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Review

## Moving beyond ‘Illiberal Democracy’ in Sub-Saharan Africa: Recalling the significance of local governance

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The developmental history of today’s liberal democratic states demonstrates a clear parallel between liberal state practice and functioning local government institutions. This simple fact has implications for today’s policymakers interested in the political liberalization of sub-Saharan Africa’s newly declared “democracies.” Yet, among the many debates taking place in developmental politics, local governance remains – at best – a niche area that is usually brought up within the context of decentralization policy. Largely due to the recent history of Cold War patronage that focused on central over local government relations, the newly declared democracies of sub-Saharan Africa consistently rank among the lowest in the world in the yearly indexes on freedom compiled by Freedom House. Here it is argued that, if political liberalism is to be realized within these newly declared democracies of sub-Saharan Africa, a renewed emphasis on the role of local government institutions must take place. Emphasis is placed on the recent experience of Zambia, which demonstrates the kinds of internal and external policy challenges proponents of local governance have faced.

**Key words:** Illiberal democracy, local government, sub-Saharan Africa, Zambia.

### INTRODUCTION: FAREED ZAKARIA’S CHALLENGE TO AFRICANISTS

In a provocative article entitled “The Rise of Illiberal Democracy,” published at the turn of the last century, Fareed Zakaria convincingly argued that, despite holding formal elections, liberal democratic practice in most of the world’s newly declared democracies remained elusive.<sup>i</sup> Zakaria warned that the holding of formal elections would now confer the formal title of “democracy” to a number of states but that many of them should not be thought of as classically liberal or *free* democracies in the sense of guaranteeing Lockean liberties and permitting the unhindered alteration of power. Citing the Freedom

House’s 1996-97 survey, *Freedom in the World*, Zakaria argued:

Illiberal democracy is a growth industry. Seven years ago only 22 percent of the democratizing countries could have been so characterized; five years ago that figure had risen to 35 percent. And to date few illiberal democracies have matured into liberal democracies; if anything, they are moving toward heightened illiberalism.<sup>ii</sup>

Zakaria was asking us all to think critically of the sudden rise of democratic elections taking place in the post-Cold

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War context; something which could undoubtedly have profound implications for interpreting political realities in sub-Saharan Africa. Over the past two decades, however, Africanists have been slow to respond to this new political reality. It is in response to Zakaria's challenge, then, that this article is written but with a new caveat: for liberal democracy to be realized in sub-Saharan Africa, policy-makers at all levels must place a renewed emphasis on local governance.

The end of Cold War patronage has had dramatic policy implications for sub-Saharan Africa. The kinds of support that corrupt African state leaders had come to rely on was now gone, leaving them decidedly less at ease. As we enter the 21<sup>st</sup>-century, all of Africa's leaders remain well aware of a new political reality: Cold War ideology can no longer be used as a basis for US or other state support. In retrospect, many within Africa consider the era of Cold War patronage as a politically corrupting force, delaying the democratic hopes of the 1950s-60s. But that is largely an academic view; the kind of argument that might be found in an African university classroom. In practical terms, for a generation of entrenched political leaders all over the African continent, the *end* of Cold War patronage marked the end of their hold on political power and privilege. And for the people of Africa it provided yet *another* reason for democratic hope. Unfortunately, in their analysis of African politics, a good number of Africanists (academic and think tank specialists of African affairs) have continued their long-established pattern of remaining focused on politics at the central government level. Moreover, many are repeating the error that occurred during the era of Africa's "first independence": interpreting democratic elections in an overly optimistic and, in the end, quite superficial manner.

### **Post-Cold War Optimism: Warranted?**

Africanists of all political perspectives have long maintained that the first real democratic hope for sub-Saharan Africa came with decolonization – with the "Year of Africa": 1960 – when thirteen African states gained their independence (from France: Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Côte D'Ivoire, Gabon, Madagascar, Mali, Mauritania, Niger, Senegal, Togo, and the Republic of the Congo; from the UK: Nigeria and Somalia; from Belgium: the Democratic Republic of Congo); others were soon to follow suit. Many scholars, such as the young Immanuel Wallerstein, were thrilled to partake in these great historical events and wrote of them with great optimism.<sup>3</sup> In the decades that followed, however, the subject of African politics was decidedly less popular among scholars. Even that previous generation that had expressed so much optimism in the 1950s and 1960s now deemed African studies as, somehow, less appealing or irrelevant. In the words of former Africanist Gavin Kitching, for example,

African studies was "too depressing," as he carefully explained the matter in a 2000 issue of the *African Studies Review and Newsletter*.<sup>4</sup> And Wallerstein, who has similarly moved on to other areas of academic inquiry, now considers his optimistic language of the time to be unwarranted.<sup>5</sup>

The same can be said of the optimistic observations made by many observers of African politics in the immediate aftermath of the Cold War – what Colin Legum referred to as Africa's "Second Independence."<sup>6</sup> Writing for the *Journal of Democracy*, for example, Richard Joseph declared in 1991: "It is conceivable that by 1992 the continent will be overwhelmingly democratic in composition."<sup>7</sup> Carol Lancaster was similarly upbeat in an article written for *Foreign Policy*, noting that "three-fourths of the 47 countries south of the Sahara are in various stages of political liberalization."<sup>8</sup> The primary reason for these Africanists' optimism was that democratic elections were suddenly taking place across the African continent after decades of single-party and/or autocratic rule. Yet, just a few years later, doubts were being expressed about the "wave of democratization" that was taking place, not only in Africa, but across the globe. It was in 1997 that Zakaria famously remarked: "We see the rise of a disturbing phenomenon – illiberal democracy." He explains: "It has been difficult to recognize the problem because for almost a century in the West, democracy has meant *liberal* democracy – a political system marked not only by free and fair elections, but also by rule of law, a separation of powers, and the protection of basic liberties of speech, assembly, religion, and property."<sup>9</sup> Zakaria's crucial insight, that has clear implications for today's new democratic states, is that *liberalism* is "theoretically different and historically distinct from *democracy*."<sup>10</sup>

It could be argued that today the vague term of democratization, arguably still in vogue in some circles, is gradually being replaced by the notion of democracy *alongside* political liberalization – something that, for many, is more meaningful and more easily subjected to scrutiny and measurement. This is because, as Zakaria points out, the *sine qua non* of democracy is, indeed, elections; and now that most of sub-Saharan African states are holding elections, they can be called formal "democracies." But there can be little doubt that observers of African politics have always had more in mind when speaking of democratization, than the formal process of democratic elections. What many of the aforementioned observers of African politics were thinking of was, not only "democracy," but also the prospects for political liberalization. This post-Cold War concern is not only more "refined" from what was typically argued during the Cold War, it has also made countless observers more sensitive to the need for local institutional support for liberal and other policy aims, such as improved health care and education. In short, the post-Cold War era has already taught us that using the term "democracy" is just not enough.

### **A problem of African Leadership**

In the post-independence era it was quickly apparent that neo-colonial norms, that prioritized the whims of those in central government, continued to dominate the political cultures of Africa. That is, colonial administrators cared more about themselves than in any form of democratic leadership and, post-independence, most of Africa's leaders simply followed suit. Rather than assign part of the responsibility for this nondemocratic form of governing to external patronage, that helped to create the conditions for political monsters like Desiré Mobutu, Africanists were freely writing about a "unique" form of African political leadership that was patrimonial, patriarchal, etc. in form. Harvard's Martin Kilson and Robert I. Rotberg are prime examples of Africanist scholars who based their entire careers on critiquing African leadership. As early as 1963, Kilson was pessimistically describing the "patrimonial," "neo-patrimonial," "patriarchal," "authoritarian and single-party tendencies in African politics" and Rotberg (now pessimistically questioning China's "real motives" in Africa) has been a consistent contributor to the "irresponsible" and "corrupt" African leader angle.<sup>11</sup> In a 2004 contribution to *Foreign Affairs* he writes, for example, "Africa has long been saddled with poor, even malevolent, leadership: predatory kleptocrats, military-installed autocrats, economic illiterates, and puffed-up posturers."<sup>12</sup> Most of today's post-Cold War Africa scholars have followed this career-safe pessimistic way of interpreting African realities, whereby the problems within Africa are portrayed as being entirely due to the *internal* shortcomings of Africa and/or Africans.

To continue along the path of one-sided pessimism, I submit, is not only inaccurate, it is irresponsible scholarship: good for careers in political science but hardly an accurate description of Africa's political realities, past and present. Further, post-colonial scholarship – similarly pessimistic in tone – is certainly closer to the mark, in that it emphasizes external influences on virtually aspect of African life, but it can overemphasize the external and neglect internal solutions to African woes.<sup>13</sup> To be clear: the phenomena which Kilson, Rotberg and other African area experts describe do and have existed in Africa but they cannot be attributed to *only* local politics and politicians. As Peter Schraeder has emphasized, responsibility for the lack of checks and balances in modern African contexts cannot be the portrayed as a uniquely African creation: African political failures are and have been greatly impacted by *external* forces.<sup>14</sup> Moreover, Africanists' tendencies to make generalizations about African political realities based only on corrupt leaders or, at best, central government observations, have only further aggravated the distortions that lead to misunderstanding. As part of an effort to correct these distortions, the next generation of Africanists needs to have a more balanced perspective on the significance of both internal and external capabilities and

influences, and to re-focus its energies on matters of local government.

The careful attention to local governance that colonial observers of African politics, such as Lord Hailey, was problematic – in the sense that it prioritized the interests and racial attitudes of the British Colonial Office – but still, in retrospect, of crucial significance to achieving liberal democratic governance in African contexts.<sup>15</sup> While external pressures and agendas will likely continue to impact African political realities, we must all recall the significance of local participation and input, as they are the best ways to take steps toward a locally-defined understanding of political liberalism.<sup>16</sup> Lost in the overly optimistic (1960s and 1990s) and pessimistic literature of all kinds (ongoing, post-colonial left and corrupt-leadership-focused right) has been the crucial importance of local governance.

Since Africa's initial wave of independence, the process of strengthening local government institutions in sub-Saharan African contexts has been viewed, largely within the context of internal "decentralization policies," as a drain on central government resources and power; it need not be. Proponents of such zero-sum views assume that the functioning of local governments takes place at the expense of central government authority and control. That Africa's central government leaders have tended to hold onto central government political power is nothing new; what is dramatically different in the post-Cold War context is that external Cold War patronage, that tended to support central over local government leadership, is now over. This new environment has already led to highly publicized political reforms, in the wake of the 1990s "wave of democracy."<sup>1</sup> Yet, as indicated above, most observers of African politics have remained focused on central government events. As occurred in the history of today's liberal democratic states, improvements to what Zakaria terms political liberalization – or what has been loosely called "democratization" – will require a renewed emphasis on, and vigorous attention to, local governance issues; in the African context, however, this will also require careful attention to both the internal and external levels of policy-making.

### **Local governance: Making historical comparisons**

Although today's politically liberal states do have differences among them as to how central and local governments function, the assumption among them is that, there are at least some *positive-sum gains* to be had among local and central governments. Considerations of these local-central government relationships, not only at present but in history, do matter to the realization of political liberalism in all contexts. And one should not shy away from making historical comparisons of yesterday's

<sup>1</sup> Samuel P. Huntington, *The Third Wave: Democratization in the Late 20<sup>th</sup>-Century*, (Norman, OK: University of Oklahoma Press, 1991).



liberalization experience to the circumstances of today's liberalizing states.

Of course, the promise of all democratic states is that they are an important step toward the expression of the "will of the people" in politics. For a variety of reasons that will have been denied, time and again, in African contexts due to powers that extend well beyond African borders. And it is important to remember that local norms and cultures, in African and other "developing state" contexts, can be compatible with democratic forms of governance. Time and again, the basic notion that democratic norms were found in African and "other," i.e. non-western, contexts is brought up by anthropologists and political observers alike but, just as regularly they are systematically ignored. After a lifelong consideration of what "democracy" might mean in African contexts, anthropologist Maxwell Owusu concludes: "We now know... that free and fair elections must be linked with reasonable economic security for every citizen."<sup>17</sup> The essential point that Owusu makes is that democratic ideas are and have always been present in African contexts; the impediments to their realization lie elsewhere: local security concerns, etc.<sup>18</sup> Similar arguments are found in Asian contexts. Kim Dae Jung has commented, for example, that "long before Locke" democratic liberal ideals existed in Asia and many other parts of the world – not only the West; the problem has been that these ideals have been held back by authoritarian forms of governance and rule.<sup>19</sup>

If one is to consider the words of Africa's colonial administrators, or even much of the political science literature on Africa, there is indeed a focus on *order* – even if under authoritarian rule – before *democracy*. This priority of order in sub-Saharan Africa has been the "justified" policy priority of the powerful in Africa's recent history and has clearly been viewed in a much different light among the ruled, as brilliantly discussed by Mahmood Mamdani. In his view, democratization "became a top-down agenda enforced on the peasantry."<sup>20</sup> "Without a reform of the local state," he argues, "democratization will remain not only superficial but explosive."<sup>21</sup>

A comparative consideration of the historical expectations of the public in *all* pre-liberal contexts, as to what local governments could reasonably achieve, can be revealing. What, for example, was the expected role of local government authorities in pre-liberal France, Germany, Italy or the United States? Certainly in those historical contexts there was much, often well-founded, suspicion of local wardens of the state. Collection of tax and the inconsistent use of coercive force gave ample reason for public angst over local state authorities in all of these pre-liberal contexts. But in terms of the provision of a public service, the primary expectation of the public was that the state would help to deter violence; what at least some early Western theorists equated with improved social *order*. Perhaps the best known "classic" example is that of 17<sup>th</sup>-century political theorist Thomas

Hobbes who argued that, without a state, society would be unruly, as "the state of nature is the state of war."<sup>22</sup>

Worth repeating is that the need for "order" in African and other developing country contexts, before political liberalization can take place, was similarly emphasized by political theorists of the post-independence era of the 1950s and 60s. In the 1968 book, *Political Order in Changing Societies*, Samuel Huntington famously argued that "political decay" was to be temporarily expected in developing state contexts as they liberalize, i.e. disorder, Huntington argued, was part of the process of change. In retrospect, of course, such arguments can be seen as providing excuses for delaying progress towards political liberalization; the human reality since that initial period of optimism for African political change has been decreasing standards of living throughout the sub-Saharan African region. And, in retrospect, while the impediments were many, the years that followed the hopeful wave of African independence movements provided scant evidence of political liberalization on the African continent. A process that began with great optimism for the peoples of Africa led many, within just a few years, to great disappointment.

In the aftermath then, of Africa's First Independence (the end of the colonial era) and, now, Africa's Second Independence (the end of the Cold War), political liberalization has remained elusive. Many political scientists, of the left and right, who had been so optimistic at the outset, now deem African development as a kind of lost cause; so discouraged by events of recent decades, some Africanists have simply chosen to walk away from the study of Africa.<sup>23</sup> Among those who have remained, there seems to be a focus on either the development of an African "civil society" (bottom-up) or a change in African "leadership" (top-down). Yet neither of these groups, roughly representing the Western political left and right, respectively, dares to make direct historical comparisons based on the practical underpinnings of liberal practice. Instead, ideological assumptions that they might have about political development anywhere are simply transferred to their observations about politics in Africa. The one group of theorists that does emphasize historical circumstances, the Historical Structuralists (Marxis-Leninists), have generally deemed Africa's developmental circumstances as a kind of lost cause due to the nature of the global capitalist system. In fact, the very idea that comparisons of political development North-to-South, or developed state versus LDC, can and should be made has been largely discredited due to the earlier works of Modernization theorists, such as Daniel Lerner or Walter Rostow.<sup>24</sup> Debates on the matter of political development are, in a sense, blocked. On the one hand, many Africanists simply dismiss direct comparisons of political behavior and experience as "modernization theory" and/or dismiss the prospects for African development because of the global capitalist system; on the other hand, African citizens themselves are losing any faith in "democracy" that they might have

had just a few years ago, often conflating the meanings of democracy, democratization and liberalism.

Today, we must address the shortcomings of formal “democracy” and turn our attention to the role of governing institutions at supporting liberalism. This will require true historical comparisons that have thus far eluded the field of African area studies and mainstream comparative politics. But there are a few examples of this kind of effort. For instance, it is undoubtedly with African political development in mind that Africanist Robert Bates discusses the structure and purpose of Europe’s pre-liberal governing institutions in his 2001 book, *Prosperity and Violence*. For him, as with Hobbes, the original purpose of governing institutions was to control violence and, in history, this was most visible at the local level. “Political development,” Bates argues, “occurs when people domesticate violence... Coercion becomes productive when it is employed not to seize or to destroy wealth, but rather to safeguard and promote its creation.”<sup>25</sup> For Bates, Europe’s pre-liberal governing institutions, by helping to deter violence, in turn, aided European development. Again, with African development clearly on his mind, he argues rather provocatively, “Societies that are now urban, industrial and wealthy were themselves once rural, agrarian and poor.”<sup>26</sup> To his credit, Bates does emphasize the centrality of local government to political development in history. But like others, Bates ignores the link between local government development and the new, and historically significant, external influences on development. That is, local governance in sub-Saharan Africa has been dramatically impacted by the dictates of outside (colonial, Cold War, etc.) actors; the same could not be said of the medieval European village. Historical structuralists are right to emphasize the role of history but, like all schools of thought, the emphasis tends to be on “state” – writ large – development.

Like the neo-institutionalists, Bates importantly brings the focus back to the local level (with the understanding of its centrality to the African context) but his focus is on *economic* over political development.<sup>27</sup> Looking at data from medieval and early modern Europe Bates argues that, over time, while violence was certainly not eradicated, functioning government structures were developed and “prosperity” resulted. That is, along with a growing sense of security and order among the masses, average incomes rose. As stated, similar arguments were made in the 1960s, notably by Huntington,<sup>28</sup> i.e. that order is a necessary precursor to democratic development. But Bates’ work focuses less on the provision of government services and more on the requirements of members of society. The eminent Swedish economist, Gunnar Myrdal, similarly argued: “Even an authoritarian regime cannot record major achievements unless it can somehow mobilize acceptance, participation, and cooperation among the people.”<sup>29</sup> Democratic states did ultimately flourish in the European context but it may well

have been the citizen demand for liberalism that made this possible, i.e. the internal policy environment. Again, importantly, in contrast with today’s internal policy environments in sub-Saharan Africa, medieval local government development faced fewer challenges from external actors.

In spite of Zakaria’s 1997 warning of the rise of “illiberal democratic” conditions, the distinction between democracy and liberalism remains elusive among many in external policy environments. For example, in a 2004 article entitled “Why Democracies Excel” Siegle et al. provide a variety of statistics to make the point that democratic states outperform autocratic states in virtually every category of developmental change: economic growth, quality of life indices, and avoidance of humanitarian crises. In other words, they conflate the two: liberalism and democracy. However, their argument still represents an important step away from Huntington’s 1968 argument that “political decay” is only part of the process of change and that authoritarian regimes may be a kind of necessary evil as they promote “order” amidst chaos. That is, the policy of “order over democracy” may not be as valid as previously thought; democratic states do consistently outperform “orderly” autocratic or military forms of governance. Siegle et al. conclude that we must reject all “development first, democracy later” approaches, particularly when it comes to foreign aid.<sup>30</sup> In this, they are probably right yet nowhere do they mention local governance, nor do they ever distinguish between democracy and liberalism – as Zakaria warns, the two are simply conflated. Moreover, one can only assume that their revised plan still involves central over local government leadership.

Thus far the internal demand-side of the debates on democratization has generally been portrayed in terms of “civil society.” The prevailing logic of civil society proponents is that improved livelihoods, at the individual and local level, will lead to a variety of developmental improvements including political protest that will eventually take place within the political system. In African contexts they have generally argued in terms of developing the demands of individuals and local representatives so that they may act, collectively, as a safeguard over otherwise authoritarian forms of government. This makes good theoretical sense but the efforts to improve livelihoods at the local level generally have little to do with Lockean ideals.<sup>31</sup> Instead, discussions of civil society are overwhelmingly oriented toward the policy debates within “developmental circles” that relate, specifically, to the provision of public services, such as water and electricity. While the provision of these public services is undoubtedly a meritorious venture, it is unclear that today’s successful democracies developed in such a fashion. Policy debates on democratization framed, either as an ideological quest or as a desperate call for water or electricity, are importantly neglecting the historical underpinnings of liberalism.

The hard fact is that democratic elections are limited in their impact. Further, in today's African context, a fundamental truth is that "democracy," as with previous forms of government, has been handed down from above without any political struggle by a large section of the people. While the media might portray urban protests as a positive sign of political struggle, it is clear that the majority of sub-Saharan African citizens reside in the countryside where the kind of coordination required for effective political protest is generally lacking. This, in fact, may be very analogous to what happened in early democracies, where urban protest (later documented by historians) was where the debates of political theory took place, while the masses in the rural countryside were largely removed from the process. "Democracy," in other words, can be thought of as an arrangement of the elites to keep the masses contented; all the while, liberalism is what the masses cared most about. "Democracy," thought another way, was how then reigning elites maintained order, while simultaneously disposing of monarchy – obviously a direct interest of elites who were to take-over political power. Faced with an opportunity for establishing liberal state practice, elites were keen to do so, as it protected their own property (thereby avoiding disorder), but it also appealed to the masses in ways that Bates refers to (avoidance of violence) and, gradually, a sense of new possibilities for the future. In early democratic states then, as in new democratic states today, the vast majority of rural and urban residents continues to focus on day-to-day struggle and, if anything, generally has remained politically apathetic and disunited. This reality is not unique to Africa. Democracy is an important step toward political legitimacy but it is not what heightens the interests of the elites or the masses in their respective futures; liberalism does.

The very fact that individual citizens have no real avenue to pursue effective protest is undoubtedly disappointing to many but the disappointment, it must be acknowledged, stems from broader theoretical pre-conceptions of the historical development of *democracy*. Both Western and Marxist models of political development see promise in protest, in the "rising up" of peoples, in an effort to hold their political and/or industrial leaders more accountable. But democracy, it must be acknowledged, is not a panacea as can be seen in the case of the Ancient Greeks, where the masses were generally kept outside of any democratic experiment.

It would not be an exaggeration to say that this model was carried-over into the democratic developments that took place in Europe and America. In fact, scholars such as Charles A. Beard and Richard Hofstadter provocatively argue that the framers of the US Constitution at the Philadelphia Convention of 1787 were highly critical, even fearful, of democracy. According to Beard, the notes of James Madison, which have proven crucial to scholars' understanding of what was discussed at the convention, show conclusively that the members of that assembly

were not seeking to rationalize any fine notions about democracy and equality, but were striving with all the resources of political wisdom at their command to set up a system of government that would be stable and efficient, safeguarded on the one hand against the possibilities of despotism and on the other against the onslaught of majorities.<sup>32</sup>

Governor Morris, who was present at the Convention, confirms Beard's conclusion: "An aristocratic body [which he defined as 'men of great established property – aristocracy] will keep down the turbulence of democracy."<sup>33</sup> According to Madison's notes Elbridge Gerry and others warned of the evils that could be experienced "from the excess of democracy."<sup>34</sup> Writing on the prevailing logic of America's Founding Fathers, Richard Hofstadter similarly explains

To protect property is only to protect men in the exercise of their natural faculties. Among the many liberties, therefore, freedom to hold and dispose of property is paramount. Democracy, unchecked rule of the masses, is sure to bring about arbitrary redistribution of property, destroying the very essence of liberty.<sup>35</sup>

Beard was attempting to demonstrate the *economic* logic behind the US Constitution and his work, therefore, was deemed by many within Western states (and particularly within the US) to be Marxist. To many, Hofstadter similarly appears to be overly critical of the US democratic experiment. During much of the 20<sup>th</sup>-century, because they both downplayed idealistic understandings of the development of "democracy," both of these scholars appeared unpatriotic to many. In particular, linking economic considerations with politics was thought of as leftist at best, Marxist at worst. The works of Howard Zinn on US history have been deemed unpatriotic or Marxist because of his emphasis on the political concerns of the "masses."<sup>36</sup> With the ideological fervor that characterized much of the Cold War now over, a reconsideration of these views may be in order. Admittedly some have simply opted to label the works of Hofstadter, Zinn, and others as unpatriotic, Marxist, communist and the like but, today, it is hardly controversial to say that economic considerations are an important part of politics and policy analysis.

Conservatives in the US context regularly intertwine the economic with the political, as Marx might have done, yet no one would dare label their ideas as "Marxist!" For example, CNN quotes Condoleeza Rice as saying: "Economics and security are inextricably linked" and countless others – notably Henry Kissinger – have made similar comments throughout their careers.<sup>37</sup> Indeed, with the passing of this ideological block may well come a clearer understanding of the underpinnings of Western political liberalism – that are in fact linked to matters of *security* (as argued by Bates) and *economics* (as argued

by Owusu) – which may help provide important clues for the development of today's new African democracies.

Upon reflection it is clear that the average democratic citizen in history has been less interested in theoretical democracy than in the day-to-day struggle for survival. This does not detract from the overwhelming virtue of democracy over other forms of government; the point is to emphasize the practical concerns of citizens at the local level. At this level of analysis, the individual's struggle for political liberalism, viewed in terms of citizen demand, can be revealing. To the average citizen of pre-democratic and democratic states alike, the state did help to deter random acts of violence, but it also helped legitimize claims to private property ownership, a cornerstone of Western understandings of political liberalism. Because of their geographic proximity, at a time when traveling great distances was especially uncommon, local governments also fostered ties with the central government, e.g. through collection of state tax or tribute and, ultimately, in matters of security. As Bates has argued, contact with the state was considered worthy insofar as the state authorities provided a sense of protection from violence. Another crucial "spill-over" effect, of course, was to affirm, through civil records of births, marriages, and deaths, a sense of national identity.

Importantly, these local government tasks were largely administrative and not, one might suspect, especially cumbersome but they had revolutionary results, in terms of their "liberal" outcome. In the pre-democratic late 17<sup>th</sup>-century British philosopher John Locke described the inextricable link between these very basic local government functions and – what later became – the Western interpretation of "political liberalism." A reconsideration of Locke's work reminds us that, while the role of democratic state leadership is undoubtedly a crucial consideration in democratic states, it is not only central government leaders that underlie liberal state practice. Citizens of liberal democratic states have historically been more closely linked with local government procedure, largely out of self-interest, and motivated by the security and protection of what Locke referred to as "the fruits of our labor." Specifically, Locke argued that the input of labor into what nature has provided to all is what legitimately creates property.<sup>38</sup>

Accordingly, within today's liberal democracies there exists a practical connection between government institutions and the citizenry; what Louis Hartz once termed a "Submerged Lockean Consensus."<sup>39</sup> By this, Hartz meant that there was popular consensus within liberal states as to what political liberalism entails and what the role of government institutions should be; an interpretation that was first argued by the then radical Locke *contra* the political philosophy on governance then promoted by apologists of illiberal state practice, such as Sir Robert Filmer. Locke's argument that government institutions should protect our "lives, liberties, and estates," later interpreted as the protection of "life, liberty,

and the pursuit of happiness" by Thomas Jefferson in the US Declaration of Independence, is fundamental to liberal practice. The US Declaration of Independence has often been interpreted as an important stepping-stone toward "democracy;" it might better be thought of as a crucial step towards today's predominant view as to what political liberalism entails.

The bounds of political liberalism remain a fundamental matter of policy and debate among liberal states but the fact remains that there is nearly universal agreement of this fundamental role of governing institutions in liberal democratic states. Few would counter, for example, the protection of our private property – again, viewed historically as the things that we work for, what Locke termed "the fruits of our labor" – as a fundamental right within liberal states. This interpretation of what political freedom entails remains an underlying principle in liberal practice and it can be argued that much of the Western "miracle" has relied on this as the basis of liberalism. Indeed, it can be argued that the realization of prosperity (Bates' term) or liberalism (the policy concern of Zakaria and other proponents of freedom in today's new democracies) is a kind of "chicken and egg" phenomenon where development via private enterprise, i.e. economic liberalism, can only occur once property (as Locke terms it "the things we work for") is secure, i.e. once political liberalism is realized. Approaches to liberalism, however, remain mired in such vague notions as "End of History" rather than what it will require: a more practical connection between governing institutions and the citizenry that emphasizes specific Lockean or other, locally defined, aims.<sup>40</sup> The only arrangement that can be considered appropriate and just – part of any democratic hope – must include the collective expression of hopes, dreams and desires of the local citizenry.<sup>41</sup> As we enter into the twenty-first century, many external actors remain tied to vague, often ideological, aims that are only shared with central government leaders. And, within the new democracies of sub-Saharan Africa, Lockean and/or local notions of political freedom remain largely misunderstood and/or scarcely expressed, due to the ongoing dysfunction of local governments – again, a problem that is largely a result of the priorities of external powers.

For political liberalism to be realized in sub-Saharan Africa's new democracies, local government institutions must assume, at a minimum, the administrative roles that they have had within today's liberal democratic states, e.g. maintaining civil records (births, marriages, deaths), titles to property, and a locally accountable security force; thus far, they have not. Instead, when local governance is mentioned in sub-Saharan African contexts, and for understandable reasons, the focus is on the soaring demand for other more visible public services. As witnessed during the campaign prior to 2006 local government elections in South Africa, candidates were quick to make *unrealistic promises* regarding the provision of improved public health care, education, and

the like, while burgeoning issues that underlie improved local government administration were entirely neglected. In the party manifesto of the African National Congress (ANC) it was declared, for example, that their action plan would make local government “speed up the delivery of services.” Other parties, including the African Christian Democratic Party (ACDP) similarly focused on improving “service delivery.” While political organizers know all too well that this would appeal to the voting public, there is little visible support for the view that this will actually happen. Citizens of other early democracies never had these kinds of public service expectations and one can reasonably assume that the citizens of sub-Saharan Africa will only develop cynical attitudes toward “democracy” in this kind of atmosphere.

To date, administrative challenges such as keeping track of titles to property, which generally falls under the heading of “land tenure” in the development literature, have been consistently marginalized in discussions of sub-Saharan state policy. To the extent that land tenure is maintained by government records, there is a tendency to rely on the records of central government authorities that often date back to the colonial era. These notoriously incomplete records require careful consideration if political liberalism of any kind is to be realized in sub-Saharan Africa. And, certainly, in the short term there is no guarantee that the process of improved administrative austerity at the local government level will be without controversy. As countless observers have noted in the wake of the harsh property redistribution policies of the Mugabe regime in Zimbabwe, land records are indicative of a history of colonial rule and influence (what the Mugabe regime described as “white” over “black” property ownership). Certainly, there is no intention here to condone Mugabe’s approach to the problem; it is an exceptional case on the African continent. But the historical result of having state power linked to property ownership has been to alienate many locals from the administrative processes that underlie land tenure. Historically, such procedures have been viewed as being linked to agents of the central government which, since well before the independence era, has generally been something that local citizens would rather avoid. Improved records of titles to property, and other forms of civil administration, would improve the relationship of citizens with their local governments, as has been the case in all liberal contexts.

Today, contrary to the very basic expectations of local governments in early and pre-democratic states, what is most often heard from the citizenry in sub-Saharan Africa is that the state ought to provide better services. It should come as no surprise, then, that the internal politics on local governance is characterized by general avoidance of the issue; because central government authorities view the needs of local government as an inept bottomless pit, local governance is rarely listed on the national policy agenda. Indeed, one is not surprised

to see external actors, such as internationally recognized non-governmental organizations (INGOs), in rural areas of sub-Saharan Africa aiding local communities in a variety of ways. Whether these external actors are motivated by humanitarian concerns, the provision of “basic needs,” or an expectation as to what a modern welfare state might provide, there is virtually no support for what might be termed Lockean ideals at the local government level. Land-tenure remains largely a concern of under-funded anthropologists, while internal and external policymakers frantically address more “pressing” policy matters. As the successes of the Grameen Bank have demonstrated throughout the world, central governments are not especially adept at responding to household-level needs. In the interest of contemplating the prospects for strengthening local government institutions along locally-defined lines, i.e. in an effort to promote political liberalism, the following addresses the recent history of *internal* policies and debates regarding strengthening the local governments of one sub-Saharan African state – Zambia. This is followed by a consideration of changes of *external* policies, and how they might hinder or improve the prospects for strengthening local governments and finally, some of the lessons learned from the decentralization efforts in the Zambian case, are considered.

### ***The case of Zambia***

With the collapse of the Soviet Union it was clear to all that the patterns of Cold War patronage with African states were about to change forever. During that period, Kenneth Kaunda, Zambia’s leader after independence, had argued that Zambian citizens should adopt a policy of humanism (what was also called Kaundism). His argument for humanism, which he first expounded in his 1962 book, *Zambia Shall Be Free*, was that with independence there would be a great many changes, perhaps even turmoil and chaos. Because the traditional village ways of life and culture would now be under constant threats of change, citizens should make every attempt to be kind toward one another during this tumultuous time. Certainly, the logic had appeal for many and it must be admitted that Zambia was relatively peaceful in the post-independence years, when compared to her neighbors (Angola, former Zaire, and Mozambique).<sup>42</sup> Like other sub-Saharan African central government powers, the Kaunda regime relied largely on the export of natural resources. The nationalized Zambia Consolidated Copper Mines (ZCCM) was especially crucial to central government authorities as, for decades copper exports alone accounted for over 80% of Zambia’s foreign exchange earnings. As was the case during the colonial era, “the state” was therefore viewed as a stable resource for the few who were lucky enough to maintain ties; within this political power vacuum, local

government was little more than an inconvenience.

Coupled with central government ties with Cold War patrons, it should come as no surprise that throughout the Cold War period many looked to the central government as Zambia's primary resource. But Kaunda's central government "stability" was threatened by dramatic drops in the world price of copper during the 1970s. With the rising price of oil, the Kaunda government had little option but to borrow funds, notably from the IMF. In a pattern that was replicated throughout the developing world, Zambians found themselves with crippling and historic levels of debt. In 1987, Kaunda announced that he would not allow debt financing to exceed 10% of export earnings and attempted to "delink" from the IMF and World Bank. But by then it was already clear that Kaunda's leadership would be challenged. In an atmosphere of growing critique against African forms of socialism, and growing support for "democratization," a young union lawyer named Frederick Chiluba (who had previously been socialist), soon entered into a presidential race against Kaunda and his United National Independence Party (UNIP). As candidate for the Movement for Multiparty Democracy (MMD), Chiluba represented a growing group of African politicians who were now openly supportive of democracy and capitalism. In spite of protests by supporters of UNIP, Chiluba's MMD won the election decisively, with 75.8% of the vote.

In 1991, as had been the case post-independence, the prospects for democratization seemed great. This time there would be no Cold War rivalry. Now, it was clear to all that the future developmental path of African states would not and could not be that of the Soviets. The newly elected Frederick Chiluba remarked, for example:

The significance of the collapse of communist states should not be underestimated. These events were critical, first because the Eastern European regimes and their constitutions had provided the model upon which the entire structure of government in Zambia's Second Republic came to be based... Second, the Soviet Union had provided aid to the one-party state in Zambia. A Soviet military attaché was accredited to the embassy in Lusaka [and] East German military instructors could be found in Zambia as recently as 1988.<sup>43</sup>

Following in a pattern that had begun during the colonial era, the Chiluba government maintained central government authority and control. But outside observers, notably donor states and INGOs began to lobby for policies that would promote "democratization." Importantly, the Lockean ideals of establishing local governments with the primary aims of protecting our "lives, liberties, and estates" were not the focus; rather, decentralization was viewed as an important step toward democratization. During the Chiluba era the term

"democracy" was simply used as a kind of trump card for legitimacy and local governing issues continued to be framed in terms of public services. Many involved in public health and education, in particular, argued that these basic services could be more efficiently provided at the local level through a gradual process of decentralization.

In short order, the new regime's Public Service Reform Programme (PSRP) promised the "decentralization and strengthening of local government," with task-based timetables, that were all presented to donor states in a comprehensive text, circulated in 1993. Passage of the PSRP was considered by many to be a remarkable event in Zambia's political history as it was a policy direction that had been long fought for by proponents of decentralization.<sup>44</sup> In the many discussions that led up to the 1993 PSRP, the 1980 Local Administration Acts that had aimed (on paper) at devolution of power from central government to Councils were openly criticized, and considered a failure, if not an outright sham. This new policy, coupled with the historic break with the past – one that had been dominated by former President Kenneth Kaunda – offered Zambians reasons for democratic hope in the first few years of the Chiluba presidency. As supporters of Chiluba reminded eligible voters in 1991, "the hour had come," and with the 1993 passage of the PSRP, change was in the air.<sup>45</sup>

But in the years that followed, specific tasks that had been listed in the PSRP's Proposed Implementation Schedule, notably that the Ministry of Local Government and Housing (MLGH) would complete a Plan for Decentralization by mid-1993, were clearly being delayed. Seeing that strong central government resistance to the PSRP remained, one of the primary proponents of decentralization in Zambia, the British-funded Local Government Support Project (LOGOSP) that had been formally initiated in March 1995, closed its doors in 1997. From 1995 to 1997, brand new white trucks with LOGOSP decals on the doors were a common sight on the roads of Zambia, particularly in the streets of Lusaka. But, seeing no real signs of political will to decentralize government authority and control, LOGOSP was to last just over two years.<sup>46</sup> Since then, there have been no signs that there any plans of having LOGOSP return. In response, Bennie Mwiinga, MP for the Ministry of Local Government and Housing (MLGH), made every attempt to revamp LOGOSP through the support of other donor states. But his eleventh-hour efforts proved unsuccessful.<sup>47</sup> Mwiinga's appeal for what he termed "bridging finance" was only considered as an attempt to keep the MLGH bureaucracy afloat and not linked, in any meaningful way, to implementation of the PSRP. Even the draft decentralization plan that was finally circulated in 1996 did not convince donors that central government leaders were taking the issue seriously; indeed, formal consideration of the plan by Parliament was to take another eight years.

## **INTERNAL POLITICS: ZAMBIA'S MINISTRY OF LOCAL GOVERNMENT & HOUSING'S DESPERATE 1997 APPEAL TO DONORS**

In all fairness, Mwiinga's 1997 appeal to donor states never really stood a chance. The only donor state that could have provided any substantive support to the MLGH was the US (or, more specifically, the US Agency for International Development) and, for a variety of reasons, USAID was not prepared to do so. As a leading donor state in Zambia, the consistent position of USAID/Zambia on decentralization is worth noting.

### **Local governance: A non-starter**

First, beyond keeping "democracy and governance" low on this mission's priority list, the task of strengthening local governments through decentralization was consistently portrayed as a non-starter. Throughout the 1990s USAID officials were notably less optimistic to those from other donor states. Observing that there was little central government support for the task, the former Democracy and Governance Advisor of USAID/Zambia commented: "We simply see no political will to allow any sort of localization to take place," adding, "the enabling environment is downright hostile."<sup>48</sup> Nor is there any indication that there will be any change in USAID's position with regard to local governance in the near future. For example, in the summaries of its Democracy and Governance Program for Zambia, USAID consistently makes no mention of local governance issues, or of decentralization efforts.<sup>49</sup>

### **Aid as obstacle**

Second, USAID/Zambia is entirely dependent on the support of a home government that has been, relatively speaking, anti-"aid." The open critique of aid was especially marked during the 1980s and 1990s and is now commonplace in development circles; one could say, without exaggeration, that the US has led the global campaign against development aid, to great effect. "Aid as obstacle" has since become the established "common wisdom" among donors, i.e. it is generally accepted that aid only distorts the proper development of developing states.<sup>50</sup> "Well-intentioned" donations of free food and clothing have proven to be powerful examples of how even well-intentioned aid can devastate the local entrepreneur. Specifically, such cases ask: How can local entrepreneurs possibly compete with an influx of free goods that are sent in the form of "aid"?

### **Central government focus**

Third, the Democracy and Governance (D/G) activities of USAID have historically centered on the observation of,

and contact with, central government leaders. The incentive for altering this largely entrenched manner of conducting D/G activities remains minimal; rewards for having central government contacts remain higher than what they might be for establishing contacts out in the countryside.<sup>51</sup> Indeed, during the Cold War, donor state missions in sub-Saharan Africa were expected to *work with* central government leaders – particularly as they were often pro-socialist and/or avowedly Marxist. In the ideological climate of the Cold War it should come as no surprise, then, that USAID missions in the sub-Saharan African region had little difficulty in obtaining home support when submitting requests for funds. During those years, while Kaunda promoted *Zambian Humanism*, other state leaders developed what was considered unique forms of African Socialism, including most famously, Tanzania's Julius Nyerere (President of Tanzania from 1962-1985). Donor state missions from the West, in particular, were therefore cautious of openly criticizing such leaders, lest entire states be lost in a global chess-like battle among states that were considered either pro-Soviet or pro-West. Yet, as we progress into the twenty-first century, it is becoming abundantly clear that the post-Cold War world is dramatically different in that donor state critique of African state leaders occurs with much more ease and, as demonstrated, the use of aid to these same leaders is now openly put into question.

### **Policy without implementation: The 2004 decentralization plan**

Finally, with the overall stance of donor states being hostile toward "aid," USAID's policy stance will likely have dramatic consequences for the future implementation of Zambia's 2004 National Decentralization Policy; that is, without external funding of some kind, implementation of the policy itself will prove to be a non-starter. While there are other potential sources of financial support for this new policy, a consideration of USAID/Zambia's development policies, as viewed through budget allocations, is crucial as USAID remains the largest single bilateral donor to Zambia, followed by the United Kingdom, Germany, Norway and Japan.<sup>52</sup> In fact, a look at USAID/Zambia's post-Cold War budget figures demonstrates the lack of will, on the part of USAID, to put resources into what is termed "Democracy and Governance." For example, following in order of importance to USAID/Zambia, one typically finds the top two "Strategic Objectives" are Increased Competitiveness and Improved Health; Democracy and Governance has tended to receive around 5% of the overall annual budget.<sup>53</sup>

### **External politics: The rapidly changing dynamics of aid**

Following the 1980s, a period that has been considered

by many a “lost decade” for Africa, US policymakers made it abundantly clear that their policy priority for Africa was *economic growth*; improvements in other areas, including democratization, could only occur after successful rates of annual growth were achieved. Many now refer to as a “development first, democracy later” approach to African development. Certainly, this was the logic behind what was dubbed “End of Dependency Act of 1996” for Africa (H.R. 4198), that made specific reference to “sub-Saharan Africa’s lack of competitiveness in the global market.”<sup>54</sup> Sponsored by Rep. Phil Crane (R-IN), Rep. Charles Rangel (D-NY) and Jim McDermott (D-WA), the bill aimed at building “...a market-oriented transition path for sub-Saharan Africa from dependency on foreign assistance to economic self-sufficiency.”<sup>55</sup> Leading development economist Jeffrey Sachs, former Director of Harvard’s Center for International Development (formerly the Harvard Institute for International Development) and now Director for Columbia University’s Earth Institute, strongly supported the initiative. In February 1997 Sachs submitted a paper to the former Speaker of the House, Newt Gingrich, which was then forwarded to members of the US Congress, entitled “A New Partnership for Growth in Africa” that wholly supported the idea of having a new growth strategy for sub-Saharan Africa. In that paper Sachs called for an “initiative from the United States to work with other major donors to end aid to Africa as we know it.”<sup>56</sup> Turning his focus away from his consultations on structural reform in other parts of the world Sachs, now especially interested in African development, was regularly quoted as a supporter of the objectives in H.R. 4198, calling it a “new way forward for Africa” in the *Financial Times* and arguing in an interview with *The Economist* that “growth in Africa can be done.”<sup>57</sup> Hearing that this was a viable plan to help Africa to grow, African-American leaders, following in the footsteps of Rep. Charles Rangel, similarly supported the bill. As a senior member of the Congressional Black Caucus, and chief sponsor of the bill, Rangel argued that “at last, like other ethnic groups in America, African-Americans will be able to point to a special partnership that connects the United States to our ancestral homes.”<sup>58</sup>

Despite the glaring fact that plans for this ‘special partnership’ included continued reductions in aid, opposition to the bill was minimal. By this time the consensus was that dependency on aid diminished the prospects for competition and, hence, economic growth. The lack of any real critique from lobbyists in Washington was largely due to the renaming of the initiative, from “End of Dependency Act” (which was understood to be a partisan, i.e. Republican initiative) to the more appealing “African Growth and Opportunity Act,” which received full bipartisan support. Ralph Nader’s group Public Citizen dutifully called on its members to “oppose the misnamed African Growth and Opportunity Act” but to no avail.<sup>59</sup> In 1999, with the full support of the Black Caucus, the

House passed the renamed bill with a vote of 309-110, followed by a 2000 Senate vote of 77-19.<sup>60</sup> Since then, AGOA has remained the dominant policy stance towards sub-Saharan Africa, with direct consequences on USAID budgets. Indeed, the aforementioned pattern of US leadership among donor states in the Zambian context is not likely to last as aid budgets (in thousands of US\$) have continued to decrease in recent years: FY 2004 (\$49,487), FY 2005 (\$28,297) and FY 2006 (\$24,927).<sup>61</sup> Ongoing developments in the aftermath of AGOA, including statistics that demonstrate an increase in trade between the US and Africa, are regularly posted on the new, and often cited, web-site <http://www.agoa.gov>. In December 2005, US President George Bush expressed his hope that 37 African states would be made “eligible” for “AGOA.”<sup>62</sup> Citing specific sections of AGOA, as well as the US Trade Act of 1974, the president’s press release suggests that certain African states are “making continual progress” and considers the prospect for new AGOA designations for African states, i.e. “lesser developed beneficiary sub-Saharan African countries.”<sup>63</sup>

Ironically, of course, while this fundamental restructuring of aid to Africa is occurring within the US policy circles, others involved in aid are simultaneously pushing for the United Nation’s Millennium Development Goals that specify the need for *increased* aid from donor states, to reach a minimum of 0.7% of GDP. Proponents of increased aid to Africa within OECD states have already run into tremendous resistance, particularly in US contexts, as the prevailing wisdom remains critical of aid in general.<sup>64</sup> What is particularly ironic, given Sachs’ aforementioned involvement in pushing for AGOA, is that he is now actively involved in the promotion of the UN’s Millennium Development Goals (UNMDGs), working as Special Advisor to UN Secretary General Ban Ki-Moon.<sup>65</sup> Furthermore, in 2005, Sachs published a bestselling book entitled *The End of Poverty* that addressed his revised views on aid. Over the past few years, he has held many public lectures and interviews discussing his ideas.<sup>66</sup> To him there is no inconsistency; economic growth must be the priority and (different from the AGOA approach) aid can help to make that happen. For this later, pro-aid policy stance, Sachs has received tremendous support. In fact, all 192 member states have agreed to the highly publicized eight UNMDGs.

The overarching goal, argues Sachs, was to end “extreme poverty” by 2015 – now delayed due to the 2008 financial crisis.<sup>67</sup> And again, much of his work focuses on sub-Saharan Africa, specifically. This (delayed) goal cannot be achieved, he argues, by simply cutting aid across the board but through a careful consideration of the unique circumstances in which certain developing states now find themselves in. While still arguing that developing state policy needs to welcome market liberalization, Sachs now focuses on other factors that impact economic growth, such as *geography*; that is, while some countries have been



blessed with access to international markets others, particularly landlocked countries, have had a difficult time accessing world markets and this has translated into increased operating costs. Further, the *initial income level* of a country may be low and that lack of capital adversely impacts the prospects for growth. Such circumstances, Sachs argues, may warrant a write-off, or easing of, debt burdens, etc.<sup>68</sup> In other words, many of the circumstances that now adversely impact the immediate prospects for the economic growth of most sub-Saharan African states need to be addressed through a variety of development strategies, not by simply cutting aid budgets across the board. Aid can be used in effective ways that aim at promoting economic growth he seems to argue, contrary to prevailing wisdom; what needs to be fostered are the fundamentals of any economy: The support and training of labor, the development of capital, management know-how, and the like. With the view that labor is an abundant and underutilized resource in many developing countries, Sachs has made a concerted effort to point to public health concerns, notably AIDS, as an impediment to growth. While it might seem difficult to refute Sachs' more comprehensive approach to promoting economic growth, his views remain marginalized among many aid policy makers. The recent popularity of Thomas L. Friedman's book, *The World Is Flat*, is testament to the ongoing support for the view that, in this era of globalization, opportunities are available to us all and that, accordingly, aid can only be considered a handout.<sup>69</sup> In fact, during his book tour for *The End of Poverty*, Sachs made a point of criticizing Friedman's perspective. The question remains as to what direction the Washington Consensus will take on the matter.

It is partly as a result of Sachs' new perspective on the subject of aid, and global support for the UNMDGs that the debate as to whether aid must necessarily hinder developmental patterns, including the development of free-markets, has returned. For now, the notion that aid can be put to good use, e.g. supporting business initiative, assisting the workforce in training and education, and helping to alleviate glaring public health concerns, remains controversial. And the links between these issues and political development, not to mention any improved prospects for liberal political practice, remain difficult to ascertain at best. The question remains as to how all of these political debates on aid, that are largely *outside* of sub-Saharan Africa, will impact the prospects for improved political development *within* sub-Saharan African states.

There can be little doubt that the external policy debates have a profound impact on policy direction within sub-Saharan African states. For instance, decentralization in Zambia, like other policy initiatives, has been largely a donor-driven enterprise. While the leading donor to Zambia, USAID, has had other priorities, Britain and other donors have consistently pushed for decentralization plans including, notably, the increased "capacity" of local

governing authorities. The push for political change, from donor states (*external actors*) must be taken into account when attempting to understand recent trends in sub-Saharan State policy. While African state leaders may voice contempt for such ideas, Africanists such as Jennifer Widener, have consistently argued that in sub-Saharan Africa "political openings usually take place only in conjunction with international pressure."<sup>70</sup> This was certainly the case, for example, with the long delayed approval of Zambia's National Decentralization Policy in 2004. While USAID took little interest, other donor states lobbied hard for passage of the draft policy.<sup>71</sup> Advocating a new policy direction, of course, is a delicate issue but Zambia's central government leaders have long been accustomed to the idea that donor state funding is linked to certain policy initiatives. Indeed, any contempt that some Zambian leaders and citizens might have for such external pressures is largely due to what is now widely perceived as the donor state's "self-serving" interests during the Cold War. "Why else," goes the refrain of many Zambians today, "would donor states be cutting their foreign aid budgets?"

### **Conclusion: Recalling the significance of local government institutions**

In the geographically vast regions of sub-Saharan Africa, the proximity of government authorities can play a crucial role. Largely due to the history of capital-centered politics and the "national" formulation of policy, local governments have been thus far considered by many a burden or even a luxury. To the extent that local government was considered by colonial administrators, it was to emphasize the maintenance of "order" (through Indirect Rule, Assimilation, or other) and not to establish local government institutions that had, as their principal aim, the maintenance and security of local property. Moreover, due to the colonial history of sub-Saharan African states, local authorities have historically been viewed by local citizens as agents of "the state." In these circumstances, "the state" was something to be avoided and at all costs; this legacy remains. To this day, it certainly is not assumed that a local government authority acts in the interest of the local citizen. Much of this can be explained in terms of colonial history, and the often corrupt practices that continued during the era of "neo-colonialism." This paper has argued that a careful consideration of the limited roles of local government authorities in liberal democratic contexts could be revealing. Within that context, local governance played a largely unsung but crucial role in expanding liberal practice. At least initially, citizens had limited demands. One of the most fundamental functions of local governments in liberal states, then and now, has been the protection of the "fruits of our labor," i.e. our property.

As local – historically agrarian – productivity improved,

administrative ties with central government were improved, with the understanding that there could be *positive-sum* gains to be had by those involved. In the sub-Saharan context, central government leaders were direct beneficiaries of colonial and Cold War ties, to the detriment of local government development. The relationship then, has been viewed as “top-down,” *zero-sum* (competing for limited resources) and antagonistic. By contrast, in liberal democratic states, there have been political debates over the appropriate balance of local-central state authorities, but the largely cooperative connection has always existed.<sup>72</sup> By contrast, in the sub-Saharan African context, colonial history and its aftermath led to the development of governing institutions that consistently favored centralized over local forms of governance.

Democracy then, in all historical contexts, is a process, not an event. In the post-Cold War environment it must now be openly acknowledged that this has been the case in all democratic states of the world; political freedoms that have become synonymous with democratic practice certainly did not apply to all residents of the early United States, for example, that included a sizable slave population and systematically excluded women. The inclusion of these groups – unquestionable improvements in democratic practice! – took place over time. Such views are now being expressed, in policy circles, as part of the challenge that new democracies must now face.<sup>73</sup> This argument – that it takes time – may offer little solace to those anxious to implement liberal democratic practice in new democracies. But these kinds of historical comparisons that focus on the practical underpinnings of liberalism demonstrate the crucial role of local governance.

There are several important lessons to be learned from the internal and external politics that surround the decentralization efforts in Zambia of the past decade. First, the pressures from international or external actors for decentralization are not uniform. Evidence of this can be found by comparing the *types* of donor state support for the decentralization policies pursued by the Chiluba, Mwanawasa and Banda governments, including those behind the 1993 Public Service Reform Programme and, now, the 2004 National Decentralization Policy. Indeed, a more careful consideration of donor support for political change in Zambia demonstrates clear differences among donors as to what the policy priorities should be, based largely on dominant political beliefs among donor states themselves. Broadly speaking, for example, USAID tends to prioritize privatization, increased competition and business development, while the Scandinavian states tend to support more coordination of aid efforts and civil society development projects. Britain and Germany, as well as international organizations such as the United Nations Development Programme (UNDP) and the World Bank, tend to emphasize the importance of institutional “capacity building.” This can also be said of CARE

International in Zambia and other international NGOs that work extensively on the development of rural agriculture and of Community-Based Organizations (CBOs). Over time, donor states develop reputations among Zambians (and within the local development community) for supporting various types of development initiatives.<sup>74</sup>

Second, the policies of individual donor states are a reflection of the policy debates that take place within their respective home governments. The parallels between the 1960s expansion of foreign aid and welfare programs, on the one hand, and the 1980s contractions of both, on the other hand, are worthy of note. In the 1960s, while Western states vowed to end poverty at home through a host of new welfare programs, lending institutions such as the World Bank provided unprecedented levels of loans to developing states throughout the world. In retrospect, the parallel is clear: The prevailing policy aim was to eradicate poverty through the promotion of certain domestic state and international development policies. These loans continued to expand until the 1982 LDC Debt Crisis, prompted by Mexico’s refusal to pay debts, and similar refusals only continued throughout the now indebted world. A good way to identify a donor state’s position on aid, therefore, is through a careful consideration of each respective state’s domestic politics. In 1992, US President Clinton announced “the end of welfare as we know it”; the AGOA initiative is now applying the same logic of “ending dependency” to foreign aid. As Steven Radelet argues: “the African Growth and Opportunity Act... should hardly be trumpeted as the United States’ ‘giving’ something to poor countries, since the legislation only slightly reduces existing barriers and leaves significant obstacles untouched.”<sup>75</sup>

Third, the method of pursuing decentralization over the past decade points to the extreme imbalances of wealth and power among the various players involved in the process. Discussions with consultants, development practitioners, and Zambia’s central government staff, led this observer to the conclusion that Zambia’s decentralization policies are pursued largely to appease the concerns of international actors (particularly donor states and the dominant lending institutions of the UN, the IMF and the World Bank). As central government ministries struggle to maintain control, they are constantly under pressure to mention “decentralization” as one of their new policy goals. Unrealistic target dates for decentralization and “strengthening of local government,” with little follow-up in policy implementation, have thus far been the result.<sup>76</sup>

Finally, decentralization is but one of the many goals among international actors that have constant, and growing, budget constraints. As the international funds made available during the Cold War gradually disappear, and despite the political will for continued centralized control, decentralization nevertheless occurs; this demonstrates the simple fact that a continued flow of resources is required to maintain central government control. While

there are likely a variety of reasons for the passing of the 2004 National Decentralization Policy in Zambia, the combined pressures of privatizing ZCCM and decreasing donor aid have left central government authorities with few remaining options but to relinquish some control. But the immediate results of decentralization are likely to be grim. As those involved in decentralization will readily admit, local government institutions throughout Zambia have little hope of coping with the many new challenges that they face in the shorter term.

Hopefully, we will soon get beyond the point of being told that strengthening local government institutions does not matter – or in the Zambia case, that it cannot yet be implemented. A more careful consideration, in policy circles, of local government function is crucial. In fact, the realization of liberal democracy just may well require it.

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## ENDNOTES:

- <sup>1</sup> Fareed Zakaria (1997). "The Rise of Illiberal Democracy" *Foreign Affairs* 76. Zakaria uses the term "liberal" in the classic sense of the term, i.e. political freedom. In the US context, of course, the term "liberal" has taken on another meaning in recent decades, which means much the opposite: using the state to promote social equity through social services, welfare programs, and the like. It is Zakaria's use of the term that I have in mind throughout. Here, *political liberalization* refers to "political freedom" (the protection of political rights and civil liberties), which is to be distinguished from *economic liberalization*, meaning the freeing up of markets.
- <sup>2</sup> Ibid: 24.
- <sup>3</sup> See, e.g. Immanuel Wallerstein (1961). *Africa: The Politics of Independence* (New York: Random House) and (1967) *Africa: The Politics of Unity* (New York: Random House).
- <sup>4</sup> Gavin Kitching, "Why I Gave Up African Studies," *African Studies Review & Newsletter*, Vol. 22, No. 1 (June 2000): 21-26.
- <sup>5</sup> Immanuel Wallerstein, "What Hope Africa? What Hope World?" in *After Liberalism*, (New York: The New Press, 1995), pp. 46-69.
- <sup>6</sup> Colin Legum, "The Coming of Africa's Second Independence," *Washington Quarterly*, Vol. 13, Issue 1 (December 1990).
- <sup>7</sup> Richard Joseph, "Africa: The Rebirth of Political Freedom," *Journal of Democracy* 2 (1991), p. 32.
- <sup>8</sup> Carol Lancaster, "Democracy in Africa," *Foreign Policy* 85 (Winter 1991-92), p. 148.
- <sup>9</sup> Zakaria (1997), p. 22.
- <sup>10</sup> Ibid, pp. 22-23. Emphasis mine.
- <sup>11</sup> Martin Kilson, "Authoritarian and Single-Party Tendencies in Africa," *World Politics*, Vol. 15, No. 2 (January 1963); Rotberg's publications are numerous and ongoing. On April 22, 2010 the author attended Rotberg's keynote speech for a conference entitled "The New Scramble for Africa? Contemporary Formations Between China & Africa" wherein, again, he pessimistically portrayed African politicians and, in this case, questioned Chinese motives for involvement in African affairs – another career-safe perspective that most Africanists have taken of late.
- <sup>12</sup> Robert I. Rotberg, "Strengthening African Leadership," *Foreign Affairs*, Vol. 83, No. 4 (July-August 2004), p. 14.
- <sup>13</sup> This author greatly values the important contributions of post-colonial scholars such as Franz Fanon, O. Mannoni, Aimé Césaire, Albert Memmi, Edward Said and countless others.
- <sup>14</sup> Peter J. Schraeder, *African Politics and Society*, 2<sup>nd</sup> Ed., (Thomson Wadsworth, 2004), p. 66.
- <sup>15</sup> Lord Hailey, *An African Survey* (1938) is, while problematic, significant and comprehensive (1,676 pages and maps devoted to the topic of local governance). I recently purchased a "discarded" library copy of the book for \$3.00 which is an indication of today's lack of interest in such works. The problem I am attempting to emphasize here is the subsequent marginalization of local governance in African political contexts. Solid and warranted critiques of the British colonial era are many. Of Lord Hailey in particular, see: Suke Wolton, *Lord Hailey the Colonial Office and the Politics of Race in the Second World War* (Palgrave, 2000).
- <sup>16</sup> Understandably, there have been growing concerns about the form that "democracy" and/or "liberalism" might take in Africa. See, e.g., J. Shola Omotola, "Attractions and Limitations of Liberal Democracy in Africa," *Africana*, Vol. 3, No. 1 (December 2009).
- <sup>17</sup> Maxwell Owusu, "Democracy and Africa – A View from the Village," *The Journal of Modern African Studies*, Vol. 30, No. 3 (Sept. 1992), p. 372. Examples abound. See, e.g. survey of debates in Owusu (1992).
- <sup>18</sup> A point emphasized by Bates (2001), cited *infra*.
- <sup>19</sup> Kim Dae Jung, "The Myth of Asia's Anti-Democratic Values," *Foreign Affairs, Agenda 1995*, (New York: Foreign Affairs, 1995).
- <sup>20</sup> Mahmood Mamdani, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*, (Princeton, NJ: Princeton University Press, 1996), p. 288.
- <sup>21</sup> Ibid, p. 289.
- <sup>22</sup> Thomas Hobbes, *The Leviathan*, (1651).
- <sup>23</sup> Kitching (2000).
- <sup>24</sup> Daniel Lerner, *The Passing of Traditional Society*, (New York: Free Press, 1958); Walter W. Rostow, *The Stages of Economic Growth: A Non-Communist Manifesto*, (Cambridge: Cambridge University Press, 1960).
- <sup>25</sup> Robert H. Bates, *Prosperity and Violence*, (New York: W.W. Norton & Co., 2001), pp. 101-102.
- <sup>26</sup> Ibid, p. 21.
- <sup>27</sup> For similar neo-institutionalist arguments see, e.g. the works of Douglas C. North.
- <sup>28</sup> Huntington (1968).
- <sup>29</sup> Seth S. King, ed., Gunnar Myrdal, *Asian Drama: An Inquiry Into the Poverty of Nations*, (London: Penguin 1971), p. 35.
- <sup>30</sup> Siegle, et al. (2004), p. 71.
- <sup>31</sup> The same can be said of any local governance arrangements of the colonial period. Africanists often emphasize the differences among British (Indirect Rule), French (Assimilation) and other colonizers' approaches to local governance in sub-Saharan African history. But Lockean aims were clearly not the priority of any colonizer. Rather, the overarching concern was the maintenance of "order." Colonial administrators were also, generally, concerned with the prospect of tax revenue, and the protection of colonial "interests" (protection of entrepreneurs, missionaries, etc.) See, e.g. Lord Hailey, *Native Administration in the British African Territories, Colonial Office*, (London: His Majesty's Stationary Office, 1951).
- <sup>32</sup> Charles Beard, *The Economic Basis of Politics*, (New York: Vintage Books, 1957), p. 140.
- <sup>33</sup> Gouverneur Morris, quoted in *ibid*, p. 141.
- <sup>34</sup> Elbridge Gerry, quoted in *ibid*, p. 140.
- <sup>35</sup> Richard Hofstadter, *The American Political Tradition*, (New York: Vintage, 1948), p. 12.
- <sup>36</sup> Notably, Zinn's international best-seller, *A Peoples History of the United States* (1980). In response to Zinn's book a "corrective" effort has been published, entitled *A Patriot's History of The United States* (Sentinell, 2010) – at the time of writing a *New York Times* best-seller.
- <sup>37</sup> See: "Bush in Japan on Six Nation Asia Tour," <http://www.CNN.com>, October 17, 2003.
- <sup>38</sup> See: John Locke, "Of Property" in *Two Treatises On Government*, (Liberal Arts Press, 1952, originally published in 1690), pp. 16-18.
- <sup>39</sup> Louis Hartz, *The Liberal Tradition in America*, (Harcourt, Brace, Jovanovich: 1955).
- <sup>40</sup> Francis Fukuyama, "End of History," *National Interest* (1989).
- <sup>41</sup> This pluralistic notion is not to be confused with the impossible ideal of fulfilling all of the hopes, dreams and desires of all citizens. Samuel P. Huntington (2001), *op cit.*, rightly refers to the pluralistic ideal as "the promise of disharmony," i.e. citizens must agree to disagree, at times, without resorting to violence.
- <sup>42</sup> Zambia's bookstores continue to sell books on Kaunda's philosophy. A popular one is written by M.A. Ranganathan, *The Political Philosophy of President Kenneth D. Kaunda of Zambia*, (Lusaka: Kenneth Kaunda Foundation, 1986).
- <sup>43</sup> Frederick Chiluba, *Democracy: The Challenge of Change*, (Lusaka: Multimedia Publications, 1995), pp. 49-52.
- <sup>44</sup> By the early 1990s, proponents of the Public Service Reform Programme (PSRP) were keenly aware of the difficulties faced in the

aftermath of the 1980 Local Administration Reforms that had involved plans for extensive devolution of central government powers and functions to Councils. The hope was that, lessons learned, PSRP would be more effective.

<sup>45</sup> During the 1996 election, support for this view was indicated with an extended thumb and index finger to represent the hands of a clock reaching the hour.

<sup>46</sup> A newsletter was distributed in Zambia to report the progress of LOGOSP. "LOGOSP Launched!" was announced in the *Local Government Support Project Newsletter*, Issue No. 1, March 1995. In the January 1997 issue (No. 8) of that same newsletter it was announced "Running Out of Money!"

<sup>47</sup> Specifically, following the pull-out of LOGOSP, the Hon. Bennie Mwiinga, MP Minister of Local Government and Housing held a meeting on June 13, 1997 with donors to request additional funds (what was termed 'bridging finance.')

<sup>48</sup> Personal correspondence with former DGA at USAID/Zambia, Miles Toder, dated September 27, 1999.

<sup>49</sup> See: "Inputs, Outputs, Activities, FY 2005 Program," at <http://www.usaid.gov/policy/budget/cbj2006/afr/zm.html>. Decentralization of public services – notably public health – is regularly contemplated and debated among USAID officials but, on the whole, local government matters have not been part of Democracy and Governance activities. See: Christopher LaMonica, *Local Government Matters: The Case of Zambia* (LAP Lambert Academic Publishing, 2010).

<sup>50</sup> This was the title of a 1981 book by Frances Moore Lappé, Joseph Collins and David Kinley, *Aid As Obstacle: Twenty Questions about our Foreign Aid and the Hungry*, (San Francisco, CA: Institute for Food and Development Policy, 1981).

<sup>51</sup> Based on personal observation while working with USAID/Zambia in 1997. With little incentive to venture into the countryside, D/G staff would stay for months at a time in Lusaka reporting on developments within the capital.

<sup>52</sup> See: <http://www.usaid.gov>. Overall donor assistance to Zambia presently (2009) totals about \$350 million a year.

<sup>53</sup> See: <http://www.usaid.gov/policy/budget/cbj2006/afr/zm.html>

<sup>54</sup> "News From the Committee on Ways and Means," Washington, D.C., September 26, 1996: 30.

<sup>55</sup> H.R. 4198, 104<sup>th</sup> Congress, 2<sup>nd</sup> Session, entitled "A Bill to authorize a new trade and investment policy for sub-Saharan Africa", p. 2.

<sup>56</sup> Jeffrey Sachs, "A New Partnership for Growth in Africa," *Harvard Institute for International Development*, February 28, 1997. This paper was proudly presented by HIID Associate, Malcolm McPherson, in March 1997 at a Harvard development seminar that was attended by the author. At that seminar, McPherson indicated that the paper was the direct result of a chance encounter between Jeffrey Sachs and the former House Speaker, Newt Gingrich, at a Christmas party in December 1996. Gingrich, it was explained, then passed the paper on to members of the US Congress.

<sup>57</sup> Stephanie Flanders, "New ways forward for Africa: An initiative to aid the sub-Sahara's development deserves serious study," *Financial Times*, April 14, 1997 and "Growth in Africa: It Can Be Done," *The Economist*, June 26, 1996, pp. 19-21.

<sup>58</sup> "Major Africa trade bill clears Congress," Fox Market Wire, May 12, 2000.

<sup>59</sup> Activist Alert: "Oppose the Misnamed 'African Growth and Opportunity Act'", *Public Citizen News*, May/June 1998, p. 15.

<sup>60</sup> As indicated, opposition was lodged by Ralph Nader's Public Citizen. Just one year later, critics could see that there was no stopping AGOA. Rep. Jesse Jackson, Jr. (D-IL), for example, expressed reservations but was supportive of a new trade policy with

Africa. See: "Rep. Jackson Keeps HOPE Alive for African Trade Policy," *Public Citizen News*, May/June 1999, p. 11.

<sup>61</sup> See: <http://www.usaid.gov/policy/budget/cbj2006/afr/zm.html>.

<sup>62</sup> "Proclamation by the President: To Take Certain Actions Under the African Growth and Opportunity Act," Press Release from *The White House* posted on <http://www.agoa.gov>.

<sup>63</sup> Ibid.

<sup>64</sup> Most Scandinavian states are already near or over the 0.7% threshold; the continued resistance to increased aid comes most strongly from US contributors to the debate.

<sup>65</sup> Details of this are provided at: <http://www.earthinstitute.columbia.edu/about/director/>

<sup>66</sup> Jeffrey Sachs, *The End of Poverty: Economic Possibilities for Our Time*, (New York: Penguin Press, 2005).

<sup>67</sup> See: <http://www.undp.org/poverty/>

<sup>68</sup> Indeed, Sachs famously became part of a global campaign, along with Pope John Paul II and U2's Bono, to do so. Bono's commencement speech at Harvard University in 2001 was likely a result of his contact with Sachs during this campaign. See: Robert J. Barro, "Why would a rock star want to talk to me?" Section: Economic Viewpoint, *Businessweek*, July 16, 2001, p. 24.

<sup>69</sup> Thomas L. Friedman, *The World Is Flat: A Brief History of the Twentieth-Century*, (New York: Picador, 2006).

<sup>70</sup> Jennifer A. Widener, *Economic Change and Political Liberalization in Sub-Saharan Africa*, (Washington, DC: Johns Hopkins Press, 1994): 2. See also: Marina Ottaway, ed., *Democracy in Africa: The Hard Road Ahead*, (Boulder, CO: Lynne Reiner, 1997).

<sup>71</sup> See, Ch. 5: "International Linkages to Local Governments" in LaMonica (2001).

<sup>72</sup> Of course, the US Constitution initially favored a strong federal (central) government, despite the fact that many favored more sovereign state control: ever since the debate over political balance has gone on. But the underlying principle of sharing political power – or Federalism – remains. Other Western states have had similar political struggles, with more or less centralization. In all cases, however, political power has been shared.

<sup>73</sup> As argued in Stephen D. Krasner and Carlos Pascual, "Addressing State Failure," *Foreign Affairs* 84 (2005), p. 159.

<sup>74</sup> The above references policy priorities that are, however, generalizations. Specifics can be found in the text of the *Public Service Reform Programme* (PSRP) – Volume I – Main Report, Appendix II, Cabinet Office, Government of the Republic of Zambia, November 1993. In an effort to promote competition for funds, USAID has opposed coordination of aid activities among donor states that have been attempted by NORAD, in particular. I attended a Second "Donor Coordination Meeting" that was hosted by the Norwegian Embassy in Lusaka on June 18, 1997. At that meeting the USAID Director, Walter North, argued that all the donor states had limited resources and that the additional burden of "coordination" among them would just make for "busy work" with little benefit to Zambians.

<sup>75</sup> Steven Radelet, "Bush and Foreign Aid," *Foreign Policy*, September/October 2003: 115-116.

<sup>76</sup> As demonstrated in the aftermath of the 1993 PSRP.

*Full Length Research Paper*

# Insurgency and humanitarian crises in Northern Nigeria: The case of Boko Haram

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Insurgency has become a threat to global peace and security in the 21st century due to the fact that it constitutes the highest contributor to humanitarian crises in the form of rise in human casualties, internally displaced persons, refugee debacles, food insecurity and the spread of various diseases. The paper sets out to analyse the impact of Boko Haram insurgency on humanitarian crises in Northern Nigeria with Borno, Yobe and Adamawa states in focus. It further establishes how the increase in the activities of Boko Haram, continues to generate dire humanitarian consequences to the North East region, the Nigerian society and neighbouring nations at large. This paper adopts the State Fragility theoretical framework as well as the survey method involving the use of questionnaires (the regression technique) and in-depth interview (index matrix and table technique) which focuses on three internally displaced Camps in the region for analysis. The empirical findings indicate that, there is a significant relationship between Boko Haram insurgency and humanitarian crises, when variables such as impact on human casualties (IHC), food insecurity (FI) and internally displaced persons (IDP's) are held constant, while no significant relationship exists when the variables such as loss of livelihood (LoL) and government response (GR) are held constant. By way of recommendation, the paper advocates the need for the Nigerian government to focus more on reducing human casualties, loss of livelihood, food insecurity and more focus on the rehabilitation of internally displaced persons back to the society, in order to nip the threats emanating from the humanitarian crises and Boko Haram insurgency in the bud in the region.

**Key words:** Boko Haram, insurgency, humanitarian crises, state, security.

## INTRODUCTION

Armed conflict prior to the cold war era was seen as war between sovereign states, but since the end of the cold war, the phenomenon armed conflict has transformed into the rise of non-state actors against their own government (Laqueur, 2004). Insurgency which has been seen as the most common type of armed conflict has

posed the greatest threat to global peace and security in the 21st century. Few years ago, insurgency was limited to a few isolated places, such as Northern Ireland, the Basque country in Northern Spain and some areas in the Middle East, but due to the aftermath of the September 11, 2001 attacks as well as the rise of the Arab spring,

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insurgency has degenerated into a global menace (Awake, 2008).

This worldwide manifestations of insurgencies include Al-Qaeda in Afghanistan, Hezbollah in Lebanon, the Syrian Islamic liberation front in Syria, Hamas in Palestine, the Taliban's in Pakistan etc; Africa which has not been left out from these menace, has become a breeding ground for various insurgencies such as the Al-shabaab in Somalia, the Lord's Resistance Army in Central African Republic, the M23 Rebels in Democratic Republic of Congo, the National Movement of Azawad (MNLA), the Al-Qaeda in the Islamic Maghreb (AQIM) in Mali to mention a few. Thus, the most devastating effects of these insurgencies all over the world have been the high toll of humanitarian crisis in the form of rise in internally displaced persons (IDP's), refugee influx, food insecurity, spread of nefarious diseases, gender and sexual based violence (Hughes, 2012).

The phenomena of insurgency in Nigeria have been evident since her independence in 1960, ranging from the twelve-day revolution by Adaka Boro (1964), to the civil war (1967-1970), to the various ethnic militias such as the O'odua People's Congress (OPC), the Movement for the Actualization of the Sovereign State of Biafra (MASSOB), the Movement for the Emancipation of Niger Delta (MEND), the Niger-Delta insurgency and the most recent the "Ahl al sunnali al alDa'wawa al Jihad", popularly known as Boko Haram which has been operating in Northern Nigeria since the early 2000, with its origin linked with the wide spread of socio-economic and religious insecurity among certain communities in the North. Whose activities have unleashed terrible humanitarian crises in North East Nigeria (Fwatshak and Larab, 2004; Ikelegbe, 2010).

The continued increase in the spread of the nefarious activities of the Boko Haram sect in North East Nigeria since 2009 has created adverse humanitarian consequence to the North East region. Life in the various communities of Borno, Yobe and Adamawa states, such as Kawuri, Baga, Konduga, Bama, Shuwa, Ajigin, Gamboru, Giwa, Chibok, Gwoza to mention a few, have been characteristically nasty, brutish and most times short (Salkida, 2012). The region has ceased to know civil normalcy as a result in the dire humanitarian situation as evident in human casualties, human right abuses, population displacement, refugee debacle, loss of means of livelihood, food insecurity, limited medical facilities and other social amenities. The increasing influx of refugees and the spill over of Boko Haram violence to neighbouring countries over the years had resulted to serious regional security implications, despite the establishment of a Joint Border Patrol Command to address the increasing security challenges attributed to the insurgency (This day, April 16<sup>th</sup> 2014).

The humanitarian situation in North East Nigeria has further deteriorated, due to the lack of access by various humanitarian agencies to rural areas where these displaced people are, due to indiscriminate violence. This

has made it difficult for most humanitarian agencies to respond to the needs of internally displaced persons within these rural areas, making thousands of IDP's with little access to food, clean water or healthcare in North East Nigeria (IRIN, 2014:14). It is against this backdrop that this paper seeks to examine the various dimensions of humanitarian crisis posed by the Boko Haram in North East Nigeria with Borno, Yobe and Adamawa states in focus. It also seeks to examine the response of government to these humanitarian crises. It further aim at making policy recommendations and proffering sustainable solutions to these humanitarian crises as well as measures in nipping the Boko Haram menace in the bud, in order to prevent a future re-occurrence of this catastrophic menace in Nigeria.

## CONCEPTUAL AND THEORETICAL UNDERPINNINGS

### Insurgency

According to Powell and Abraham (2006), Insurgency refers to a violent move by a person or group of persons to resist or oppose the enforcement of law or running of government or revolt against constituted authority of the state or of taking part in insurrection. Insurgency as defined above becomes violative of the constitution's criminal law and the international treaty obligations of a nation in the following circumstance:

*When it constitutes an attack on defenceless citizens and other property resulting into injuries, loss of lives and properties as well as forced or massive internal displacement of people out of their habitual places of residence. When it drives business/investors away from an insecure area and also when it constitutes domestic and international crimes punishable by law such as treasonable felony, terrorism, murder, crimes against humanity and genocide (Powell and Abraham, 2006).*

Traditionally however, insurgencies seek to overthrow an existing order with one that is commensurate with their political, economic, ideological or religious goals (Gompert and Gordon 2008). According to Kilcullen, "Insurgency is a struggle to control a contested political space, between a state (or a group of states or occupying powers), and one or more popularly based, non-state challengers". He further draws a line between classical and contemporary insurgencies indicating that the latter seek to replace the existing order, while the former sometimes strive for the expulsion of foreign invaders from their territory or seek to fill an existing power vacuum (Kilcullen, 2006).

### Humanitarian crisis

Humanitarian crisis is seen as any situation in which life or well-being will be threatened unless immediate and

appropriate action is taken and which demands an extraordinary response and exceptional measures. The concern is with the prevention of threats to life or well-being through timely and appropriate action (Macrae, 2002). Similarly, Harmer (2003) identifies humanitarian crisis as any situation in which there is an exceptional and widespread threat to life, health or basic subsistence that is beyond the coping capacity of individuals and the community. This implies the need for intervention and response that go beyond the relief of symptoms and that might extend to support to livelihoods and the diversification of coping strategies.

A humanitarian crisis is seen as a singular event or series of events that are threatening in terms of health, safety or well-being of a community or large group of people. Humanitarian crisis can be either natural disasters, man-made disasters or complex emergencies which occur as a result of several factors that prevent a large group of people from accessing their fundamental needs, such as food, clean water or safe shelter (Alexander, 2002).

### **Security**

This denotes a situation which provides national and international conditions favourable to the protection of a nation, state and its citizens against existing and potential threats (Held, 1998). This is seen as the acquisition, deployment and use of military force to achieve national goals. It cuts across many disciplines covering military protection, surveillance, protection of national values and human rights. It is also seen as the absence of threats to acquired values and the absence of fear that such values will be attacked.

Baldwin (1997) conceptualizes security from the traditional perspective, where he notes that traditional security is equated to state's commitment to enhance its military in the defence of national core values such as sovereignty and territorial integrity. Nwolise (2009) notes that security involves the deployment and use of military resources by society to sustain its values in the face of threats and challenges from both internal and external sources (Nwolise, 2009). Richmond (2012) sees the modern perspective of security as a shift from the state-centric to people-centric approach, where the human population are regarded as reference for security. He advocates efforts to neutralize threats to human security by ameliorating the effects of poverty, unemployment, armed conflicts (diseases, hunger, refugee debacles) and human rights violation on the population (Richmond, 2012).

### **State**

This is the supreme legitimate authority entrusted with the exercise of violent force over a group of people

(Rasmussen, 2001). A state is a permanent specialized organization of men armed with rules and means of coercion for maintaining order over a population in a defined territory over which this organization exercise power (Ekanem, 2001). A state is composed of a set of interconnected and coordinated institutions that are concerned with the organization of power and the structured domination and ordering of society. States essentially monopolize certain powers and rules, the making and execution of binding rules, the control and utilization of institutional of organized 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 representative in the international community (Ibaba and Ikelegbe, 2010).

This study is anchored on the State fragility theory. The UK Department for the Development (United Kingdom, 2005) sees state fragility from the humanitarian point of view, where the government cannot or will not deliver core functions to the majority of its people including the poor. He further sees a fragile state as the insecurity of the ruling elites which leads to the victimization of some or all of a nation's citizens as experienced by the Taliban's in Afghanistan. The state fragility theory stresses the fundamental failure of a state to perform functions necessary to meet citizen's basic needs and expectations. It also shows the incapability of government in assuring basic security, maintaining rule of law and justice, or providing basic services and economic opportunities for their citizens. The centrality of state fragility theory posits weak and ineffective central government with little practical control over much of its territory; non-provision of public services widespread corruption and criminality; refugees and involuntary movement of populations (Organisation for Economic Co-operation and Development, 2008).

Rotberg (2003) notes that in a fragile state, there is a tendency for increased criminal violence which further weakens the states' authority. He further notes that fragile states are usually associated with tensed, deeply conflicted and dangerous warring factions which most times leads to breakdown of law and order, increased humanitarian disaster, which concerns not only the people directly affected, but also others in the country as well as people in neighbouring states. As Gros (1996) notes, ethnic genocide in Rwanda and the Balkans or flight of Haitians to Florida can hardly be ignored by the international community. Torres and Anderson (2004) argue that conflicts, humanitarian crises, human right violations, constitute to the global and local impact of fragile states.

Collier et al. (2003) identify three ripple effects that emerge from armed conflict: they are the internal effects (as a result of the burdens of internally displaced persons), the regional effects (as a result of the burden of refugees influx) and the global effect (as a result of



foreign interventionists). According to him, these three ripple effects generate unique challenges. While the internal effects constitute a problem of food insecurity, loss of means of livelihood, rise in displacement of people, the regional effect constitutes spread of contagious diseases across borders from the inflow of refugees and the global effect constitutes the growth in narcotics trade across borders sponsored by foreign non state actors. As Hentz (2004) notes that such spill overs have occurred in both West Africa (from Liberia) and East Africa (from Democratic Republic of Congo).

This paper adopts the State fragility theory to explain the phenomena, Boko Haram and humanitarian crises in North East Nigeria. It shows the failure and weakness of the Nigerian state in ensuring security and practical control over her vast territories in North East region which has been threatened by the Boko Haram insurgency. As well as her inability to guarantee the safety of citizens in the North East region, which has led to increase in internally displaced people, refugee debacle and growth in narcotics (in line with Collier et al 2003). The failure of the government in promptly addressing the needs of the internally displaced persons in terms of provision of food, shelter, source of livelihood and general rehabilitation back into the society further affirms Nigeria with the fragility syndrome. The activities of the Boko Haram sect has increased humanitarian crises in North East Nigeria especially in the form of food insecurity, leading to rise in prices of staple foods within the nation and dairy products in neighbouring nations of Chad, Niger and Cameroon. This continues to increase the rate of refugee influx and adverse economic and security implications (in line with Rotberg, 2003). These are all indicators of fragility which the Nigerian government has not adequately addressed.

### **Overview of insurgency and humanitarian crisis**

Since the end of the cold war, there has been a proliferation of humanitarian crisis known as a complex emergency. These are man-made crises as a result of armed conflict or insurgency which further causes human fatalities, forced displacements, epidemics and famine. The rise of insurgency in any nation, is as a result of several indicators such as poverty, social inequality, poor governance, state fragility and food insecurity and its major consequences is the various forms of humanitarian crises ranging from forced displacement, high rates of diseases and food crises (Hughes, 2012).

According to Le Roch et al. (2010), the insurgency and sectarian violence in Iraq led to a deepening humanitarian crisis which created about two million Iraqi IDPs within and over two million Iraqi refugee's influx into Jordan, Syria and other neighbouring states in the year 2007. He further indicates how in subsequent years, the Iraqi government ministries have helped in providing assistance to the IDPs through the Ministry of Displacement and Migration (MODM), the Ministry of Education in

charge of registering school children whom have been displaced. The sectarian crisis in Mali has increased humanitarian crisis since 2012, where thousands of IDPs compete for scarce resources. The food insecurity constitutes a major challenge to the Malian government in adequately responding to the humanitarian crisis (Collins, Myatt and Golden, 1998). According to Collins (1993), over one million Somalis have become internally displaced as a result of armed conflicts, this has increased food insecurity, limited access to clean water, sanitation and hygiene (WASH), limited access to medical facilities, outbreaks of diseases and sexual violence among women at various IDP camps (Collins, 1993).

The armed conflict in Central African Republic since 2013 has brought about severe humanitarian consequences. The total population in need of assistance is about two million, including 533,000 IDPs. The CAR government responses have been in the provision of an integrated life-saving assistance particularly to internally displaced persons (IDPs), to reinforce the protection of civilians, rebuild affected communities resilience and to provide reconciliation and rehabilitation of CAR refugees (Gonzaga, 2012). Retaonal and Aedo- Richmod (1998) see education is an integral part of humanitarian responses and stress on the need for children to enhance their education even in the midst of armed conflict. Anderson and Mendenhall (2006) note that a safe learning environment can shield children from everyday physical violence of a conflict, as education provides cognitive protection by supporting intellectual development, conflict reduction and peace building skills.

The international agencies with collaboration with various host government have been responsible for formal education programme for refugees and internal displaced persons in various camp settings to provide rehabilitation through various educational programme such as, Care international in Afghanistan, Kenya, Sudan and Zambia, the International Rescue Committee in Guinea, Liberia, Sierra- Leone and Uganda, Norwegian Refugee Council (NRC), in Pakistan, Plan International in Sierra Leone, Save the Children in Democratic Republic of Congo and Sudan (Lindblad and Johannesson, 2002). According to Willie (2005), the Demobilization, Disarmament and Rehabilitation Programme (DDR) constitutes another humanitarian response programme with education components, aimed to protect school-aged children, youths and adults who have suffered from armed conflicts or have been forcefully conscripted into fighting forces and armed groups. The DDR programme has also been successful in Somalia, Rwanda and Sudan, where child and youth soldiers have been aided into formal schools to disarm and rehabilitate them back into the society (during transition from war to peace).

### **What is boko haram?**

The Islamic group which is better known by its Hausa

name "Boko Haram" was a local radical Salafist group which later transformed into a Salafist-Jihadist terrorist organization after year 2009. The phrase Boko Haram is derived from a combination of both an Hausa word Boko (book) and Arabic word, Haram (forbidden) meaning "Western education is forbidden". The Boko Haram is also called Jama'atu Ahlis Sunna Lidda'awati wal-Jihad which means in English "People Committed to the Propagation of the Prophet's Teachings and Jihad" (Cook, 2013).

### **The evolution of boko haram insurgency in North east Nigeria**

Boko Haram is a fundamental Islamist sect, formed in 2002 in Maiduguri capital of Borno state by Mohammed Yusuf. Prior to the origin of the Boko Haram sect, group of young men began to assemble in the mid 1990's led by Abubakar Lawan and later Aminu Tashenllimi. The ideology of the Boko Haram sect under Mohammed Yusuf was basically the opposition of Western education, political philosophy which sought to overthrow the government and implement sharia throughout the country. According to Yusuf, he perceived that the system of government based on 'Western values' has resulted in the increase in corruption, poverty, unemployment and continued suppression of true Islam (Bartolotta, 2012).

In 2009, a deadly violence broke out in North East Nigeria between government troops and members of the Boko Haram sect, which resulted in huge civilian casualties, the police and the army retaliated with a five day assault against the sect which led to the death of Yusuf and hundreds of Boko Haram members, with the death of Yusuf the leader of the Boko Haram sect in 2009, the sect underwent a period of transformation as the former deputy Abubakar Biri Muhammed Shekau assumed the leadership of the sect in 2010, as the sect re-emerged as a major security threat to the Nigerian stability as since then till date, it has organized series of deadly attacks which has expanded the sect's area of operation from north east state to all the northern states including the federal capital territory of Abuja, their methods of attacks including development of armed gunmen on motorcycles, suicide bombers, vehicles-borne improvised explosives (VBIEDS) etc. Its attacks targeted at churches, mosques, government agencies, security apparatuses, financial and international institutions (Olafioye, 2013).

### **Dimensions of humanitarian crises in Borno, Yobe and Adamawa states Nigeria from 2009 to 2014 impact on human casualties**

According to the human Rights Watch (2014), Boko Haram insurgency has led to the high rate of human casualties, as thousands of deaths have been recorded

from 2009 to 2014. This have turned majority of women into widows and children into orphans in Borno, Yobe and Adamawa states. According to the Nigerian Security Tracker 2014, there have been 64 incidence of terror attacks by the Boko Haram sect in the North East region since 2009-2014, with different methods of attacks ranging from Armed attacks, Bombing and Explosions, Midnight/Terror attacks, Mass murder/Suicide raid, Assassination/Murder and Abductions. These attacks have claimed the lives of not less than two thousand three hundred and twenty people in 2009 and three thousand in 2010. In 2011, not less than three thousand five hundred and sixty lives lost and three thousand seven hundred in 2012. Four thousand four hundred and twenty lives lost in 2013 and in 2014, not less than five thousand lives have been lost (Nigerian Security Tracker: 2014).

### **Impact on the population**

The rise in the activities of the sect has brought about adverse effect on the population especially on women and children evident in the increased number of widows and orphans in Borno, Yobe and Adamawa states (BBC News 21<sup>st</sup> May 2013). The rise in gender and sexual based violence has been on the increase due to the increased activities of the sect since 2009. Gender and sexual based violence is believed to be a widespread phenomenon among female internally displaced persons (IDP's) both at various camps and in host communities (International Displacement Monitoring Centre, May, 2014).

### **Rise in displacement of people in Borno, Yobe and Adamawa States**

Over the years since 2009, the activities of the Boko Haram sect, has increased the displacement of people from Borno, Yobe and Adamawa states in the form of internally displaced persons (IDP's) fleeing to safer havens within the nation and refugees fleeing into neighbouring nations like Niger, Chad and Cameroun. It has been noted that majority of these persons constitute women and children (International Regional Information Networks, 14 March 2014).

According to United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) 2014 report, there have been steady rise in internally displaced persons from Borno, Yobe and Adamawa states. From 2009 to 2010 IDP's rose to 100,000 and from 2010 to 2011 it increased to 130,000. From 2011 to 2012, the number of IDP's rose to 200,000. From 2012 to 2013 IDP's grew to 290,000 and from May 2013 to March 2014 it decreased slightly to 250,000. From May-June 2014, it rose again to 436,608 and from August to December IDP's drastically

**Table 1.**Population caseload of IDP's IN Adamawa Yobe and Borno.

Adamawa				Yobe				Borno			
LGA	LGA BASE	IDP CASELOAD	% CASELOAD	LGA	LGA BASE	IDP CASELOAD	% CASELOAD	LGA	LGA BASE	IDP CASELOAD	% CASELOAD
Madagali	1,3514,2	31316		Damaturu	16281	16281		Gwoza	288446	16117	
Michika	1,552,38	5772		Postisum	11988	11988		Bama	278353	13484	
Mubi North	1,515,15	2152		Fune	4042	4042		Mobbar	116631	2350	
Mubi South	129,956	3586		Fika	3659	3659		Damboa	249298	20540	
Gombi	114,761	9389		Gujiba	15226	15226		Konduga	190951	35810	
Yola North	196,197	5460		Tarmuwa	3540	3540		MMC	4991	4991	
Yola South	199,675	5346		Gashua	10172	10172		Kaga	3496	2086	
Fufore	363	363		Geidam	11446	11446		Mafa	3496	3496	
Lamurde	2339	2330						Biu	7040	7040	
								Jere	51,720	1864	
<b>Total</b>	<b>1,085,186</b>	<b>66,826</b>	<b>6%</b>	<b>Total</b>	<b>771368</b>	<b>76,354</b>	<b>9%</b>	<b>Total</b>	<b>1,199,222</b>	<b>106,098</b>	<b>11%</b>

Source; NEMA 2014.

rose to over 600,000 persons (UN OCHA, 2014). The increased activities of the Boko Haram sect have increased the influx of Nigerian refugees into neighbouring nations over the years.

It has been estimated that there are over 30,000 Nigerian refugees in Northern Cameroun, 1,000 Nigerian refugees in Chad (on Lake Chads Choua Island) and more than 50,000 Nigerian refugees in the Diffa region of South East Niger (United Nations High Commissioner for Refugees, March 2014).

**The breakdown of IDP's from Adamawa, Yobe and Borno states in January/March 2014**

Table 1 shows the statistics released in January/ March 2014 by National Emergency Management Agency (NEMA), a total number of 66,826 registered IDP's in Adamawa state, while in Borno state, a total number of 106,098 registered IDP's and in Yobe state a total of 76,354 registered

IDP's.

**The breakdown of IDP's From Adamawa, Yobe and Borno States in May/ June 2014**

Table 2 shows statistics released in May/June 2014 by the National Commission for Refugees, Migrants and Internally displaced persons (NCREMIDS), total number of registered IDPs in Adamawa State was 102,560 while in Borno State, the total IDP registered was 257,694 and in Yobe State, the total number of IDP registered was 76,354.

**Rise in foodd insecurity in Borno, Yobe and Adamawa States**

According to Famine Early Warning System Network (FEWSNET), since January 2014, Borno and Yobe have been facing critical acute food

insecurity (IPC phase 3)and Adamawa state equally facing stressed acute food insecurity (IPC phase 2). It further showed how the conflict in the North East had strained the 250,000 internally displaced persons (IDP's) in the region, who have reverted to negative and unsustainable coping strategies. Meal consumption has reportedly decreased from three meals to one per day and many IDPs have abandoned their farms and agricultural activities due tothe insecurity with many farms in the state. IDP host families have reportedly exhausted their food stocks and have resorted to eating grain reserved as seedlings for the next planting season.

**Rise in poor living conditions of internally displaced peoples in Borno, Yobe and Adamawa States**

An assessment conducted by National Emergency Management Agency (NEMA), in March 2014,

**Table 2.** Population caseload of IDP's IN Adamawa, Yobe and Borno State from May/June 2014.

Adamawa				Yobe				Borno			
LGA	LGA base	IDP caseload	% caseload	LGA	LGA base	IDP caseload	% caseload	LGA	LGA base	IDP caseload	% caseload
Fufore	253,209	32917		Damaturu	111,978	8958		Chibok	83537	17,543	
Gombi	178,869	23253		Gubja	165,508	13241		Kaga	113757	23,889	
Madagali	164,697	21728		Fune	382,657	30613		Konduga	197850	41,549	
Michika	189,708	24662		Potiskum	261,932	20955		Maiduguri	659009	138,392	
								Mobba	147416	36,321	
Total	786,483	102,560	13%	Total	922,075	76,354	8%	Total	257,694	257,694	21%

Source: (NCREMIDS, 2014).

a report that in Borno state 70% of IDP's living with host families responded that water and sanitation facilities are overstretched as a result of influx of population from high risk LGAs to low risk LGAs. In YobeState 60% of the IDP's living with host families responded that access to good water and sanitation in the LGAs covered is adequate and in Adamawa state, 65% of IDP's living with host families responded that the per capital availability of water supply had decreased from an estimated pre-crisis availability of 75 liters per person a day to an average of 20 liters per person a day and that access to water treatment chemicals has also become increasingly difficult as well as Water utilities establishments in most parts of the affected local governments have become moribund (National Emergency Management Agency, 2014).

The poor living conditions in the IDP camps has become of great concern. Report from both domestic and international agencies have shown that these camps since 2009 have lacked adequate facilities in addition to their poor sanitation and increase in the rise of diseases such as Malaria, acute watery diarrhea, measles and pregnancy related issues. (International

Regional Information Networks, 29 November, 2013).

### **Response to the humanitarian crisis in Borno, Yobe and Adamawa States**

#### **National response**

1. The signing of AU IDP Convention by the Nigerian Government on October 2009 in Uganda to protect and assist IDPs especially those in north east Nigeria.
2. The role of National Emergency Management Agency (NEMA) and State Emergency Management Agency (SEMA) through the coordination of emergency relief operation to IDPs and the distribution of agricultural inputs to farmers to boost food security in North East Nigeria.
3. The establishment of Strategic Response Plan by National Emergency Management Agency (NEMA), since 2013 at various communities in Borno, Yobe and Adamawa States to cater for the humanitarian needs such as food insecurity, malnutrition and epidemics to displaced persons.
4. The establishment of a five years developmental

plan (2010-2015) under NCFR with the responsibility for overseeing all IDPs and refugee matter in Borno, Yobe and Adamawa States.

#### **International response**

1. The Role of the International Committee of the Red Cross (ICRC) through the strengthening of its field operations in communities in Borno, Yobe and Adamawa states in the expansion of community-based first-aid programme and the mobilization of urgent water/sanitation initiatives since 2011 to date.
2. The provision of medical aid, clean water, food and other essential household items to help meet the immediate needs of displaced persons at various communities of Borno, Yobe and Adamawa states.
3. The upgrading of water/sanitation infrastructures in various camps where IDPs commonly sought refuge, delivering long-term community benefits as well as the donation of medical/surgical materials to various health centers.
4. Helped in the coordination with national/state emergency agencies in various sexual and gender

based programmes to help reduce the rate of gender based violence at various IDP camps.

5. The increase in the provision of deliveries of supplies and services such as food, shelter, health, water, sanitation and hygiene(WASH) and nutrition to the growing influx of Nigerian refugees in Chad, Niger and Cameroun since 2013. (International Committee of the Red Cross, 31th July, 2013).

### Challenges to humanitarian response in North east Nigeria

Absence of humanitarian law and policy framework in Nigeria to clearly define the roles and responsibilities of humanitarian agencies hampers the coordination of various humanitarian efforts. The lack of systematic data collection continues to pose serious challenge of difficulty in estimating the exact total number of displaced people in need as well as the lack of access to rural areas by various humanitarian agencies due to its volatility (Global IDP Project 9<sup>th</sup> May, 2014).

### METHODOLOGY

This study involves the survey research method, which is seen as a study of the characteristics of a sample through questioning that enables a researcher to make generalizations concerning his population of interest. The data for the study include secondary and primary sources. The secondary data comprise of journals, newspapers, magazines, reports and the internet while the primary data comprise of the use of questionnaires and in-depth interviews (IDIS). The population of the study comprises of 10,000 internally displaced persons (IDP's), from NYSC internally displaced camp in Borno State, Shuwa and Tingo Primary School internally displaced camps in Adamawa state. The purposive sampling technique is used in the selection of the three IDP camps due to the volatility of the North East zone and their easy accessibility to the researcher.

15% was drawn from the population, creating a sample of 1,500 internally displaced persons (IDP's) and 500 respondents were selected from each from the three camps based on a simple random sampling of Gall and Borg (2002). The instrument for data collection is the questionnaire and in-depth interview. The questionnaire is structured into two main sections, section A focuses on the bio-data of respondents while section B cover questions such as displacement, food insecurity, loss of livelihood, living conditions in camps and the responses of government, as they relate to respondents. The in-depth interview is administered to five officials from National Emergency Management Agency and five officials from International Committee of the Red Cross (Adamawa district).

The following hypotheses are stated in their null:

H0<sub>1</sub>: There is no relationship between Boko Haram insurgency and the rise in the incidence of internally displaced persons (IDP's) and refugees in North East Nigeria.

H0<sub>2</sub>: There is no relationship between Boko Haram insurgency and food insecurity in North East Nigeria.

H0<sub>3</sub>: There is no relationship between the Boko Haram insurgency and violence against women and children in North East Nigeria.

H0<sub>4</sub>: There is no relationship between Non-Governmental Organizations (NGOs), International Non-Governmental Organizations

(INGOs) response and reduction in humanitarian crisis in North East Nigeria.

H0<sub>5</sub>: There is no relationship between government response and humanitarian crisis in North East Nigeria.

The data from the questionnaires were analyzed quantitatively with the use of regression techniques. The regression technique includes the use of ordinary least squared (OLS) to know the significant or non-significant relationship among variables in the hypotheses raised in the study. The model specified captures the impact of insurgency (Boko Haram) on humanitarian crisis in North East Nigeria. The dependent variable is humanitarian crisis, while the independent variable is the Boko Haram Insurgency evident in various indicators such as the Impact of human casualties, loss of livelihood, food insecurity, internally displaced persons, living conditions and government response, these indicators act as a function to the Boko Haram Insurgency. The functional form of the model is specified thus:

$$HCS = f(BHI) \quad (1)$$

$$HCS = f(IHC, LOL, FI, IDP, LC, GR) \quad (2)$$

Therefore, the model is stated as follows:

$$HCS = d_0 + d_1 IHC + d_2 LOL + d_3 FI + d_4 IDP + d_5 LC + d_6 GR + U \quad (3)$$

Where:

HCS = Humanitarian crisis

BHI = Boko Haram Insurgency

IHC = Impact on Human Casualties

LOL = Loss of Livelihood

IDP = internally displaced persons

FI = Food insecurity

LC = Living condition

GR = Government response

U = Error term

d<sub>1</sub>, d<sub>2</sub>, d<sub>3</sub>, < 0, d<sub>4</sub>, d<sub>5</sub>, d<sub>6</sub> > 0: are the a-priori expectations of the signs of the parameters of the model.

The in-depth interview was analysed quantitatively through the use of Index matrix and table technique.

### Background demographic information

In the Sex distribution, the female respondents (72, 70 and 74%) constitute the major number of responses from Nysc, Shuwa and Tingo internally displaced (IDP) camps. From the Marital status distribution, respondents within the married bracket constitute major responses of (56, 50 and 48%) from Nysc, Shuwa and Tingo camps respectively (Table 3). From the Age distribution, respondents within 26-50 years bracket (54%, 60% and 54%) constitute the major responses from Nysc, Shuwa and Tingo camps respectively. Respondents from the farming bracket constitute the major responses in the Occupational distribution while respondents from the Islam bracket constitute major responses in Nysc and Shuwa camp and respondents from the Christian bracket constitute major responses in Tingo IDP camp in the Religion distribution. From the State of residence, respondents from Borno State constitutes the highest responses, while under the Years of residence, respondents under 16 years and above, constitute highest responses and lastly, from the Awareness distribution, respondents under yes bracket constitute the major responses from Nysc, Shuwa and Tingo IDP camps respectively.

The outcomes from the questionnaires reveal that 90% of the respondents in the three sampled IDP camps agree that the Boko

**Table 3.** Characteristics of the sample IN NYSC, SHUWA AND TINGO IDP camps.

Characteristics	NYSC IDP CAMP		SHUWA IDP CAMP		TINGO IDP CAMP	
	F	%	F	%	F	%
<b>Sex</b>						
Male	140	28	150	30	130	26
Female	360	72	350	70	370	74
<b>Marital status</b>						
Single	60	12	80	16	90	18
Married	280	56	250	50	240	48
Divorced/separated	7	14	25	5	25	5
Widow/widower	153	30.6	145	29	145	29
<b>Age (yrs)</b>						
1-25	80	16	70	14	77	15.4
26-50	270	54	300	60	270	54
51 and above	150	30	130	26	153	30.6
<b>Highest educational attainment</b>						
Less than primary	150	30	165	33	140	28
Primary	90	18	75	15	105	21
Secondary	40	8	30	6	100	20
Tertiary	20	4	5	1	30	6
No formal education	200	40	225	45	125	25
<b>Occupation</b>						
Farming	350	70	300	60	225	45
Trading/business	100	20	175	35	150	30
Civil servant	45	9	30	4	95	19
Others	5	1	5	1	30	6
<b>Religion</b>						
Christianity	75	15	200	40	275	55
Islam	400	80	275	55	150	30
African traditional religion	25	5	25	5	75	15
Others	0	0	0	0		
<b>State of Residence</b>						
Borno	400	80	125	25	230	46
Yobe	40	8	75	15	105	21
Adamawa	60	12	300	60	165	33
<b>Years of Residence (yrs)</b>						
1-5	50	10	25	5	60	12
6-10	75	15	50	10	90	18
11-15	150	30	150	30	145	29
16 and above	225	45	275	55	205	41
<b>Awareness of Boko Haram insurgency</b>						
Yes	500	100	499	99.8	480	96
No	0	0	1	0.2	20	4

Source: Field Survey, 2014

Haram insurgency has increased the rise in internally displaced person's (IDP's). Similarly, 85% of the respondents agree that the Boko Haram insurgency has increased food insecurity. 80% of respondents from the sampled camps agree that the Boko Haram

insurgency has increased violence against women and children. 70 and 50% of the respondents agree that the Boko Haram insurgency has increased the rate of Human casualties and loss of livelihoods respectively, in the three sampled IDP camps. 60% of respondents

**Table 4.** Impact of boko haram insurgency on humanitarian crises (NYSC Camp).

<i>Variable</i>	<i>Coefficient</i>	<i>T-value</i>	<i>Prob.</i>
<i>Constant</i>	1.041	1.36	0.10
<i>IHC</i>	1.210	2.03	0.04
<i>LOL</i>	0.528	1.28	0.14
<i>FI</i>	2.055	4.21	0.00
<i>IDP</i>	-1.923	-2.88	0.02
<i>LC</i>	0.152	1.21	0.27
<i>GR</i>	-0.154	-1.32	0.11

R-squared = 0.633; Adj. R squared = 0.593; F = 15.9 [prob. = 0.00].

**Table 5.** Impact of boko haram insurgency on humanitarian crisis (Shuwa Camp).

<i>Variable</i>	<i>Coefficient</i>	<i>T-value</i>	<i>Prob.</i>
<i>Constant</i>	2.027	0.36	0.73
<i>IHC</i>	1.210	2.03	0.04
<i>LOL</i>	0.840	4.28	0.001
<i>FI</i>	2.055	4.21	0.00
<i>IDP</i>	1.826	6.88	0.00
<i>LC</i>	0.293	3.10	0.00
<i>GR</i>	0.364	1.11	0.19

R-squared = 0.501; Adj. R squared = 0.483; F = 8.04 [prob. = 0.00].

agree to the low response from humanitarian agencies and government in reducing the humanitarian crises in North East Nigeria.

**Results from the regression analysis and index matrix and tables**

The result in Table 4 from NYSC Camp shows the R square value for the model is relatively high at 0.633 and the F-value is significant at the 5percent level. Thus, the hypothesis of a significant relationship among the variables cannot be rejected .In terms of significance, the coefficients of IHC, FI, and IDP are significant at the 5 percent level. This indicates that these factors have strong effects on humanitarian crises in the NYSC camp. The coefficients of LOL, LC and GR fail the significance test and indicate that they do not have significant impact on humanitarian crisis in the camp. The result in Table 5 in Shuwa camp shows that the R square value for the model is relatively high at 0.501 and the F-value is significant at the 5percent level, thus, the hypothesis of a significant relationship between the variables is therefore accepted. The results also show that each of the coefficients is significant at the 5 percent level (except that of GR) thereby indicating that these insurgency outcomes are critical stimulating factors in humanitarian crises. The effect of government response however fails the test at the 5 percent level and therefore indicate that the responses by government do not have significant impact on the humanitarian crises at the Shuwa camp.

The results in Table 6 in Tingo Camp show that each of the coefficients is also significant at the 5 percent level (except that of GR), suggesting that humanitarian conditions in the area have been worsened by the Boko Haram crisis. The effect of government response however fails the test at the 5 percent level and therefore indicate that the responses by government do not have significant impact on the humanitarian crises at the Tingo camp.

Results from the analysed interview schedule show that 95% of officials from National Emergency Management

**Table 6.** Humanitarian crises and boko haram insurgence (Tingo Camp).

<i>Variable</i>	<i>Coefficient</i>	<i>T-value</i>	<i>Prob.</i>
<i>Constant</i>	-5.291	2.36	0.03
<i>IHC</i>	1.405	4.03	0.00
<i>LOL</i>	0.358	3.44	0.00
<i>FI</i>	2.117	4.39	0.00
<i>IDP</i>	1.025	4.88	0.00
<i>LC</i>	0.138	2.14	0.02
<i>GR</i>	-0.218	-0.93	0.42

R-squared = 0.539; Adj. R squared = 0.511; F = 23.4 [prob. = 0.00].

Agency (NEMA) and International Committee of the Red Cross(ICRC) agree that the Boko Haram insurgency has brought about negative impact on the population in North East Nigeria in terms of rise in human casualties, internally displaced persons and food insecurity. Similarly, 80% of officials from National Emergency Management Agency (NEMA) and International Committee of the Red Cross (ICRC) agree that the living conditions at various IDP camps as well as the responses from humanitarian agencies and government have not been satisfactory and suggest room to do more.

**DISCUSSION OF FINDINGS AND INTERPRETATION OF RESULTS**

The results obtained from the regression analysis indicate that, food insecurity, human casualty and displacement appears to be the most resounding humanitarian effects of Boko Haram insurgency in Nysc, Shuwa and Tingo IDP camps. Currently, livelihood conditions have not topped the agenda, but when variables like human casualties and displacement are not attended to, they fester livelihood related issues that may lead to more deleterious challenges.

The results from the regression analysis and the index matrix further show that Government responses in addressing the humanitarian crises do not seem to have made any positive impact on those affected, there is the need for humanitarian agencies and government to step up their activities to match the rising humanitarian crises in North East Nigeria. The challenge of Nigerian government would be in boosting food security, educational and vocational programmes among IDP's in North East Nigeria (in line with Retaonal and Aedo-Richmod, 1998; Anderson and Mendenhall, 2006).

## CONCLUSION AND RECOMMENDATION

This research work explores the nexus between the Boko Haram insurgency and humanitarian crises in North East Nigeria from 2009-2014. Findings indicate that, there is a significant relationship between Boko Haram insurgency and humanitarian crises, when variables such as impacton human casualties (IHC), food insecurity (FI) and internally displaced persons (IDP's) are held constant, thus, research hypothesis (HR) is accepted. While no significant relationship when the variables such as loss of livelihood (LoL) and government response (GR) are held constant, thus, null hypothesis (HO) is accepted. To effectively respond to the humanitarian and Boko Haram uprising in Northern Nigeria, especially in the North East region, the Nigerian state should adopt a comprehensive approach which should entail the following;

1. Practical efforts should be made by the Nigerian government through agencies like National Emergency Management Agency (NEMA) and State Emergency Management Agency(SEMA) in building more internally displaced person's (IDP's) camps that are more conducive in terms of availability of proper water, sanitation, hygiene, (WASH)and food accessibility to IDPs as well as the establishment of vocational and educational programmes that would aid internally displaced person's(IDP's) in full rehabilitation back to the society.
2. The Nigerian government should carryout Amnesty programs which should include the willingness and readiness of Boko Haram members to surrender their arms, unconditionally renounce terrorism and sign an undertaking to this effect. In return, the Nigerian government must pledge its commitment to institute and adhere strictly to programs that would assist their disarmament, demobilization, rehabilitation as well as reintegration.
3. The government should also work towards improving the economy in the North, especially in the North East region. The presence of the Lake Chad and vast number of arable lands should be capitalized to boost Agricultural activities; this would create more employment for youths and reduce the unemployment menace especially in

North East Nigeria.

4. The Nigerian government should embark on more viable programmes like free education especially in rural areas in the North East region. More efforts should be put in place to strengthen the establishment of more Almajiri (child street beggar) schools and involve courses like peace education to re-orientate children and youths on the need to live in peace and harmony with each other.
5. The Nigerian government should invest heavily in family planning programmes, this should be concentrated more in rural areas especially in Borno, Yobe and Adamawa states where people are often poor, illiterate and with lots of children(ranging from 10-20) they cannot cater for. This programme would allow for parents to give birth to children they can adequately provide and cater for(maximum of four children) without them constituting a menace of street begging and thereby reducing the tendency of being recruited as foot/child soldiers by the Boko Haram sect.
6. The Nigerian security personnel should be properly enhanced especially when it comes to ranging issues such as welfare packages, salary schemes and post-traumatic stress disorder (PTSD) among officers. All these if properly kept in focus would enable the security personnel in effectively carrying out their role in counter insurgency against the Boko Haram sect.
7. The Nigerian government alongside with regional government should work out effective modalities to tighten up border security. These governments should also work out modalities to cutting the sources of insurgents' supply of arms and funds; this would go a long way in curtailing the Boko Haram activities around the Lake Chad basin.
8. Top Muslim Imams and all other Religious figures in the North also have a great role to play in eradicating the Boko Haram menace. The bulks of the Boko Haram members are destitute without any form of education and are easily hoodwinked and lured into terrorism and suicidal acts by virtue of their Religious inclination. The Imams have a great role in re-orientating the Muslim youth against violence. Both Christian and Muslim leaders should work hand in hand, preaching more on love, peaceful co-existence.

## Conflict of Interests

The author has not declared any conflict of interests.

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*Full Length Research Paper*

# Environmental policy in the Czech Republic: Synergy cooperation among agencies

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**Environmental issues must be supported by all parties. International, national, and local agencies should manage the environmental issues seriously and consistently. European Union as an international or regional organization in Europe promoted sustainable development to the member states where the Czech Republic announces a policy of the Environmental Policy to invite participation of all relevant institutions and people for taking care of the environmental issues. The problem was environmental management for inter-agency was not an easy task because of inter-relation among institutions and different interests of the institutions to make environmental issue synergy. To get a comprehensive understanding, this study is written based on interdisciplinary approach with the data interpreted and made an analysis through concepts of political economic, international relation, and public policy. As a result, this study introduces a model of inter-agency management in relation with management of environmental issue among European Union, local agencies and Czech national government in relation with environmental management. Finally, this study has a conclusion that the international, national, local agencies cooperation has a strategic role in relation with management of environmental issue. However, the cooperation would be a great contribution to sustainable development in a certain country if conducted seriously and consistently.**

**Key words:** Environment, management, cooperation, government, people.

## INTRODUCTION

In the period of social and political reform or Velvet Revolution in 1989, environmental issue is the greatest issue in Czech. Environmental Movement Organization (EMO) gave great contribution to issue pro-democracy public opinion and encouraged the reform. EMO is the strongest NGOs even stronger than political power. In those periods, environmental issue got high support from

various parties including external power. The EMO and people could control democratization and took over political order to make Czech from Communism to Democracy.

At the present time, one of the problems in Czech is environmental issue as it is now just small issue or not popular issue. Not many people take care of

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environmental issue compared to Velvet revolution. On the other hand, Government is more interesting in economic than environmental issue. Government needs to keep economic growth in relationship with Government continuity or government existence. However, international community still takes care of the issue as it is one of strategic international issues. Consequently, the main point to overcome the problem is breakthroughs for synergy of inter-agencies cooperation.

To make cooperation on inter-agencies of environmental issue needs a special management of environmental issue where the issue is not an easy working in relation with many agencies and interests. Boyd (2013) shared information about environmental management in Australia. Australians' perception of environmental issue are as follows:

- (1) Most people in Australia believe in climate change, but not many believe in changing the relation with human activities.
- (2) Believe about climate change in relation with political preference, voting behaviors, and gender, but no clear relationship among beliefs, location, age, and income.
- (3) Most people believe that Australia should take action on climate change without waiting for global consensus, but there is no consensus on specific policy.

Based on the above facts, scientists, social, and political communities need to collaborate in solving environmental problem as the environmental issue is complicated needing inter-agency cooperation. Scientists should contribute the idea or concept about environmental issue. Social and political communities should support the idea of having positive impact to the environment.

In relation with the above problems, National Institute of Environmental Health Science (NIEHS) introduced a concept called Environmental Management System (EMS). It can be a tool to understand synergy of cooperation for inter-agency in management of environmental issue. An EMS is defined as "self-correcting and continual improvement system seeking to reduce environmental impacts associated with a facility's activities while helping to ensure compliance with environmental regulations." EMS consists of five steps; (1) Environmental Policy, (2) Environmental planning, (3) Implementation, (4) Checking and Correction, (5) Management review. (<http://www.niehs.nih.gov/about/stewardship/faq>).

To get the simple application, every step can be categorized into groups as follows:

### Environmental policy and planning

The step explains the policy of organization in relation with the mission of organization to identify the regulation,

requirement, pollution prevention, process, program, and budgeting system.

### Implementation

The step consists of creating EMS document, communication of EMS to the related society, and implementing the Standard Operation Procedure.

### Checking, correcting, and managing reviews

The step takes the monitoring, internal assessment, and modification to the EMS (Figure 1).

## MATERIAL AND METHODS

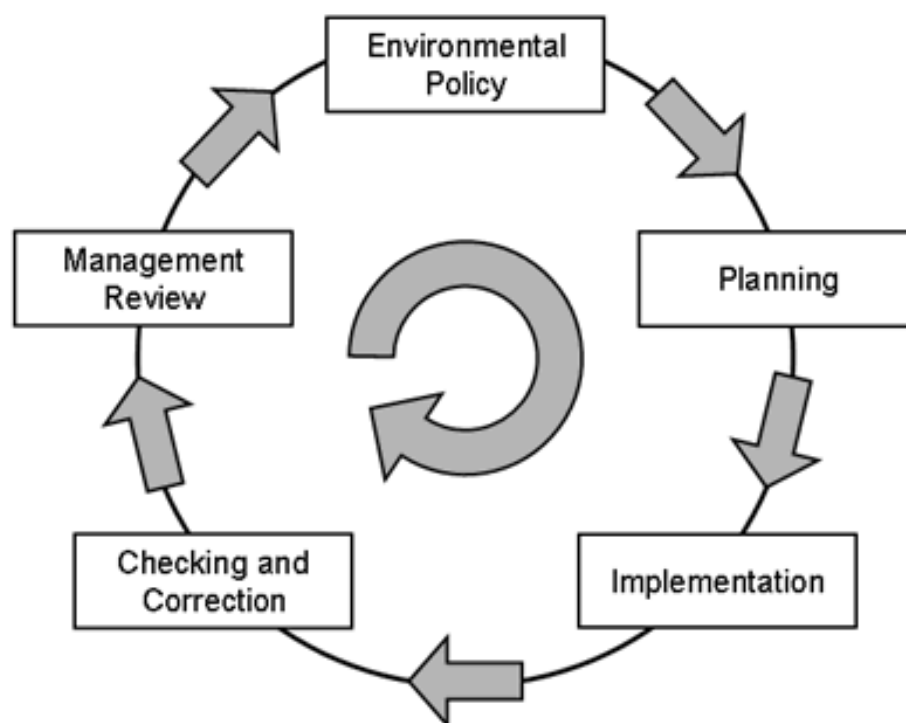
### Material

This article focuses on cooperation among agencies or institution on environmental issue. At present the environment is a global strategic issue. Every country gives great attention to the an environmental issue. But management on several agencies about environmental issue is not easy. It needs a special management or interdisciplinary way, inter sector and people awareness to the environment.

Previous book relevant to this article is *Czech Policy on Climate Change and Protection against Flooding* published in 2011 by the Indonesian Institute of Sciences. This book describes the Czech Republic created the flood policy in 2001 Water Act to increase the efficiency of flood management. Through the Water Act, the Czech Government distributed responsibility of flood management to local governments and local people. In flood management, Czech Government is represented by the Ministry of Agriculture. Government cooperates with other organizations to manage flood disaster. On the local or district level, people are invited to participate in flood management. In short, flood is the responsibility of local government and people.

Another book is *Renewable Energy Development in the Czech Republic: Dimension of Social and Humanities* published in 2012 by the Indonesian Institute of Science. This book describes the Czech policy on renewable energy. European Union has contribution develop renewable energy in Czech through EU directive No. 2009/28 concerning the National Renewable Energy Action Plans (NREAPs). This is based on the direction of Czech as member country of EU made Act. No. 180/2005 concerning promotion on electricity from renewable energy. When people participated in renewable energy program, environmental movement organization such as Green Peace gave criticism and alternative on road map of renewable energy scheme in Czech 2020-2040.

On other hand, this article describes management on environmental issues in Czech analyzing a synergy cooperation among several actors on environmental issues. Author describes actors in environmental issue in Czech. The main actors are government and people. Although in reality, NGOs and private companies are part of environmental issue management. Levels of analysis of the article are institution at local, national, and international level. There are three levels of analysis explaining the management. Interaction among actors in environmental management is interesting to be explored because it will be important experience to different people who live in other country. On other hand, author appreciates ideas that environmental issue management in different country needs



**Figure 1.** Diagram of Environmental Management System  
Source: ([http://www.niehs.nih.gov/about/stewardship/faq\\_](http://www.niehs.nih.gov/about/stewardship/faq_)

different approach because every country has different political, cultural, and economic background. It is just a success story in Czech will be a stimulate for environmental management in other countries.

## METHODS

This article is based on qualitative methods. The qualitative methods are conducted by documents and field study. The process of data collection based on strategies is as follows: (1) A document study is done by studying on library and browsing of internet on the issue. (2) Author visited experts on environmental management from universities and research institutes. We made depth interview about one until two hours about environmental management issue. It depends on research, because sometimes we made an interview more than two hours. (3) Author also participated in focus group discussion (FGD) and seminar on the issues which relevant with the theme of this article.

This article is written based on interpretation on action, event, or fact about environmental issue management in Czech. To understand the issue, the author must understand several agencies related with environmental issue management in the country. Consequently, the author looks at this issue from international, national, and local points of view. Furthermore, this article is based on a multidiscipline approach. Several branch of social sciences used the data interpretation. The data are interpreted from point of view of political science, management science, economic science, environmental sciences. By this approach author hopes this article would give more comprehensive description and interpretation of the data about management of environmental issue in Czech.

## RESULT

### Level of regional agency

The Aarhus Convention, SEIS and SISE, for People's Participation in Environmental issues had received great attention from international community. The European Union (EU) as one of the biggest organizations in the world care about the issue. The EU took steps in supporting the issues. EU had commitment to global issues. As realization of the commitment, EU developed environmental institutions in response to the environmental issues as stated by the Aarhus Convention, SEIS and SISE.

Aarhus Convention has long history compared to other conventions. After a long discussion, finally the Aarhus Convention is approved by the European Union and there are two important meetings in 1999 and 2000. The meetings prepared a committee in 2001 and 2002. The first meeting of the committee was on October 21 to 23, 2002 in Lucca, Italy. On May 21, 2003 Extraordinary Summit was held in Kiev, Ukraine. The meeting adopted a protocol pollution. It was signed by the European Union and the thirty-six states of non EU. The second meeting was held in Amaty, Kazakhstan, on May 25-27, 2005. The third meeting was held in Riga, Latvia, June 11 to 13, 2008.

Aarhus Convention was binding on all members of the European Union. Aarhus Convention has been decided by the Commission of EU to be ratified by the people of air regulations applicable in the countries of the European Union. This refers to the Aarhus Convention, chapters 17 and 19:

#### Article 17

“This Convention is open for signature at Aarhus on June 25, 1998, and thereafter at United Nations Headquarters in New York in December 21, 1998 by Member States to the European Economic Commission. This is in accordance with paragraphs 8 and 11 of the Economic and Social Council resolution 36 (IV) March 28, 1947, and regional economic integration organizations made of member state authorities Economic Commission for Europe in which their member States have delegated authority over matters governed by this Convention, including the competence to enter into treaties in respect of this matter.”

#### Article 19

“This Convention is subject to ratification, acceptance or approval by signatory States and regional economic integration organizations. Aarhus Convention will be a reference in the processes related to environmental issues in the Czech Republic decision-making. Article 5, September, organizes public participation and environmental policy. The article said that community participation is a major point of sustainable development. The regulation is the application of Aarhus Convention. This is proof that the Aarhus is applied by European Union member states, There are interesting facts related to public participation in the Republic. September stipulates Parliament participation instruments, Referendum, Ombudsman Institute. In case, the person or Environmental Movement Organization participation through Parliament punished surrender. Environmental Movement Organization also may participate in the effect to the Government of the Republic via referendums. Most referendum conducted for a matter of principle as it relates to the budget. In addition, Environmental Movement Organization can give convicted Ombudsman Institute. The Institute will continue in the insert of Environmental Movement Organization or the people to the government.”

Aarhus Convention was a strategic decision for environmental management. Basically Aarhus Convention promotes and organizes public participation on environmental issues as follows: (1) People have the right to develop the network in the environment. (2) Awareness that people and government are responsible for the

environment of the next generation. (3) Sustainable development can be achieved only through public participation. (4) Priority on the interaction between humans and the government in democratic cooperation. In short, the people have a great responsibility in the environment to participate in environmental management.

SEIS and SISE as a Regional Information System on Environmental SEIS is abbreviated from Shared Environmental Information System and SISE abbreviated from Single Information Space in Europe for the Environment. The ideas are network system on environmental management as part of improving people's participation in environmental management.

SEIS and SISE supported Aarhus Convention. Scholars created instrumental support to the Convention. They made research and exploration in developing and implementing the Convention of SEIS and SISE as instrument to invite people's participation on the environmental issues. The participation is conducted by the network system. People can report the environmental problem although they live in frontier area.

Hrebicek and Pillmann (2009) described SEIS. SEIS has several objectives as follows: (1) From organizations aspect, SEIS wants to share information about environmental issues. (2) From substance aspect, SEIS wants to open an on-line information system of environment. (3) From infrastructure aspect, SEIS is setting up a network based on Communication and Information system on environmental issues.

SEIS has a chronology of an overview of the history. In 2004, the European Union made the monitoring and reporting on the environmental problems of member countries. The discussion was held in studying Environmental Policy Review Group. The European Commission presented information on the study on the environment. The Commission made a statement that the EU requires a monitoring system in a collective environmental management. In 2005, the Commission created the concept of Shared Environmental Information System (SEIS). European Union members have the same perspective on a shared environmental information.

Finally, in 2008 the Commission approved the Communication of a Shared Environmental Information System (SEIS).

Furthermore, SISE history is not so different from SEIS. In 2005, the European Commission formulates a European Society for growth and employment. In addition, the Commission also introduced Information and Communication Technology (ICT) for environmental management and energy efficiency. SISE is introduced as an institution to serve the neighborhood in relation with environmental information in Europe. SISE is based on high-tech activities, especially in Information and Communication Technology (ICT). SISE develops the linking networks for institutions with environmental information as the network of inter-state and interdisciplinary

approach. Sise operates in all EU member states, even in Europe in general. SISE activities will collect and transform data on the environment. As a result of environmental information, there are integrated controlled by the EU.

In order to achieve the program, the European Commission held workshops in 2007 and 2008. In 2008, in Brussels held a *workshop with the topic Towards a Single Information Space in Europe for Environment (SISE)*; workshop under the coordination of Information and Communication Technology (ICT) for Sustainable Growth Unit of DG INFSO (European Commission activities related to environmental issues). The workshop objectives are to prepare a framework for networking services on the environment. In addition, the workshop targets will support integrated information space. Another target is the information service market for environment. Information and services become commodities that can be promoted in Europe.

Besides, there is another fact about the European Union commitment to the environmental information system related with the environmental issue. European Union developed several projects such as, G-Gas Project and ICT-ENSURE. The project developed Information and Communication Technology (ICT) for sustainable development. SISE will be the institution with the power to connect the environmental information. SISE is not directly provided to support the environmental movement or NGOs in the countries of the European Union. Additionally, SISE provides support to governments in Europe for sustainable development seriously.

SISE becomes a tool for controlling the EU sustainable development. Each EU country provides support to the European Commission policy. In other words, EU policy should be implemented by its members. Debate can be conducted in the European Parliament, but after the draft regulations have been ratified, the regulations were rejected. It can be seen as conflicting with European integration. Policy of the member states on the development of sustainable environment must be approved by the European Union or SISE. Czech environmental policy also adapts the European Union or SISE.

E-Participation is a Strategic solution for people's participation in Frontier Area. Furthermore, the government hopes the support through e Participation from people in the environmental issue or sustainable development. E Participation provides space between people to discuss environmental issues. In this discussion, people can expect the support from various parties in environmental program. Even, people can become public opinion makers in environmental program. E Participation also provides space to make a public opinion related with the environmental issues. The opinion is accepted by people or rejected by others. In short, e Participant will become an alternative model to

invite public participation in the decision-making process. This will give a good contribution to the sustainable development. People will participate to control the environmental management. If there is a wrong policy, government will be criticized and people can give advice or feedback. People should participate in e Participation because participation is protected by European Union regulations Aarhus Convention 1998.

This convention sets e Participation in environmental decision-making process. The European Union has developed a pilot project on e-Participation called U @ Marenostrom. Projects involve communities and local actors (associations) from the Mediterranean coastal zone of decision-making process. They were invited to participate in the implementation of water protection policy and sea environment in the Mediterranean region. This area includes some areas in Ionian islands (Greece), the French Riviera (France), and Valencia (Spain) (Ortega 2009).

### **Level of national agency**

State Environmental Policy (SEP) is the guidance of environmental management in Czech. This gave way to a solution on environmental issues. In this case, the SEP had a number of priorities and principles in responding to the environmental issues. In addition, the implementation can be divided into two or more categories for the implementation of national and local level. On March 7, 2004, the Czech government said the State Environmental Policy is the Government policy on environmental issues. Declaration was stated by the Deputy Prime Minister, Stanislav Gross; in this case, the goal of policy to provide a framework or guidelines for decision making in dealing with environmental issues. There were some targets to be achieved, as follows: (1) Raise awareness about environmental issues, (2) Principles of sustainable development, (3) Increase the social acceptance of environmental programs. In addition, the priority for the policy issue in some sectors of the environment is as follows: (1) Protection of nature, landscape and biodiversity, (2) Utilization of natural resources and protection of water, (3) Reduction of environmental damage from human activity, increasing environmental standards for the quality of human life, (4) Protection of the Earth's climate system and the prevention of long-range transport of air pollution. Priority was perfect and good, but the application was not easy.

Liczki (2009) describes and explains some institutes, activities, and model related with conversion of emission inventory in Czech. The institute managed and developed emission inventory for Czech national emissions inventory and air pollution sources (Rezzo). Rezzo had emission database system including anthropogenic emission. Rezzo inventory was administrated by

Hydrometeorological Institute. The institutions managed to report the annual emissions for the Czech Republic.

Rezzo is divided into 4 categories as follows: (1) Rezzo –One, major source of emissions from combustion processes and technology. (2) Rezzo-Two, secondary sources and emissions of combustion technology, (3) Rezzo –three, a small source of emissions from combustion processes and technology. (4) Rezzo -Four, transport, emissions from on road and non road mobile sources.

Emissions management system is called Sparse Matrix Operator Kernel Emission (ASAP). SMOKING-based technology is called advanced air quality models (AQMs). Processes transform the data into the input emissions inventory required. SMOKE is the technology system used and developed in the U.S. This technology is made in the USA and applied in Czech. At first, the project needs advisers or technicians from the United States, but eventually the operator or technician of the Czech can manage their own projects.

### Level of local agency

Another agency was Prague Environment Atlas (PEA)-based geographic web applications. In 1995, the first publication printed the information, but since 1998 it published an on line system or web application. PEA received data from multiple sources as follows: Rezzo, Atem, organization, and government. PEA based on GIS technology. In fact, PEA was the first project using GIS (Geographical Information System) as an instrument to map environmental issues. With Hi-tech instruments, environmental issues could be identified accurately.

The Prague Environment Atlas (PEA) had a partnership with Rezzo. Rezzo was a project managing to minimize air pollution emissions. On the other hand, PEA published data or information from Rezzo to the public. With the web PEA can control the activities of Rezzo and also air pollution in Czech Republic, especially in Prague. This gave advantage to have a media Communication of Rezzo as between itself and the people.

However, Rezzo required communication with the people and the PEA as a bridge of communication . PEA also received advantages because it got the data to connect with the environment. PEA and Rezzo developed synergies for cooperation.

Another project was the premise (Prague Environmental Monitoring and Information System). The project was also part of the IOZIP. Web applications focused on on-line monitoring systems and crisis management. This project controlled the general conditions relating with environmental issues. One application was up-to-the-hour on line information on air quality in Prague. It worked in conjunction with the measurement of CHMI station and the Prague City Health Office; moreover, the

premise of providing information on water quality and the condition of some rivers in Prague. It worked in conjunction with the River Vltava in Prague Basin. Another web information is applied in the city as a result of cooperation with the institute of meteorology and nuclear.

## DISCUSSION

### Environmental policy and planning for better environment in Europe

According to the facts, most Aarhus Committee meeting discussed a strategic planning in relation with idea of people's participation on environmental issue. Environment is not just government's responsibility, but also people's responsibility. But it has an obstacle with the infrastructure to support the idea. From meeting to meeting, Aarhus Committee focused on discussion and finally produced agreement on some items as follows: access to justice, electronic information tools, rules, procedures, and work programs.

As we know, Aarhus Convention has some purposes in connecting with the environment development. Aarhus Convention protects the people and the next generation to live in the healthy environment. Regulation is something important to protect the environment in Europe. Nobody can ensure that people do not damage the environment. People have access to environmental information. People have the right to know about environmental problems and its management. By this convention people can participate on the decision-making process for environmental issues. People have the right to control the decision-making process. In fact, people will receive a direct adverse effect if there are environmental problems.

The Aarhus Convention is the European Union member countries agreement in relation with people's participation on environmental issues. In this case, people are given responsibility on environmental management. People are invited to give feedback; suggestion, financial support to improve quality of environmental management. Environmental issues are managed openly and democratically. People must know decision making process on environmental issues. People have rights to make criticism on the issues. People and government make the dialogue forum on the issue to consequently understand planning, acting, and evaluating the environmental management.

In short, the Aarhus Convention is a regulation. It regulates public participation on environmental issues. People need cooperation to support sustainable development. The Aarhus Convention is a legal aspect of people to participate in decision making process on environmental issues.



Furthermore, the 6<sup>th</sup> Environment Action Program (EAP) of the European Community 2002-2012 is the European Parliament and the Council decision adopted in July 2002. EAP emphasizes the importance of providing environmental information and public participation on environmental decision-making processes. EU policy should be implemented by member states. Each EU member state should support the program. Now, e-Participation is one option in a democratic system.

NGOs are part of the people to participate on environmental issues or support the sustainable development. People have the right to participate in decision-making for environmental issues. In addition, sustainable development or protecting the environment is very urgent. Global warming and climate change require serious attention. All parties should be responsible for the problem.

Environmental Movement Organization (EMO) is one of NGOs to cooperate actively with the European Union protecting the environment in Czech. EMO is hoped that the partnership will provide a better impact on environmental programs. As we know, the EU controls the member countries in environmental issues. As a result, the EU - EMO is an instrument of effective agencies for environmental issue. Sometimes EMO makes a criticism to government or business institutions as a single actor, but does not have effective result. There are some interests in environmental issues. There is a conflict of interest between the EMO and business institutions who have an interest on environmental programs.

The Commission underscores the shared environmental information. This increased knowledge of environmental issues. Commission also noted that the European Union required institutions to coordinate the sharing of information as the information must be managed properly. It is essential to achieve the goals effectively. European society should be concerned with environmental issues. This relates to the health and life for the next generation.

Furthermore, other agencies support the SEIS is SISE (Single Information Space in Europe for the Environment). SISE is the agency that manages the environmental information. So much information about the environment that caused the European Union to develop institutions. Sise coordinates and manages the environmental information in Europe. Sise monopolizes the information on environment in the region.

Sometimes people in Czech do not have the attention to the environmental issues. The people have special interests, economic interests to encourage conflict of interests between economic interest and environmental interest. People get benefit with the business, but also have bad impacts on the environment. From the environmental perspective, the wrong behavior will cause a puddle, breaking ozone, and global warming. People

still do something to damage environment with serious impact. People do not have enough awareness to protect the environment. People need enlightenment, information, and direction about the environment. Furthermore, people need services to keep their business council, but do not adversely affect the environment. The environmental program will meet so many interests. In these conditions, conflicts of interest cannot be prevented between the government and businessmen. Priority cannot be conducted perfectly. When operating the priority, it will get a bottleneck to make the priority not to work well. As a result, the priority program conducted with a flexible way. The main point to use a reference priority by the government and the people. Step by step approach and persuasive approach for something important in acting program of priority for environmental issues.

In the future, there is expectation that people in Europe have awareness on environmental issues. Environment is not just a government responsibility, but also public responsibility, especially the Environmental Movement Organization (EMO). To raise public awareness on environmental issue in Czech is something to need the strategic point. SEIS and SISE will provide information to people about environmental issues, and on the other hand people control environmental management. Both have the duty to protect the environment. The existence and progress of environmental programs in general depend on them. If they participate seriously on environmental programs and biodiversity to make the quality of life can be improved.

### **Environmental values implementation in Czech**

One of the targets to implement the environmental issue in Czech is realization of the principles of sustainable development. The Principle will give people direction to respect the environmental issues. One of the principles is paying attention to the pollution. In applying the pollution principle, the international community is following the principle of mutual responsibility, adopt and support the environmental principles in Czech.

Another target of the State Environmental Policy is to raise awareness for people about the environmental issues. In reaching the target, the Government needs to inform people about the environment through the information systems such as SEIS and SISE. Local governments in Prague serve the people with information systems linking with environmental issues.

Prague Environmental Systems (IOZIP) published the first Prague Environment Yearbook 1990. Yearbook provides information on the management of environmental issues or reports on projects on environmental activities. In developing the publications with various forms, such as printing, CD, DVD, and electronic

publications (City web site). It makes people have a lot of options to access environmental information. The growth of environmental services is dynamic providing benefits to people with a lot of information on the surrounding environment. People's awareness on the environmental issues or sustainable development can be achieved in Czech with some projects supported by IOZIP.

One example, ENVIS is a project on environmental information services to disseminate environmental information to people in Prague. ENVIS Under the coordination of IOZIP. In 2005, ENVIS city launched a web page. ENVIS introduces the scheme "-state-response effect" in linking with environmental issues. Through an evaluation tool or scheme agencies to evaluate the implementation of the environmental regulations.

Not every agency has the commitment to environmental issues in Czech. Employees of the government offices and private companies have different qualities to support the issue. The employees have different backgrounds, educations, cultures, and habits. On the other hand, the State Environmental Policy will encourage all government employees to care about the environmental issues. Czech government has an interest in supporting the environmental program. Government has the infrastructure, budgetary resources, and human resources, but depending on the political will of the government.

On April 16 – 17, 2009, the International Conference on the environment was held in Brno with the topic, *Access to Justice in Environmental Issues*. The conference was organized by the Ministry of Environment Czech Republic. The conference participants were 80 experts from 17 European countries consisting of lawyers, judges, prosecutors, and lecturers. Conference was the main key for the environmental issues between the government and stakeholders.

Several speakers spoke about the legal aspects of environmental issues. Sir Robert Carnwath from UK, Lavrysen Luc from Belgium, Jerzy Jendroska of Aarhus. Convention Committee gave a lecture concerning the role of courts and judges in relation with the environmental protection, accessibility and efficiency of legal protection for the implementation of the Aarhus Convention. As a result, most speakers suggested that the judiciary needs to increase the role on environmental issues.

Czech Government restructured institutions to make changes. The changes have an impact on the environment sector. In this regard, the Ministry of Environment has a new minister, Mr. Frantisek Benda. He was supported by Jiri Skalisky, a politician cares about the environmental issues. Both were invited to EMO discussing some problems in dealing with the environment. New ministers and EMO arranged the cooperation programs on environmental issues. They can work together in waste and energy. In addition, the Ministry is open to the information required by the EMO. The organization grows up, especially when the Ministry

of Environment, Mr. Martin Bursik struggles the success of the environmental issues. On the other hand, EMO has a great influence to people. The people support it as their interests on environmental issues. People have unrestricted access in the process of environmental legislation or decision-making on environmental issue. As a result, environmental regulations tailored to the sustainable development for the spirit and aspirations of the people on environmental issues.

### **Checking, correction and management review to environmental agencies in Czech**

Through the evaluation, some agencies have not yet backed up seriously the sustainable development in Czech (Trebicky, 2002). Institutions do not pay attention to the program significantly such as the Czech Government, Czech Parliament, the largest energy producer in Czech, and political party. Between the executive and legislative institutions have not succeeded in supporting the environmental issues effectively. If this opinion is correct, it makes the conclusion that it is difficult to develop a sustainable development program in Czech.

In connection with Aarhus Convention, SEIS, SISE, and people have been invited to participate in the environmental issue. People can participate in the issue through e-Participation. Ortega (2009) has a definition that e-Participation is "the use of information and communication technologies (ITC) and to broaden and deepen political participation by enabling citizens to connect with each other and their elected representatives." E-Participation system has several aspects as follows: application software, products, equipment and other components. This product is the result of the system information. This system is the result of public opinion or the awareness on sustainable development.

People use e-Participation to control the decision making process in environmental issues. People are also invited to provide feedback to the Government in connecting with the sustainable development. In this case, people can give criticism and advice to the Government policy. People's participation can improve the quality of decision making. When people are involved, the decision will have so many ideas. Even, people and people can criticize each other. In the context of the environment, Government might eliminate something not relevant with the sustainable development spirit. This condition had a positive impact on the decision making process.

Finally, the output of the decision-making process reflects the aspirations of many interests as long as suitable with the environmental issue. Participants are in the process to articulate their aspirations or interests. Most aspirations of the people will be feedback.

People involved in the decision making process are viewed as democratic phenomenon. After the velvet revolution, every person has the right to articulate his interests. In political freedom, people can talk the idea connecting with the environmental issues. They want to contribute to the state; in this case, the contributions in connecting with the sustainable development or environmental issues. Awareness on the environment has been developed in Czech.

Public participation or public involvement can be maximized for networking. Information and Communication Technology support people participation in the decision making process of the environmental issues. On the other hand, the Government is also supporting public participation by EU governments and the web is also supported by the Aarhus Convention, SEIS and SISE. In short, each component of the system supported synergy for cooperation on the environmental issue.

EMO plays an important role to promote the participation in environmental decision-making in the Czech Republic between 1992 and 1996." In other words, for 4 years EMO participated in the process. Chances are the highest achievement of EMO's participation in decision-making on environmental issues. In general, Czech has reformed and EMO has a participation in the decision-making process on environmental and other issues.

Especially, in a period of transition and consolidation, some institutions such as town meetings and public hearings provided a forum for public participation in environmental decision-making. EMO has experiences in motivating and promoting common participation. EMO uses the expertise and experience to develop community participation. Step by step, public participation grew up in Czech Republic. Because of the role of EMO, people began to understand participation. In addition, the awareness of the environment is good enough.

Furthermore, EMO has a real contribution to the business environment and also share with local Government and people in solving environmental problems. EMO also introduced the Tree of the Year Award to motivate people in tree planting activities. This program supports the sustainable development. EMO has contributed some roles in people's problems. In 1977, the world's largest producer of dairy products, Danone, introduced BIO yoghurt in the Czech market. Instead, the label was reserved for BIO agricultural industry. In short, there was no consistent of BIO labelling as Danone has not promoted BIO agriculture. It causes a feeling of injustice in the agricultural industry in Czech or the bio industry promoted BIO agriculture. They protested Danone. In addition, people wanted the company not to use the BIO labelling anymore.

Environmental Law Service (ELS) as peoples' representative has called this company to stop using BIO label for a new product. On the other hand, the company

did not meet the ELS protest. As a result, ELS took the case to court. Municipal Court in Prague ruled that Danone conducted dishonest practices in business. In other words, ELS or some companies won the case or they were in the right position and Danone in the wrong position. People give great appreciation to the EMO. It gives real action in dealing with the problem. In this case, EMO is a hero. On the other hand, Danone and other companies are more cautious when using label trade in their products. They do not want to be claimed by the person or EMO. They know that people will protest and EMO trade labelling is wrong.

In this case, the ELS as an Environmental Movement Organization (EMO) protected the interests of the people. ELS played a good role as a lawyer for some companies. This concrete work of EMO had a direct impact to the community. However, the company or the people gave a high appreciation to the EMO. EMO delivers benefits to the people in Czech. So, people will support the EMO when it is needed. EMO and the people have a good cooperation, especially on environmental issues. This is something that is useful in the sustainable development.

In 2006, finally Danone complied with decision of the High Court of Prague and public apology for using BIO brand on its products. In addition, the ELS or the winner's position on Danone. It is a long process in the legal process of the Prague City Court to the High Court of Prague. In this case, no law enforcement as NGOs and the people control the legal process. On the other hand, the case became the public attention. Legal institution or the judge only handled the case. On the other hand, what happens in cases that do not get the public's attention? This is a great question that it is difficult to make the answer.

On January 31, 2008, the Law for Environmental Services (ELS) made a press release about the environment. ELS was invited by the European Commission to talk about environmental issues in Czech. ELS reported that the breach of the EIA Directive by the Czech government. ELS noted that there were irregularities in the construction of new roads and highways. In this case, the ELS and EMO were dissatisfied with the government's policy on the environment. Another case is transportation projects related with the environment. Through a safe route to school project, an initiative of sustainable transport program for partnerships on environmental program ([www.environmentalpartnership.org](http://www.environmentalpartnership.org)). Based on studies conducted by several transportation engineers, there were no safe areas around the school. The routes were Prague-Kyje, Horka nad Morovu, Krtina, Brno Lisne and Tovacova. Consequently, it is safe and sound necessary route to school. School project is developed for pedestrian. The most important thing is the kids can go to school safely.

Mission of Sustainable transportation program is to

share experiences and approaches to sustainable mobility, initiate and support safety in transportation and reduce negative impacts of transport on the environment and society. The program managed a good relationship between transportation and environmental aspects. Both developed synergies to safeguard the interests of the public. This means the Government has good coordination within the program of environmental programs and transportation in Prague.

Another case is the development of the urban environment. EMO of Czech and Slovak cooperate in environmental programs. EMO is the Environmental Partnership Foundation. In addition, EMO also makes collaboration with others NGOs from Central Europe. The EMO and the University developed a project on improving the quality of the urban environment. The project aims to evaluate the public space in cities. As a result, there are high-quality parks, squares and other places in the Republic. These are some things that are important for sustainability of cities.

Something important of this project is community participation and local people are invited to participate, especially in the project planning. In addition, this project is bottom-up Program of EMO. The most important thing is the people keep the park as their own private parks. People hoped that he would build the park on their budget. This developed as the champion in the urban environment. Finally, the people who live in the urban areas are free to develop environmental programs.

In relation with the promotion of environmental program, on October 17, 2008, Czech Environmental Partnership Foundation introduced the Tree of the Year Award by inviting people to compete. The trees were selected by judges from around the country and the people vote. Basically the program motivated people to have awareness on the environment. The winners of the competition received 26,000 EURO. ([www.environmentalpartnership.org](http://www.environmentalpartnership.org)). It is pretty good as a stimulus to sustainable development. The main point is not the money, but more important is people attention to the environmental issues. It is one of people's participation in sustainable development.

Tree of the Year competition is part of the Tree of Life Program. People have strong interest in tree planting activities. With an attractive method, people are encouraged to have a better care of the environment. As a result, the program was responded enthusiastically by people. In other words, competition or program is successful and people support it. It must be recognized by all parties. In fact, the competition will be a model of the sustainable development in the world. If everyone in the world does the similar thing, the environmental program in the world is also getting a lot of advantages.

In addition, people have an advantage of the competition. People who win the competition received grants for tree planting. People have high motivation in

environmental programs. In fact, people will have good habits to concern on the environment. This competition is an effective way to invite people to participate in the environmental programs. If this competition will be conducted continuously, it is one of the activities that support the environmental programs successfully. Finally, it contributes significantly to the Czech environmental program. Of course, it should be followed by other countries to support the environmental programs.

In this case, the competition can promote the environmental principles such as: (1) Increase public awareness on the environmental issues. (2) Public participation, (3) Resource management and sustainable consumption, (4) Pay attention to the pollution (6) The principle of integration in the sustainable development.

Furthermore, other people positive respond to the environmental issue as people support to participate. E-Participation is cheap and democratized way with advantages. Ortega (2009) described the advantages of e-Participation as follows: (1) E-Participation provides the opportunity for indefinite and limited people. (2) People can discuss topics despite living in different locations. (3) When there are different opinions, discuss e-Participation to control rather than face-to-face discussions. (4) E-Participation encourages people to make the discussion effectively.

E-Participation is a revolutionary change in democracy. People can support or criticize on the environmental issues. People can choose the environment or government policy issues related to the environment. Although indirect way, people can get involved in the decision-making process for the environment. People have the opportunity to express their aspirations or interests. It is very important to connect the implementation of the government policy. Aspirations can be appreciated by the government so there is no protest on the environmental implementation policy.

This project will develop a bottom-up relationship between decision makers and citizens. Citizens better understand the environment and problems. This project will support the citizens and local actors to identify environmental problems. In addition, citizens and local actors will also provide feedbacks to the decision-makers in the European Union on water and marine for the environmental policy. In the future, e Participation may be recommended to the member states in the European Union. Czech is ready with the program even though there is currently a European Union program. When the policy of the European Union, member states cannot refuse. Czech Government is suggested to allocate a special budget for e Participation in connecting with the environmental issue because e Participation needs soft and hard wares to support the European Union's programs on the environmental issue.

Moreover, the Czech has another obstacle in Sustainable Development or Environmental Program. For

example, poor education in ecology, awareness on environmental issues, and energy consumers without paying attention to the environmental issues. To cope with the program, all parties should develop synergies of cooperation. People should pay attention to the environmental issues. There are recommendations on the problems mentioned above. (1) Vision and ideas of Sustainable Development, (2) Instrument for implementing the sustainability, (3) Methods and measures to achieve the sustainability, (4) Regulation on the transportation, agriculture, and water protection sector (Trebicky, 2002).

## Conclusion

European Union pays great attention to the environmental issues in Europe. European Union is responsible for the environmental issues in the member states, including the Czech Republic. EU supports the environmental programs in Czech. This is a response to the global environmental problems or issues. EU develops the environmental legislation and institutions in solving the environmental problems such as the Aarhus Convention, Shared Environmental Information System (SEIS), and the Single Information Space in Europe for Environment (SISE). Regulations and institutions will motivate the environmental programs.

To achieve the sustainable development, the European Union and the Government of Czech through the Environmental Movement Organization (EMO) have a synergy partnership. EMO built several projects in Czech related with the sustainable development and environmental health. In managing the EMO and local government invite people to join the project.

EMO and the Czech Government are also developing cooperation in promoting the sustainable development, one example is the Tree of the Year Award. On the other hand, EMO also criticized the Czech government when there mismanagement on the environmental issues. In short, EMO is government and community partner for sustainable development and the environment.

## ABBREVIATION

**SEIS**- Shared Environmental Information System; **SISE** - Single Information Space in Europe for the Environment; **EU**-European Union; **EMO**-Environmental Movement Organization; **NGO**-Non Government Organization; **ICT**-Information and Communication Technology; **SEP**-State Environmental Policy; **AQMs** -air quality models; **PEA** – Prague Environment Atlas; **GIS** -Geographical Information System; **ELS** -Law for Environmental Services.

## Conflict of Interests

The author has not declared any conflict of interests.

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*Full Length Research Paper*

## Reframing post-Mugabe justice: A critical need for a truth and reconciliation commission

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This paper interrogates conditions by which deeply divided societies such as Zimbabwe can move forward through a recognition paradigm often used by Truth Commissions (TCs). The study is located within a dispute that troubled societies cannot fully reconcile as long as pre-existing grievances are not addressed. The principal argument is that there have been human rights abuses under President Mugabe's presidency and the task of addressing the country's traumatic past can be effectively executed through the mechanism of a Truth and Reconciliation Commission (TRC). The study considers, how after the country's turbulent history, a TRC can enable Zimbabweans to come into terms with what happened, consequently, settle for a new social contract that seeks to bring justice to victims and survivors while also healing the nation's psyche. To achieve this, the study examines what happened under Mugabe's presidency by means of conceptualising primary and secondary data on postcolonial Zimbabwe. Findings suggest that there have been abuses that may have left the country divided and wounded, requiring an institutional response to deal with the past as a means of creating a positive shared memory. Findings also highlight that reparative justice has become more of an imperative as victims become more aware of their rights.

**Key words:** Zimbabwe, human rights, injustice, truth commissions, reconciliation, injustice, redress, reparations.

### INTRODUCTION

Those upon the margins of transitional justice's disciplinary boundaries are beginning to understand the need for an alternative approach in reconciling troubled and divided nations (Stanley, 2001, 2005; Hayner, 1998; Scharf, 1997; Laplante, 2008). This realisation is invariably prompted by society's failure to divorce with the past, particularly in countries where there have been human rights violations such as in Zimbabwe.

In the early 1980s, just as when many African nations were congratulating Zimbabweans for successfully executing the struggle for independence, the same revolutionary structure that had championed the liberation war began to come apart. The Patriotic Front comprising the Zimbabwe African People Union (led by Joshua Nkomo) and Zimbabwe African National Union (led by Robert Mugabe) - that had for two decades confronted

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the minority Rhodesian<sup>1</sup> government of Ian Douglas Smith started squabbling amongst themselves, leading up to unprecedented cases of human rights abuses (Nkomo, 1984).

Human rights concerns in Zimbabwe have been well-articulated, not only by local and international media, but also by Non-Governmental Organisations such as the Catholic Commission for Justice and Peace (CCJ), and the Legal Resources Foundation of Zimbabwe (LRFZ). Perhaps, the CCJ and LRFZ, (1999) correctly captures what went wrong in post-colonial Zimbabwe.

*People have been tortured, seen their dead ones murdered or abducted, had their houses burnt. No efforts have been made to alleviate their plight and those who caused the damage have not been made answerable* (CCJ and LRF, 1999, p30).

The conflict that ensued was fought seemingly without respect for Human Rights (Human Rights Watch, 2007). What happened were clear cases of violation of civil and political rights alongside social, economic and cultural rights. The Ndebele people of Zulu origin who supported the election losing candidate Joshua Nkomo suffered both physical and economic exploitation, with thousands of them skipping the country to neighbouring South Africa. More than 3.6 million Zimbabweans are estimated to have deserted their country, most of them living as economic and political refugees in South Africa, Britain, Australia, New Zealand (Human Rights Watch, 2007). Conventional wisdom dictates that there is something grossly imperfect with a political system that forces its citizens away from their country of birth.

With this in mind, the study advances an argument that the legacy of the 1980 disturbances may never go away unless an effective transitional mechanism that seeks to address a post-conflict ideological baggage is instituted. Although Critical thinkers such as Gibson (2004) and Hayner (1998) have not directly examined the Zimbabwean case, they contextually conceive the view that Zimbabwe desperately needs a forward-looking political strategy to prevent further socio-political fragmentation resulting from abuses of rights. The conception is that Zimbabwe's Human Rights record remains a "scar" that may impede processes of peace and stability if it is left unhealed.

A TRC can enable Zimbabwe to directly and thoroughly confront its atrocious past, as a means of shaping the future (Gibson, 2004). This could be a pragmatic approach in trying to construct a shared memory which is critical for the creation of a more reconciled society.

The focus is primarily on the new understanding of justice promulgated by truth commissions using the formula: *Truth + Redress = Reconciliation*. The aim is to put forward an alternative and effective framework for uniting Zimbabweans. A political discourse highlighting

that recognising the truth about violations is imperative for the argument advanced in this study. The discourse also argues that instituting some redress policies may enable Zimbabweans to come into terms with their past, ultimately, reconcile. That way, Zimbabweans can at least begin to travel together on the road towards reconciliation and social cohesion.

### **What is a Truth Commission?**

Truth Commissions are transitional justice mechanisms usually established during a transition to democracy to deal with human rights violations (Stanley, 2005; Hoffman, 2003). Transitional justice scholars, for example Minow (1998) have sought to define Truth Commissions in terms of philosophical standards of justice, while Allan and Allan (2000) define a truth commission as one of the institutions used in international law to investigate gross human rights violations within a specific country.

For Du Toit (2011), truth commissions are tools of transformative social action, which rests on the assumption that collective remembrance of the past will help prevent the recurrence of violence in the future. Du Toit (2011)'s views maybe critical for this analysis in terms of postcolonial abuses in Zimbabwe. Establishing a transformative mechanism may serve as a pragmatic approach in trying to address the legacy of post-colonial Zimbabwe injustices. Critical to this view is that social change in the wake of a culture of human rights abuses may require a shrewd transitional mechanism that is able to prevent the country from sliding into a civil war, hence it is posited that a TC can provide the required smooth transition of power. This is largely because victims who suffered grievously in the past may see an opportunity to engage in an orgy of revenge and retribution.

### **Characteristic of an effective Truth Commission**

Efforts of establishing an effective truth commission should be guided by aspirations of the affected society (Scharf, 1997; Hayner, 1994, 2001, 2002). Critical to the premise of a TC are victims, survivors, bystanders and perpetrators as well. Consequently, TCs should seek to encompass many other causes of conflict with the hope of securing a peaceful post-conflict settlement (Hayner, 1998; Scharf, 1997).

For Freeman (2006), an effective TC should have five characteristics: be able to perform statement-taking, use subpoena powers, use powers of search and seizure, conduct public hearings, and be able to publish its findings in a final report.

Furthermore, TCs should provide assurances of non-repetition of repression or violence. For example, TCs can also be used against covert, state-sponsored crimes to reveal clandestine violence, establish the accountability of political and military leaders, and to

<sup>1</sup> Before Zimbabwe became independent in 18 April 1980, it was known as Rhodesia named after British colonialist Cecil John Rhodes.

publicly acknowledge the previously silenced stories of victims (Shaw, 2005). Public recounting of memories and testimonies about violence is also paramount. This may serve as a redemptive process of reconciliation and redress of injustice. The question of redress is imperative for post-Mugabe justice, for instance, one of the most divisive issues in Zimbabwe is the deployment of the Fifth Brigade (Gukurahundi) in Matabeleland and Midlands areas between 1982 and 1984 (Nkomo, 1984). The footprints of the Fifth Brigade are still vivid in Zimbabwe's socially-shared memory, and, perhaps more significantly, some perpetrators as well as the survivors can still be reached. The most productive approach maybe to redress victims and survivors as a means of paving way for reconciliation and unity.

### **Worldwide: Truth Commissions and Tribunals**

This section examines the origins of Truth Commissions and explores how truth commissions have become increasingly popular transitional mechanisms in countries attempting to confront their past. The aim of this discussion is to demonstrate that the suggestion for a Zimbabwe TRC is a reflection of a wider world that is fast resorting to TCs; hence the idea is not a new one. It has been evolving for a long time. The main driver has been the search for social justice.

Citizens living under dictatorship that may have not only persecuted them, but also brought ravaged the economy are perhaps beginning to understand that poverty is both a cause and consequence of human rights abuse and lack of social protection (Fukuda-Parr, 2007). They now understand that extreme poverty which often is a consequence of controversial economic and political policies manifest as a violation of human rights, hence someone is morally responsible for their impoverishment (Pogge, 2003). Consequently, victims of violations must continue demanding redress for structural harms (Shaw, 2005). This new thinking, together with the desire for redress may have led to the formation of first TC in 1974 in Uganda under Idi Amin (Quinn, 2001).

For Scharf (1997), the first truth commission, the Carnegie Endowment for International Peace was set up in 1919 after World War I by allies to investigate alleged atrocities committed against civilians and prisoners of war during the Balkan Wars of 1912 and 1913. However, it is observed that the Carnegie Endowment for International Peace was not a national TC, but an international one. There is also a view that the first TC was the Bangladesh War Inquiry Commission appointed by the Pakistan president in December 1971 to investigate the killings of thousands of Bangladeshis (Government of Pakistan, 1974). The commission published its final report in 1974.

Nonetheless, much contemporary literature on transitional justice argues that the first conventional truth

commission was formed by Idi Amin in Uganda in 1974 (Hayner, 2001; Brahm, 2007). The 1974 Ugandan Commission was established to examine accusations of disappearances carried out by the Ugandan military (Robben 2010; Quinn, 2001). Known as the Commission of Inquiry into the Disappearance of People in Uganda it was established by Amin's government in June 1974 to cover a period from 25 January 1971. However, TCs did not gain prominence until the 1980s in Latin America. Brahm (2005) suggests that this could have been because the Ugandan commission did not appear to have been a sincere attempt to rectify an atrocious past, but rather a flimsy effort to placate international pressure. Consequently, the Ugandan commission did not reach its potential. This resulted in a gap in the use of TCs with the second historic TC having been set up in 1982 in Bolivia. However, from the 1980s to date, TCs have become popular mechanisms of transition from authoritarian regimes to democracy in many countries.

Early TCs in South America were charged with examining specifics of individual acts of violence according to the accepted norms of national and international jurisprudence (Grandin, 2005). Their main function was to address violations of civil and political rights. Apart from the Bolivia TC, amongst early truth commissions to be formed in South America were the Argentina Truth Commission in 1983. Grandin (2005) argues that political terror was one part of the early TCs' agenda to cultivate a notion that viewed the state as an executor of legal disputes and protector of individual rights. In this context, early TCs in Bolivia and Argentina were to be supplemented with prosecutions. Table 1 provides details about some of the South American truth commissions – the year they were formed and how they concluded their work.

The Bolivian National Commission of Inquiry into Disappearances created days after the return to democracy in 1982 and the Ecuadorian commissions were disbanded before completing their work because the investigations became too politically sensitive (Brahm, 2005). Table 1 show that some TCs made their final report confidential; for example the El Salvador TC although it recommended the dismissal of 100 military officers for human rights violations. The focus of human rights was critical to the South African TRC. This shows a conceptual relationship between TCs and, as stated earlier highlights that TCs investigate human rights violations.

From the 1980s onwards, TCs have been used as a social function to unravel the truth about injustices and educate the public about those historical injustices in order to prevent their recurrence, while making recommendations of redress to establish peaceful democracies. For instance, in 1984 the Argentine commission investigated the truth about injustices of the past before recommending that reparations and compensation must



**Table 1.** Early commissions in South America.

Country	Year	Commission	Result
Bolivia	1982	Commission of inquiry into disappearances	No report
Argentina	1983-1985	Commission on the disappearance of persons (Sabato Commission)	Nunca Mas report documented nearly 9,000 disappeared, analysed repression apparatus
El Salvador	1993-1994	Joint investigation committee on illegal armed groups	Reported many killings had political background; perpetrators mentioned in confidential appendix
Uruguay	1985	Parliamentary investigative commission on 'disappeared' persons	Report published, no details of individual cases
Honduras	1993	National commissioner for the protection of human rights	Report named those responsible for 1984 disappearances
Guatemala	1995	Commission of elucidation	Investigated human rights violations and acts of violence
Chile	1990-1991	National commission on truth and reconciliation	Extensive report documented 2,100 cases, analysed repression apparatus, many recommendations for reparation and rehabilitation
Chad	1991-1992	Commission of inquiry on crimes by ex-president Habre and others	Report said 40,000 were killed, details on 4,000 cases named perpetrators
El Salvador	1992	Ad hoc commission on the military	Confidential report recommended dismissal of 100 military officers for human rights violations
El Salvador	1992-1993	UN Commission of truth	Report said 60,900 killed, of which 5% by opposition; named perpetrators
Uruguay	1985	Parliamentary investigative commission on 'disappeared' persons	Report published, no details of individual cases

Adapted from: Human Sciences Research Council, <http://www.hsrc.ac.za/corporate>.

be paid to families of the killed and disappeared to redress the past (Bonner and James, 2011). In 1992 the Chadian Commission of Inquiry explored socioeconomic deprivations, including how ordinary people were made homeless and destitute, and further explored the plight of orphans living on the streets (Hayner, 1998).

In 2003, the Peru TRC implicated socioeconomic injustice as a cause of conflict. In 2004, the Sierra Leone TRC concluded that there was a link between conflict and socioeconomic inequalities (Peru TRC, 2003). These examples demonstrate a trend in terms of shift towards redress and social justice.

Campbell (2000) observes that the concept of seeking justice emerged at the end of World War II with both the Nuremberg and Tokyo tribunals. She argues that these tribunals have become the standard by which all transitional mechanisms are measured. This view is relevant in the debate about appropriate transitional mechanism for Zimbabwe. This serves to contextualize the proposed Zimbabwe TRC with other historic transitional mechanisms, suggesting that the proposed TRC is not unique, but a developed duplication of other transitional justice experiments that have emerged since the end of the Second World War. The proposed

Zimbabwe TRC can seek to address some various problems and obstacles encountered by many of the previous commissions, particularly those in Latin America (Campbell, 2000). This may mean that the proposed Zimbabwe TRC can improve over other experiments due to the nature of injustices and violations.

For example, the principle of crimes against humanity and systematic crimes against civilians set down by the Nuremberg Tribunals of 1945 which may apply to the Gukurahundi atrocities should be reflected in the mandate of the proposed Zimbabwe TRC but in a restorative format to help establish a human rights culture in Zimbabwe South Africa. A country which observes human rights may have lesser cases of crimes against humanity. As a result of the Nuremberg and Tokyo trials, 11 Nazis were sentenced to death and seven imprisoned at Spandau (Kaufman, 2010). In Tokyo, a military tribunal delivered retribution upon several prominent Japanese people. Two former Japanese premiers, Baron Koki Hirota and General Hideki Tojo, were hanged, as were five other Japanese generals (Kaufman, 2010). While in South Africa there is no record of death sentences resulting from apartheid crimes, a former apartheid police colonel in the counter-insurgency unit Eugene Alexander

de Kock was denied amnesty after he was found by the TRC to have kidnapped, tortured, and murdered hundreds of anti-apartheid activists (Mahlangu and Pather, 2012). De Kock confessed his unit's crimes while testifying before the TRC and was in 1996 consequently tried and convicted on eighty-nine charges resulting in him being sentenced to 212 years in prison (Mahlangu and Pather, *ibid*). However, the South African TRC's main objective was not focused on retribution but on building a future free from it.

In the post-World War 2 period, a number of transitional mechanisms were introduced. For example, the Universal Declaration of Human Rights<sup>2</sup> (UDHR) adopted by the United Nations General Assembly on 10 December 1948 at Palais de Chaillot, Paris, was part of a concerted effort to find alternative and better ways of confronting past crimes. UDHR arose directly from the experience of the Second World War and represented the first global expression of rights to which all human beings are inherently entitled.

This section has explored the history transitional mechanisms, how tribunals relate to TCs, in particular has discussed ways how the proposed Zimbabwe TC can learn lessons from these to make its own improvements. The section demonstrated the concept of TCs marks a departure from relying on prosecutions alone as a means of transforming an emerging democracy. A shift of trend was outlined and a range of TCs and their history in the context of the social justice perspective was examined.

## METHODOLOGY

The section develops a critical methodology that underpins a transitional framework in trying to address the main research questions specified: *Is a TRC necessary for Zimbabwe?* To achieve this aim, the section details the approach used in gathering data. The approach seeks to identify underlying mechanisms in efforts to unite divided societies and conceives the potential of a Zimbabwe Truth and Reconciliation Commission (ZTRC) through different perspectives. The research design provides justification for the use of qualitative multiple methods while detailing the use of semi-structured questions, documents and statistical collection techniques. There were also seven sub-questions that were generated from the main research question: *Is a TRC necessary for Zimbabwe?*

1. Do you think there are human rights violations in Zimbabwe?
2. Do you think Zimbabwe needs a Truth Commission?
3. Should there be prosecutions for those who have violated human rights?
4. Are you proud of the independence of Zimbabwe which came in 1980?
5. If NO, explain why? If YES why?
6. What is your view on Gukurahundi?

<sup>2</sup>The UDHR consists of 30 articles including the International Bill of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights and its two Optional Protocols. The UDHR were used in the post-war period to attempt to address human rights abuses.

7. How can Zimbabwe deal with tribalism and racism currently pervasive in the country?

This is a multiple-methods qualitative research divided into three stages, thus literature review, semi-structured interviews, statistical collection which involve secondary data and document collection (Denzin 2003; Harrell and Bradley, 2009).

The use of multiple-methods reflects an effort to secure some in-depth understanding of how a proposed truth commission can help solve Zimbabwe's record of human rights abuses. The aim is to identify an appropriate and effective strategy of uniting Zimbabweans following three decades of postcolonial black-on-black abuses.

Choosing appropriate methods in social science research has always been a challenge; hence, in this study, qualitative multiple-methods were perceived as methodologically sound. Denzin (2003) commend the use of qualitative multiple-methods, noting that the strategy adds rigour, breadth, richness and depth. Nonetheless, the approach was chosen in consideration of the nature of the phenomenon being investigated (Silverman, 1993). This perception is developed by Maxwell (2005) who argues that the key issue in choosing one research method over another is to ensure compatibility with the goals of research questions. Views from Maxwell (2005) and Silverman (1993) were useful in choosing the qualitative multi-method used in this study.

The approach was found to be appropriate and more pragmatic in an attempt to identify effective mechanisms of moving Zimbabwe forward as a nation against dramatic cases of violations.

While several other studies were examined, the main important studies that formed the mainstay of this study included Hayner (1994), Stanley (2005), Shcarf (1997) and Gibson (2004). Most of these studies were chosen because they focus on divided societies, reconciliation, redress and truth commissions in general. Arguments in these studies served well in conceptualising primary data gathered through semi-structured interviews.

A semi-systematic literature review was conducted to complement and interviews. Literature review sought to analyse the use of ideas as a means of justifying the approach used in this research. Hart (1999) argues that literature review should be conducted with some appropriate breadth, depth and rigour. Hart (1999) also states that literature review should reflect consistency, clarity and brevity. In Hart's view such an approach would provide effective synthesis and analysis. Furthermore, Webster and Watson (2002) argue that an effective literature review creates a firm foundation for advancing knowledge. They also argue that effective literature review facilitates theory development, closes areas where a plethora of research exists, and uncovers areas where research is needed.

Semi-structured interviews were conducted with exiled Zimbabweans including those residents in Zimbabwe. The interviews were carried out in Britain, South Africa and Zimbabwe between February 2010 and April 2010. A follow up study was done in January and February 2015. Semi-structured interviews were chosen because they often allow respondents to answer more on their own terms than standardised interviews permit. The choice of qualitative semi-structured questions was influenced by an understanding that semi-structured interviews could offer a flexible approach to different respondents while still covering the same areas of data collection (Ritchie and Lewis, 2003). The following interviews were conducted with Zimbabwe exiles that included asylum seekers, recognized refugees, academics, policymakers, and those still living in Zimbabwe. For instance, academics were asked questions such as a) *Do you think Zimbabwe needs a Truth Commission?* B) *In what way can Zimbabwe deal with tribalism and racism currently pervasive in the country?* Ordinary Zimbabwean asylum seekers, refugees and those still in the country were asked the following questions: *Are you proud of the independence of*

Zimbabwe which came in 1980? B) If NO, explain why? If YES why? C) What is your view on Gukurahundi?

The interviews were tape-recorded to secure an accurate account of the conversations and avoid losing data since not everything can be written down during an interview. All the tape recordings were anonymised and numbered in order to avoid confusion at the analysis stage (Spencer et al., 2003). The interviews were conducted using a topic guide.

A thematic framework was used in the analysis of data which included familiarisation of raw data by listening to tapes, reading transcripts, and studying notes (Spencer et al., 2003). This entails identifying all the key issues, concepts, and themes by which the data were examined and referenced. Ritchie and Lewis (2003) state that the Thematic Framework is *a matrix based method for ordering and synthesising data* (p219). From the perspective of Ritchie and Lewis (2003), there are two key stages of the Thematic Framework, thus managing data and making sense out of it. This was achieved through descriptive and explanatory accounts.

Triangulation was achieved through the use of both quantitative (validation) and qualitative (inquiry) studies. This approach stems from Webb et al. (1966) who suggest that at least two measures are persuasive. Webb et al. (1966) state that:

*Once a proposition has been confirmed by two or more independent measurement processes, the uncertainty of its interpretation is greatly reduced. The most persuasive evidence comes through a triangulation of measurement processes* (p. 3).

Double measurement may be critical in ensuring credibility of a study of this magnitude. The approach may also help to clarify links between data, interpretation and conclusions within concepts such as validity, reliability, credibility (Spencer et al., 2003; Long and Godfrey, 2004).

The following section is based on a specific sub-research question that seeks to rationalise the purpose of this study - *Are there any unresolved violations in Zimbabwe?* Responses to this question serve as a basis of the study and bring up a diverse and rich responses, underscoring the need to deal with Zimbabwe's past.

### **Are there any unresolved violations in Zimbabwe?**

The purpose of this section is to examine the diversity of views on the research question: *Do you think there are human rights violations in Zimbabwe?* The aim is to try and understand the views of Zimbabweans on whether a truth commission will be necessary for problems bedevilling their country. What is of particular interest are their views on the human rights record of their country, and means of redressing violations.

The question being explored is complex in the sense that different respondents have provided diverse and rich answers. Despite differing and divergent views, there is an underlying moral case for social justice that calls for justice and unity. For example, when questioned whether there are human rights violations in Zimbabwe, Interview (21) stated:

*When the 5<sup>th</sup> Brigade was deployed to Tsholotsho I was pregnant. They came over to our village and started beating up villagers including my parents. They rounded up every one and took turns raping me. The soldiers were so cruel and behaved like wild animals. I saw*

*villagers, our neighbours including my friends being shot dead* (Interview 21).

Interviewee (21) added:

*I know one mass grave in which I personally witnessed people being buried alive after being ordered to get inside at gunpoint. Anyone who tried to escape was being shot dead. By sunset we had up to 10 dead villagers shot while trying to escape* (Interviewee 21).

The claim of the presence of mass graves reflects the importance of a socio-political mechanism that could help investigate and find ways of identifying the victims for decent and "honourable burials". Interviewee (21) also reflects a pattern of systematic conduct by perpetrators which may have been a breach of the international law. The allegations can be criminalised in the light of Article 6 (c) of the International Military Tribunal developed by the United States and its Allies in the wake of Second World War crimes. Article 6 (c) defines crimes against humanity as *murder, extermination ...other inhuman acts committed against civilians*. Interviewee (21) can be conceptualised from the perspective of Article 6 (c).

Whenever such abuses happen, a TC maybe essential to construct an accurate memory of the past crimes. TCs can achieve this through archival and forensic truth-seeking processes complemented by interviewing of survivors and perpetrators (Boraine, 2000).

Interviewee (7) added:

*Yes there were and there still are human rights violations to such an extent that I have lost count. I have personally seen people with decapitated limbs as a result of political torture* (Interviewee, 7).

The quote highlights patterns of structural violence and scars of abuses, reflecting the need for some form of institutional response. What is remarkable is the interviewee's claim to have lost count of abuses. He however, states that he has encountered people with decapitated limbs, endorsing the much talked about claims of human rights violations in Zimbabwe.

Also responding to the question – *Are there human rights violations in Zimbabwe?* Interviewee (17) said:

*Yes they have always been violations in Zimbabwe and there still are human rights violations to up to now. These violations include torture, murders and disappearances. We have lost many important relatives due to politics* (Interviewee, 17).

The quote demonstrates an awareness of human rights violations in Zimbabwe by recounting the exact nature of violations, which in this case is torture, disappearances, and murder. This awareness endorses the view that a

mechanism that can directly confront the legacy of abuses is vital for the post-Mugabe era. Addressing such bitterness may prepare a foundation for a stable and peaceful future.

However, interviewee (2) stated in response to the same question:

*I guess human rights records are dependent on what is acceptable within that particular country. For example, instant justice maybe considered a human right violation in England, but accepted in Zimbabwe (Interviewee, 2).*

While the quote attempts to highlight the instant justice discourse which might be a pervasive issue in developing countries; however, it is clearly not the case in Zimbabwe as the country has a Western adopted legal system and endeavours to replicate a Eurocentric - Western ideology of democracy. Although the Zimbabwe's justice system is based on Roman-Dutch law, it is clearly designed in a way that all crimes go through a structured and independent court system; hence, the claim of "instant justice" maybe contextually inappropriate. For instance, the post-colonial Zimbabwe constitution has always provided a right to a fair trial for any crime or cases (Judicial Service Commission Zimbabwe 2012). The country's judiciary system has attempted to rigorously enforce the right to a fair trial despite an uncondusive environment.

However, claims of instant justice by interviewee (2) manifest in the 2002 findings by the African Commission which conducted a human rights fact finding commission. The African Commission (2002) stated that:

*...there was enough evidence placed before the Mission to suggest that, at the very least during the period under review, human rights violations occurred in Zimbabwe. The Mission was presented with testimony from witnesses who were victims of political violence and others victims of torture while in police custody (African Commission, 2002, p4).*

The AU statement is significant and adds value to claims of human rights violations in Zimbabwe, considering the legitimacy and role of the organisation in African continent. The AU succeeded the Organisation of African Unity (OAU) which played a vital role in the liberation of Zimbabwe. The AU has the mandate to prevent conflict, peacekeeping, peace-making and peace-building. The organisation was established to ensure continent-wide peace and security through its Peace and Security Council (Moolakkattu, 2010).

The AU Report added:

*...The Government cannot wash its hands from responsibility for all these happenings...Government did not act soon enough and firmly enough against those guilty of gross criminal acts" (African Commission, 2002, p3-4).*

The AU quote reflects a remarkable finding on human rights violations in Zimbabwe, consequently, reinforces the view for an alternative mechanism of dealing with rights violations. The quote also endorses claims of human rights violations and implicates the government of Zimbabwe for torture, stating that some victims were dying in police custody as a result of torture. Interviewee (4) echoes claims by the African Commission, stating:

*In the first place, there have never ever been human rights in Zimbabwe (Interviewee, 4).*

The quote suggests that the country has not installed a culture of human rights. This has a semblance of truth to a larger extent, considering what happened in Matabeleland and Midlands disturbances which left thousands of civilians dead soon after independence (CCJ, 1999).

The Matabeleland disturbances are further highlighted by interviewee (5):

*Someone must be held accountable for Matabeleland massacres, it was a war I never saw but heard about in Matabeleland; the truth must come out (Interviewee 5).*

The quote endorses the human rights paradigm of accountability whenever rights are violated (Hayner, 1994). In short, accountability highlighted by interviewee (5) serves as justice on its own. Consequently, it can be argued that a future government needs to ensure that the country upholds international human rights standards. This can be achieved by ensuring that perpetrators are brought to justice.

Interviewee (13) elaborates interviewee's views (4):

*Yes, there have been human rights violations in Zimbabwe since 1980 up to now (Interviewee, 13).*

Asked if he has forgiven those who committed atrocities, interviewee (13) said:

*Reconciliation can never happen as long as the Shona people continue to discriminate Ndebele people and trivialise the Gukurahundi massacres. Restoration of Matabeleland Statehood would provide the best reconciliation that would be permanent (interviewee 13).*

The above quote makes two important points, first, that there is a need to address tribal discrimination in Zimbabwe, secondly, there is a need to restore the historic Ndebele Kingdom which collapsed more than a century ago. Interviewee (13) provides evidence of pre-existing ethnic divisions which risks social conflict. Again, this points to ethnic divisions in Zimbabwe, requiring an institutional response.

Interviewee (13) added:

*There must be reparations for Gukurahundi victims...and we should criminalise any trivialisation or of Gukurahundi massacres. We should also criminalise ethnic discrimination and nepotism and create an equal political system of sharing power between Shona people and Ndebele peoples (Interviewee 13).*

The above quote highlights some critical issues in calls for justice. It states that there must be reparations for massacres committed during the Gukurahundi era. Claims for reparations following human massacres resonate with the aims of the International Criminal Court (ICC) 2004, which has provided victims of human rights violations the right to be redressed. The ICC notes that the right to reparation is a *well-established and basic human right that today is enshrined in universal and regional human rights treaties and instruments* (ICC, 2012, para.185).

This section has highlighted human rights violations in Zimbabwe which might need a TRC to move the nation forward. The section has demonstrated that Zimbabwe's past has not been addressed despite growing calls for justice and redress. The section has also shown that ordinary Zimbabweans are vying for a mechanism that will resolve divisive issues such as Gukurahundi massacres in Matabeleland. This pervasive view reflects unresolved black-on-black injustice which if not resolved risks repetition. Consequently, this calls for a TRC to deal with the past as a means of healing the society's psyche.

Nonetheless, views of research respondents highlight a critical need for a system of justice that focusses on the needs of survivors and victims. It is clear that such a system is needed to heal the society and restrain those who are in a habit of committing human rights crimes. The proposed TRC could enable victims and survivors obtain justice and redress, while promoting a post-conflict reconciliation project.

### **Is a TRC really necessary?**

Reflecting on the achievements of the South African TRC, and based on narratives of flagged abuses in Zimbabwe, a proposed Zimbabwe TRC should serve as a response to victims' demands for justice and truth about why things happened the way they did? Who gave orders? What were the reasons behind it? Most importantly, a Zimbabwe TRC should serve as public acknowledgement of the suffering and victims. Victims would also expect a final report of the commission which should ideally recommend reparations and compensation for injustices.

Questioned if the Zimbabwe needed a Truth and Reconciliation Commission, interviewee (17) stated:

*Yes the truth and reconciliation commission will be*

*appropriate for Zimbabwe because there are a lot of unacceptable political crimes that happened after independence. What makes this more serious is that it happened after the Rhodesian war when everyone was thinking there is freedom and security (Interviewee, 17).*

The above quote reaches beyond a simplistic idea of a mechanism needed to redress postcolonial injustices. The quote reflects a pregnant perception that is shaped by unresolved political crimes in post-colonial Zimbabwe. It is imperative for critical scholars to develop an explicit assumption that understanding the past will contribute to a more peaceful and democratic future (Gibson, 2004). This hypothesis has been comprehensively tested in South Africa by Washington University Scholar, Prof James Gibson.

In his seminal study, Prof Gibson concludes that 42 percent of South Africans have reconciled as a result of the truth and reconciliation Commission. That way, Gibson (2004) alludes that South Africa has attempted to come to grips with its apartheid history through its truth and reconciliation processes.

Moreover, the need for a truth commission in Zimbabwe has not escaped the attention of the United Nations High Commissioner for Human Rights, Navanethem "Navi" Pillay (NewZimbabwe.com, 2012). In her 2012 visit to Zimbabwe Pillay urged the Zimbabwean government to establish a TRC to deal with post-independence atrocities in Matabeleland and the Midlands as well as alleged abuses in successive elections.

In the context of Pillay, establishing a truth commission would be helpful in trying to document the truth about political crimes, hence help the country move forward. The logic is that all victims of Matabeleland and Midlands areas have the right to the truth. In general, there is a strong notion that victims of rights abuses have a right to the truth.

*A truth commission will be vital for Zimbabwe because so many things that still angers a lot of people has happened after Mugabe took over power in 1980. We need these things to be properly clarified to enable the country recover from all this (Interviewee, 18).*

The above quote demonstrates the desire for accountability for political crimes that may have occurred in Zimbabwe under President Mugabe's reign. The quote also reflects the desire to bury the past which however can only be achieved through a truth and reconciliation process.

A critical view of Hayner (2001) and Gibson's (2004) arguments reflect a consensus that truth commissions can be effective in addressing deep social and political dysfunction after periods of mass repression and violence. This view is further developed by a number of

Transitional Justice scholars who have argued that truth commissions are a key bridge to sustainable peace, democracy and human rights (Scharf, 1997; Zyl, 1999). A link can be located between truth commissions and specific outcomes in post-conflict societies. This reflects a general understanding that truth commissions are appropriate for achieving peace and stability.

Interviewee (3) expresses the same notion:

*We need a system like a truth commission to correlate information from both sides, that is, from victims and perpetrators. Although it will be hard to hold everyone to account such as tracking down the soldiers who committed Gukurahundi massacres, it may help with healing and closure (Interviewee, 3).*

The quote clarifies an important element of truth commission, thus the investigative feature it has. The quote also reflects the potential of TCs and their ability to heal a divided nation.

While previous research has not adequately addressed the basis of the prosecution-to-truth commission paradigm shift, interviewee (3) shows the desire for system that is forward looking while at the same time healing the society. This view is critical, particularly from the perspective of growing calls for social justice (Varney, 2007; Schabas and Darcy, 2004). Interviewee (3) clearly shows a shift which is a result of a new social contract, both at domestic and international level - to bring justice and healing to people who have experienced violations (Graybill and Lanegran, 2004).

Hayner (1994) states that truth commissions may be ideal for such a task as they have an ability to transform an atrocious past into democratic politics. Hayner (2001) also observes that truth commissions focus on the past and in events that may have occurred in the recent past. Interviewee (19) shares this view:

*Zimbabwe's past is a subject that has been ignored for too long. A lot of people have been scared by Gukurahundi and until it's addressed, there will never be true unity amongst Zimbabweans (Interviewee, 19).*

The quote reiterates Hayner's views on the need to address the past. First, the quote is critical of lack of action on Gukurahundi atrocities and reflects a desire to deal with Zimbabwe's past. Secondly, the quote highlights that Gukurahundi has left a "scarred" society. It can be argued that the truth commissions' ability to investigate a pattern of abuse over a set period of time may be a suitable approach for post-Mugabe justice.

Consequently, there is a need for a new social contract which focuses on the country's turbulent history. Hoffman (2003, p302-303) talks of the need to *recognise the tragic experiences of others, and recognise ourselves in their experience. We cannot undo the past, or cure it, but we*

*can perhaps – by small increments, and with sufficient awareness – derive from it the kind of insight that can be potentially reparative, and can begin to transform the potent forces of destruction into the energy of a more constructive vision.*

Hoffman shares the view of a forward-looking strategy, thus, processes of truth-telling. This stems from the view that a truth commission can provide a platform for recognition, in the process transform shame to pride. It is generally recognised that truth processes focus on forms of repair that are conducive to national healing and state building. The approach may help inform the formulation of redress such as policies of compensation and reparation.

More often, there are demands for justice, particularly in cases where crimes have been committed, and these demands may serve to shape the proposed TRC's mandate. Hayner (2009) shares this view, noting that *there is often a clear and vocal public demand to account for crimes of the war, part of a growing public perception that impunity is wrong (p6).*

However, Gibson (2004) notes that truth may not be the only route to reconciliation, but has since become a popular mechanism of those seeking to move beyond the past to a more peaceful and democratic future. Interviewee (3) echoes this viewpoint:

*My view is that the best way is to allow the course of justice to prevail. It's up to the law to determine convictions or amnesties. Yes they should be prosecuted. This will set the record straight and a precedent so as to abate and curb any future similar behaviours (Interviewee, 3).*

The quote conceives the idea of prosecutions, but leaves it open for the law to determine the course of justice. Interviewee (3) reflects the desire to use the court system in addressing political crimes that may have been committed. However, commissions have not only attempted to redress the past, but are also therapeutic in nature (Hayner, 1994, Gibson, 2004).

Scholars in the discipline of transitional justice have also noted that in many cases, truth commissions have provided society with an opportunity of positive and new beginnings (Laplante, 2008; Gibson, 2004). Whenever human rights are violated, questions of accountability are often brought to the fore (Hayner, 1998). In fact, a starting point in most post-conflict societies is accountability which may be accompanied by criminal prosecutions of those responsible for serious crimes, followed by redress (Freeman, 2006).

The view that accountability and prosecutions are necessary is shared by interviewee (21):

*The commission cannot be used to bring legal justice. We may need commissions alongside tribunals. We*

*cannot just for the sake of moving forward let people who have committed heinous crimes scot free. A truth commission must only be used to expose the truth and enable people to move forward* (Interviewee, 21).

The quote argues that truth commissions are inadequate in trying to bring justice to victims. Interviewee (21) reflects a need for a retributive mechanism and views truth commissions as a mechanism that could also aid retributive justice. Moreover, these different viewpoints are closely linked to demands for justice on unresolved Zimbabwean abuses.

For instance, in concluding the report *Breaking Silence*, the Catholic Commission for Justice and Peace, and the Legal Resource Foundation of Zimbabwe point out concerns about the impact of violence in contemporary Zimbabwe.

*There is great cause for concern in Zimbabwe when one considers the high numbers of survivors in the country. Many of these are survivors from the 1980s violence and the multiple impacts on people in physical, psychological and material terms have been enormous* (CCJ and LRF, 1999, p30).

Moreover, the Catholic Commission for Justice and Peace, and Legal Resource Foundation have attempted to capture the more damaging and pervasive forms of post-violence in Zimbabwe, which by all means may require a truth commission. The above quote reflects the aims of this paper, thus the need to redress the past. The quote identifies harm caused by political violence in Zimbabwe and seeks to challenge lack of action in dealing with the harms.

While transitional societies have on many occasions used diverse strategies in dealing with their past, the idea of a TRC can be useful in confronting Zimbabwe's atrocious past. A TRC can unleash an effective and organised attempt to deal with crimes of the past placing an emphasis on redress through reparative justice to restore victims and survivors. The following section explores potential features for a proposed Zimbabwe TRC.

### **Proposed Zimbabwe TRC**

This section seeks to identify the characteristic of a proposed Zimbabwe truth commission. As stated earlier, it is imperative that a truth commission should reflect the aspirations of the affected society to achieve desired outcomes.

The proposed Zimbabwe TRC should also encompass therapeutic interventions for survivors of human rights abuses. This view is shared by interviewee (18).

*We are a traumatised nation. The wounds and anger*

*needs therapy, and this cannot just be ignored by politicians. There is no way the country can move forward with accountability and reconciliation* (Interviewee, 18).

Kaminer et al. (2001) develops interviewee's (18) view, they suggest that truth commissions should be therapeutic in nature to help restore the victim's dignity.

This view stems from an understanding that abuses inflict injury which takes away dignity from the victim. For Lederach (1997), it is critical to create a space for victims to highlight their experiences as the approach allows them to validate their feelings, restore their dignity and assist them to re-enter society as equal partners. Furthermore, the proposed Zimbabwe TRC should be primarily aimed at addressing different grievances including political violence, murder, disappearances and inequalities that run on tribal lines with the Shona people of Mugabe's tribe being better off. This suggests a need to deal with black-on-black injustice. The truth commission should also seek to clarify what happened to Lockout Masuku<sup>3</sup>, Josiah Tongogara<sup>4</sup>, and the controversy behind the Bhalahwe mine<sup>5</sup> which is among other burning issues of Zimbabwe's post-colonial turbulent history. Among other issues to be addressed by the proposed Zimbabwe TRC is the 2008 political violence which marred the country's national elections, including "Operation Murambatsvina" which started in the Zimbabwe capital, Harare, and spread into a nationwide demolition and eviction campaign by police and the army.

Moreover, the idea of a TRC reflects a growing debate over the need for a more pragmatic approach in dealing with injustices of the past. The call for a Zimbabwe TRC should also encompass violations such as poverty and state sponsored crimes that may have caused perennial anger, suffering and divisions. It should recognise that violations include a number of socio-political situations, and some of these events may cause considerable suffering, not only to survivors and victims, but also for perpetrators as well. Critically to all this, a Zimbabwe TRC can help locate some of the graves of the missing such as Patrick Nabanyama<sup>6</sup> and clarify the murder of

<sup>3</sup> Lieutenant General Lookout Masuku was commander the Zimbabwe People's Revolutionary Army, the militant wing of the Zimbabwe African People's Union, during the Rhodesian Bush War and served as the deputy commander of the Zimbabwe National Army until his arrest in 1982 for allegedly plotting to overthrow President Robert Mugabe. He denied the plot but was detained till his death in 1986.

<sup>4</sup> Josiah Tongogara was a commander of the ZANLA guerrilla. He had a lot of support from the guerrilla movement who may have heard different political opinions from Robert Mugabe.

<sup>5</sup> Bhalahwe mine is an old disused mine in Zimbabwe's Matabeleland South where it is believed there are thousands of dead Ndebele speaking people who were targeted by political hitmen.

<sup>6</sup> Patrick Nabanyama was an opposition election agent abducted in June 2000 election in front of his family and has not been seen since. Six war veterans were arrested but later pardoned.

Strover Mutohori<sup>7</sup>. It should also help construct a shared memory, which is useful for a country ready to move on.

Consequently, a proposed Zimbabwe TRC should reflect both historical and prevailing injustices. TRC should thrive to support “political paradigmatic” struggles for “recognition and redistribution” (Fraser, 1997). Thus, recognise injustices by unveiling measures that seek to prevent the past from re-occurring. This view brings into the fore political theories of recognition, developed by Nancy Fraser and others. These theories primarily focus on the role played by recognition in providing justice. This stems from the understanding that people who have been victims of human rights abuses lose something about themselves, hence restoration is critical. It is the “restoration” that the proposed Zimbabwe TRC should seek to achieve. That way, a more reconciled society can begin to emerge.

### Righting Zimbabwe wrongs

Consequently, it can be argued that rectifying Zimbabwe wrongs can be achieved through a model propounded by Villa-Vicencio (2009) involving recognition which comes through compensation, reparation, restoration, apology and punishment for extreme criminal cases. This model can easily be achieved through processes of truth commissions as very few transitional mechanisms can afford to execute Villa-Vicencio's model. Villa-Vicencio (2009) argues that *both the material and subjective needs of victims and survivors of an oppressive past must be prioritised* (Villa-Vicencio, 2009, p106). This may imply that the proposed Zimbabwe TRC should recommend financial amounts to be paid out in reparations and compensation. The proposed TRC would be more informed to suggest pay-outs to the government as they would have met the victims and saw their plight. However, it can be suggested that there should be different pay-outs especially for people whose relatives were murdered or disappeared as a result of politics. The government must also consider socioeconomic reparations for survivors such as free education and monthly financial entitlements. What maybe required is a comprehensive social welfare for victims and survivors. Being compensated and having reparations paid may create a notion of justice being done. Receiving compensation and reparations for the harm suffered is an essential step in their rehabilitation. Also needed is appropriate psychosocial support for victims in their pursuit of justice and reparation.

Dyzenhaus (2003) has proposed a framework that focuses on social development and preservation of

human rights. He states that:

*If one wants to build democracy after a period of severe injustice only a moral or justice-based justification will do* (Dyzenhaus, 2003, p472).

For Dyzenhaus (2003), it is unlikely that rule of law and respect for human rights can be built in societies where injustices of the past have not been rectified. The onus is to build trust in state institutions as protectors of human rights violations.

TCs have provided a new framework for dealing with the past and in particular questions about human rights abuses. The TC thesis has established a new terrain for social, moral and political discourse about the need to right the wrongs of the past, through a truth-telling process. Transitional Justice experts such as Pricilla Hayner and Charles Villa-Vicencio have attempted to draw an attention to the challenging question of how societies can right the wrongs of the past. They concede that truth commissions are equipped with mandates to construct just institutions of recognition of wrongs and then recommend redress. This approach is essential for post-Mugabe justice, and is vital for reconciliation and progress.

### Conclusion

This paper has attempted to investigate the relevance of the formula *Truth + Redress = Reconciliation* - from the perspective of post-Mugabe justice. The formula conceives that by revealing the truth about what happened under President Mugabe's reign, and then institute redress, the country is more likely to reconcile, consequently, move forward as one nation. If a truth commission succeeded in transforming South Africa to a stable democracy, perhaps it can be posited that a similar mechanism can work in Zimbabwe, considering the nature of violations committed in both neighbouring countries. The formula encompasses years of political, tribal and economic divisions that have caused harm, suffering and pain to millions of Zimbabweans. It also represent an approach used by Truth Commissions, which maybe critical for Zimbabwe where questions on why things happened the way they did remain unanswered.

Given allegations of the Fifth Brigade, killings and disappearances, a TC may be useful in revealing the truth while also seeking to unite the nation. The proposed TC must have the mandate to conduct public hearings which can also be televised. This is designed to serve as an acknowledgment for victims. Also, there is a critical need to focus on perpetrators as well to avoid creating a notion of one sided justice. Nevertheless, focusing on victims only has its disadvantages in healing societal harms that might have been inflicted during disturbances.

<sup>7</sup> Mutohori disappeared from the Omadu Hotel in Kezi, Matabeleland South and his remains were later found at Matopo Hills, outside Bulawayo.



Consequently, the TC approach may provide recognition to victims of state crime who often suffer disadvantages that affect their ability to participate at par in the political economy.

This paper attempted to construct a model of the proposed truth commission from the perspective of the aspirations of Zimbabweans. For instance, it has been highlighted that the proposed Zimbabwe TRC may need public hearings which may be seen by many victims as therapeutic. Such an approach could be used as an abridgement of social distance between the perpetrator and victim.

Moreover, Zimbabwe may need to accompany a TRC with limited tribunals as some crimes committed maybe beyond human comprehension only requiring justice through a court system.

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The background of the entire page is a photograph of a stone building with wooden shutters. Two flags are visible: a large flag with vertical stripes of red, yellow, and green, and a smaller flag with a blue triangle and a white star. The text is overlaid on a semi-transparent grey rectangle.

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