the IGAD and it has had mixed results. It still faces challenges relating to disputes over borders mainly between Ethiopia and Eritrea, and over how to deal with problems in Somalia. With the support of the AU and the international community, IGAD has had some limited successes in establishing a government in Somalia, although it remains fragile, and in facilitating a settlement of the dispute between the SPLA and the government of Sudan.

EXTRA-CONTINENTAL RESPONSES

Extra-continental forces, termed the 'international community' in reference to powerful North American and Western European countries, affect developments in Africa and respond in roughly four overlapping ways. The first is a temporary promotion of anti-government leaders to oust regimes or to support leaders of such regimes against the rebels. Such people, whether they are leaders of regimes or rebel movements, are discarded once they have outlived their usefulness. The second is to mount intervention, either unilaterally or through recognised international organs like the UN or the OAU/AU. The third is to accept a stalemate and pressure the parties to negotiate and accept a power-sharing deal. The fourth is to mobilise the International Criminal Court (ICC) to try specific persons.

There are times when all four appear to apply and they all find intellectual support in the assertions of 'experts' on Africa. Given that the power to define is the power to destroy or create,[59] the 'experts' tend to guide the responses with their commentaries portraying sovereignty in Africa as farce, phantom or mirage. Jeffrey Herbst, other than recommending redrawing of African boundaries rather than try to resuscitate failing states, wanted the UN to decertify or deregister some countries from the roster of sovereign states. Christopher Clapham, believing that the existence of some states is itself a threat to security, thinks that the sovereignty

of African states should be shared with an external entity.[60] Advocates of coups and arming rebel groups target mainly Robert Mugabe, the imperial 'bogeyman'.[61] Thus, James Kirchick of *The New Republic* begged outgoing US President George W Bush to enhance his legacy as a liberator by invading Zimbabwe in order to 'liberate' millions.[62] And Paul Collier, claiming that military 'coups' in Africa are 'progressive', wanted the new US president, Barack Obama, to use 'moral authority' derived from his 'African identity' to help mount coups.[63]

Congo is a good example of the first type of international response of promoting and then dumping leaders. Soon after Congo became independent in 1960, Patrice Lumumba annoyed extra-continental forces with his nationalistic policies on Congo. Immediately, interference from the US and Belgium, assisted by France, Britain and South Africa, plunged that country into chaos. They were supported by Congolese politicians who had little time for Lumumba's political and economic nationalism.[64] As a result, Joseph Mobutu became president of Congo but after he outlived his usefulness, he became expendable. The effort to distance themselves from some of their own creations was partly because these countries considered that relying on individual leaders in a symbiotic relationship was in itself unreliable.[65] The US, among others, started to shift positions and to abandon what former secretary of state, Henry Kissinger, termed 'the essence of post-war American foreign policy'.[66]

The French have a record of giving the second type of international response, namely intervention.[67] Considered a 'traditional gendarme' in Africa,[68] the French response has tended to be one of intervention either to ensure survival of its men in power or to depose them after they had outlived their usefulness.[69] There were times, therefore, when the French used mercenaries who had direct links to Jacques Foccart, the principal adviser of the French government on Africa. In Rwanda, the French helped to train and arm the *Interahamwe*, which was largely responsible for the genocide.[70] Despite French support the rebel RPF won, which accounted for the subsequent hostility between France and Rwanda. The image of France as a supporter of mass killers accounts for the French attempt, according to current president Nikolas Sarkozy, to 'rid the relationship between Africa and France of the fantasies and the myths … that pollute it'.[71] It was Bernard Kouchner, Sarkozy's current foreign minister, who founded *Médecins Sans Frontières* in 1971, and later advanced the idea of the right to military humanitarian intervention.[72]

Americans also engage in different types of intervention, directly and indirectly, and they find it difficult to refrain from total involvement, particularly

of a military nature. After the disaster in Somalia, however, they tend to look for different ways of responding to threats to their interests and find allies among rebel movements and militias. Former American secretary of state, Condoleezza Rice, asserted in 2008 that the US was called to lead in dealing with 'a new perspective on what constituted threats' to 'an international order that reflects our values'.[73] This might help explain the 2007 creation of the African Command (AFRICOM), in itself an indication of Africa becoming more important from a US security point of view.[74] Through the 'three Ds' of diplomacy, development and defence, AFRICOM is supposed to help solve security problems without extra-continental intervention, while keeping American troops out of Africa for decades to come or 'the next 50 years'.[75]

African states, however, showed reluctance to host AFRICOM, in the light of the Bush 'grand strategy' of pre-emptive strikes based on suspicions of dictatorial inclinations or non-cooperation with, and possible questioning, of US hegemonic desires.[76] AFRICOM is expected to outsource services to private security companies,[77] which, according to Andrew Bearpark, director-general of the British Association of Private Security Companies, 'carry out activities previously performed by national militaries'.[78] African states resist hosting the command for fear it might be used to stage quick attacks on neighbouring countries or even destabilise the host country.

The third response is to try a multilateral approach to negotiated settlement in a perceived stalemate between governments and rebels. The Germans, preferring to side with the US and France, opt for coordinated responses from the West in stemming the influx of Africans to Europe.[79] They want 'conflict prevention' measures to ensure 'development' at the grassroots level and to address 'the root causes' that give rise to rebels. Where that is not possible, as in the case of Zimbabwe, where the leader supposedly destroys the country,[80] Germans consider the 'exit option' of quitting.[81] The Germans, not alone in seeking root causes, often join others in imposing power-sharing in order to end a perceived stalemate.

The fourth type of extra-continental response combines the overthrow of governments with the arrest of leaders of rebel movements to be tried at The Hague by the ICC as a way of curbing 'impunity'. Although the US refused to be a member of the ICC, it is active in referring Africans to international criminal tribunals. This happened to Charles Taylor, whose rebel movement initially appeared to have American support in overthrowing Liberia's Samuel Doe,[82] but after plunging the region into deep chaos, Americans ensured that Taylor was

taken to trial at The Hague.[83] Despite accusations of selective justice and targeting Africans, particularly when it picked on Sudan's President Omar el-Bashir, and of ignoring perpetrators of atrocities in big powerful countries,[84] the threat of being referred to the ICC has acquired international political currency in Africa as a warning to both rebel movements and most governments.

From the above, it is clear that there is a great variety in extra-continental responses and that they are affected by perceived interests. There are times when they encourage rebel movements to destabilise leaders of target states without direct intervention. Sometimes they intervene directly and impose a person of their choice as the new ruler on a given state. They also put pressure on the parties in conflict to negotiate and reach power-sharing settlements. Most recently, they have used the ICC to give political warnings to leaders of both regimes and rebel movements.

CONCLUSION

The response to the presence of militias and rebel movements in any place and at any level is determined by the interests being advanced and protected. At the state level, the government response can take the form of attempted repression, accommodation to the wishes of some of the militias and rebel movements, or succumbing to pressure and getting out or agreeing to decapacitate the state. Some militia are sponsored by influential people in governments, others are co-opted after being established and perhaps being hard to control, and they are generally used to counter rebel movements. There are rebels who aspire to power irrespective of how it is achieved. If the state is weak, it surrenders power to the rebels or opts for a power-sharing deal. In most cases, the state tends to respond by suppressing the rebellion and trying to deny it legitimacy or eventually cutting a deal on an aspect of autonomy or even separation.

States in a region worry about growing instability in an area within the region. This is because the activities of militias and rebel movements, as well as the responses from governments, tend to generate refugees who flee to neighbouring states and also to create regional instability. The region then responds in several ways, depending on whether the rebel objective is to take over power or fragment the state. It tries to mediate and often suggest power-sharing deals. The region is likely to support the existing government if it considers the rebels to be the problem, or may support the rebels if the government is considered to be the problem. On the issue of separation, however, regional neighbours tend to insist on the sanctity of the state as constituted.

On the regional front, there have been limited successes in terms of settlement but not of resolution of conflicts. In part, the seeming success in the Mano River cluster was due to the strong action taken by ECOMOG, led by Nigeria, as well as the support of extra-continental forces, although the countries involved were extremely weak. In the Horn of Africa, IGAD produced settlements in Somalia, which quickly floundered, and in Sudan, which is holding. In the Great Lakes cluster, the response varied from military interventions to crafting a power-sharing deal in the Democratic Republic of Congo (DRC), but this was undermined by competing country and 'international' interests. In the Southern Africa cluster, the region intervened to settle an acrimonious political dispute in Zimbabwe that affected the area, by brokering a power-sharing deal.

Power sharing is often an external imposition either by regional neighbours or by extra-continental forces. The responses from extra-continental forces, all driven by their own interests, vary, but there is the tendency to support rebel movements plotting to oust target regimes or to strengthen leaders of such regimes against the rebels. Protection for such leaders is withdrawn once they outlive their value. At times, the support takes the form of unilateral or multilateral intervention supposedly on humanitarian grounds. An alternative, when there is a perceived stalemate, is to pressure the parties concerned to settle through power-sharing arrangements. In recent times, the extra-continental powers respond by using the ICC as a warning to force leaders of regimes and rebel movements to behave. Irrespective of the situation, extra-continental powers support client regimes or rebel movements when it suits their interests. In the process, they help to create instability by aiding rebel movements and even sponsor coups against regimes they do not like or restore the peace by assisting in settling disputes in prolonged conflicts.

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Chapter 16

Confronting the threats of armed non-state groups to human security and the state in Africa

Wafula Okumu and Augustine Ikelegbe

INTRODUCTION

Activities of armed non-state groups (ANSGs) have had devastating consequences for civilian populations as well as the infrastructure that supports their welfare. The African adage that 'when two elephants fight, it is the grass that suffers' is true of armed conflicts, for civilians are not only strategic targets but also bear the brunt of the consequences. African battle spaces are characterised by young boys carrying weapons taller than they, government forces and armed groups violating international humanitarian and human rights laws with impunity, terrified and massively displaced civilians, and carcasses of destroyed homes and infrastructure.

ANSGs are not uniquely or exclusively an African phenomenon, for they are common in many political systems, including advanced societies such as the United States (Michigan Militia Corps), Canada (*Front de Libération du Québec*, Quebec Liberation Front, FLQ), Italy (*Brigate Rosse*, Red Brigades, BR) and Spain/France (Basque nationalists). What is unique to Africa is the alarmingly high level of loss of human life and destruction of property that militant and rebel groups and violent conflicts cause, the longevity of some of these groups, the

seeming inability of governments to handle them, and the penchant of African governments to create fertile grounds from which such groups emerge.

Although these groups have had a profound impact on Africa's political, economic and social development, currently no dedicated research is being carried out to determine how many there are or to analyse the impact of their activities on the livelihoods of populations and capacities of states to function. Attempts made thus far have related to analyses of their histories, roots, objectives, motives and *modi operandi*, and the impact of their activities on socioeconomic systems.[1] The difficulties of pinpointing the exact or even approximate number of groups and their membership, and the effects that they have on society, state, governance and human security, partly stem from the lack of data and the state security policy of denying that they exist or inflating their numbers for budgetary reasons or criminalising political opponents by branding them vagabonds, bandits and terrorists. In some cases, governments have denied the existence of militia and rebel groups to cover up serious governance and security situations that could damage their reputations and scare away foreign investments.

Nevertheless, there is a need to monitor and document ANSGs' activities and to study them from a multidisciplinary perspective. One of the major contributions of this work is the use of multidisciplinary approaches and concepts as well as analytical frameworks and perspectives drawn mainly from the social sciences and humanities to shed light on how militias, Islamic militants and rebel groups in Africa are formed and affect human security and state capacity, on the one hand, and how they can be understood and dealt with at different levels, on the other hand.

This chapter highlights some of the key findings and conclusions of the work and captures the key policy recommendations that can be used to prevent ANSGs and the violent conflicts in which they are engaged from undermining human security and state capacity to provide public services.

TOWARDS ADDRESSING THE ANSG PHENOMENON IN AFRICA

In trying to understand why the ANSG phenomenon has become prevalent in Africa, we can surmise from the data presented and analysed in the various chapters that policymakers are palpably challenged when it comes to designing measures that can effectively prevent and confront these groups. This could be explained partly by the policymakers' use of one-dimensional approaches to understand the phenomenon, denial of governments' flawed policies that contribute to these groups' formation, and ill-conceived measures to confront them. While some of the governments' measures used to confront these groups have achieved limited results, most of them, such as use of brute violence, have been counter-productive, as they end up recruiting sympathisers and followers for these groups. The lack of appropriate approaches and resources to confront ANSGs has been accompanied by the use of excessive force that violates international humanitarian and human rights laws, and the criminalisation of these groups that make it difficult to engage them in peace talks.

In order to generate pointers that could inform policy responses, it is important to first highlight the importance of factors such as state governance, the role of elite and youth groups, and the management of border areas and natural resources in the formulation of policy and legal responses to prevent and combat the ANSG phenomenon in Africa.

State governance[2]

One of the key findings in this study is that weak and badly governed states in Africa have a tendency to generate ANSGs or to create fertile grounds for their development. A badly governed state marginalises, excludes, impoverishes and suppresses some segments of the population because of their identities and relations with the centre of power. Some victims of misgovernance pick up arms to redress their grievances. In reaction, states have clamped down on them with an excessive use of so-called legitimate violence. By using excessive and senseless force to legitimise themselves, these states alienate themselves from the local populations, increasing both sympathy and support for the ANSGs.

The unconventional ANSG tactics, in turn, impair the state's ability to provide public goods and services, alienating it from the population, which perceives it to be too weak and ineffective to exercise its legitimate roles. The legitimacy of the state is further eroded when its responses are heavy handed, fail to protect civilians or treat local populations as accomplices or sympathisers of ANSGs. Some African military forces even have abandoned 'customary codes that govern the use of force'[3] in confrontations with ANSGs by the disproportionate use of violence, sometimes against civilians. When the military and police use excessive force and extra-judicial means to extract information about ANSGs and discourage civilians

from supporting them, they put all members of the local population at risk, especially when government forces withdraw from an area after operations. While ANSGs extensively and commonly use terror as a tactic, some states have chosen to respond with similar tactics. There is a growing tendency in Africa for states to 'delegate conflicts to rebels [and militias] rather than use their own forces'.[4] However, such a strategy can lead to international condemnation, as happened in the case of the *Janjaweed* in Darfur.

Although ANSGs are, to a large extent, a product of weak and failing African states, their activities have threatened human security and contributed to the crisis of the state, which manifests in the inability to provide public goods and services and use violence in the national interest only. Apart from contributing to the mushrooming of ANSGs in Africa, the crisis of the state has lent credibility to some of these ANSGs to challenge its legitimacy. Indeed, there is a high possibility for opportunistic rebel groups to emerge where governments lack the legitimacy, capacity and resources to govern and control their territories.

In his chapter on the crises of the state and governance (chapter 5), Ikelegbe argues that the rise and multiplication of ANSGs since the independence of African states are indications of the continent's governance crisis, which has marginalised and excluded groups due to their age and other characteristics, and has created a political environment that allows state abuse and misuse. The tragedy of state weakness and failure, and its consequences for human security, can best be overcome through completion of the nation-building project, immunisation of the state against an egoistic national elite, and establishment of durable governance processes that enhance national interests. The nation-building project should aim specifically at addressing questions of identity, and include economic development, equitable distribution of national wealth, inclusion of all citizenry in national matters, and balanced use of state power. National development policies should aim at promoting 'national cohesion, stability and unity'.[5]

Ironically, despite ANSGs' grievances against the state for failing to provide public goods and services, they too are:

> … unlikely to deliver the political and economic reforms necessary for development. Instead, such rebel organisations will tend toward criminal enterprise, taking advantage of the absence of state control to extract resources from the territory or population and, where insurgency is successful, may implement authoritarian structures no different than those set in place by their predecessors.[6]

Youth factor

Although the book does not have a chapter dedicated to the role of the youth in ANSGs, the chapters by Engels, Ikelegbe, Ibaba, Kabir and Oloo show that the youth have been the dominant base of recruitment and participation in the ANSGs as a result of their high levels of unemployment, poor education and addiction to drugs. Ikelegbe points out that conditions in Africa that made the youth turn on society in rage, defiance, subversion and resistance have also created a youth culture with elements of nihilism, fatalism, deviance, populism, resentment, impunity and violence.[7] Accordingly, approaches for preventing and combating ANSG activities must aim at addressing societal inequalities, marginalisation and vulnerabilities that allow a violent youth culture and recruitment opportunities into the ANSG rank and file to emerge.

The youth can also be prevented from joining ANSGs through instilling a 'peace software', which contains values that respect life. Peace values should be instilled among youths before they fall prey to political opportunists and warlords who are out to exploit their material situation and lure them into political militia and rebel groups. African governments need to provide greater incentives for the youth to engage in productive activities rather than to join violent groups that terrorise the population to survive.

Political elite manipulation

In gaining a deeper understanding of the relationship between the state and ANSGs, special attention should be paid to how political elites govern the state, manipulate groups and use violence to maintain control of the state. This calls for critical interrogation of how elections are held, how free and fair they are, and the role that violence plays in the electoral process. In all the cases examined in the book, there are strong links among politics, opportunistic politicians and elites, unemployed youth and badly governed states. When stakes are high in elections, politicians turn to political gangs to intimidate opponents and voters. After the elections, these political gangs are either transformed into criminal gangs or into rebel groups, as was the case with Yoweri Museveni's Popular Resistance Army in Uganda that was launched in February 1981 to protest the outcome of the election that returned Milton Obote to power in December 1980.[8] Sabine Carey argues that the risks of rebellion and insurgencies in sub-Saharan Africa increase because of the way elections are carried out – from multiparty presidential elections to no

elections at all – with the latter increasing the chances of political instability and large-scale violence.[9]

Some of the hitherto abandoned elite-sponsored political violent gangs, as is the case in Niger Delta, later transformed themselves into militias and criminal gangs. As the example of the *Mungiki* shows, these groups exploit the power vacuum created by weak states to create an alternative 'government,' which provides security and survives by extracting levies for this service. In order to stop this trend, keen attention should be paid to the mode of conducting elections in Africa, with the aim of immunising it against abuse by political elites who pursue political power at the expense of democracy. The manner in which political elites capture political power and use it is critical to understanding the source and nature of political violence and how it has been used to gain control of the state.

In Africa, there is a tendency for national elites to use any means at their disposal to capture state power and monopolise it, to exclude and marginalise other citizens from the benefits of the state, and to use violence to contain or threaten opponents. When these threats reach a certain level, the ruling elite forms state militias that it uses against opponents, thus removing itself from direct intervention and creating plausible deniability.[10] Governments' hidden contribution to the formation and support of ANSGs is, nevertheless, discernable across the continent. For instance, in 2003 a leading Kenyan newspaper revealed that the *Mungiki* had received military vehicles and sophisticated communication equipment from the government to promote a certain candidate's presidential campaign in the December 2002 election.[11] Although allocation of such government equipment could have been authorised only at the highest level of government, how a militia group that had a reputation for carrying out horrendous acts of brutality on the population got the highly sophisticated military equipment has never come to light.

Oloo (chapter 6) recommends that elites who use ANSGs be held accountable for their violation of domestic and international laws. Those who fund and arm the youth, organise them into militia groups and manipulate them to engage in violence, should be arrested, prosecuted and punished. National laws should be strengthened to prevent and combat the funding and organising of ANSGs. However, the state and the citizens, through civil society, should share the responsibility for ending political violence, particularly during election periods, by monitoring and promoting a peaceful articulation of interests.

It is obvious that the persistence of militias in Africa reflects the penchant of elites for manipulation of the youth, and as Oloo notes, the depth of the 'culture of impunity' in most African societies.[12] This culture allows these groups to develop parallel governance systems that weaken the legitimacy of the state, and use violence and intimidation to subjugate citizens. With the state's weak law enforcement capabilities and failure to deliver public services, these groups offer such services for a fee. Apart from revenue losses that further deprive the state of resources it needs to meet its obligations to the citizenry, ANSGs' presence in ungoverned spaces and provision of social services undermine state legitimacy.

Controlling borders and border areas

Borders and border areas are favoured by rebel groups because these enable them to 'extend the battlefield regionally and transnationally'.[13] These border areas become even more sought after if they contain natural resources. If a rebel group is able to control a border, this enables it to smuggle minerals out of the country and so finance its war activities. Darfurian rebels, the Lord's Resistance Army (LRA) and Allied Democratic Forces (ADF) in Uganda, the Revolutionary United Front of Sierra Leone (RUF) and other groups frustrated government operations due to their ability to move easily across porous and poorly controlled borders and into other states' territories. States can also attract ANSGs from neighbouring states if their capacities to manage and control their border areas are weak, as these then serve as havens for these groups. When a state is too weak to control its frontiers, these territories often become a 'no-man's land' in which rebels reign and terrorise local populations. The failure of the state to provide security to its citizens in marginal territories erodes their loyalty to the state and gives rebels an advantage when faced with responses such as military operations.[14]

Borders and border areas can become theatres of confrontation if they separate antagonistic states. Poor interstate relations between leaders of neighbouring states also play a role in promoting ANSG activities. For example, the sour relations between presidents Yoweri Museveni and Omar el-Bashir were a key factor in the support each accorded the Sudan People's Liberation Army (SPLA) and the LRA respectively, as was the case of Rwandan and Ugandan support of anti-Kabila rebel groups.[15] Foreign support given to rebels includes intelligence, training facilities, weapons and ammunition, logistical assistance, tactical advice, financial support and sanctuary. Such support allows ANSGs to expand their areas of operations across borders and makes it harder to deal with them without a regional strategy. In a later section, we in fact show that countries in the Great Lakes region have now devised a regional strategy to deal with ANSGs.

Idean Salehyan points out that since extraterritorial bases allow rebels to prolong conflicts and contribute to regional hostilities and instability, there is a 'necessity of a broad regional cooperation in bringing about an end to transnational rebellions'.[16] In order to end armed conflicts, 'rebel host states must provide credible promises of their own to demonstrate that foreign combatants on their territory are not welcome, now and in the future. They must also monitor and verify rebel disarmament'.[17] Even if a state has superior military capabilities to keep rebels outside its boundaries, ANSGs such as the FDLR and the LRA could still continue to threaten and undermine the livelihoods of the citizens of those countries where they are allowed to roam free. Saleyhan argues that conflict can be terminated by 'removal of sanctuary and actions by host states' as was the case in Rwanda.

Due to the artificial colonial partitioning of Africa and marginalisation of frontiers and border areas,[18] ethnic groups across borders are easily exploited by ANSGs. This is why ANSGs that rely on 'sociocultural and sociospatial settings … are not bound by territorial borders',[19] especially those who are members of ethnic communities that straddle state boundaries. Transboundary rebel groups are difficult to manage due to the external resources, sanctuary and support that they receive, which lessen their dependence 'on the goodwill of the domestic population for their viability'.[20]

APPROACHES TO CONFRONTING THE ANSG PHENOMENON IN AFRICA

Local responses

How an ANSG behaves determines, to a large extent, the support it receives from the local population and the level of success in meeting its objectives. ANSGs rely on local support to launch their campaigns against the state. Capitalising on local support and knowledge of the local terrain, ANSGs can initially frustrate government responses and draw out the conflict for a long period. A state's control of a territory does not guarantee the support of the local population, particularly if it has been marginalised and excluded from the centre of power. Most military campaigns against rebel groups have been largely unsuccessful because they lacked intelligence and were not planned with a clear understanding of these groups' areas of operations.[21] ANSGs, in most cases, possess accurate intelligence, are privy to government plans and retreat before operations or dissolve into civilian populations.

Local communities respond to ANSGs in varied ways. In most cases, they flee their homes and seek safety in internally displaced persons (IDP) camps or across borders. In other cases, locals protect themselves and their property by taking up arms and forming self-defence units. There are also cases where locals support rebels or join them to ensure their property and families are safe from attacks. However, in most of these situations, as Wassara observes in chapter 9, the outcome is a breakdown of the rule of law, loss of local governance and militarisation of the communities. This, in turn, complicates post-conflict peacebuilding efforts aimed at restoring the rule of law and justice, and demilitarising communities through demobilisation and disarmament programmes. At the end of a conflict, these local communities are usually afraid to hand over their weapons or reveal their actual involvement in the conflict. While some of the former combatants are reluctant to come forward to be demobilised for fear of being held accountable for their acts during the conflict, others are disinclined to hand over their weapons while their security and safety are not guaranteed and mutual mistrust between communities continues to prevail.

Peters' chapter (chapter 14) reveals that the strength of the relationship existing between rebels and local communities is critical in determining the timing and type of intervention in a conflict. For instance, at the early stages, when rebels have friendly relations with local communities, they can be intransigent, as their anti-establishment message, cloaked in the form of grievances against the government, resonates with locals. However, the situation changes when, at a later stage, a rebel group alienates itself from the local population often through the brutal tactics it employs, so that it loses the ground advantage. In such a case, it is easier for the government to succeed in ending the conflict by exerting military and diplomatic pressure. However, military measures should ensure adequate protection for civilians or else they could regenerate support for the rebels. This is what happened in northern Uganda during three highly publicised operations against the LRA, which were widely criticised for failing to eliminate the Kony menace and left civilians vulnerable to his reprisals. In the eastern Democratic Republic of Congo (DRC), locals have formed civil defence units to protect themselves, similar to the formation of the *Kamajor* in Sierra Leone. In the long run, these units could transform themselves into full-fledged rebel and militia groups filling the void left by the lack of a state presence.

Apart from its leadership and organisation, the endurance and success of a rebel group depend, to a large degree, on the local support and availability of 'capital to finance the logistics of a military campaign'.[22] Consequently, it has to tap into two sources: '[E]conomic endowments, which come from diverse sources, including natural resource extraction, taxation, criminal activity or external patronage; and social endowments, including shared beliefs, expectations and norms that may exist in (or be mobilised from within) certain ethnic, religious, cultural or ideological groups.'[23] Therefore, a strategy for confronting ANSGs must aim at denying them such resources, because their availability, particularly at the beginning, determines the type of members and way in which they are recruited, and how they commit to the group's objectives.[24] The ability of ANSG leaders to gain access to and use these resources determines how its members behave vis-à-vis civilians and how long it lasts. Further, if there are few resources, members would probably engage in looting and other criminal activities to acquire funds. However, if they do have access to natural resources, they could create a war economy in which they play different roles.[25]

In countries where ANSGs are a factor in the natural resource curse, an obvious solution would be to come up with 'better ways of managing resource wealth for the benefit of the population'.[26] Weinstein contends that a critical factor determining the propensity of a rebel group's use of violence is the ability to mobilise material resources to finance the warfare. Hence, 'rebel groups that emerge in environments rich in natural resources or with the external support of an outside patron tend to commit high levels of indiscriminate violence; movements that arise in resource-poor contexts perpetrate far fewer abuses and employ violence selectively and strategically'.[27] Although natural resources have been widely regarded as Africa's curse, there is no scientific evidence to prove that resource abundance causes conflict. On the contrary, conflicts in resource-wealthy countries are caused by 'poor institutional and governance quality that allows national elite to become corrupt and give maximum advantage to foreign mining companies to reap huge profits'.[28]

Measures that could be used to eliminate the risk of ANSG violence include increasing income levels and equitably distributing such natural wealth resources. Ibaba and Ikelegbe further propose some form of local 'resource ownership and control, increases in the derivation fund and abrogation of repressive oil laws' that will allow the governed to access and to extract the resources. This, as the case of the Niger Delta illustrates, must be accompanied by 'adoption of democratic principles such as the rule of law, fundamental human rights, rule by consent and public interest-based political participation [which] will enhance accountability and transparency' and, by extension, popular participation in government.[29]

State responses

In her chapter on the analysis of ANSGs through the comprehensive framework of their 'relationship with the government and attitude towards state monopoly of violence', Engels points out that national armies play 'a crucial role in the emergence of armed non-state groups'.[30] Ibaba and Ikelegbe, Oloo and Wassara also call for special attention to the role that state violence plays in germinating rebel activities. A common state response to rebel activities is the use of brute force, aimed at eliminating the groups, in police and military operations and the activities of paramilitary and pro-government militia groups. In a statement given before the United Nations Human Rights Council, Professor Philip Alston, the special rapporteur on extrajudicial, summary or arbitrary executions, pointed out that 'hyper-active death squads' bring 'no relief' to the ANSG violence. Instead, 'they have only succeeded in undermining the rule of law, distracting the police from their protection and investigative roles, fuelling the cycle of violence and tarnishing [the government's] reputation'.[31] Alston advised governments to come up with a 'detailed and convincing strategy for combating violence, extortion and other crimes by gangs', and avoid making statements that the government will 'crush' or 'smash' such groups.

Governments' indecisiveness and improper responses have also engendered impunity and emboldened these groups. Though state responses are a key factor in containing ANSG activities, if an operation is carried out in ways that alienate the local population, it ends up driving it into the arms of the rebels. Ibaba and Ikelegbe argue that 'violent repression of conflicts will accentuate insecurity' and 'sweeps the causes of agitation and dissent under the carpet for a moment', only for them to 'flare up again, often with disastrous consequences'.[32]

Addressing the ANSG phenomenon is not solely a law enforcement measure calling for the application of brute force, as this approach not only violates human rights through arbitrary executions and instilling fear in civilian populations, but also generates counterviolence and lawlessness, which these groups exploit. This is clearly illustrated by Oloo's analysis in chapter 6 of the factors that contribute to the armed groups in Kenya. The two main reasons why there is a 'proliferation of armed militias' are 'the failure by the government to arrest, prosecute and punish members of these militias and their sponsors'[33] and poor governance, which

generate conditions such as poverty that lead to the emergence of these groups. This means addressing this phenomenon requires a comprehensive approach that includes punishment for impunity, democratic governance of the state, enhancement of human security, equitable distribution of national wealth and/or resources, and promotion of peace values.

The failure of brute force to repress the ANSG phenomenon and rebellion and the sinister motives that sometimes underlie such an approach are demonstrated by the following examples. When the Mengistu government was confronted by a rebel insurgency in the Ogaden in 1980, it adopted a policy of depopulating the region.[34] Calling it 'a final solution' to the Somali insurgencies, the government aimed at forcing an exodus of Somali-speaking Ethiopians 'as a way of ending the 20-year-old guerrilla war in the Ogaden'.[35] The policy entailed government soldiers 'machine gunning herds of camels, robbing and burning fields, destroying settled farms and taking away young men to fight in Eritrea'. Although Ethiopia had defeated the Somali army that invaded the region in March 1978, a rebel group, the Western Somali Liberation Front (WSLF), continued to wage an irredentist war with the support of Egypt and Iraq. When the front ceased to exist in 1989, a splinter group formed the Ogaden National Liberation Front (ONLF).

In northern Uganda, the government of Museveni established a system to protect the local population from the LRA rebels and also depopulate the rural areas in order to allow mopping up by the military.[36] This encampment of local populations was also aimed at controlling the local populations and ensuring they neither supported the LRA nor dissented against the government. Nevertheless, argues Chris Dolan, the local population was subjected to social torture through an enforced dependency on a protection system that threatened its social, economic and psychological wellbeing. The 'protected villages' that were set up in northern Uganda (which turned out to be squalid internal displacement camps) were criticised by human rights groups for making the residents more vulnerable to various violations by the Uganda People's Defence Force (UPDF) and the LRA. Dolan argues that ending the LRA insurgency has not been in the government's interests, as that would have deprived it of its reason for controlling a population that it regards as hostile. Counterinsurgency against the LRA, apart from serving this purpose, has also been used to enhance economic interests of the military through dubious purchases of weapons and hiring of 'ghost soldiers'.[37]

Fighting against militias and rebels has provided enormous financial opportunities for the security personnel to benefit personally from the procurement of weapons and hiring of soldiers and law enforcement officials. Some governments use the presence of ANSGs to militarise the state by pointing out that their activities are inimical to state and human security. For that reason, governments proceed to increase military budgets, and adopt draconian laws and measures that in the short and long term severely undermine state legitimacy and the culture of human rights. In Kenya, there are speculations that the Special Branch, an intelligence organisation that was later replaced by the National Security Intelligence Service was responsible for setting up and sustaining a rebel group, the February 18 Revolutionary Army, in the early 1990s to boost and justify its high budget allocations to security apparatuses.[38]

With regard to North Africa, George and Ylönen state in chapter 12 that confronting Islamist militants could be complicated by the fact that their link to the 'global *jihad* is no longer clear'. The approach of some states to allow Islamist political parties has yielded some positive results when combined with changes in government policies that target a 'frustrated middle class' and 'the poor and disgruntled sectors of the population'.[39] They recommend that states should seize the opportunity when 'frustration and disenchantment [are not being] channelled towards violent *jihad*' to improve the human security of their citizens. In chapter 11, Muhammad Kabir also highlights this critical role of the state in providing social and economic benefits as a preventive measure for growth of ANSGs, by arguing that its capacity should be strengthened to provide public goods and services, proactively respond to the needs of its citizens, guarantee a democratic society, equitably distribute national resources, and 'pursue a social and economic policy that will ensure the realisation of rights, equity and justice' for all citizens regardless of their identity.[40]

African governments could learn some useful lessons from law enforcement in the United States and particularly how it has dealt with over 500 unorganised militia groups such as the Hutaree, which is not part of the National Guard or the Naval Militia.[41] Between 27 and 29 March 2010, a joint anti-terrorism taskforce comprising state and local police forces, the Federal Bureau of Investigation (FBI) and the Bureau of Alcohol, Tobacco, Firearms and Explosives carried out special operations that led to the arrest of nine members of the Hutaree militia in Michigan, Ohio and Indiana after collecting intelligence on the group's intentions to commit mass violence. Apart from monitoring the group's use of media such as YouTube, Facebook, radio broadcasts, e-mail and voice communications, law enforcement agencies also infiltrated the group and gained knowledge on its plans, which made it possible to contain it.[42] The government's special operation

effectively prevented an uprising that the group had intended to trigger by killing police officers to provoke a heavy-handed government reaction.[43]

African governments have traditionally sought to subjugate insurgencies through military force, as most consider negotiating with opponents to be a sign of weakness. Consequently, most armed conflicts between government forces and ANSGs, such as that between the Government of Sudan and the SPLA, take long to end. Often, the insurgent groups eventually negotiate themselves into government, as was the case with the SPLA, RENAMO (the *Resistência Nacional Moçambicana,* Mozambican National Resistance) and RUF.

Transforming ANSGs into civil actors: cases and challenges

How can ANSGs be transformed into parties that vie for and properly use political power? The answer to this question could be of interest to the Sudan People's Liberation Movement (SPLM), which recently won elections in south Sudan and is poised to run it as the newest state in Africa after a referendum next year.[44] Many rebel groups find it difficult to transform into a political party or to function in a democratic political system. With a few exceptions, rebel groups such as RENAMO in Mozambique and UNITA (*União Nacional para a Independência Total de Angola,* National Union for the Total Independence of Angola) in Angola have found the political terrain too rugged to navigate with a guerrilla mindset and *modus operandi*. These groups, as Justin Pearce put it in chapter 13, 'have suffered as a result of a particular kind of authoritarian leadership'. As Pearce notes, the performances of these groups in post-conflict political environments prove that a 'political relationship, forged in wartime, has nothing in common with the workings of a political party in a democracy'.[45]

Although Uganda's National Resistance Army (NRA) and the Rwandan Patriotic Front (RPF) stand out as good examples of rebel groups that successfully transformed themselves into respectable ruling parties, the SPLM has been accused of being dictatorial and embracing a guerrilla mentality while in power. During the 22 years it fought a bush war against the north, the SPLM was never run as a democratic outfit and is known to have dealt mercilessly with dissent on a number of occasions. In the past few years that the SPLM has been learning the ropes of governance and statecraft, it has faced serious questions about its commitments to democracy, governance and human rights. The fallout from the April 2010 elections seems to have generated splinter groups that want to use violence to gain acceptance in the new political dispensation.

An interesting transformation of an ANSG into a political party is that of Kenya's outlawed *Mungiki* sect, which transformed itself into the Kenya National Youth Alliance (KNYA). Despite proscription, jailing of its members and being targeted by special police squads for elimination, the *Mungiki* has become a force to reckon with on Kenya's political landscape. Claiming millions of members, it has recently attempted to influence political developments in the country by either sponsoring politicians or having its own members run for office. Apart from forming KNYA, which later became the Progressive Party Alliance, to overcome its scary image of a murderous and bloody sect, some *Mungiki* leaders have either converted to Christianity or joined establishment politicians to promote causes such as adoption of a new constitution that seeks to address Kenya's long-standing historical grievances and injustices.

However, Denis Tull and Andreas Mehler are opposed to providing rebels with a share of state power, as it creates an incentive for groups to seek power through insurgent violence.[46] Ian Spears is also opposed to power sharing between governments and ANSGs because it 'is a surprisingly unstable form of government that … provides only a short-term reprieve from violent conflict', is 'virtually unworkable' beyond the transitional phase, as it is difficult to implement, and 'does not resolve conflict but instead may only temporarily displace it or disguise disputants' more malevolent intentions'.[47] Among power-sharing agreements that failed were those entered into to end civil wars in Sierra Leone, Angola and Rwanda.[48]

While groups such as the RPF captured power after the failure of the Arusha Peace Agreement because of government hardliners who were opposed to the arrangement, others, such as the Museveni-led NRA, seized power after abandoning the Nairobi agreement with the then Okello military government. Indeed, as Patricia Daley argues, approaches that seek to simply establish negative peace through ceasefire agreements, transitional governments, demilitarisation and constitutional reform that end in democratic elections cannot be expected to guarantee long-term peace.[49] Ending existing violent conflicts through agreements that establish positive peace is the best guarantee for preventing future conflicts.

Governments must develop coherent approaches for addressing ANSGs based on an understanding of their objectives and the reasons that gave rise to them, instead of making kneejerk responses that criminalise and brand them as 'terrorists', and using brute force to eliminate them. Criminalising and labelling a group as 'terrorist' inevitably shuts out peaceful negotiation options and opens the

door to the use of state security apparatuses. This was illustrated by how the solution of the northern Uganda conflict became complicated once the Museveni government branded the LRA a terrorist organisation and ruled out any attempt to negotiate with it. Omach cautions that engaging rebel groups in peaceful negotiations 'should not be misconstrued as condoning their criminal activities'.[50]

Regional responses

Saleyhan argues that although 'building domestic institutions and state capacity, fostering economic growth, reducing corruption and power-sharing among ethnic groups' have been offered as strategies for confronting ANSGs, they should be undertaken within a regional framework.[51] However, 'regional strategy does not deny the importance of local policing and service provision. Rather, it adds meaningful international cooperation among states in the region to the mix of solutions to a civil conflict'.[52]

Conflicts in which ANSGs are supported by other states are difficult to address unless these states are compelled to abandon the support in the interests of regional integration, peace and stability. The best example of the use of a regional framework for such a purpose is the International Conference on the Great Lakes region (ICGLR) of Africa. A regional pact, such as that of the ICGLR, is an appropriate measure for confronting ANSGs. However, it must be fully implemented and supported by all participating governments. An initiative such as that by the African Union to transform borders into bridges of cooperation and integration could eliminate conditions that allow border areas to be areas of operations for ANSGs.[53]

Furthermore, continental initiatives such as the African Peer Review Mechanism (APRM) of the New Partnership for Africa's Development (NEPAD) could be very effective tools for preventing ANSGs if they are fully implemented. This proviso also applies to the APRM, which aims at improving governance and effectiveness of African states. For instance, in its 2007 report on Kenya, the APRM warned of the impending eruption of ethnic violence if the way the country was being governed did not change. Had the government heeded this warning, the post-election violence of 2008 that was mainly spread by ANSGs and government forces could have been prevented.

Since ANSGs such as the LRA have regionalised themselves through their activities, networking and sponsorships, regional mechanisms are needed to deal with them.[54] Such mechanisms should contain conflict circuit breakers such as

those called for in the ICGLR pact, particularly the establishment of regional projects on governance and economic growth that aim at eliminating conditions that give rise to and sustain ANSGs.[55] The affected countries can also take joint regional measures that include 'sharing intelligence with one another, coordinating counterinsurgency actions and providing border security'.[56] Since 'unilateral military solutions against rebels without borders' have 'only minimal success', it is advisable to avoid them since they 'go only so far in (temporarily) containing violence'. Instead, Saleyhan recommends mediation, which is more likely to succeed in solving 'long-standing insurgency'.[57] And where ANSGs are still active, attempts should be made to create an environment that allows peaceful negotiations to take place. This could include signing and enforcing ceasefire agreements and deployment of a force to monitor their implementation.

Indeed, the sponsoring and facilitation of peace negotiations have become one of the common regional responses to ANSGs. Most peace negotiations on armed conflicts between states and ANSGs have been carried out within regional frameworks. These include the IGAD-facilitated Comprehensive Peace Agreement that ended the north–south war in Sudan, and the peace processes facilitated by the Economic Community of West Africa States (ECOWAS) that ended civil wars in Liberia and Sierra Leone. The successes of these agreements can be measured by how they address the root causes of the conflicts to produce durable solutions that equitably distribute national resources, build state institutions that guarantee human security, and establish processes that allow peaceful and democratic engagement between citizens and communities and with the state. The biggest challenges facing regionally facilitated peace agreements are the lack of resources and weak monitoring regimes to ensure full implementation. Poor implementation of a peace agreement can have catastrophic consequences, as Gilbert Khadiagala confirms: 'Rwanda's genocide resulted in part from the weakness of the Arusha Agreement and the paltry efforts to implement it.' In particular, the agreement sought to transform the existing 'dominant ethnic basis of power', and in the process 'caused an extremist reaction'.[58] This agreement was also expected to be implemented in a highly volatile region and funded by 'unwilling and unprepared' international actors.

As Engels (chapter 2), Omach (chapter 10) and Munene (chapter 15) point out, there are rebel activities that transcend national boundaries and have regional dimensions. Addressing rebel activities in conflict clusters such as the Mano River and Great Lakes regions can be very complicated due to the skill with which these groups tactically and strategically use porous borders. In the Mano River conflict

cluster, for example, rebel groups formed networks and worked closely together, which required a regional framework that included local, national, regional and international actors to address the rebel activities. Such a framework, according to Omach, should focus on border areas and aim to establish 'effective state authority and meaningful administration over frontier territories [as] an important step towards addressing the regionalisation of conflicts'.[59] Saleyhan proposes that international law be strengthened to make harbouring of ANSGs in a state's territory an act of direct military aggression and violation of the UN Charter. He proposes that 'the UN Security Council must treat deliberate support for another state's rebel organisation an act of war and adopt an equivalent response'.[60]

International responses

International discourses on African human security have, since 11 September 2001, focused on the security-development nexus and securitisation of poverty-stricken Africa. Rita Abrahamsen argues that by linking the source of its security threats in Africa to poverty and low development levels, the West has justified militarisation of its foreign policy to root out radical elements.[61] It is further argued that the high poverty levels and poor governance in Africa are threats to Western security, as they create fertile breeding grounds for radicalised anti-Western elements among the ANSGs. In order to confront and contain these threats in Africa before they threaten its interests on the continent and reach the West, the US has formed an Africa Military Command (AFRICOM), whose task is to break up any links or networks that could promote fundamentalism or radical ideas across regions in particularly Africa and also the Middle East. Such an inappropriate attitude and approach to addressing African security challenges will fail, as it pays little attention to the real causes of the ANSG phenomenon. AFRICOM is a 'one-size-fits-all' solution to African security challenges and does not recognise that a threat to African security is not necessarily a threat to the West's security. In fact, the reverse is true, for Africa's security is more likely to be threatened by linking it to the security of the West. As Kabir, and George and Ylönen point out in their chapters, African militant and armed Islamist groups do not necessarily have links with the global *jihad* that the West regards as one of the biggest threats to its security. Therefore, approaches for confronting militant and armed Islamist groups in Africa should be based on the understanding that these groups are not clearly and directly tied or linked to the global *jihad*, as has generally been understood in the West.

This leaves the question: what are the best international approaches for addressing ANSG threats to human and state security in Africa?

Although each ANSG activity has elicited different international responses, the most common one is facilitation of negotiations with governments they are fighting against and those that support them. Other responses have been regional initiatives such as the ICGLR's Pact on Security, Stability and Development, which in part calls on member states 'To abstain from sending or supporting armed opposition forces or armed groups or insurgents onto the territory of other member states, or from tolerating the presence on their territories of armed groups or insurgents engaged in armed conflicts or involved in acts of violence or subversion against the government of another state' (article 5[b]).[62] Furthermore, states are expected 'To cooperate at all levels with a view to disarming and dismantling existing armed rebel groups and to promote the joint and participatory management of state and human security on their common borders' (article 5[c]). It has been through this framework that Rwandan and Ugandan forces have launched *Operation Amani, Operation Kimia* and *Operation Lightning Thunder* to pursue rebel groups such as the *Forces Démocratiques de Libération du Rwanda* (Democratic Forces for the Liberation of Rwanda, FDLR) and LRA into the DRC. This pact also aims to end state-sponsored rebel activities such as the LRA in Uganda by the el-Bashir government. While the above operations have had mixed results in terms of ending rebel activities, it has significantly reduced governments' support of rebels operating in neighbouring countries.

The latest international attempt to stamp out rebel activities is the US Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009, which designates the LRA as a terrorist organisation and seeks to eliminate the threats it poses to 'civilians and regional stability' through 'political, economic, military and intelligence support for viable multilateral effort to protect civilians … to apprehend or otherwise remove Joseph Kony and his top commanders from the battlefield … to disarm and demobilise Lord's Resistance Army fighters'.[63] This would entail continuing to assist Ugandan and Congolese troops through AFRICOM and diplomatically engaging 'with regional mechanisms, including the Tripartite Plus Commission and the Great Lakes Pact' in implementing the US policy on the LRA.

The countries in the Great Lakes region are aware of the role rebel and militia groups play in illegally exploiting natural resources such as coltan to finance their activities, and have proposed a certification mechanism for the region's natural resources. The Certification Scheme for the Great Lakes region aims to target

those natural resources with the highest potential for illegal exploitation by rebel groups and others financing armed conflicts. This certification mechanism has yet to be designed, developed and implemented due to a lack of political will and financial commitment by the governments in the region and the international community.

Other international responses have included deployment of AU and UN forces and arraignment of rebel leaders such as Joseph Kony and Thomas Lubango, and President Omar el-Bashir, before the International Criminal Court (ICC) for displacing, harming, raping and killing civilians. The successes of these measures are mixed, as both AU and UN missions in Somalia and the DRC have yet to wipe out any ANSG that is threatening human security and undermining the establishment of state sovereignties in those countries. The effectiveness of international justice to deter ANSGs that target and use violence against civilians is discussed in detail in the next section.

The AU has made a firm commitment to address the phenomenon of ANSGs through the adoption of a charter on democracy that prohibits, rejects and condemns unconstitutional change of government in any member state (article 2(4)).[64] African countries are also encouraged to 'cooperate with each other to ensure that those who attempt to remove an elected government through unconstitutional means are dealt with in accordance with the law' (article 14[3]). This charter cites an armed rebellion against a democratically elected government as one of the 'illegal means of accessing or maintaining power [that] constitute an unconstitutional change of government' (article 23).

The AU does not recognise militias and armed religious groups as liberation movements that are exempted under the terrorism definition by 'the principles of international law for liberation or self-determination, including armed struggle against colonialism, occupation, aggression and domination by foreign forces' (article 3[1]).[65] The AU further prohibits the use of violence for 'political, philosophical, ideological, racial, ethnic, religious or other motives' (article 3[2]). But there are greyareas in these prescriptions. First, the AU law is silent on governments that are 'democratically elected' but use violence to stay in power and, second, the same law is silent on whether civilians could justifiably use violence to defend themselves against state violence such as the use of state-sponsored militias as 'an alternative to direct use of force'.[66]

The definition of what constitutes human rights violations should be broadened to include 'acts of violence committed by rebel groups'. However,

according to Weinstein, the available tools to influence ANSGs to respect international humanitarian and human rights laws 'are too blunt, too ineffective, or wholly irrelevant'.[67] To overcome this, the International Rescue Committee (IRC) is carrying out an innovative programme in the Central African Republic to 'train the country's various armed groups in human rights and international humanitarian law, Geneva Convention or any other international laws'. Members of the main rebel group, *L'Armée Populaire pour la Restauration de la République et la Démocratie* (Popular Army for the Restoration of the Republic and Democracy, APRD), are trained not only in 'procedures to follow at a checkpoint that are respectful of rights', but also in international laws regarding civilian protection in armed conflicts. These rebels are given the incentive of recognition and legitimacy if they respect human rights and the rule of law. The strategy of the IRC of targeting the leadership for behaviour change and participation in the programme seem to be bearing fruit, as the rebels undergoing the training have shown a keen interest in learning about international humanitarian laws and applying them in the field.[68]

In addition, the international community can employ a variety of instruments to confront ANSGs and eliminate or limit their negative impact on civilians and the state:

- Name, shame and target ANSGs for national, regional and international action. In order to do this, ANSGs should be closely monitored by national and international organisations that 'gather information on human rights violations, assess its validity, and write reports that are quickly made public and placed in the hands of key policymakers and the media'.[69] However, Weinstein and Jeffrey Herbst[70] question how naming and shaming in the media can influence the behaviour of a rebel group such as the LRA, which does not seem to care how it is viewed by Ugandans and the international community. Indeed, the LRA has been known to engage in atrocious acts to draw attention and generate publicity for itself. Naming and shaming will be effective only if they lead to serious consequences for ANSGs.
- Impose sanctions on ANSGs to influence their behaviour. Regional and international governments can take measures such as 'travel bans, bans on investment in areas under rebel control, restrictions on arms transfers, the freezing of foreign assets and prohibitions on a group's political activities abroad'.[71] Economic sanctions can also be imposed on 'legally traded

commodities emerging from conflict areas'. Such sanctions 'are designed to criminalise specific suppliers within an otherwise licit industry'.[72] Sanctions against ANSGs can take two forms.

The first type aims at gaining 'economic leverage over combatant factions by limiting their capacity to trade in particular commodities'.[73] These sanctions specifically target governments that support rebel groups and leaders of the groups. However, if these sanctions are to be effective, they must be monitored on the ground and states must cooperate to enforce them. Although the record of commodity sanctions has been mixed, the impact of the UN sanctions to weaken UNITA has been cited as a successful example.

The second type is certification of commodities from conflict areas, which aims 'to prevent the trade in a specific commodity from particular producers' from being sold on the world markets.[74] Since certification is based on 'controlling access to the market for commodities that have not been certified', it will be most effective when 'firms that purchase and states that consume these commodities' cooperate by not buying uncertified products. Although 'these regimes provide less leverage over a particular group in a particular conflict' they send a strong message that a group's economic resources are insecure.[75] Apart from the Kimberley Process Certification Scheme for Rough Diamonds,[76] another example of eliminating trade in conflict natural resources is the Great Lakes region's 'mineral certification of origin scheme'. If effectively carried out, 'sanctions and certification regimes …[that can] choke the lifeline that sustains armed non-state groups' and 'help to starve belligerents of revenue, make the benefits of peace more attractive, or raise the costs of trade sufficiently to dampen profit margins'. They also 'undermine comfortable stalemates in which both sides benefit from continued conflict'.[77]

The effectiveness of sanctions will depend on the following: the rebel organisation must be sufficiently dependent on a particular resource flow to make the organisation and implementation of sanctions worth the costs of mobilising compliance and enforcement mechanisms. Second, the leadership must be able to bring the members of the faction along if the lever is powerful enough to provide incentives for settlement or behavioural change.[78]

The side effect of this prescription is that when a non-state armed group is denied access to economic endowments such as natural resources that sustain it, it will probably resort 'to looting to maintain its membership'.[79]

Legal approaches for addressing the ANSG phenomenon in Africa

Legal measures can be taken at national and international levels to address the ANSG phenomenon in Africa. At the national level, one of the most common legal measures is granting of amnesty. Ibaba and Ikelegbe (chapter 8) suggest that amnesty programmes, which are part of packages that include economic empowerment, should be properly planned and executed to ensure full reintegration of former combatants and should include the establishment of youth-based conflict prevention projects. Amnesties have been widely applied and used concurrently with other measures. For instance, the Ugandan government has offered amnesty packages to LRA combatants under a law guaranteeing them a resettlement package that includes a lump sum of about US$150, a mattress, blanket, hoe and some seeds. Although the Uganda Amnesty Commission claims to have demobilised 16 245 individuals and provided reintegration support to 14 604 others,[80] the effectiveness of the programme has been widely questioned, as some of its beneficiaries were never fully integrated, have returned to rebel ranks or have taken up a life of crime to survive. The effectiveness of the Nigerian amnesty programme, which was launched in October 2009 to end militia activities in the Niger Delta region and is currently being implemented, is also being criticised for lacking a peace agreement framework that includes confidence building, and commitments to addressing grievances and other issues that could have contributed to the emergence of ANSGs in the country in the first place. Other criticisms levelled at the Nigerian amnesty programme are its lack of legal status and a comprehensive disarmament, demobilisation, rehabilitation and reintegration programme that includes total demilitarisation of the region. Because of such shortcomings, it is most likely that it will fail to restore justice, destroy the illegal economy, promote human and environmental security, and establish governance systems that ensure natural resources are equitably shared.

Apart from the use of non-incarcerating mechanisms such as amnesty and truth commissions for addressing ANSG violence, criminal prosecution has become the preferred method of the international community.[81] Legal approaches for addressing the bedlam caused by ANSGs such as the *Mungiki*, *Mai-Mai* and *Boko Haram* are complicated by the fact that they cannot be classified in terms of international law definitions of militias and self-determination groups. Even those

groups that are fighting for national liberation, and are effectively recognised by the Additional Protocol to the Geneva Convention,[82] have been denied recognition by states that instead treat them as criminals or terrorists. This has conveniently allowed governments to apply national criminal laws to deal with these groups. Regardless of whether the state regards ANSGs as rebels, criminals or terrorists, they are obligated under international humanitarian laws to handle them in ways that do not violate their rights. On their part, ANSGs are also obligated to observe and respect international human rights and humanitarian laws.[83]

Some rebels groups have made it easy for governments to brand them criminals due to their lack of liberation credentials, criminal conduct and destruction of civilian population livelihoods. In response to threats posed by rebel groups, Musila (in chapter 4) points out that while some states have enacted national laws that categorise them as criminals or terrorists, others have refused to ratify or apply international laws that would give them legal status. This further complicates peacemaking efforts, as governments take obdurate positions of not negotiating with 'terrorist' or 'criminal' groups.

Currently, the international community is inclined to hold leaders and members of ANSGs accountable for violations of international humanitarian and human rights laws. Apart from the application of the universal jurisdiction principle, there are various institutional forums such as *ad hoc* tribunals – for example the International Criminal Tribunal for Rwanda (ICTR) and the Special Court for Sierra Leone, and the ICC, that are being used to deter and punish 'human rights violations committed by armed non-state groups'.[84] The main aim of these trials and tribunals is 'to send a strong signal to perpetrators and would-be perpetrators that they will be held individually accountable for human rights violations they commit'.[85] However, in order for these trials and deterrents to effectively influence the behaviour of ANSGs and their leaders, they must be seen to restore justice and punish perpetrators of violence. Drawn-out trials such as that of Charles Taylor and the perpetrators of the 1994 Rwanda genocide at the ICTR, as well as the seeming powerlessness of the ICC to arrest Joseph Kony and his commanders, have lowered the expectations many had of these instruments of international justice to contribute to the promotion of peace and justice in Africa.

Julian Ku and Jide Nzelibe argue that if ANSGs are operating in weak states, they are more likely to be deterred by informal sanctions such as death, imprisonment and torture than by international criminal tribunal (ICT) prosecutions.[86] The awareness of leaders such as Kony of 'the significant

constraints ICTs face in administering sanctions' also make international justice ineffective in ending ANSGs violence. Instead of looking to ICTs to punish and deter international criminals, more effort should be put into 'developing an effective framework for addressing humanitarian atrocities' by 'building robust domestic institutions in weak states that can successfully channel political participation and dispute resolution'.[87] Ku and Nzelibe caution that ICT prosecutions might also fail to deter ANSG violence if they try to remove and arrest the leadership 'prior to the resolution of a civil conflict'. In addition, going the international justice route 'might distort the incentives of leaders in weak states to engage in the kinds of constructive reform efforts that will thwart future humanitarian atrocities. In other words, rather than invest in building domestic institutions that can incapacitate domestic offenders, leaders of such states will often seek to use the threat of an ICT prosecution to achieve narrow political objectives that will often be inconsistent with the norm-promotion goals of ICTs.'[88]

Okechukwu Oko argues that although 'the criminal process can be deployed to engineer compliance with the law and to deter would be perpetrators of evil … the objectives of using criminal prosecution to re-establish social equilibrium and promote reconciliation … are simply unattainable'. It is unrealistic to assume that 'international criminal prosecutions will reconcile mutually distrustful ethnic groups with a long history of reciprocal hatred'.[89] In the sense that the aim of such prosecutions 'is to apportion blame and punish the guilty', they fail to address other sources of conflicts such as state weakness, poor governance, inequitable allocation of resources, corruption and marginalisation that destabilise national states.[90] Legal measures would address the underlying causes only if they were undertaken in concert with political reforms and national socioeconomic development. Oko cautions further that 'traditional notions of the criminal process' cannot address the type of violence committed by groups against other groups. Furthermore, it has not been empirically verified that international criminal prosecution can deter violence. A bigger challenge for enforcing international justice in Africa lies in African governments' reluctance to support prosecution of Africans in international tribunals for war crimes. African governments are not only sceptical about international criminal law but also openly hostile towards it,[91] as shown by the position the AU has taken towards the ICC and its pursuit of bringing the Sudanese president to justice in The Hague. Ralph Zacklin dismisses international criminal prosecution bodies as 'mechanism for dealing with justice in post-conflict societies', stating that they are not politically and financially viable, and are inefficient and ineffective.[92]

CONCLUSION

As stated above, this book is an exercise in bringing about a greater and deeper understanding about ANSGs in Africa by providing a comprehensive framework of analysis that categorises them and analyses each group's motives, mobilisation and recruitment, as well as its relationship to the state as either an instrument or victim of its violence.[93] Such a framework will assist with the conduct of in-depth studies on ANSGs and produce knowledge that informs efforts at confronting their threats to human and state security. The utility of such a framework in policy formation lies in providing information on options for dealing with ANSGs that transcend a 'one-size-fits-all' approach to prevent and combat ANSGs activities, as it recognises that each group's unique characteristics require tailor-made measures. The exercise of generating effective policy responses should start with a thorough mapping of a group's background, *raison d'être*, organisational structure, leadership, *modus operandi* and sources of sustainability and support. This should be followed by an analysis of the group's relations to the state and various responses to its activities.

The studies in this book show that ANSGs have different motives and strategies that make it difficult to formulate common strategies for containing their activities. ANSG activities undermine human security and the state capacity to fulfil social contract obligations. With the weakening of the capacity of African states to deliver public goods and services, it is most likely that ANSGs may continue to threaten human security for the foreseeable future. Based on this finding, an effective way to prevent and confront ANSGs is to build state capacity to fully implement national development policies.

There is no single effective measure for addressing the ANSG phenomenon; a combination of measures is needed. For instance, it would be simplistic to assume that holding free-and-fair elections would guarantee good governance and install good leadership. Ensuring that elections are not fraudulent could pre-empt action by disgruntled losers to adopt the rebel route (as Museveni did in 1982) or cause neighbours to kill each other (as the Kenyans did in 2008). But most importantly, it is how elected governments deliver public goods and services to all citizens regardless of age, religion, ethnicity, gender or region after the elections that matter most. If elections are used to promote sectarian, elite, individual or group interests, they will most likely be accompanied by violence or plant its seeds. In addition, Africa needs to revise the methods of holding elections, immunise the state from being captured by rapacious elites who use it to maintain patronage-client systems, and change the mode of political engagement from a zero-sum game to a positive-sum game, which benefits all and does not allow a loser to be excluded and marginalised as far as access to public goods and services is concerned. Furthermore, states should be secured against political elites who use it to marginalise citizens on the basis of their identity, and exclude them from the benefits of public goods and services.

However, a word of caution is necessary: there is no guarantee that even a combination of the responses highlighted in this and other chapters would effectively exterminate the ANSG threats to human security. While the case of Uganda shows that responses such as military operations, civilian camps, amnesties, peace talks, regional military actions and ICC indictments[94] have provided some measure of state security, most of them have done more harm than good to civilian populations affected by the LRA's strategy of regionalising violence.

However, whatever combination of approaches is adopted at the local, national, regional and international levels, the burden of responsibility for combating and preventing ANSG activities lies with the states themselves. Ikelegbe clearly illustrated the correlations between the nature of states, how they are governed and the phenomenon of non-state institutions of violence. If a state is badly governed, constantly threatens the livelihoods of its population, excludes and marginalises segments of its population (particularly the youth) and uses violence to legitimise itself, then there is a high likelihood that its citizens could be lured into joining ANSGs, as the case studies in this book have shown. But citizens also have the responsibility of ensuring that good leaders run their states properly and according to their wishes, which means that the citizenry must possess the 'software of peace' that enables it to live in just, democratic and fair societies. Citizen knowledge of international humanitarian law and the consequences of violating these laws could help them to block politicians or warlords from forming militias and launching attacks against civilians. Monitoring and documenting activities of politicians and other political opportunists are critical for holding them accountable through local legal systems or international bodies such as the ICC.

Ultimately, the responsibility for ensuring that ANSG violence does not weaken the state and threaten human security lies with the governments (which must ensure that they do not abuse their traditional monopoly on violence to legitimise themselves) and political elites (who must desist from using the youth and violence to gain and retain power). A state's abuse of its monopoly to use violence for the public good, and elite proclivity to political violence, are the

elements most likely to create a vicious cycle of societal violence and institutionalise it as a means of conflict resolution.

NOTES

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Appendix

Militia and rebel groups in post-independent sub-Saharan Africa

Country	Name of group	Abbreviation	Time period and further notes
Angola	*Frente de Libertação do Estado de Cabinda*	FLEC	Established 1963, aiming at independence of the enclave of Cabinda. Dissolved in 1976, re-appeared in June 1991
Angola	*Frente Nacional da Libertação de Angola*	FNLA	Established 1954
Angola	*Movimento Popular de Libertação de Angola*	MPLA	Established 1956
Angola	*União Nacional para Indepêndencia Total de Angola*	UNITA	Established 1966, supported by US during the Cold War
Burundi	*Force pour la Défense de la Démocratie*	FDD	Established 1994, Hutu-Guerrilla
Burundi	*Parti pour la Libération du Peuple Hutu – Forces Nationales de Libération*	PALIPEHUTU - FNL	
Cameroon	*Union des Populations du Cameroun*	UPC	Established in 1948; led by Ruben Um Nyobé; anti-colonial movement
Central African Republic	*Mouvement Patriotique pour la Restauration de la République Centrafricaine*	MPRC	Established 2005
Central African Republic	*Union des Forces Démocratiques pour le Rassemblement*	UFDR	Established 2006, umbrella group *(Groupe d'Action Patriotique pour la Libération de Centrafrique + Mouvement des Libérateurs Centrafricains pour la Justice + Front Démocratique Centrafricain)*

Central African Republic	*Armée Populaire pour la Restauration de la République et la Démocratie*	APRD	Established 2005
Central African Republic	*Front Démocratique du Peuple Centrafricain*	FDPC	Established 2005
Central African Republic	*Union des Forces Républicaines*	UFR	
Chad	*Armée Nationale de Résistance*	ANR	Led by Mahamt Garfa (until 1994 commandant of the national armed forces); active in Eastern and Southern Chad, split off in 2003
Chad	*Concorde Nationale Tchadienne*	CNT	
Chad	*Comité de Sursaut National de la Paix et de la Démocratie*	CSNP	
Chad	*Forces Armées du Nord*	FAN	Led by Hissen Habré; first rebel movement in Africa since anti-colonial struggles to seize power
Chad	*Forces Armées de la République Fédérale*	FARF	
Chad	*Front de Libération Nationale du Tchad*	Frolinat	Established 1966
Chad	*Front Uni pour le Changement Démocratique*	FUC	
Chad	*Mouvement pour la Démocratie et la Justice au Tchad*	MDJT	Established 1998, northern Chad, ceasefire 2003
Chad	*Mouvement pour la Paix, la Réconstruction et le Développement*	MPRD	
Chad	*Mouvement pour la Démocratie et le Développement*	MDD	
Chad	*Rassemblement des Forces pour le Changement*	RFC	
Chad	*Socle pour le Changement, l'Unité et la Démocratie*	SCUD	Established 2005, eastern Chad
Chad	*Union des Forces pour la Démocratie et le Développement*	UFDD	
Congo (RC)	Ninjas		Established 2002, ceasefire 2003
Congo (RC)	Cobras		Second half of the 1990s
Congo (DRC)	*Alliance de Forces Démocratiques pour la Libération du Congo*	AFDL	Established October 1996
Congo (DRC)	*Congrès National pour la Défense du Peuple*	CNDP	Established 2006, North Kivu
Congo (DRC)	*Conseil National de Libération / Armée Populaire de Libération*	CNL/APL	1964–1966
Congo (DRC)	*Conféderation des Associations Tribales de Katanga*	Conakat	1960–1963
Congo (DRC)	*Forces Démocratique pour la Libération du Rwanda*	FDLR	Estimated 9 000 fighters; former Rwandan militaries and militias participating in the 1994 genocide
Congo (DRC	*Front de Libération Nationale Congolais*	FLNC	Established 1968 by former army officer Nathaniel Mbumba; military defeat 1978
Congo (DRC)	*Front Nationalistes et Integrationistes*	FNI	Agreed to disarm in August 2007
Congo (DRC)	*Forces de* Résistance *Patriotique d'Ituri*	FRPI	Established November 2002

Congo (DRC)	*Mai-Mai militia*		Collective term for local militia in the Kivus
Congo (DRC)	*Mouvement pour la Libération du Congo*	MLC	Established shortly after the beginning of the war in 1998
Congo (DRC)	*Mouvement National Congolais/Lumumba*	MNC/L	1960/61
Congo (DRC)	*Mouvement National Congolais/Kalondji*	MNC/K	1960/61
Congo (DRC)	*Mouvement Révolutionnaire Congolais*	MRC	Agreed to disarm in August 2007
Congo (DRC)	*Rassemblement Congolais pour la Démocratie*	RCD	Split after the war of 1996/97
Congo (DRC)	*Rassemblement Congolais pour la Démocratie – Goma*	RCD – Goma	Established 1998
Congo (DRC)	*RCD – Mouvement de Libération*	RCD-ML	Established 1999, North Kivu, supported by Uganda, split from the RCD
Congo (DRC)	*Union des Patriotes Congolais*	UPC	Established 2002, led by Thomas Lubanga, Ituri region
Côte d'Ivoire	*Congrès des Jeunes Patriotes* ('Young Patriots' including student militia)	Cojep	Supports President Laurent Gbagbo (but not government controlled)
Côte d'Ivoire	*Forces Nouvelles de Côte d'Ivoire* (alliance of *Mouvement Patriotique de Côte d'Ivoire*, *Mouvement pour la Justice et la Paix* and *Mouvement Populaire pour le Grand Ouest*)	FNCI (MPCI + MJP + MPIGO)	Alliance of the FNCI formed in 2003 during the war; political leader Guillaume Soro (now prime minister); supported by traditional Dozo hunters (especially in 2002/03), http://www.fninfo.ci
Côte d'Ivoire	*Front de Libération du Grand Ouest*	FLGO	Established 2002, 'patriotic' youth militia in the Western region (loyal to the president/government side, fought against MJP and MPIGO)
Côte d'Ivoire	*Front pour la Sécurité de Centre-Ouest*	FSCO	Established 2002, pro-government militia
Côte d'Ivoire	*Groupe Patriotique pour la Paix*	GPP	Established 2002, umbrella group of pro-government militia
Côte d'Ivoire	*Union des Patriotes pour la Libération Totale de la Côte d'Ivoire*	UPLTCI	Established 2003, pro-government militia
Djibouti	*Front pour la Restauration de l'Unité et de la Démocratie*	FRUD	
Ethiopia/ Eritrea	Alliance of Eritrean National Forces	AENF	Established 1999
Ethiopia/ Eritrea	Eritrean Liberation Front	ELF	Established early 1960s
Ethiopia	Ethiopian Democratic Union	EDU	Conservative/monarchist
Ethiopia/ Eritrea	Eritrean People's Liberation Front	EPLF	Established 1970, split off to form the ELF. Linked to the TPLF; EPRDF + EPLF overthrew the Ethiopian government in 1991
Ethiopia/ Eritrea	Ethiopian People's Revolutionary Democratic Front	EPRDF	EPRDF + EPLF overthrew the Ethiopian government in 1991
Ethiopia	Islamic Front for the Liberation of Oromiya	IFLO	OLF splinter group
Ethiopia	Oromo Liberation Front	OLF	Established 1973, http://www.oromoliberation front.org
Ethiopia	Ogaden National Liberation Front/Army	ONLF/A	Established 1969
Ethiopia	Tigray Liberation Front	TLF	Established 1974 as a students' organisation, dissolved 1976 by the TPLF
Ethiopia	Tigray People's Liberation Front	TPLF	Established 1975
The Gambia	Green Boys		Pro-government, reported to be affiliated with the ruling APRC

Guinea	*Union des Forces Démocratiques de Guinée*	UFDG	Armed conflict against the government of Guinea in 2000/01
Guinea	*Union des Forces pour une Guinée Nouvelle*	UFGN	
Guinea	*Rassemblement des forces Démocratiques de Guinée* / Rally of Democratic Forces of Guinea	RFDG	
Guinea	Young Volunteers		
Guinea-Bissau	*Partido Africano da Independéncia da Guiné e Cabo Verde* / *Frente da Tutta para la Independencia Nacional da Guiné*	PAIGC/FLING	Seized power after independence in 1975; overthrown by a coup in 1980
Kenya	Rebellion		Anti-colonial revolt 1952–56
Kenya	Shifta		Secessionist/separatist war 1963–67
Liberia	Lofa Defence Force	LDF	Loma-dominated, allied to Charles Taylor
Liberia	Liberian Peace Council	LPC	
Liberia	Liberians United for Reconciliation and Democracy	LURD	Established 1993, partly proxy of the armed forces of Liberia, fought against NPFL
Liberia	Independent National Patriotic Front of Liberia	INPFL	Split to form the NPFL in February 1990 because of personal rivalries between Prince Johnson (INPFL) and Charles Taylor (NFPL)
Liberia	National Patriotic Front of Liberia	NPFL	Established 1989, led by Charles Taylor; overthrew Doe's regime in September 1990
Liberia	Movement for Democracy in Liberia	MODEL	Established in early 1993
Liberia	United Liberation Movement for Democracy	ULIMO	Established 1991
Madagascar	JINA (secret organisation)		Established 1945, anti-colonial movement
Madagascar	*Mouvement de la Rénovation Malgache*		Established 1945, anti-colonial movement, military defeated 1956
Madagascar	PANAMA (secret organisation)		Established 1945, anti-colonial movement
Mali	*Alliance Démocratique du 23 mai pour le Changement*		Established 2006, former combatants of the 1990s Tuareg rebellion
Mali	*Armée Révolutionaire de Libération de l'Azawad*	ARLA	Tuareg rebellion 1990–1996
Mali	*Front Populaire pour la Libération de l'Azawad*	FPLA	Tuareg rebellion 1990–1996
Mali	*Front Islamique Arabe de l'Azawad*	FIAA	Tuareg rebellion 1990–1996
Mali	*Front National pour la Libération de l'Azawad*	FNLA	Tuareg rebellion 1990–1996
Mali	*Front Uni de la Libération de l'Azawad*	FULA	Tuareg rebellion 1990–1996
Mali	*Mouvement Populaire de l'Azawad*	MPA	Tuareg rebellion 1990–1996
Mali	*Mouvement Populaire pour la Libération de l'Azawad*	MPLA	Tuareg rebellion 1990–1996
Mali	*Mouvement Touareg Nord-Mali pour le Changement*	MTNMC	Founded 18 September 2007
Mauretania	*Frente Popular de Liberación de Seguia el Hamra y Rio de Oro*	Polisario	1975–1991
Mozambique	*Frente de Libertação de Moçambique*	FRELIMO	1964–1974
Mozambique	*Resistência Nacional Moçambicana*	RENAMO	1975–1992, supported by US during the Cold War

Namibia	South West Africa People's Organisation / People's Liberation Army Namibia	SWAPO/PLAN	Established 1960
Niger	*Forces Armées Révolutionnaires du Sahara*	FARS	
Niger	*Front Démocratique pour le Renouveau*	FDR	1990s
Niger	*Front pour la Libération de l'Air et de l'Azawad*	FLAA	Tuareg rebellion 1990–1994
Niger	Mouvement des *Nigériens pour la Justice*	MNJ	Established 1991
Nigeria (North)	*Ahlul Sunnah Jamaa*		
Nigeria	*Al-Sunna Wal Jamma* (Followers of the Prophet)		Established 2002, also known as Taleban
Nigeria	Arewa People's Congress	APC	
Nigeria (south-east)	Bakassi Movement for Self-Determination	BAMOSD	Declared 'secession' from Nigeria in 2006
Nigeria (south-east)	Bakassi Boys		Established 1999
Nigeria (south-east)	Bakassi Freedom Fighters		
Nigeria (Biafra)	Biafran Organisation of Freedom Fighters	BOFF	Name was given only at the end of the Biafran war (1967–1970)
Nigeria	Egbesu Boys of Africa	EBA	
Nigeria (North)	Hisba		Established 2001
Nigeria (Biafra)	*Movement for the Realisation of the Sovereign State of Biafra*	MASSOB	Established 1999
Nigeria (Niger Delta)	Movement for the Emancipation of the Niger Delta	MEND	Active since January 2006
Nigeria (Niger Delta)	Niger Delta People's Volunteer Force	NDPVF	Established 2003, broke up after the detention of its leader, Dokubo-Asari, in September 2005
Nigeria (Niger Delta)	Niger Delta Volunteer Force	NDVF	
Nigeria (Niger Delta)	Niger Delta Vigilante	NDV	Leader Ateke Tom
Nigeria (Centre, Lagos)	O'odudua (also O'odua) People's Council	OPC	Established 1994, south-western Nigeria
Nigeria	Zamfara State Vigilante Service	ZSVS	Established 1999
Rwanda	*Forces Démocratique pour la Libération du Rwanda*	FDLR	Established 2000; DRC and Rwanda agreed to disband the FDLR in December 2008
Rwanda	*Front Patriotique Rwandaise*	FPR	
Rwanda	*Interahamwe*, Hutu Militia		*Interahamwe* was not formally dissolved after the 1994 genocide but merged with the Hutu Militia
Senegal	*Mouvement des Forces Démocratiques de Casamançe*	MFDC	Established 1982; armed conflict 1990–2004, split in *'Front Nord'* and *'Front Sud'*
Sierra Leone	Armed Forces Revolutionary Council	AFRC	Defected members of the armed forces
Sierra Leone	Civil Defence Force	CDF	
Sierra Leone	Revolutionary United Front	RUF	Entered 1991 Sierra Leone, supported by NPFL Fighters
Sierra Leone	West Side Boys	WSB	Led by Foday Kallay
Somalia	*Al-Ittihad al-Islami* / (Islamic Union)	AIAI	Established 1992
Somalia	Alliance for the Liberation of Somalia / Alliance for the Reliberation of Somalia	ALS/ARS	Established 2007

Somalia/ Djibouti	*Front de Libération de la Côte des Somalis*	FLCS	
Somalia	Northern Frontier District Liberation Front	NFDLF	
Somalia	Popular Resistance Movement in the Land of Two Migrations	PRA	Established 2007
Somalia	Rahanweyn Resistance Army	RRA	Established 1995/96, allied with SDM
Somalia	Somali Democratic Movement	SDM	Established 1992, southern Somalia
Somalia	Somali National Alliance / United Somali Congress	SNA	Established July 1992 as an alliance of parts of the USC and the Somali Patriotic Movement; led by Mohammed Farah Aidid
Somalia	Somali National Front	SNF	Established 1991
Somalia	Somali National Movement	SNM	Established 1982, declared independent republic of Somaliland in 1991
Somalia	Somali Patriotic Movement	SPM	Established 1989
Somalia	Somali Salvation Democratic Front	SSDF	Established 1978, declared autonomy of the Puntland region in 1998
Somalia	Supreme Islamic Courts Council	SICC	
Somalia	Union of Islamic Courts	UIC	Established 1991, supported by Eritrea
Somalia	Western Somali Liberation Front	WSLF	
South Africa	*Umkhonto we Sizwe*	MK	
Sudan	Eastern Front		Established 2005, ceasefire
Sudan	*Janjaweed*, *Fursan* and *Malihiyat*		Arab and Fur militias first mentioned in 1994, Darfur
Sudan	Justice and Equality Movement	JEM	Darfur
Sudan	Justice Front		Established 2007, Arab militia
Sudan	New Sudan Brigade		Established 1995, eastern branch of SPLA
Sudan	Popular Defence Forces		Government-controlled armed group
Sudan	Sudan Alliance Forces	SAF	Established 1994
Sudan	Sudan Liberation Movement/Army	SLM/A	Established June 1992 at the University of Khartoum
Sudan	Sudan People's Liberation Movement/Army	SPLM/A	Established 1983, Southern Sudan
Sudan	The Beja Congress		Established 1993, eastern Sudan
Sudan	United Front for Liberation and Development	UFDL	Established 2007
Sudan	United Revolutionary Force Front	URFF	Established 2007
Uganda	Allied Democratic Forces	ADF	Established 1995
Uganda	Front for National Salvation	Fronasa	Established 1973
Uganda	Holy Spirit Mobile Forces	HSMF	Established by Alice Auma (Alice Lakwena) (later her father, Severino Lukoya) since August 1986
Uganda	Lord's Resistance Army	LRA	Established 1987 by Joseph Kony
Uganda	National Resistance Movement/Army	NRM/A	Led by Yoweri Museveni, seized power in 1986
Uganda	Uganda Freedom Movement	UFM	Former Save Uganda Movement, 1980s
Uganda	Uganda People's Democratic Army	UPDA	1986–1988
Uganda	Uganda National Liberation Front/Army	UNLF/A	Established 1979, defeated by the NRA in 1986
Uganda	Uganda National Rescue Front	UNRF	1980–1986

Uganda	Uganda National Rescue Front II	UNRF II	Established 1996, signed ceasefire in December 2002
Uganda	Uganda People's Army	UPA	
Uganda	West Nile Bank Front	WNBF	Established 1995
Zambia	Mushala-Army		1976–1982, leader Adamson Mushala; restricted to the North-West Province of Zambia
Zimbabwe	Zimbabwe African National Union	ZANU	
Zimbabwe	Zimbabwe African People's Union	ZAPU	Established 1961, merged with ZANU in December 1987

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Please note: page numbers in *italics* refer to tables and figures.

Throughout Africa, armed militia, rebel and militant groups continue to threaten state sovereignty and to destabilise the security of some of even the strongest economies on the continent. The question is: How should African states respond to the challenge posed by such armed groups? The impressive range of case studies gathered here, ranging from the pirates of the Niger Delta and the rebels of the eastern DRC who prey upon rich natural resources, to the cultural and religious advocacy by Kenya's *Mungiki* and the armed Islamists of Northern Africa, reveals the complexity of the problem. For all those who wish to understand the contribution these groups make to continuing insecurity in African states, this collection of well-researched case studies is essential reading.

David M Anderson
Professor of African Politics at the University of Oxford
and Fellow at St Cross College, Oxford

Militias, rebels and Islamist militants is a carefully researched study which shows that armed non-state actors have become major contributors to human insecurity on the continent. It analyses the causes of the phenomenon and its consequences on the populations and the capacity (or lack of it) of states to protect against it and deal with it. The book also provides practical suggestions on how to deal with this phenomenon. It is highly recommended reading for scholars, researchers, policy makers and anyone seeking a deeper understanding of militia, rebel and Islamist militant groups and the impact their actions have on human insecurity and the state crisis in Africa.

Major General Henry K Anyidoho
Deputy Joint Special Representative for the United Nations-African Union Hybrid Operations in Darfur (UNAMID) and former Deputy Force Commander and Chief of Staff of the United Nations Assistance Mission for Rwanda (UNAMIR)

Wafula Okumu and Augustine Ikelegbe have done a sterling job in assembling a wide cross-section of able Africanist scholars to analyse the challenging dynamics of violence perpetrated by armed non-state groups which continues to undermine the emergence and maturation of African states in the post-colonial and post-Cold War eras. Africa needs concrete proposals on how to address the human, national and regional insecurity posed by rebel, militia and Islamist militant groups. This book is a must-read for both intellectuals and practitioners interested in promoting human security in Africa.

Martin R Rupiya
Executive Director
The African Public Policy & Research Institute (APPRI)

Understanding the genesis and evolution of violent armed groups in Africa is a critical enterprise as part of the effort to contain the phenomenon of weak, failed and failing states in Africa. This book contends that armed militia and insurgent groups with a variety of assorted grievances have proliferated in Africa because of the profound crisis that has bedevilled the project of post-independence nation building on the continent. *Militias, rebels and Islamist militants* discusses the worrying trend that has emerged from the progressive militarisation of societies and polities across Africa and the formidable challenges of restoring a healthy balance between civilian and military institutions. It reminds one that violent groups and movements are not simply going to fade away and that there is a need for vigorous efforts to check their proliferation.

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