



# BULLETIN

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## *Perspectives on Intervention and Conflict Resolution in Africa*

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## Introduction

By Daniel Volman\*

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Since the end of the Cold War, internal violence resulting from ethnic and sectarian conflict has erupted in a number of African countries, most notably Somalia, Liberia, Burundi, Rwanda, and Zaire/Democratic Republic of Congo. The United Nations, other international and regional organizations, and interested foreign powers first responded to this explosion of internal violence by employing the traditional methods of conflict resolution--public statements, private diplomacy, mediation, negotiation, the deployment of peacekeeping forces, and other measures--that had been used with some success to resolve conflicts during the Cold War period.

These methods, however, had been developed to deal with conflicts between states, rather than within them, and presumed that conflicts could be resolved by agreements between the governments of sovereign states. As a result, these approaches depended upon the cooperation of the parties involved in the conflict and required that external involvement would be strictly neutral. Coercion and the use of force were excluded except in those rare instances when conflicts were defined as threats to international peace and security--in Korea in the early 1950s and in the Congo in the early 1960s for example--when the use of force was permitted under Chapter 7 of the UN Charter.

Many of the leaders of multilateral international and regional organizations, foreign powers, and other interested parties--particularly humanitarian non-governmental

organizations--quickly became frustrated by their inability to use these traditional methods to resolve internal conflicts. In addition, they were increasingly appalled by the massive humanitarian disasters that these conflicts caused and burdened by the costs of providing humanitarian relief.

They therefore concluded that the traditional methods of conflict resolution were insufficient for dealing with internal violence and sought to develop and employ new methods of conflict resolution which involved the use of sanctions, investigations of human rights abuses, the imposition of legal penalties, and the use of military force.

These included direct military intervention (as in the case of the U.S.-led intervention in Somalia, the unilateral French intervention in Rwanda, and the intervention by West African countries in Liberia and Sierre Leone), the imposition of sanctions (as in the case of the UN embargoes on arms sales to Somalia, Liberia, and Rwanda, or the trade embargo imposed on Burundi by its neighbors), the creation of commissions of inquiry (as in the case of the commissions investigating human rights abuses in Rwanda and in the Democratic Republic of Congo), and the establishment of special courts with the power to try those charged with genocide and other violations of international law (as in the case of the international tribunal for Rwanda).

The development and use of these new methods of conflict resolution, however, raises a number of important questions for Africa and

for the Africanist community. Can these techniques be used effectively and, if so, which ones should be used in which situations? What resources and support do they require? Who should determine when and where they are to be employed? Should and can they be used in a neutral and impartial manner? What rules or mandates should guide them? Do they conform to the principles of international law, the charter of the United Nations and the Organization of African Unity, and other legal norms? If they do not, should these norms be changed? What impact do they have on the nature of state sovereignty?

While many of these questions have been addressed in various fora in recent years, much of the discussion has taken the form of partisan polemics or has focused on narrow technical issues. This issue of the *Bulletin* presents the views of a wide variety of concerned scholars and activists who, although passionate and involved, seek to provide principled and practical perspectives on these questions.

William Minter and Alex de Waal discuss the broad ethical and political issues raised by intervention in African conflicts since the end of the Cold War. Anna Simons, Joost Hiltermann, and Stephen Weissman explore the lessons to be learned from the attempts by the international community to intervene in Somalia, Rwanda, and Burundi. Herb Howe examines Executive Outcomes--the best known of a number of private security firms that are increasingly active in Africa--and its role in African conflicts. And Adekeye Adebajo looks at the potential for an all-African intervention force, an idea first proposed by Kwame Nkrumah in the 1960s.

This issue of the *Bulletin* is not, of course, intended to provide final or definitive answers to the questions that have been raised by the use of interventionist methods of conflict resolution. Instead, we present these perspectives in the belief that a serious and sustained discussion of these issues within the Africanist community is essential if we are to

play a positive role in helping to bring peace and security to Africa.

### **Would You Be Interested in Editing a Future Issue of the *Bulletin*?**

Unlike most professional journals, the *Bulletin* of the Association of Concerned Africa Scholars is generally prepared and edited by one or more members of the organization, rather than by a permanent editor. This is intended to allow the members to play a direct role in determining the content and style of the *Bulletin* and to ensure that it reflects the needs and interests of the members. However, this also means that we rely upon members coming forward to edit each issue. So I would like to encourage all members of the Association to consider serving as the editor of a future issue of the *Bulletin*.

You would be responsible for collecting and editing the contents of the issue, but I would prepare the final copy and handle arrangements for printing and distribution. The issue could be devoted to any subject that would be of concern to our members. Prospective editors should discuss the theme, proposed contributors, and potential reviewers with me and the co-chairs or send a written proposal to us at the addresses or e-mail addresses listed on the inside of the front page.

### **ACAS Events at ASA**

ACAS will hold a general membership meeting and will sponsor two panels--and co-sponsor a third panel with the Current Issues Council--at the upcoming ASA meeting in Columbus, Ohio. For details, see the information and schedule of ACAS activities provided on page 36 of this issue. I hope to see you in Columbus.



## **“Intervention:” The Folly of Formulas**

By William Minter\*

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In the Cold War era there was often a deceptive clarity that defined political judgements about international interventions in internal conflicts. Those who shared the anti-communist consensus assumed that Western intervention against revolutionaries was justified by the overwhelming threat posed by the Soviet bloc. Those who favored revolution more often called for “self-reliance” but were willing to make exceptions, as when Cuban troops came to Angola to counter CIA, South African and Zairian intervention on the other side. (Of course, the other side also portrayed their intervention as a justified response to previous Cuban and Soviet involvement).

Consciously or unconsciously, attitudes toward various forms of “intervention,” from supply of weapons or advisors to direct troop deployment, were defined by global political alignments. With the disappearance of that relatively clear, if admittedly simplistic, framework, the temptation is to think that one can find relatively objective “a-political” guidelines to sort out “good” interventions from “bad” interventions.

I do not want to disparage the necessary effort to work out guidelines, whether for national governments, multilateral institutions or activists for peace and human rights. The continuing effort to ensure accountability and compliance with basic human rights by military forces of whatever origin needs to continue. But I do not think it is just being picky to enter a caveat. However difficult it may be to sort out uncertain facts and to make even more

difficult judgements, there is no avoiding making particular judgements about the rights and wrongs of particular conflicts, and the consequences of either “intervening” or “non-intervening” by particular external parties.

“Intervention” is itself a tricky and flexible concept. If we exclude traditional international “peacekeeping” operations approved by both sides to an internal conflict, there is still the question of whether the term “intervention” only applies to the extreme case of sending combat troops across a border, or whether advisers, training, logistical support, arms supplies or even aggressive diplomatic action towards other parties to affect the military balance constitutes “intervention.” While jurists may require a formal definition, I think a political analysis must be based on a more substantive definition, including any outside action that significantly (another fuzzy term) affects the military balance in a conflict.

A blanket “no external intervention” guideline with respect to internal conflicts should be recognized as de facto support for the strongest “internal” party. The Organization of African Unity’s post-independence consensus on non-intervention in internal conflicts may have decreased the chances for inter-state conflict, but it also reinforced existent regimes. The liberation struggles against colonial and white-minority regimes were recognized as an exception, and the issues themselves defined as not just “internal.” African capacity for military “intervention” was limited, but bases, other facilities and in some few cases, troops, were

supplied to liberation movements (for example, Mozambican troops in Zimbabwe). Other cases, such as Tanzanian intervention in Uganda to overthrow Idi Amin in 1979, were more controversial.

In the current context, there is increasing recognition that massive abuses of human rights in internal conflicts—most particularly those reaching the scale of genocide—may justify external intervention. But there seems there is no emerging consensus—and I would argue there is very unlikely to be one—on who should intervene and who should decide when abuses are massive enough to justify intervention. There is a common presumption that accountable multilateral intervention is preferable in principle, but in practice any multilateral intervention is largely determined by the particular powers most willing and able to commit military resources. “Multilateral good, unilateral bad” is hardly a sufficient guideline.

The concept of a purely “humanitarian” intervention, simply in order to aid innocent civilians and devoid of political or military implications, is a fraud. An intervention with limited mandate—to protect corridors or relief supplies—may or may not be justified in a particular case. But it will have political consequences; it will weaken some forces and strengthen others. And it may prepare the seeds of further conflict. The decision for or against must take into account such possible consequences, as well as the likely immediate consequences in lives saved.

This brief note is not intended to illustrate the point with particular examples, abundantly available in the interrelated conflicts in the Great Lakes and the Congo preceding and following the genocide in Rwanda, as well as many other cases. It is simply to stress that there is no avoiding particular “political” judgements about particular situations, which are linked to one’s evaluation of (1) the relative merits (and demerits) of the internal parties in conflict, (2) the relative merits (and demerits)

of the potential “interveners,” and (3) the likely de facto unintended and long-term consequences of the intervention as well as its announced goals and short-term life-saving potential. It is insufficient to consider only one set of factors and develop simplistic formulas such as, to give only a few examples, “African intervention good, non-African intervention bad,” or “intervention with US military contributing transport always bad—or always good.”

A presumption against external intervention to shift the balance of forces in internal conflicts does make sense as a general starting point. Even if “innocents” can be saved or the “good guys” (or more likely, the “less bad guys”) can be saved from destruction or aided to “win” by outside forces, the sustainability of such an outcome is questionable once the outsiders’ interest wanes. But the exceptions are numerous enough to make a blanket prohibition unconscionable—“interventions” can in fact save lives, tip a military balance towards one side, or towards the possibility of negotiation.

Similarly, a presumption against unilateral intervention and towards multilateral intervention preceded by consensus building, including consultation with representatives of civil society, also makes sense. But in fact outside parties and civil society may—in fact, likely are—also polarized, divided or at least confused. In effect, ruling out unilateral external intervention may be ruling out intervention itself.

Deciding which exceptions make sense, however, requires making political judgements on the contenders, the interveners and the likely outcomes. There may be no “white hats” or no “angels” in today’s conflicts, as so frequently remarked. I would argue, however, that in most—not all—conflicts there are relevant moral and political differences, parties whose continued military strength is a clear threat to a better future. In this category I would put, for example, UNITA in Angola, the forces of the

former Rwandan regime (*genocidaires*), and Sudan's current military government. Others might have other lists, or disagree with one of these. But that it is precisely my point. Such judgements are political—and particular.

Of “interveners” whose own credentials are particularly questionable, one might mention Nigeria in West Africa or France in the Great Lakes region. Yet Nigeria's role in Liberia through ECOWAS—and perhaps in Sierra Leone—is judged by many as an essential support for peacekeeping given the lack of other alternatives. Similarly, many argued in favor of international military intervention in eastern Zaire that might have included France, or reinforced the former Rwandan regime, and/or lengthened Mobutu's hold on power, because of the lives at risk. Judgements about the Rwandan and Ugandan roles in the overthrow of the Mobutu regime are inextricably linked to the analysts' evaluations of the “interveners” as well as of the internal parties. Again, my point is not to argue these cases here, but simply to say that making judgements about particulars, including the likelihood of particular outcomes, is an essential part of making the judgement.

The suffering we see in one conflict after another does indeed “cry out” for intervention. Yet the consequences of actual interventions often appall even many of those who called for the interventions in the first place. It would be easier if there were some formula to apply to tell us which intervention would actually alleviate human suffering and increase the chances that people of a given country would get their chance for a fresh start, and which should be opposed because of its ulterior motives or high probability of making things worse. If, as I believe, such reliable formulas do not exist, it is better to recognize that, and get on to sorting out our messy and inevitably inconclusive collective judgements on particular cases.

As a corollary, we must recognize the likelihood of ongoing disagreements among

humanitarians, progressives, and people of good will. If “dialogue” is needed among internal parties to a conflict, it is equally essential among those outsiders—from immediate neighbors to multilateral agencies to international civil society to citizens of self-proclaimed “super-powers”—who hope that their involvement may do more good than harm.

## **African Encounters**

By Alex de Waal\*

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### **The Context of the Call for Military Intervention in Africa**

The last three years [1992-1994--ed.] have seen humanitarian organizations calling for military intervention in Bosnia, Somalia, Rwanda, and elsewhere. Both relief agencies and human rights organizations have vocally implored the United Nations, or individual Western countries, to dispatch troops to strife-torn nations facing humanitarian disaster. What is commonplace today would have been unthinkable even five years ago.

This paper examines the reasons for this extraordinary shift in the capacity of humanitarian organizations to make these dramatic statements, and asks whether the analysis, capacity, and accountability of these organizations matches their power. It focuses on central and north-east Africa, a region that has the dubious distinction of leading the world in the depth and complexity of its politically-caused humanitarian emergencies.

### **The Cold War: Humanitarianism in a Strait-Jacket**

Until very recently, relief agencies were operating within well-defined limits imposed by the political order established in the wake of World War II. Sovereign governments ruled. Charitable relief agencies--or, as they prefer to call themselves, non-governmental organizations (NGOs)--were required to conform to their rules, which prohibited taking a political stand. Those who broke the rules faced expulsion from the countries where they

worked.

One consequence of the depoliticization of relief was that a "natural disaster" model of human suffering prevailed. Repeatedly, when a government reduced its own citizens to a state of acute hunger and desperation, through corruption, ineptitude, or brutal counterinsurgency warfare, the blame was put on the weather. The famine in Ethiopia during 1983-85 was perhaps the most spectacularly successful example of this--a famine caused in large part by a combination of military strategy and Stalinist social engineering was attributed to drought and ecological crisis. Even the rainfall statistics were first suppressed and then fiddled. Most NGOs swallowed this line. Others went along with this deception, believing that to dispute it in public would prevent them from feeding the hungry.

Throughout Africa, relief operations mounted under such politically-constrained circumstances were less than successful. The literature on the last decade of relief operations in Africa contains little true analysis and much hagiography. The standards of assessment would have made any district officer in the British Raj in India blush with shame. For example, the number of studies of famine mortality in village populations can be counted on the fingers of one hand--students of famine demographics are advised to consult nineteenth century Indian statistics if they want to test their hypotheses. But, gradually, a shocking picture of ineptitude and massive diversion is emerging. There have been some successes, particularly in emergency care in refugee camps, but the sad truth is that the huge

pouring of relief aid into Africa for over a decade has contributed to the institutionalization of violence.

Ethiopia is a case in point. It is now no longer seriously disputed that the massive inflow of aid following BandAid contributed more to the survival of the Ethiopian government--whose army was the main reason for the famine--than the famine-stricken peasantry. Large amounts of international food aid were diverted to the government militias. The flow of aid allowed the army to maintain garrisons that would otherwise have surrendered, and kept open roads that enabled the military to resupply its front line. Food aid distributions enticed young men forward who were forcibly conscripted. Perhaps most insidiously, the aid programs gave the government spurious humanitarian credentials--while its soldiers were busy destroying farmer's livelihoods and hence forcing them into relief shelters, the government could claim the credit for allowing international agencies to feed these captive peoples.

The government of Mengistu Haile Mariam became a master at managing humanitarian propaganda. It recognized that the international press is more concerned with the marginal contribution made to rural people's survival--overall no more than 10 percent of the average daily ration--provided by international food aid, than the 90 percent provided by the people's own efforts. The latter could be destroyed without international protest, neatly providing a captive population for the military, and a needy population for the relief agencies. Humanitarianism became a component of counterinsurgency

The alternative option for NGOs was to work in the areas controlled by the liberation movements. This entailed several sacrifices. One was being labeled as a "solidarity" organization, and hence somehow less professional than those who maintained an operational presence. Perhaps more important, it involved foregoing the chance for publicity, as until the last two years of the war, no

television journalists traveled in the rebel-held areas. This was certainly the deciding factor for at least one major U.S. NGO. None of the larger relief organizations trod this path until the final days of the war.

The more perceptive relief workers came to recognize this travesty for what it was. In the late 1980s there was the beginning of a vigorous debate about the abuse of aid for military ends. Unfortunately, this debate became sidetracked by a single issue, namely the ability of the sovereign government to control the great majority of the aid flows, thereby enabling it to deny relief to civilians in areas held by rebel forces. The questions were: which aide should receive the aid; how can relief be transported across battle lines? The central issue of the marginality of relief aid itself was never fully acknowledged. Perhaps this is not surprising given the institutional commitments of all those involved in the debate. The idea of proposing **less** relief aid was taboo, and lip-service only was paid to the imperative of pressuring governments for substantial changes in military strategies.

### **Violating Sovereignty**

A pseudo-solution to the problem of strait-jacketed humanitarianism came with Operation Lifeline Sudan. Launched in April 1989, this was a path-breaking exercise in the violation of national sovereignty in the name of providing humanitarian aid to civilians on all sides of a conflict--in this case, southern Sudan. The Sudan government, then engaged in peace talks with the rebel Sudan People's Liberation Army (SPLA), agreed to the plan. The aid flowed; famine was stemmed. The relief operation was given the credit, and for much of the succeeding five years, Operation Lifeline Sudan has been held up as a model for a relief operation that reaches all sides of a conflict.

The reality is somewhat different. On the ground, the main contribution to ending hunger was a simultaneous ceasefire that enabled farmers to plant crops and pastoralists to travel

more freely and begin to market their animals. When the ceasefire broke down at the end of 1989, Operation Lifeline Sudan acquired a very different dynamic.

As in the case of Ethiopia, food aid has been used to sustain armies, maintain garrison towns, keep open supply routes, and allow generals to don the humanitarian mantle. The difference is that it has done this for both sides at the same time. Hundreds of millions of dollars have been spent by the international community on a “humanitarian” operation that is in fact feeding soldiers more than it is feeding their victims. The SPLA’s quartermaster is the World Food Program, U.S. AID, and an array of NGOs. Government garrisons live on international food aid. But no-one knows the true figures for the impact of the programs, or the rates of diversion, because no proper studies have been done. Meanwhile, the war is in a stalemate.

In southern Sudan, humanitarianism has found itself in a new strait-jacket. The relief agencies could pull out, but in doing so they would certainly unleash acute suffering on the people of the war-affected areas. Some civilians are dependent on the airdrops. Soldiers would turn to looting and pillaging to feed themselves. It is a dilemma without a solution. Only recently has it become more widely accepted among NGOs that Operation Lifeline Sudan is not the success that has been claimed. Moreover, this opinion is still almost entirely a private one. Policy is still being made in an empirical and analytical vacuum, by agency staff who have donned, not only in public, an impenetrable armor of moral righteousness.

### **Beyond Sovereignty**

The next step in the relief agencies’ evolution can be seen in Somalia, where the central government collapsed completely at the beginning of 1991. Sovereignty in the conventional sense, as exercised by a government, became irrelevant. Instead, relief

agencies found themselves in a wholly new situation--the state had collapsed altogether. Somalia was in fact only the most marked manifestation of a trend that had been evident for some time, notably in Mozambique, but it stands out as a defining case.

The United Nations agencies and bilateral institutions such as U.S. AID had a straightforward response to the 1991 crisis in Somalia--they withdrew and did nothing. A handful of international NGOs stayed. In Mogadishu, these agencies were not only the providers of emergency medical supplies and child nutrition, but the sole links with the international community. In the absence of a police force, they had to provide their own security. Without a ministry of health, they could formulate their own medical policies. It was both a formidable challenge and a boon. Aid workers in the field had to take on the jobs of diplomats, security experts, news agencies, policy advisors, as well as administering their own programs. It was frightening, but also exhilarating.

The power of the few aid NGOs that remained was magnified by their treatment by the international media. Foreign journalists who visited Somalia stayed with the aid agencies, were given guided tours by them, accepted their analyses and prognoses, and in turn quoted them at length and gave them enormous publicity. The symbiotic relationship between the Western media and its favorite aid agencies has long been noted; in Somalia this reached new heights. Some journalists even admitted that they deliberately selected their pictures so as to exaggerate the human degradation in the feeding shelters, and all of them skimmed over the shortcomings of the relief agencies’ programs.

Somalia was a guinea-pig for post-Cold War humanitarianism. It was the first time that the International Committee of the Red Cross (ICRC) hired armed guards. It was the first time that relief agencies such as the Save the Children Fund took such publicly outspoken positions criticizing the absence of the United

Nations. And finally, it was the first time that international agencies successfully called for Western military intervention.

The agency most responsible for the call for intervention was CARE-U.S. The CARE-International program in Somalia was adrift. Designed along conventional lines, with staff recruited for logistical experience rather than diplomatic finesse and local understanding, it faced enormous difficulties. The ICRC, with a more flexible and creative approach, and above all by its close working relationship with its local partner, the Somali Red Crescent Society, moved far more food far more quickly. But CARE, partnered with the extremely inept World Food Program (WFP), became mired down.

The president of CARE-U.S., Philip Johnston, led the calls for international military intervention. His long-term motives may have included creating a niche for CARE as the lead agency in future programs under international military protection. The stated rationale was not that the intervention would save Somalia, but that it would save the CARE-WFP relief program--subject to inordinate diversion and delay. Such was the automatic equation of a successful relief program with the conquest of famine that few stopped to consider that the famine might be healing itself although the CARE-WFP program had yet to become properly functional. Hence the U.S. Marines landed in the week that saw death rates in Baidoa, the epicenter of the famine, fall to one tenth of their famine peak, and just as farmers in the Shebelle valley, breadbasket of Somalia, prepared to gather in their harvest.

The UN, the Pentagon, and other relief agencies joined the calls for intervention because they saw institutional advantages: new, expanded roles at a time when budgets were being cut. U.S. citizens were also caught up in the moral panic that gripped the country in that political no-man's land between a lost presidential election and the inauguration of the new president. It was also the time of Thanksgiving and Christmas, a period when the

conscience politic is particularly vulnerable, and when charities raise most of their funds. Once the momentum in favor of intervention had gathered force, no agency dared speak up against it--though many field staff had serious doubts.

Above all, however, the call for intervention was a call of desperation. In common with many of his colleagues, Philip Johnston was simply lost in the Somalia of 1992. Violence he could not understand he characterized as "random," authority structures he did not have the patience to deal with he called "anarchic." With an inchoate urge to "do something," he called on the U.S. Marines to save the day.

Most accounts of Operation Restore Hope in Somalia argue that the intervention was sound in its early, U.S.-led and "purely humanitarian" phase, and went wrong later on when the UN (at U.S. bidding) sought to confront General Mohamed Farah Aidid. This is not correct. Operation Restore Hope was flawed in its conception; it was aimed at supplying massive food aid to a region that no longer needed massive food aid. Meanwhile it neglected the most pressing relief needs: a program against malaria and effective measles vaccination. There is in fact no evidence that the intervention had any impact on mortality rates at all.

It is quite possible that Operation Restore Hope did save hundreds of thousands of lives. But no one can be sure. Such is the absence of systematic accountability in the famine relief business that no proper investigations have been done. What has been researched and written are internal analyses that look at the logistics of food movement, inter-agency coordination, and the provision of security. None of the reports investigate whether lives were saved, rehabilitation facilitated, or a sense of hope restored. They simply claim that it was so. Humanitarianism, it seems, is its own justification.

The guinea-pig, of course, bit back, discrediting military humanitarian intervention

for some time to come. But rather than examining the shameful indifference to Somalia in the prolonged gestation of the crisis, the lesson learned seems to be one of further disengagement. Did the NGOs learn anything? That remains to be seen.

### **The Search for New Humanitarian Principles**

The end of the capacity of the governments of poor countries to exercise total control over the activities of humanitarian agencies operating within their borders opens up new and exciting possibilities. In theory, no longer should aid agencies be compelled to remain silent when they witness grave abuses of human rights. They should be able to develop integrated analyses of the situations in the countries, and lobby in an unconstrained manner for integrated solutions. Subject only to the attentions of the Charity Commissioners [the British government officials responsible for overseeing charitable organizations--ed.]--whose interest in and expertise on most African countries is not great --relief agencies should be able to become much more political. And, as the emergencies in question are essentially political emergencies, this should free the agencies to make real progress.

But it has not happened like that. Some aid agency staff are pressing in this direction. But another powerful set of constraints is at work: the donors.

Non-governmental relief agencies have grown enormously in size in the last 15 years. They have become the preferred conduits for emergency aid from Western governments. This is for a variety of reasons. One is that donor governments have become tired of the inefficiency of host government bureaucracies. A second is that donations to Western NGOs gain them favorable publicity and can obscure the reality of declining aid budgets. A third is that grants through NGOs are much more discretionary than to governments, and subject to much less formality. This gives more room

for flexibility and rapid response, but it also removes a central component of accountability--there is no obligation for the donor to provide the resources. If an NGO is present in a certain country, that country is privileged--NGOs have no duty to be present.

In turn, NGOs become more closely tied to donor governments. Some try to put a ceiling on the proportion of income they will take from governments, but this ceiling rarely applies in the case of emergency grants. Hence, emergency officers in NGOs are continually forced into the donors' mindset simply in order to receive funds. An agency that undertakes radical development projects may be exceptionally conservative when it comes to relief. There are, in fact, no radical relief agencies.

Equally important is the role of public appeals. The majority of the large agencies believe, along with most journalists, that only a certain kind of humanitarian story will elicit public sympathy and public funds. The story is stripped down to its barest essentials: helpless victims, evil bandit or warlord, and savior--the latter inevitably white. At least this is an improvement on earlier days when the villain was the weather.

While maintaining the charitable imperative at the core of their activities, NGOs have also sought to expand their mandates for humanitarian intervention. Two concepts have crept in: peace-making and human rights. These are strictly ancillary to responding to immediate human needs. When Oxfam ran its campaign, "H stands for hunger, Oxfam stands for justice," it never meant that it proposed establishing human rights principles for its programs, nor campaigning on human rights issues. But, Oxfam staff assure one, human rights are at the center of the organization's mandate. Similarly, peace-making has become a vogue term--but while many NGOs are implicitly pacifist in conviction, none has developed a set of clearly defined principles for operation in a war zone. The exception to this is the ICRC.

The pressure for expanded mandates has also come from outside the agencies. With the Western disengagement from poor countries in Africa, donor governments have sought to use NGOs more and more as an instrument of policy. The analyses and opinions of NGO staff--often young and inexperienced--are sought after and listened to. Now that African countries lack commercial or strategic importance, Western interest is often confined to maintaining good publicity at home, which means supporting international NGOs and keeping human suffering to acceptable, or at least invisible, levels. The NGOs are thus pushed by their donor governments into taking on political concerns.

Meanwhile, with the humanitarian space no longer defined by diktat of the host government, the agencies have to demarcate it for themselves. They do this using two notions in particular. One is "fieldcraft"--i.e. making compromises with the governing authorities (frequently abusive authorities) for the greater good. This principle allows the field officer to tolerate a certain degree of diversion. The level is never defined, and what is unacceptable in one situation is tolerable in another. "Fieldcraft" also makes a mockery of any avowal of human rights. A field officer will be required to turn a blind eye to human rights abuses in order to protect the agency's program, becoming a silent witness. In human rights, consistency is all: once an organization has publicly affirmed that it is committed to human rights, it cannot compromise in this way.

A second concept is "neutrality." The ICRC has a highly developed doctrine of neutrality, which involves slow, convoluted, and expensive procedures. It also involves discretion: the ICRC is the most publicity-shy relief organization. The ICRC's neutrality involves a readiness to withdraw if its principles are flouted, no matter how desperate the immediate human need. It also involves a recognition that any relief involvement in a conflict brings material or moral benefit to the

combatants--hence the elaborate procedures to try to minimize the imbalance of this, and hence also the secrecy of many operations.

Other NGOs have, however, assumed that simply putting a flag on a landrover and proclaiming neutrality is enough to establish neutral status. This is nonsense. As publicity-seeking institutions, most NGOs have neither the patience nor the money for the kind of procedures followed by the ICRC, and would not accept the constraints imposed by discretion under any circumstances. Hence NGO programs run the risk of becoming inadvertently partisan. This is a dangerous state of affairs, not only for the staff on the ground who often believe their own humanitarian propaganda, but for the principles of humanitarianism themselves.

It is important to distinguish **operational** neutrality from **objectivity** or neutrality of principle. Operational neutrality means refusing to take sides in a conflict, or to take any action or make any public pronouncement that could be interpreted as being partisan. The ICRC once again manifests this: it refuses to take a position on the waging of war, refuses to condemn violators (except when the violations are committed against the ICRC itself), and is thoroughly discreet.

Some other NGOs espouse a watered-down version of this. For example, they refuse to condemn one side to a conflict without also condemning the other, and call for the investigation and punishment of human rights abuses without naming the perpetrators. They regard operational neutrality as incompatible with naming names. In certain circumstances this is undoubtedly true, and hence it cannot be aspired to by any human rights organization that works through public campaigning.

Neutrality of principle, or objectivity, means assessing the parties to a conflict according to the same standards. This is what human rights organizations aspire to do. This often means that one party is criticized far more than the other, reflecting the reality that some governments and armies are far more abusive

than others. In extremis, one side may be guilty of a horrendous crime, such as genocide, of which the other is innocent--a state of affairs that obligates selective action against one party to a conflict. A human rights organization that failed to follow this principle, and instead preferred to "balance" its criticism, would be applying double standards, and hence would, in fact, be partisan towards the more abusive party.

The cost of objectivity can be the inability to operate in a certain country or region. A human rights organization must always be prepared to run the risk of being declared *persona non grata*.

One of the problems faced by operational relief agencies that have tried to take on human rights concerns is that they run the risk of confusing the two kinds of neutrality, and ending up achieving neither. One way out of this dilemma is to panic and call for international military intervention.

### **Rwanda: Mandates at Odds**

The mass murder of political opposition and the genocide in Rwanda presented exceptional challenges to relief agencies. The traditional approach of providing relief, no questions asked, would certainly have made agencies complicit in mass murder, because there can be no doubt that the majority of relief aid would have been taken directly by the army and the *Interahamwe* militias, which were responsible for most of the killing. In the event, this problem did not arise inside Rwanda as significant relief operations did not get underway in government-controlled areas while the massacres were going on. It has, however, occurred in the refugee camps, where effective authority is often in the hands of the men who supervised the genocide.

Rwanda presents a stark conflict between operational neutrality and human rights objectivity. The government was quietly of genocide, and the rebel Rwandan Patriotic Front (RPF) was not. The genocide was

meticulously planned and all the institutions of government were dedicated to a policy of massacres. The Genocide Convention, and any form of moral argument, led to the conclusion that the Rwandan genocide needed to be ostracized and defeated and the architects of genocide brought to trial for crimes against humanity.

One NGO that took a prominent public stand on Rwanda rapidly found itself impaled on the horns of this dilemma. This was Oxfam. Other NGOs took a range of similar positions; this discussion will focus solely on Oxfam, to illustrate the nature of the dilemma.

In late April 1994, three weeks after the killings was unleashed, Oxfam publicly called it "genocide." For an organization with human rights near the center of its mandate, the implications were clear: those guilty of the crime should be named and every effort should be made to bring them to court. But Oxfam is also an operational agency, with expertise in the provision of safe water supplies to refugee camps, and funds from a public appeal to spend on humanitarian work. The refugee camps contained many of the men responsible for the slaughter. Oxfam believed it could not simultaneously name certain people as international criminals and then try to carry out its humanitarian work alongside them, or even with their cooperation.

Oxfam had widened its mandate without fully considering the implications, and now had to choose between its two priorities. Its solution was to fudge the issue of genocide. It did this in two ways. One was by calling for a UN investigation into the genocide, and refusing to name names itself. Given Oxfam's knowledge of the situation on the ground and its moral authority, this came as a severe disappointment to many Rwandans who were looking for international moral leadership.

The second element of the fudge was to call for international military intervention to stop the genocide. This position was deeply flawed.

The call for UN military intervention presupposed, first, that there was no effective

alternative and, second, that it would work. Some Oxfam staff certainly recognized that neither of these assumptions was true, and the agency even conceded publicly that UN troops alone could not stop the killing. But the impact of their public advocacy was to present the Rwandan disaster as one soluble only by international forces.

The greatest failing of military intervention is that, the moment it is canvassed, it dominates the debate like a huge dark cloud, and obscures the need and opportunity for other forms of international action. In Somalia and Bosnia there were vital opportunities for civil initiatives that were not taken because of the blinkered obsession with troops. In the event, the presence of the troops did not solve problems, it merely changed them. But, even after these debacles, military intervention is still heralded as a trump card.

In Rwanda too, there were alternatives. The genocide was planned and implemented by a group of well-known political extremists. These men, having put the genocidal machine into action, had the power to apply the breaks. This could have been done by severe moral and diplomatic sanctions: for example, by expelling Rwandan ambassadors, expelling Rwanda from the UN Security Council, publicly naming the genocidal maniacs in the interim government, and threatening them with prosecution for genocide unless the killing were halted at once. In the name of diplomatic operational neutrality, neither the UN nor its member countries tried any of these options. Rwanda even continued to sit on the UN Security Council throughout, and the interim foreign minister was permitted to deliver a racist diatribe at the Security Council in person. The UN stand was the antithesis of moral leadership.

The option of UN military intervention under established principles also presumed that authority had broken down. This was precisely what the architects of genocide were anxious to tell the world, to cover their crime, and present the killing as an outbreak of “spontaneous

ethnic violence.” By murdering 10 Belgian UN soldiers on 7 April, the extremists had shown their willingness for military confrontation, so that a dedicated UN force would have had to be prepared to take casualties. Moreover, given the poor record of UN peacekeeping, it is difficult to see how UN intervention could have been a “solution.”

The second option was to seek an indigenous military solution--that is, to advocate the defeat of the genocidal government by its internal opponents. This would have forsaken operational neutrality for practical human rights objectivity.

The genocide was brought to an end by the military advance of the RPF. The RPF was not implicated in the genocide, and its advance had the effect of halting the killing. It did this more swiftly and effectively than any UN intervention force could have done. Yet throughout, the UN and most international agencies were calling for a ceasefire. This was done for reasons of operational neutrality. But a ceasefire was precisely what the killers wanted--a chance to complete their genocide undisturbed. When the RPF declared a 96-hour ceasefire in May, the killings did not stop.

While there was no connection between a ceasefire and an end to the killing, a ceasefire could have helped to prevent the mass exodus of refugees to Zaire. The refugee crisis was, in some respects, a straightforward humanitarian emergency requiring food relief, clean water, and medical care. NGOs were accustomed to responding to this sort of disaster, and had a perceived obligation to deal with it. Oxfam’s position gave the priority to preventing a crisis of hungry refugees over stopping genocidal killing.

The RPF advance was a form of humanitarian intervention. But it was not recognized as such, because the RPF, as a party to the conflict, was not operationally neutral. But, as the only force capable of halting the genocide, it was morally bound to intervene. Arguably, as a component of the government under the peace agreement signed in 1993, it

was also legally bound to do so under the provisions of the Genocide Convention, to which Rwanda is a party.

The option of supporting the RPF advance, on the grounds that it was the quickest and most effective way of halting the killing, does not imply indemnifying the RPF for human rights abuses, nor refusing to criticize components of its past and present military, political, and human rights policy. It merely means recognizing that the RPF advance was the only effective way that the international community could have fulfilled its obligation to halt and punish the crime of genocide.

A UN military intervention could only have been achieved with a concomitant ceasefire. It is highly unlikely that the UN force would have been effective at halting the genocide. It would not have been prepared to take casualties, nor jeopardize its operational neutrality, by confronting the Rwandan army. Hence such an arrangement would have continued the killing, and also given impunity to the killers--because one cannot prosecute politicians with whom one is negotiating an agreement.

Oxfam did not advocate these alternatives, in order to preserve its operational neutrality. Probably, had a UN force been deployed and behaved in the manner suggested, Oxfam would also have been among its critics. When the French government--Rwanda's leading arms supplier and diplomatic ally--proposed a unilateral intervention in June, Oxfam opposed it. This was the correct line, but the French army could have legitimately complained, as the U.S. Marines did in Somalia, that agencies that called for a military presence had little right to criticize the soldiers for behaving in a military fashion after they arrived.

The redeeming feature of Oxfam's advocacy is that it failed in its specific goals, while it succeeded in gaining greater international attention for Rwanda. But this should give pause for thought to the senior staff of Oxfam and other NGOs that take public positions on issues of similar import. These are

not commitments that can simply be taken up and cast off at will.

### **Humanitarianism Unbound**

The case of the Oxfam lobby on Rwanda is striking because the dilemmas are so clear. But, unlike Somalia beforehand, it reflects the disorientation of the humanitarian agencies in the post-Cold War world. The NGOs have shaken off one straight-jacket, and they have broadened their mandate and seized immense new opportunities for political influence. International policies towards entire African countries can now be dominated by the NGOs' humanitarian agenda.

The powers of analysis and the rigors of accountability have not increased in step with the NGOs' influence. There are internal discussions within the agencies on these questions, to be sure, but the moment that there is a hint of public debate, the moral armor is donned, and the shutters of self-censorship come down. On several occasions, NGOs have reacted with outrage to the arguments presented here, but then refused to join the debate.

It is in this context that the call for military intervention has emerged: ungrounded in a sober and professional appraisal of the situation, unencumbered by demands for accountability, and subject only to the hasty demand to "do something" by an array of organizations that have monopolized the moral high ground. Can the NGOs really call for the military occupation of a country with complete impunity? Are they really accountable only to a fawning and forgetful press?

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## Hardly Innocent: Armed Humanitarian Intervention in Somalia

By Anna Simons\*

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At worst, “armed humanitarian intervention” is a complete oxymoron. At best, it traps those it involves in a series of unpleasant conundrums.

This is certainly the case with Somalia, while Somalia remains our “most complete” mistake in armed humanitarian intervention. I write “most complete” because the presumption is that Operation Restore Hope is already well behind us. But is it, when lessons learned in Mogadishu are being applied in Bosnia, Haiti, northern Iraq, central Africa, and in training scenarios for future Military Operations Other Than War?

As for referring to Operation Restore Hope as a mistake, policy makers not only mistook material devastation for social disintegration, but never quite understood the significance of Somalis’ indigenous political order or the extent to which this was invigorated, and not weakened, by civil war.

Indeed, from the outset, Operation Restore Hope was misrepresented. It never was and never could have been a “purely humanitarian” mission. **Purely** humanitarian missions can only take place after singular disasters, when soldiers deliver blankets and conduct cleanup alongside the Red Cross. By definition, patrolling roads and living behind razor wire to feed people is not just humanitarian. Somalia’s civil war was not finished when U.S. military personnel intervened. Worse, once the first U.S. official landed on Somali soil, the U.S. was embroiled in Somali politics. This, alone, meant the U.S. was engaged in state-building, no matter how stridently officials later denied it.

How else were American soldiers likely to secure airstrips, roads, or feeding centers without imposing American order? Or, to come at this from another direction: why did Americans have to feed **or** protect starving

Somalis, **why** were Americans in Somalia at all? Because, experts kept declaring, Somalia lacked order, anarchy reigned. But as a premise for intervention this analysis was also faulty.

Anarchy is an intellectual construct but a societal impossibility. People always establish a pecking order, no matter how small the group or how briefly individuals interact. Human sociability itself is predicated on there being an established order. Men mate with women, women give birth to children, children are nurtured by adults . . . Likewise, sociability’s antithesis--killing--reflects order. Having enemies to kill automatically implies a system of classification (us/them) and hierarchy (us being better than them).

In fact, the bloodshed in Somalia quite clearly revealed how Somalis were sorting one another out. But seeing no central government, intervention advocates presumed Somalis to be without a governing rationale of any kind. Ergo they described Somalia as ungoverned, or anarchic.

What such labels ignored is that underlying the defunct Somali state was a far more diffuse social organization which requires no formal government to work, and is activated by nothing less than the loss of security and the threat of violence. Everywhere, kin relations encode obligations and expectations, between, for instance, parents and their children, brothers and sisters, and husbands and wives. The twist, though, in Somalia is that many Somalis can trace their descent for as many as 20 generations or more, which extends obligation and expectation way beyond the immediate family.

Such genealogical reckoning makes for large social welfare safety nets. But it also creates a catch. While some Somalis are related to some other Somalis, not all Somalis

are related to one another. Instead, at least six separable networks exist in what we still refer to as Somalia, and these networks, at the most elemental level, actively consider themselves and one another to be mutually exclusive.

Replace genealogy with religion or shared history and we could be describing the basis for ethnic conflict anywhere in the world. When groups of people who consider themselves separable are stuck together, competing over the same limited goods or access to lucrative resources, conflict is bound to (eventually) erupt. Similarly, there is the potential for conflict occurring whenever one group is thought to have an unfair advantage over others, or when top-down control is exerted without bottom-up consent. Actually, the logic for fissure leading to fission could not be simpler. The difficulty is to identify where the societal breaking points lie, and what people will use to tag one another: shared language, religion, history, etc. Different ties can pull people in different directions at different times. But at bottom, primordial loyalties still exist. People trust those with whom they share a common morality, and identify those they can't trust as bearing different (bad, wrong, or tainted) blood.<sup>1</sup>

### **Trust and Mistrust**

Ultimately people place their trust in the system they already know will secure them the best possible future. Humans everywhere strive to ensure that they and their offspring will remain safe -- and healthy, fed, sheltered, and assisted should disaster strike. In numerous states government has been able to assure this for most citizens. Where this is the case nationalism then acts as the state's moral glue, binding people together via a shared identity and purpose, which the state leads people to believe should (and must) override all other allegiances.

But where the state does not meet people's need for future security, loyalties shift. People fall back on social welfare nets they know will work. The problem is, the state itself gets used as a social welfare net. This is because all states are peopled. Ministers, civil servants,

government employees of all kinds will take advantage of their positions to secure their own futures if they believe the state won't. Because they do they state can't. This creates a vicious catch-22: The state can't be solvent under such conditions, while because the state is insolvent people have no choice but to preferentially look out for themselves. National morality is punctured. Instead, a patchwork of competing moralities fills the vacuum.

In Somalia the blueprint for competing moralities was long extant. Genealogies are all-important among nomadic pastoralists the world over because blood ties are one possession people don't have to physically carry yet always bear.<sup>2</sup> Nor do kin relations change, which is something even more critical in an unpredictable environment, such as Somalia's. Put most succinctly, genealogies record links which are kept only if kin prove worth remaining tied to: if they are reliable, helpful, and don't cause strife within the group. What genealogies really represent, then, are charts of trustworthiness, according to which connected individuals can presume that, based on past relations among their forbears, they **should** get along. Gaps, meanwhile, (which can be small between lineages or gulf-like among clan-families) reflect people not having gotten along, which then offers a historical precedent for not having to get along now or in the future.

Given such genea-logic, mistrust becomes prophetically self-fulfilling. Also, it is virtually impossible to convince people that their mistrust is wrong so long as they can point to specific events which prove their thinking right. And unfortunately, the slightest history of being wronged is often proof enough. For instance, every time someone from Clan X deceives, robs, kills, or threatens a member of Clan Y, the genealogical system for reckoning trust is revalidated. The system is also reconfirmed whenever a member of Clan X favors a fellow clan member, which is exactly what members of all clans expect. Nor does it matter how many counter-examples might be available to dilute the proof. Just one instance, like one drop of the wrong blood, is sufficient.

Now consider what happens when humanitarian assistance is injected into such a situation. Old expectations are immediately fulfilled anew. Certainly during Operation Restore Hope, who resources flowed through (e.g. those Somalis outsiders hired) determined who resources flowed to (namely, their relatives). The cycle which collapsed political and economic power together in only some hands was never broken. Though new sets of people may have benefitted, they gained advantage in the same old ways.

### **Solutions?**

If we think about this logically, and not emotionally, there are only two ways to break such vicious cycles: either one side rids itself of opponents (via genocide), or a beneficent outside force imposes a more equitable order.<sup>3</sup> The problem with this latter approach, though, is that in places where trust is already circumscribed the political order is local, and resides in the most elemental of communities: in families, church congregations, religious brotherhoods, neighborhoods. To break these open is necessarily bloody and time-consuming work. Worse, it is unclear whether the U.S. has ever successfully managed to save a people by purposely setting out to undermine the fiber of their life, which is what re-ordering trust at ground level requires.

Also, there is the issue of local recalcitrance. Somalis, for instance, have long displayed consistent, active disinterest in westernization. This should be apparent to anyone who has visited Mogadishu. Proportionately probably more Somalis than Kenyans have traveled abroad, but this was never visibly trumpeted. As late as 1989 the national capital, still intact, had fewer than a dozen restaurants which served anything but Somali cuisine, traditional Somali dress was the preferred garb after working hours, and Somali music was far more popular than western music. Numerous indicators pointed to the depth of Somalis' cultural attachments.

For centuries Somalis have had contact with other sophisticated cultures without

having been Islamicized, orientalized, or westernized. This should have registered.

Certainly urban Somalis enjoyed various aspects of western **material** culture, and to a person may well have desired more televisions, refrigerators, cassette players, and VCRs. But few of these same Somalis sought a western makeover. In fact, it may already be a truism to point out that just because many people around the world want what Americans have -- in terms of comfort and security -- this does not mean that they want to do what Americans have had to do to attain these, or that they are willing to follow American advice.<sup>4</sup>

### **The Commitment Conundrum**

Ironically, the only converts secular humanitarians do tend to make are from among the weak and unprovided for, the losers and victims.<sup>5</sup> And without adequate safety nets, these are the people who, by default, most need humanitarian intercession in order to have some sort of future.

Probing deeper, this issue of who is considered a victim is **the** central, unspoken contradiction in armed humanitarian intervention. This is because only outsiders view victims as innocent non-combatants worth protecting. Among locals, victims wouldn't be victims if they weren't viewed as enemies at worst and of no value at best. Arguably, this is why Somalis in the southwestern triangle were allowed to starve; they weren't worth saving. In other words, they **were** a "they" to everyone else.

Meanwhile, when the U.S./UN stepped in to protect those we labeled innocent, we only half committed ourselves. Unless we went after the people who were making victims of those we wanted to save we weren't likely to solve our clients' chief problem, which was to get rid of **their** tormentors, once and for all. And, in the Somali case, this meant targeting more than just General Mohamed Farah Aideed; it would have meant targeting whole clans.

Another way to think about this is to try to think more concentrically. Clearly interventionists have not. To put this in the

starkest possible terms, if intervention advocates did feel morally bound to the people they were trying to save they would know they had already chosen sides. Locals certainly recognize this. Often, too, locals act and react accordingly, just as Somalis did, since in Somalia there is a historic presumption that outsiders should be co-opted or killed, taken advantage of or driven away. And Operation Restore Hope, UNOSOM I and II simply reaffirmed why: outsiders interfere.

### Conclusion

Operation Restore Hope **should** be instructive. Even had U.S. forces possessed sufficient armor and brilliant military leadership in Mogadishu, nothing we were likely to do there could have rescued Somalia. Flooding the local economy with goods, intervening with aid, promising years' worth of assistance would have reversed little. After all, this is part of what created so much trouble in the first place.

Nothing short of guaranteeing all parties the future they desired, or wreaking utter devastation on everyone alike would have shattered the locally valid and locally-known moral universe. Maybe. The problem with guaranteeing the future would have been that no outsider can, without exerting colonial-like control, while the problem with shattering a political order which already had people living in so many mutually wary camps is, how do you know when the order has been splintered enough? Also, how do you measure devastation among people who have already proven unwilling to trade our kind of material well-being for their intangible: sociocultural autonomy?

This is just one of the sticky moral questions Operation Restore Hope **should** have raised. But I'm not sure it has. Instead, those who advocate armed humanitarian intervention now seem completely fixated on the mechanics of intervention. By concentrating on the specifics of operations, they must think they can **make** Military Operations Other Than War work. And perhaps they can. So far Operation Restore Hope hasn't been repeated. Given

recent lessons learned soldiers are not being deployed to make the same operational mistakes. Yet, no matter how cleverly the rules of engagement or command have been reshaped, we still don't seem to know what to do once we're "there." We wisely reject the role of conqueror. But without reordering society from the ground up, can there be a "there" there? Can we really make a difference?

Unfortunately, the Somali case suggests just how we do. In Somalia, where the local political and moral orders remained intact and uncentralizable, our doing good for some Somalis only ensured that we wouldn't and couldn't do good for all.

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### NOTES

<sup>1</sup> This is true even where the political order is national. Not long ago American whites did not view negroes as political and moral equals, and one drop of negro blood used to be enough to classify someone as a negro. Likewise, for Hitler, one drop of Jewish blood was enough to condemn someone to the gas chambers. In fact, national citizenship in some countries (such as Germany) is predicated on being of German descent or, in other words, bearing German blood.

<sup>2</sup> Not all Somalis are pastoral nomads, though the majority are descended from pastoral nomads. Even so, the dominant ideology in Somalia is borne of pastoral nomadic roots and has affected everyone: agriculturalists, townsmen and women, even Somalis abroad. Overriding identity for all Somali remains genealogical.

<sup>3</sup> Ironically, thanks to so many disparate labor, education, and other diasporas, it may well be impossible today to completely rid one's group of all opponents.

<sup>4</sup> This is a variant of the point Samuel Huntington makes when he distinguishes between westernization and modernization.

<sup>5</sup> The parallels between these people I refer to as “secular humanitarians” and Christian missionaries are striking in a number of ways beyond just who secular humanitarians and missionaries work with. For instance, both sets of do-gooders appeal “home” for money, as well as tally the numbers of people they “save.”

## **Post-Mortem on the International Commission of Inquiry (Rwanda)**

by Joost R. Hiltermann\*

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The approach the United Nations has taken to severe humanitarian crises has, especially in Africa, been short-sighted, half-hearted and, if I may throw in another bodily function, weak-kneed. In the hour of greatest need, in April 1994, as unspeakable horrors began to unfold in Rwanda, the institution that represents the consensus of the international community left the scene with its tail between its legs. Even if one thinks of tough measures short of direct military action, like sanctions, the UN has failed miserably, not once but time and again—in Rwanda, Angola, Liberia and, of course, Somalia.

An illustrative example of this failure is the complete and utter non-enforcement, and even unpunished violation, of the arms embargo imposed on Rwanda in May 1994. True, the brazenness with which a permanent member of the Security Council, France, flaunted the self-imposed sanctions on Rwanda replicated the deliberate subversion by the United States government of the earlier arms embargo on the former Yugoslavia. Can we then blame France for being indignant when the U.S. turns around to support the establishment by the Security Council of an international commission of inquiry in Rwanda (in September 1995)?

Be that as it may, those among us who were concerned about the impact of the proliferation of small arms in the Great Lakes region of Africa greeted the arrival of the commission with a measure of joy, even if it did not approximate our core demand—the deployment of international military observers at key airfields in what was then

known as Zaire. We saw the move as a first step in a necessary institutional review of the role of the international community in tackling the arms problem. It gave us a glimpse of the possible.

### **The United Nations as a Fulcrum of Inaction**

That the creature referred to amorously as the international community operates on the basis of consensus and compromise is axiomatic. That its consensus-driven approach encourages it to defer routinely to the lowest common denominator is something that needs to be properly understood. This is the reason, for example, why efforts to ban landmines under the 1980 Convention on Conventional Weapons have foundered on Chinese shores. (And hence the current campaign, led by Canada, Belgium, Norway and others, to draft a comprehensive landmine ban treaty outside the CCW framework). And this is also why the United Nations—the embodiment of the international community—time and again has shied away from challenging the French gloss on the causes of violent conflict in Africa and the methods of dealing with those conflicts and their consequences. The French effort to carve out a “safe zone” in western Rwanda under Operation Turquoise, which was launched as the Rwandan Patriotic Front had begun its military rout of the *genocideurs*, provides a fine example of the international community granting default power to the pre-eminent neo-colonial overlord in the face of

gross indifference on the part of just about every other major player outside the African continent. (And hence the attempt by the new South Africa and the emerging alliance of Ethiopia, Eritrea, Uganda, Rwanda, Angola and Kabila's Congo to put a fresh and decidedly African imprint on the handling of African affairs).

When the supremacist Hutu militia in Rwanda set off the mass killings in April 1994, the UN looked on meekly, failing to define the unfolding massacres as genocide, and withdrawing the few UN forces that were already in place. Some six weeks later, awakened from its slumber, the Security Council resorted to what has become its response of choice in the post-Cold War era: an international arms embargo on Rwanda. Reflecting the institutional lack of interest in matters African, the resolution announcing the embargo was not accompanied by concrete proposals to implement it or enforce its compliance by UN member states, although, as with previous embargoes, a committee was established within the UN bureaucracy in New York. Consisting of all the members of the Security Council, its mandate was to monitor implementation of the resolution, and recommend "appropriate measures in response to violations of the embargo." By any standard, this committee remained completely inert for the embargo's duration.

In June, the Security Council, having failed to find volunteers for a multinational force, authorized French military intervention in Rwanda. French troops entered Rwanda ostensibly for humanitarian purposes, but soon moved beyond UN authorization to carve out a "safe zone" in the country's southwest. The UN then "took note" of the zone's existence, in effect giving it its blessing. It was to this zone that the Rwandan government forces, defeated by the RPF in Kigali, fled, along with the militia and much of the Hutu population. Under French protection, the militia were able to continue to

incite Hutu to kill Tutsi, as they managed to bring along their radio station, and indeed the French permitted the genocide to continue in the area under their control for a short time (about a week). They then began taking effective measures to protect the Tutsi, but refused to take the next step of arresting the authorities, civilian and military, who had been carrying out the genocide. In fact, as the RPF pressed onward to victory, the French facilitated the departure of some of these authorities from their zone to Zaire and continued to provide them with support and transport in Zaire.

Following a three-month investigation, mostly in eastern Zaire, in 1994-95, the Human Rights Watch Arms Project released a report, *Rearming with Impunity: International Support for the Perpetrators of the Rwandan Genocide*, which, published a full year after the genocide, proved to be a hot commodity. Naming France as one country that had violated the international arms embargo by shipping arms to the Rwandan government at the height of the genocide accounted in part for this attention. In Resolution 997 (June 1995), the Security Council adopted the recommendations made by Human Rights Watch to clarify the scope of the embargo by including explicitly the former Rwandan government forces that had found refuge in Zaire and Tanzania, and to call for the deployment of international military observers at key airfields in the region, most importantly Zaire.

For once, the international community seemed to respond directly to an identifiable and concrete problem: If the Rwandan government had committed genocide and was rearming itself in exile in Zaire with the express aim of returning to Rwanda by any means necessary, then interrupting the flow of arms to the former government's forces in Zaire became imperative. This would be done by placing military observers at the key ports of entry. The United States, the United Kingdom and Germany were the main

promoters of this idea within the Security Council.

Empowered by the Security Council to take concrete action, the UN secretary-general sent a special envoy, Mr. Aldo Ajello, to the region in July 1995 to obtain the consent of the states that would have to host the observers. After a short mission he returned with empty hands: No state in the Great Lakes region was about to give up a bit of its sovereignty for the sake of drying up the arms supply to the former Rwandan government—which some of them (most notably Zaire and Kenya) continued to support. Not surprisingly, Zaire was particularly adamant on this point, claiming that no violation of the arms embargo had taken place on Zairian territory. It asserted that if the international community did not believe that, then it should send an international commission to carry out a formal investigation instead of accepting the information of a nongovernmental organization like Human Rights Watch.

Lacking the will to force Zaire to accept military observers on its territory, the Security Council in August 1995 suspended (for one year) the arms embargo against the new Rwandan government and in September established the International Commission of Inquiry (Rwanda). It charged the commission with investigating any allegations it might receive concerning violations of the arms embargo on the former Rwandan government forces operating in neighboring countries. This was clearly a compromise solution. The Commission traveled to the region in November 1995, and in its one-year life issued three reports.

### **The Life and Times of the International Commission**

The commission's work was hobbled with a number of factors almost from the word "Go." First, it had not been granted judicial powers, and it was therefore unable to subpoena

witnesses, let alone press charges. As a result, it was compelled to limit itself to writing polite letters to governments about whom it had received pertinent information, requesting their cooperation. This cooperation was usually slow in the making, and remained on balance wholly unsatisfactory. Most governments undertook evasive action the moment the commission arrived on their doorstep. France, for example, provided nominal cooperation while claiming that it was unable to arrange a meeting with one of the key witnesses, the former honorary vice-consul of France in Goma, over whom they professed to have no jurisdiction. This man, who used to go around Goma referring to himself as the French consul, sued this author for libel after publication of the Human Rights Watch report in which he was named, and stated in his deposition to the court that in Goma he had been an official of the French government. He withdrew the case on the day of the trial.

The commission was also hampered by its high-profile presence in the region. Received by senior government officials in the various state capitals, commission members were unable to make safe contact with some of the eyewitnesses (pilots, air cargo personnel) who had provided testimony to Human Rights Watch and who feared for their lives. This affected the quality of the information the commission was able to acquire.

Most importantly perhaps, the commission was blocked every step of the way in its efforts to gain independent access to eastern Zaire. Exhortations by the Security Council were met by the usual jeremiads and deflective moves from the Mobutu clique, with the result that the critical focus of an inquiry of this nature, the camps of the forces of the ousted Rwandan government and the *Interahamwe* militia, remained out of bounds to the commission.

This being the case, it is a near-miracle that the commission managed to draft three

serious reports, in January, March and October 1996. The reports provided little new information but were effective in exposing the role of a number of countries in the supply of weapons to abusive forces in the Great Lakes region. Unsatisfactory responses to queries from the commission were picked up by the local media in these countries; the resulting publicity led to questions in national parliaments and generated pressure on some of these governments to carry out investigations of their own. The commission also managed to obtain detail on one specific case, an arms transaction involving a senior official of the Rwandan government posing as a Zairian official (Thoneste Bagosora), a former official of the South African government and known arms trafficker (Ters Ehlers), and the government of the Seychelles.

The most important feature of these reports were the recommendations they offered. These include:

- The creation of an office, at the time of the imposition of an international arms embargo, that would monitor, implement and enforce the operation of the embargo on the territory of each neighboring state, collect evidence of violations, and make regular reports to the Security Council.
- The creation of voluntary regional registers or data banks of movements and acquisitions of small arms, ammunition and materiel.
- The encouragement for regional governments to ratify the Convention on Conventional Weapons.
- The establishment, on an ad hoc basis, of commissions of inquiry to investigate reported violations of arms embargoes.
- The request that states producing arms and materiel take any measure necessary

under their domestic law to implement the provisions of international arms embargoes, and in particular to prosecute their nationals who are found to be in violation of such provisions, even if they conduct their illegal activities in third countries.

It is deeply regrettable that to this day these recommendations have not been acted upon, or even considered. They remain buried somewhere deep within the UN bureaucracy, forgotten or ignored by the governments that, through their support of the commission, had solicited them in the first place. More dramatically perhaps, the UN failed to make public the commission's third and final report, which was completed in late October 1996 and leaked to the press within days. Whereas the Security Council had responded promptly to the two earlier reports, it took no notice of the third one, which it received, *nota bene*, at the very moment that the Great Lakes region was dipping into a new crisis as heavy fighting broke out between the Banyamulenge (supported with arms and senior military advisers by the Rwandan government) and a coalition of Zairian government troops and Rwandan Hutu insurgents. Even as the contents of the commission's report were being consumed in New York, mostly by officials of the countries that were named in it, journalists unearthed fresh documentary evidence in eastern Zaire of the role of a British company, registered in the Isle of Man, in evading the arms embargo on Rwanda in 1994. No matter. Whether suppressed or found irrelevant, the commission's third report became, for all practical purposes, dead letter.

The UN's motives in failing to act upon and release the report remain obscure. Some suggest that the report became a victim of the succession crisis at the head of the institution. If that were so, however, one would have expected the new Secretary General, who is on the record as being concerned about the proliferation of light weapons in Africa, to

have released the report promptly after his appointment.

Some thought that the report perhaps proved so embarrassing to a number of governments that it became inopportune politically to release it; that the report was like plutonium waste: out of date, yet still too hot to handle. But the commission's principal sponsors, the U.S., the United Kingdom, and Germany, were not, or not seriously, implicated in the report, and they had continued to support the commission after its earlier reports, which were no less strong.

It is more likely that the international community simply lost interest in the work of the commission once it realized that the next logical step would have been to allocate funds to the implementation of the commission's recommendations. At a time of budget-cutting and Congressional criticism of the world body, the original sponsors, all major weapons exporters, may have reckoned that they had done enough in embarrassing France and its allies in Africa to have gained a moral advantage on the African continent, and that further steps would incur a financial cost without any additional political pay-off.

If that is so, the creation of the commission should be seen as no more than a political ploy, an exercise in advancing Anglo-Saxon interests in francophone Africa. But be that as it may, the commission's very existence has had some salutary consequences, intended or not—most likely not: It provided the means to investigate and verify some specific allegations of serious violations of an international arms embargo; it allowed for the consideration of new, more effective ways of dealing with the problem of weapons proliferation in Africa, if not by the Security Council, then by other UN bodies and NGOs; and it put those involved in arms trafficking on notice that they could no longer operate with complete impunity, that they were being watched. It is possible even that the commission's work during its brief tenure

had a deterrent effect on those most closely involved in the lethal trade.

In the absence of political will to tackle in a serious fashion the problem of arms trafficking in Africa, what is needed now is to continue to investigate and reveal information about the complicity of UN member states in empowering abusive forces in the region through the provision, directly or indirectly, of arms and other forms of military assistance. Continued embarrassment and stigmatization may stir sufficient interest on the part of those least implicated to revive the commission (which remains dormant within the UN Department of Peacekeeping Operations), expand its mandate to include the entire Great Lakes region, and begin the important work of instituting some of the helpful recommendations made by the commission in 1996.

## Peacekeeping and Peace Enforcement in Burundi

By Stephen R. Weissman\*

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The first and most fundamental human right is the right to life. Without it such other rights as freedom of speech and protection against arbitrary arrest are simply irrelevant. In this sense, genocide--the intentional destruction of substantial portions of the racial, national, ethnic and religious components of humanity--is the most heinous of all human rights abuses. In the wake of the Nazi Holocaust, the United Nations established the Convention on Genocide which has been ratified by 106 countries. It confirms that the "odious scourge" of genocide is a crime under international law, one that the signatories "undertake to prevent and punish."

Yet there remains an enormous gap between the expressed commitment of the international community and its actual behavior. In the last five years alone, the world has failed to take timely action to prevent or stop genocide or genocidal acts in Bosnia, Chechnya, Rwanda, Burundi, Zaire, Liberia and Somalia. Experience suggests that to be effective in such dire situations diplomacy must not only help the parties to the conflict arrive at a realistic political solution; it must also back this process with pressure including a credible international military presence. As recent events in Bosnia, Rwanda, Somalia and Liberia show, outside force is necessary to help bring political settlements to fruition and make sure that they hold.

Probably the clearest illustration today of the tragic spread of genocide and the real potential of the international community to stop it is provided by the small Central African state of Burundi. Yet Burundi also brings to light the contradiction between the international

community's increasing recognition of the role of military pressure in peacemaking and its continuing lack of political will to provide adequate international forces.

### I

Burundi today is the leading edge of the spreading and mutually reinforcing genocidal massacres that have been afflicting Central Africa since the early 1960s. Since 1993, an estimated 150,000 Burundians--2.5% of the population--have been murdered in ethnic-based massacres of civilians. An additional 825,000 Burundians are currently refugees or displaced persons. The Tutsi army has been the main perpetrator, but insurgent Hutu militias and civilians of both ethnic groups have also participated in the killings.

As Africanist scholars have shown, genocide has by no means been the result of ancient tribal hatreds. In fact, there were few violent confrontations between Tutsi and Hutu until about a generation ago. Under the influence of colonialism however, ethnic differences became more salient. Centralization and economic modernization eroded old ties based on locality and kinship. Most important, Belgian policies in Burundi and Rwanda promoted the political and social domination of the "noble" Tutsi whose "fine bearing alone guarantee them considerable prestige over . . . the worthy Hutu, less clever, more simple, more spontaneous and more trusting."<sup>1</sup> As elsewhere in Africa, the transition to independence spawned a struggle between politico-ethnic elites that gravitated

towards ethnic polarization and authoritarianism. But nowhere was the conflict as stark as in Burundi and Rwanda where only two groups with radically different populations and social statuses--the dominant Tutsi minority comprised 15% of each country--faced each other. And no ruling clique was more insecure than the military-based Southern Tutsi faction that came to power in Burundi just as their Tutsi brothers in Rwanda were being driven not only out of office but to a large extent out of the country itself.

Since the 1960s, the political process in Burundi has unfolded with the fatalism of a Greek tragedy. What began as a conflict for power among political elites has gradually become a recurrent life-and-death struggle among ethnic groups. Periods of violence, Rene Lemarchand has written, are driven by "the conviction held by both Tutsi and Hutu that unless the other's crimes are retaliated against by retribution, planned annihilation will inevitably follow."<sup>2</sup> In the process, a narrow Tutsi elite has been able to maintain its domination of the state for almost the entire post-colonial period.

For more than 30 years, the international community has been unwilling to take strong and sustained political, economic and military action against the cycle of genocide to support moderate forces in Burundi. Nothing illustrates this more clearly than the response to the 1972 bloodbath (100,000-200,000 killed, overwhelmingly "educated Hutu"), the first clear genocide since the Holocaust. A small number of African leaders, notably President Julius Nyerere of neighboring Tanzania and Organization of African Unity (OAU) Secretary-General Diallo Telli, privately remonstrated with Burundi President Michael Micombero. But the OAU's Council of Ministers, reflecting the continent's dictators' anxiety about creating a precedent for foreign intervention against a sitting government, told Micombero it was "convinced that, thanks to your saving action, peace will be rapidly re-established, national unity will be consolidated, and territorial integrity will be preserved." This

message, a West African delegate confided, "could be interpreted more or less to suit the desires of the recipient."<sup>3</sup>

The UN belatedly dispatched a mission to Burundi which at least produced a public and authoritative confirmation of the massive death and suffering. But UN officials did not follow up with specific requests for international action to stop genocide; instead, they focused on appeals for humanitarian assistance to the survivors.

As for the overall response of Burundi's Western donors, it was best summarized in the title of a contemporary Carnegie Endowment for International Peace Report: "Passing By."

Following new massacres in 1988 (15,000-20,000 killed, mainly Hutu) the American Congress, Belgium, the European Union and even the World Bank threatened to withhold further aid unless the Government moved towards reconciliation with its Hutu citizens. Dependent upon foreign assistance for a quarter of its GNP, the regime undertook a top-down program of liberalization. But when Burundi's fledgling democracy collapsed after the assassination of the first Hutu President, Melchior Ndadaye, in 1993 and the subsequent onset of a long "creeping coup" by Tutsi leaders, the West once again stood by. France carried on with its military aid program--part of its effort to project "grandeur" in world politics even at the price of alliances with the least savory regimes in Africa--and other donors kept their economic spigots open.

It was not until the Spring of 1996, as the Hutu-led CNDD (National Council for the Defense of Democracy) insurgency grew, that the West signaled its dissatisfaction by suspending aid. By then however, both sides had become more strongly committed to military actions. In July 1996 a Tutsi coup reinstalled former President Pierre Buyoya, sweeping aside the last remnants of Hutu political power. As in Bosnia and Rwanda earlier, the only hope for progress now lay in a determined diplomatic initiative backed by strong economic, political, and military sanctions.

## II

Two major international initiatives have been launched over the last 18 months. Interestingly, both have been African-led and included important elements of military force. Unfortunately, they have received only half-hearted support from the Europeans and, most critically, the Americans.

In February 1996, UN Secretary-General Boutros Boutros-Ghali suggested that a group of member countries should consult together and provide military forces for possible rapid deployment to deter wider massacres and protect vulnerable groups and installations in Burundi. This “contingency planning” was designed to reinforce ongoing African and other diplomatic efforts to foster dialogue between the contending forces, and to ensure that the UN would not again stand by, as it had in Rwanda, if violence worsened. In UN parlance, Boutros-Ghali was threatening the Burundi with “peace enforcement,” an international military intervention even without the consent of the warring parties. With the end of the Cold War the UN has authorized or undertaken peace enforcement operations in the Persian Gulf, Somalia, Haiti, Bosnia and Rwanda. But in each case, the critical determinant of success or failure has been the political will of the five permanent members of the Security Council--especially the U.S.--to use their diplomatic clout and resources to organize, rapidly deploy, and maintain an adequate multinational force.

Concerning Burundi, France declined to put up any ground troops and promised only to “consider” other financial and logistical assistance. Paris’s ties to the Burundi Government and continuing embarrassment over its controversial military role during the genocide in Rwanda controlled its decision. The only other member of the “Perm 5” with a strong interest in Africa was the U.S. Still smarting from its military debacle in Somalia, America also refused ground forces, but offered the UN other military support including “urgent and tanker airlift.” Thus the fate of Boutros-

Ghali’s proposal depended upon the willingness of the U.S. to use its influence with **other** countries to assemble a multinational force. While several African states (including Boutros-Ghali’s Egypt) offered or were likely to provide ground troops, the key was to obtain specialized contributions (particularly in such areas as command and control and mobile deployment) from more experienced Third World countries like India and South Africa and perhaps some smaller Western nations.

Within the U.S. Government a stalemate quickly developed over this issue. One side, led by National Security Adviser Anthony Lake, argued that it would be imprudent **not** to do “contingency planning” in light of the situation in Burundi and possible political pressure to “do something” if violence worsened during the upcoming U.S. presidential campaign. The opposition was spearheaded by the Joint Chiefs of Staff who were anxious to deflect any new demands on forces they already viewed as stretched by commitments in Bosnia, worried about the messy political tensions that could tie down even a non-U.S. force, and feared that the U.S. could somehow get increasingly drawn into the conflict. The eventual compromise can best be described as pseudo-contingency planning. Without identifying any real military units from specific countries, the U.S. handed UN peacekeeping officials a set of “planning assumptions” including a mystery force of 20,000 troops that would enter Burundi within 6 months and establish three “safe havens.” According to U.S. officials, the “plan” largely ignored such key issues as command and control, potential Burundian hostility, and alternative strategies to protect civilians. In short, the U.S. had produced “contingency planning” that was devoid of any practical military significance. As time went on, other countries noticed the corruption of language involved. “Let me be frank for once,” a leading European Ambassador to the UN confided to a group of international visitors last fall. “The contingency has superseded the contingency planning. Contingency planning is something

that is being done because we are not really ready to intervene yet.”

The other major initiative marked a notable reversal of African states’ past reluctance to intervene against the continent’s human rights abusers along with the recognition that the rest of the international community was paralyzed. Since late 1995, a half dozen or so East and Central African “Great Lakes states,” supported by the OAU, the Carter Center, and the Belgian Government, have launched a determined campaign to force a negotiated political settlement in Burundi. Despite sometimes differing economic interests and political tendencies, they have persistently negotiated out a common and rather comprehensive Burundi policy:

- They drafted former Tanzanian President “Mwalimu” (Swahili for teacher) Nyerere to facilitate negotiations among all parties to the conflict. Although Nyerere, who has long experience with Burundi issues, admits he has little concrete to show for his efforts, he has been able to hold ever more inclusive meetings with the key actors, civilian as well as military, and to establish what one participant describes as “a better psychological atmosphere.” Meanwhile, the Community of Sant’ Egidio, a lay Catholic group in Rome, began secretly mediating between the military regime and the guerrillas to achieve a minimal agreement on “principles” and a cessation of hostilities that would usher in broader-based political negotiations under Nyerere. (By July 1997, it appeared that the Sant’ Egidio effort had served the purpose of legitimating discussions with the rebels and would gradually be folded into Nyerere’s broader forum) “Mwalimu’s” prestigious involvement also ensures that Burundi continues to receive high-level attention from the regional states.
- They responded to Burundi’s surprise June 1996 request for regional military assistance with plans to send (with anticipated Western financial support) at least 10,000 troops to guarantee security and facilitate political

negotiations. In contrast with Boutros-Ghali’s proposal, this was to be an invited intervention (Chapter 6 “peacekeeping” in UN parlance) and one that was much more closely synchronized with a political strategy--bolstering Nyerere’s mediation exercise. Of course, fear of an uninvited UN force--as well as rising insurgency and persistent lobbying by Ugandan President Yoweri Museveni for regionally-assisted military reform--helped generate the Burundi appeal. Although the request was politically ill-prepared, and the July 1996 Tutsi-led military coup led to its withdrawal, the region’s willingness to provide substantial military forces to enforce a political solution is critically important for future peacemaking efforts.

- They reacted to the Buyoya coup with comprehensive economic sanctions, later modified to exempt “humanitarian” goods like seed, fertilizer, food, medicine, and educational and construction materials. Sanctions would be lifted only after the Government restored a measure of constitutional legality and entered into meaningful political negotiations with armed as well as unarmed parties. Despite leakages (particularly from Tutsi-led Rwanda), the embargo has tripled the price of gasoline, hamstrung Burundi’s tiny industrial sector--the Bujumbura beer company that accounts for 40% of Burundi’s tax base has often worked at less than 50% of capacity--and lowered revenues from covert exports of coffee and tea. It has undoubtedly contributed to the government’s willingness to begin talking with the CNDD.

Behind this new dynamic lay a new generation of African politicians led by recently elected Presidents Benjamin Mkapa of Tanzania and Museveni of Uganda. While their regimes vary significantly in their commitment to multiparty democracy, these leaders’ experiences have convinced them that systematic violence and coups produce massive refugee flows and political instability in neighboring countries, that basic moral values have a prominent place in foreign policy, and

that they need to act jointly to resolve many of their problems.

The new regional diplomacy should make it easier for key Western countries to support effective action against genocide in Burundi since it promises to minimize their military and political burden. Nevertheless the French have remained aloof. America has been more helpful. Yet its responses have been constrained by the foreign affairs bureaucracy's general tendency toward incremental negotiation ahead of pressure, and by the Pentagon's continuing reluctance under the "Powell Doctrine" to support even other nations' intervention in politically sticky, non-strategic countries.

"Tony Lake said yes, if there's a coup, we'll isolate them," related one frustrated, high State Department official. "But we did nothing. We said these are good guys. We didn't adopt sanctions. Our credibility is not so hot." After initially opposing sanctions as an inappropriate and ineffective form of pressure against the "not-so-extreme" Buyoya regime, the U.S.--influenced by the new Presidential Special Envoy to Burundi, former Congressman Howard Wolpe--finally came down behind the regional sanctions. But it soon began to lobby each of the regional states to relax the embargo to "reward" Buyoya for superficially meeting some of the requisite conditions. Had the Africans not maintained their remarkable unity behind sanctions last fall, they would have condoned the Buyoya Government's evident drift towards a military solution. High Burundi military and civilian officials assured me in December that they would not countenance real negotiations with the insurgents until they had turned the military balance strongly in their favor. And the U.S. has thus far failed to offer the regional states needed help in monitoring and obtaining international enforcement of sanctions, including the critical oil embargo against the government and a recent ban on arms supplies to both sides.

Washington did set forth its own plan for a Burundi-oriented, Western-financed Africa Crisis Response Force (ACRF). Designed

without adequate consultation with African or key European states, the ACRF failed to address the key regional concerns of reducing the carnage and facilitating peace negotiations. Its mission was to be confined to assuring the delivery of humanitarian aid in a few "safe areas" to people fleeing genocide elsewhere. "It would be a shame if our soldiers sat around and watched," a disappointed East African military leader complained to me. Lacking support from its prospective partners, the ACRF was subsequently demoted from a largely Burundi-oriented force to a continent-wide training initiative. Thus the U.S. is currently doing no contingency planning for supporting the largely African military force that will be a *sine qua non* for an eventual political settlement in genocide-torn Burundi.

### III

Given both the urgency of the current crisis and what we have learned from the experience of these two important initiatives, what can we conclude about the future role of international peacekeeping and peace enforcement in Burundi? What course of action promises to be most effective and holds some promise of becoming politically feasible?

To pressure powerholders on both major sides to accept a realistic political settlement, provide security during negotiations, and enforce the results against extremists, Burundi needs an outside force of at least 20,000 that will, in gradually reduced numbers, stay on for several years. What seems potentially possible, based upon responses to previous UN and African appeals, is a largely African ground force comprising units from such states as Egypt, Tanzania, Uganda, Malawi, Ethiopia, Chad, Bangladesh, Zimbabwe, and South Africa. However such a force would need appropriate command and control mechanisms, a rapid mobile action brigade, and specialized units for such tasks as intelligence, air traffic control and military police. These sophisticated capacities could be supplied by advanced militaries from both African and non-African

countries including South Africa, India, Pakistan, and Zimbabwe. Western countries could provide necessary equipment and logistical and financial support. Some might also offer limited military or civil assistance. All outside forces should be under the authority of the UN and OAU. As Herbert Howe's work on Liberia demonstrates, it is necessary to have a force that is both militarily credible and subject to the discipline and legitimacy of a common mandate.

In view of the current resistance of the Burundi Government to an uninvited intervention, and the added risks that would entail, international diplomatic and economic pressures should now be focused on getting the parties to the conflict to **request** an outside force as early as possible. A substantial contingent should enter Burundi quickly after minimal political agreements have been reached. Once it enters Burundi, a Chapter 6 consensual "peacekeeping" force in Burundi would look very much like a Chapter 7 "peace enforcement" one since it would have to be strong enough to preserve the peace against armed extremists.

#### IV

If we can speak at all of an "international community," it has an interest in stopping the spreading slaughter of hundreds of thousands of men, women and children in Central Africa. Also, timely intervention against genocide in Rwanda, Burundi and Zaire--if accompanied by well-conceived long-run policies--would have saved the world billions of dollars it poured out in heartfelt humanitarian aid. Finally, an erosion of the international standard against genocide in Central Africa could well have a negative impact on future violent conflicts in more "strategic" areas like South Asia, Eastern Europe, and North Africa.

As we have seen, the position of the U.S. is critical for ongoing international peace-making efforts concerning Burundi. Americans, despite their negative reaction to our unilateral, politically ill-conceived and poorly explained

military intervention in Somalia, do not reject multilateral diplomatic and military action against genocide. For example, public opinion polls showed they favored air strikes against the Bosnian Serbs years before President Clinton finally took decisive action in 1995. Recently, 70% of Americans favored arresting Bosnian Serb indicted war criminals even if there are some American casualties. And last summer administration officials went to Capitol Hill and discovered that conservative Republicans were disposed to support U.S. aid for African peacekeeping in Burundi. What was lacking then and is lacking now is an **organized** political constituency to catalyze government action. The challenge for concerned Africanists is work with existing or new groups to help forge such a constituency.

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#### NOTES

<sup>1</sup> Translation of a quotation from Belgian Colonial Governor Pierre Ryckmans cited in Jean-Pierre Chretien, *Burundi, L'Histoire Retrouvee : 25 ans de metier d'historien en Afrique* (Paris: Editions Karthala, 1993), p. 320.

<sup>2</sup> Rene Lemarchand, *Burundi: Ethnic Conflict and Genocide* (New York: Woodrow Wilson Center and Cambridge University Press, 1996), p. xii.

<sup>3</sup> Thomas Patrick Melady, *Burundi: The Tragic Years* (Maryknoll, N.Y.: Orbis, 1974), p. 26.

## Executive Outcomes and African Stability

By Herb Howe\*

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The military activities of Executive Outcomes (EO) in Angola and Sierra Leone have worried some observers that a “recolonization” may be occurring in Africa; Western mining interests combining with ex-South African Defence Force (SADF) assault troops to achieve militarily and economically what racist forces had lost politically. Some observers believe that EO has a bright future in Africa. British intelligence states that EO “will become ever richer and more potent . . . [and] if it continues to expand at the present rate, its influence in sub-Saharan Africa could become crucial.”

This article suggests that the presently-constituted Executive Outcomes faces several problems which may undercut its appeal. Yet EO’s success is a result, rather than a major cause, of African instability and that the reasons for regime instability will remain and may encourage other private security units.

Executive Outcomes has a potential force of about 2,000 highly-trained former SADF soldiers as well as an air wing that includes MI-24 helicopter gunships and MiG 23/27 fighter planes. Whites predominate EO’s leadership but about 70% of the soldiers are black. EO helped defeat UNITA in Angola (1993-1996) and the Revolutionary United Front (RUF) in Sierra Leone (1995-1997). It since appeared briefly in Papua New Guinea.

EO claims differences from previous mercenary groups. It fights only for sovereign governments and largely respects human and civil rights of non-combatants. EO fought for the Angolan government and for the Sierra Leonean government and was largely responsible for winning the counterinsurgency wars. EO gained better relations with civilians than did the other combatants, largely because

EO realized the tactical/intelligence value of WHAM (Winning Hearts and Minds).

Yet EO has generated wide dislike or skepticism from many Africans and Africanists. Most of EO’s soldiers fought in South Africa’s specialized, and often ruthless, units during apartheid’s destabilization campaign of the 1980s. Many former members of the “Recces” (South Africa’s Reconnaissance Commando), 32 Battalion, Parachute Brigade (“Parabats”), and “Koevoet” (“Crowbar”) contracted with EO and assisted several companies, most notably the British-based Branch Mining, to gain lucrative extractive contracts in fragile states.

Branch Mining gets apparently cheap concessions by relying upon EO as its military wing. Branch will bid for contracts in unstable areas because EO can offer adequate protection--to both Branch **and** the threatened governments.

Do these states, when threatened by strong insurgencies, sign a Faustian pact, obtaining present security needs while turning over long run access to the nation’s economic lifeblood? The lack of documentation and of a long track record makes this answer difficult but it’s reasonable to believe that a beleaguered state could grant unusually favorable concession terms in exchange for military security and external investor confidence. EO grossed \$40 million a year during its three-year Angolan campaign, while Branch and Heritage Oil reportedly gained several valuable concessions. Some observers fear that this combined economic and military presence could continue to exercise undue influence upon weak governments.

Another concern is that EO may safeguard

illegitimate governments which, although “sovereign,” could be just as threatening as an insurgency to national development. The Strasser and Bio governments in Sierra Leone would probably fit in this category.

Private military groups will probably continue to grow and operate with the permission, and sometimes the encouragement, of national governments. Why? Because they can perform tasks which the official government want done but are unwilling to do themselves. EO’s successful military operations forced Jonas Savimbi to sign the Lusaka Protocol--at little political and no financial cost to the South African government. Several states, including Angola, have legislation which requires mining companies to provide their own security. Other states, e.g. Angola and the former Zaire, which had signed international agreements against hiring mercenaries have subsequently employed foreign soldiers.

EO may have reached its peak by late 1996, after stabilizing the Angolan and Sierra Leonean governments. Sierra Leone, which EO departed in January 1997, was EO’s last African combat (small training or advising EO teams may be in several African countries, including Uganda). Since Sierra Leone, EO appeared only briefly in Papua New Guinea.

Several major problems confront EO. The organization, despite differences from past mercenary groups, will never gain full political acceptability. White-led mercenary groups in Africa evoke virulent responses (and white-led, South African mercenaries are a special *bête noire*). EO’s connection to western mineral interests further decreases its political acceptance.

Second, while EO has undeniably achieved peace in both Angola and Sierra Leone, it often is a tentative peace. A foreign, physically-imposed settlement is not the best recipe for reconciliation. Four months after EO left Sierra Leone, a coup staged by the military (and aided by the RUF guerrillas) toppled the democratically-elected Kabbah government. Sierra Leone’s situation is now worse than

when Executive Outcomes was in the country. While EO granted only a temporary security for the Bio/Kabbah governments, its ally, Branch Mining, has obtained a major diamond concession whose exact terms may hurt Sierra Leone’s development for a long time.

Executive Outcomes, with its undeniable military expertise and high salaries, foments resentment among the national militaries. The examples of Sierra Leone and Papua New Guinea, where EO stirred up military resentment and jealousy, might caution beleaguered rulers about contracting EO (in Papua New Guinea, army officers threw out the Prime Minister and forced EO’s hasty departure).

EO will suffer from an aging process. EO is a unique organization because apparently all of its members have seen combat, most of them within the SADF. But South Africa stopped regional destabilization almost ten years ago and the manpower pool of combat veterans not only is shrinking but getting older. Some of EO’s soldiers have retired to a quieter life, having gained the nest egg they wanted. Eeben Barlow, EO’s chairman, admits that age will increase as a major problem. Finally, pending South African legislation may restrict, but probably not ban, EO’s activities.

EO’s often only temporary successes, its various political and economic costs, and several internal problems suggest that EO’s influence will decline within Africa.

But critics of EO should not take too much solace from its probable demise. The basic reasons for EO’s entry into African combat remain: strong ethnic, regional, or religious differences; the persistence of weak, and often unpopular governments; the unwillingness of western nations to intervene militarily; the growing availability to insurgents of cheap but modern weaponry; and incompetent militaries which often pose more of a problem than a solution to Africa’s security needs. EO has provided some valuable lessons to future security companies. As long as Africa, and her friends in the West, do not address these problems, African instability will continue and

the probability of mercenary groups will remain.

## An African High Command

By Adekeye Adebajo\*

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At the first OAU summit in Addis Ababa in 1963, the first President of Ghana, Dr. Kwame Nkrumah, proposed the idea of an African High Command as a supra-national institution that would involve all the armies of Africa in a common effort to maintain continental security and prevent the entry of the Cold War circus into Africa. But Ghana's pan-Africanist president was virtually a lone voice, as his fellow Heads of State were jealously guarding their newly-won independence and vehemently opposed to what they regarded as an unacceptable encroachment on their sacrosanct sovereignty. Instead, the OAU's founding fathers enshrined the principle of non-interference in the internal affairs of states as its most sacred principle.

In the three decades that followed, civil war proliferated in Angola, Chad, Ethiopia, Liberia, Mozambique, Nigeria, Sierra Leone, Somalia, Sudan, and Uganda; a bloody cycle of genocide occurred in Central Africa's tragic twins, Rwanda and Burundi; and French gendarme and Cuban guerrillas exposed the idea of a Pax Africana to widespread ridicule. In Africa itself, Tanzanian troops invaded Idi Amin's Uganda in 1979. Since 1960, Africa has seen about twenty devastating wars in which 7 million people have been killed and over 5 million people turned into penniless refugees. In a destitute continent where income per head fell by over 15 percent in the "lost decade" of the 1980s and where butter is clearly more needed than guns, Africa's pyromaniac politicians and arsonist armies still spend about \$14 billion annually on arms: four times as much as is spent on health. As OAU Secretary-

General, Salim Ahmed Salim put it, "the image of the continent in which conflicts seem to be endemic and in which human suffering seems to be taken for granted, must be altered . . . without further delay."

The spread of local brushfires to neighboring states is forcing Africans to reconsider the concept of non-interference in internal affairs: the Liberian civil war has spilled 700,000 refugees into Côte d'Ivoire, Guinea, and Sierra Leone; the Somali civil war spilled one million refugees into Kenya and Ethiopia; and the genocide in Rwanda spilled 250,000 refugees into Burundi, Uganda, Tanzania, and Zaire within twenty-four hours. To avoid the pressures of humanitarian intervention in an era of CNN, western countries build their own peacekeeping capacity. The U.S. Congress allocated \$25 million for African Conflict Resolution last year, and an Anglo-French initiative seeks to provide logistical support to African peace-makers through the Western European Union (WEU).

Many Africans have been psychologically scarred by their helplessness during the Rwanda and Somalia tragedies, and have been enthusiastic in embracing the home-grown ECOMOG effort in Liberia as an example of Africans attempting to resolve their own problems rather than waiting for western powers, who created many of them in the first place. Africans are also increasingly sensitive to the constant jibes of conservative elements of the western press who portray them as savages and cannibals, and ridicule them as helpless babies who are unable to look after

themselves without being breast-fed by the West. Since outsiders are reluctant to resolve Africa's long-festering conflicts, Africans themselves have to of necessity, resolve such conflicts themselves. As Professor Ali Mazrui so succinctly put it, "Pax Africana asserts that the peace of Africa is to be assured by the exertions of Africans themselves."

### **The ECOMOG Example**

It would appear more sensible to aim to develop regional security structures rather than the pan-continental model that Nkrumah suggested. The six-year ECOMOG intervention in Liberia, for all its obvious flaws and problems, can serve as the building block for developing a new security architecture in Africa. Collective security structures like the League of Nations and the United Nations were both born out of the experiences of the First and Second World Wars. If there was peace, one would not need such structures in the first place. But the western Allies started planning for these security structures during the wars, building on their cooperative security alliances. Likewise, West Africa, whose ECOMOG army chiefs now meet regularly to plan strategy in Liberia, must build on the cooperative alliance that has evolved through this tortuous six-year mission.

The creation of such a security structure is necessary to enable ECOWAS to concentrate on its *raison d'être* of integration which has suffered greatly as a result of the Liberian civil war. It is clear that without stability, there can be no economic integration and both goals must be pursued simultaneously. Since these goals cannot be pursued through an economic organization, a military one is needed: the European Union has the WEU and NATO to pursue common security interests while allowing it to concentrate on its own attempts to integrate its single market.

There are obvious problems with establishing regional security structures in a continent riddled with political instability,

where a change of regime can often lead to a reversal of foreign policy priorities. But one has to attempt to resolve these difficult issues by developing structures that will enable states to see their efficacy. The final decision about whether to establish and use such structures ultimately lies with the individual states. But many African leaders are coming to realize that it is in their own interests not to have to create a fire brigade every time a regional brushfire erupts that threatens to engulf the entire region with its violent flames. If regional states were to await political stability and democracy to establish such structures, they would be forgetting that in the long run, their citizens may all be dead. History is strewn with corpses of states that have failed to take adequate measures to keep their regions stable and to maintain their security collectively.

### **Regional Structures**

A limited and less-centralized African High Command is here proposed. Each region--east, west, south, and central Africa--should set aside specially-trained troops for use in regional peacekeeping duties. With twenty African countries involved in UN peacekeeping missions in the last five years, such experience should be invaluable for regional peacekeepers. The management of the logistics for these troops should be coordinated by regional secretariats involving military and political technocrats from member states, while logistical support in the form of weaponry, transportation, and communication equipment must be sought from the UN and the interested external military powers. If further consensus exists in any of the regions, national armies can be integrated into a single High Command, conduct joint military exercises, and be strategically based in countries from where they can intervene rapidly in the event of conflicts.

Another important aspect of the regional security structures would be the establishment of clear decision-making procedures before the

dispatch of peacekeepers to theaters of operation. This was evidenced in ECOWAS where a “democratic deficit” existed by the fact that only five of its sixteen states took the crucial and unprecedented step to establish ECOMOG. The adverse reaction of Côte d’Ivoire and Burkina Faso, and their support for the NPFL faction [Charles Taylor’s National Patriotic Front of Liberia--ed.] in Liberia against ECOMOG, suggests that a more sensible approach would be, not to hamper decision-making by giving every member a veto, but to allow a coalition of willing states to embark on conflict resolution after permitting all states a say in formulating policy. One could then more easily encourage “positive attentionism” by granting members the right to withhold their troops and voice their concerns, without actually using a veto to block action by a willing coalition of states. It is crucial that clear rules of engagement be drawn up and sound criteria established for situations in which regional forces may be used to attempt to resolve conflicts, e.g. breakdown of a recognized government, humanitarian disasters, protection of nationals, etc. The importance of the use of preventative diplomacy and conflict mediation to avoid the need for peacekeeping is a particularly significant aspect of decision-making. Decisions will also have to be made on the exact mandate of any future position and whether its peace-makers should act as a lightly-armed, interposing force to separate belligerents with their consent, or be heavily-armed enforcement troops prepared to respond militarily to breaches of the peace. Clear voting procedures would have to be established within the regional structures.

No such system could of course be foolproof and applied to all situations, but it should at least encourage states who might otherwise have acted unilaterally to seek wider support. For example, Nigeria could probably have acted alone in Liberia, but realized that it was more advantageous not only to act with

others, but also to ensure regional consensus for its actions.

The issue of financing is particularly important to the building of regional security structures. ECOMOG is estimated to have cost Nigeria \$4 billion. Such costs can prove a disincentive to future interventions in a continent saddled with a \$300 billion external debt.

It is therefore essential that funding arrangements for future operations be worked out before an intervention and not during it. The OAU intervention in Chad between 1979 and 1981 was forced to withdraw largely because it lacked the funding and logistical support to sustain it. To avoid such debacles in the future, funds must be sought from the UN (which admittedly has its own financial problems but welcomes regional efforts at peacekeeping) and donor countries who have shown an interest in building peacekeeping capacity in Africa. Contributions have already been made to the OAU’s recently-established Conflict Resolution Division.

OAU institutions like the Commission of Mediation, Conciliation, and Arbitration and the Defense Commission have been largely moribund during the first three decades of existence, although the organizations did help mediate conflicts between Algeria and Morocco, and Ethiopia and Somalia. More recently, the OAU established a Central Mechanism for the Prevention and Management of Conflict at its Cairo Summit in 1993, and the organization has sent envoys to Angola, Burundi, Liberia, Rwanda, and Somalia. But the OAU still suffers from many deficiencies not the least of which is the failure of members to keep their accounts current. Despite a paltry budget of \$30 million, member states were \$65 million in arrears last year.

The OAU should coordinate our proposed African High Command as a loose decentralized regional system. Important states in each region should take the lead in security issues: Nigeria in West Africa; South Africa in southern Africa; Tanzania, Kenya, Uganda, and

Ethiopia in East and Central Africa. Each region should establish its own security organizations, with the OAU pooling together information and passing the experience and expertise between the four regions.

The current situation in Burundi introduces an urgency into proposals for an African High Command. More than 150,000 people have died in the last three years in a brutal orgy of ethnic slaughter, and the recent military coup suggests that a Rwanda-style genocide could soon erupt. With Burundi hanging on the edge of the precipice, East African leaders met in Arusha, with Tanzania, Uganda, and Ethiopia offering to send troops to stem the blood-bath.

The logistical and financial problems in establishing this force, as well as the refusal of the Burundian army to countenance its entry,

clearly reveal the need for the detailed proposals set out here. It is certain that a majority of OAU states now agree that there is a need for such structures. This is not out of wishful thinking but plain necessity, with the sobering realization that nobody else will resolve Africa's problems but Africans themselves.

Kwame Nkrumah might have been dismissed as an illusionary visionary in his day, but in the light of current events, it is clear that his proposal for an African High Command is an idea whose time has finally arrived.

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### Book Announcement

Some of the contributors to this issue of the *ACAS Bulletin* also wrote sections of a new book, *Global Focus: A New Foreign Policy Agenda, 1997-1998*, published by the Institute for Policy Studies and the Interhemispheric Resource Center. The book includes sections on Africa generally by William Minter, on African economic development by Carol Thompson, on African peace and security by Daniel Volman, on Burundi by Stephen Weissman, on Somalia by Emira Woods, on Nigeria by Cece Modupé Fadopé, and on South Africa by Jennifer Davis. To order, send \$15.95 (plus \$3 shipping/handling for one copy and \$.50 for each additional copy) to the Interhemispheric Resource Center, PO Box 4506, Albuquerque, NM 87196; telephone (505) 842-8288; fax (505) 246-1601; or e-mail to the following address: [resourcectr@igc.apc.org](mailto:resourcectr@igc.apc.org)

The Institute for Policy Studies and the Interhemispheric Resource Center also offer *Foreign Policy in Focus*, a continuing series of briefs that cover the spectrum of foreign policy issues, including those concerning Africa. You can obtain a subscription and additional information on the *Foreign Policy in Focus* briefs on Africa from the Interhemispheric Resource Center at the above address. Subscriptions cost \$15 for 10 briefs, \$30 for 20 briefs, or \$60 for 50 briefs. Single copies of previous briefs are available for \$2.50 each and bulk orders for 10 copies of a single brief are available for \$12.

## **ACAS Events at the 1997 ASA Meeting**

### **Friday, 14 November**

7:15am-8:30am ACAS Executive and Board Meeting

5:30pm-7:30pm ACAS Membership Meeting: Update on National Security Education Program; discussion of ACAS role in the National Summit on Africa and the debate on U.S. foreign aid policy; discussion of ACAS involvement in ongoing campaigns on academic freedom in Africa, sanctions on Nigeria, and the ban on landmines; and discussion of future political

action priorities

### **Saturday, 15 November**

7:15am-8:30am ACAS Executive Meeting

## **ACAS Panels at the 1997 ASA Meeting**

### **Health and Political Violence (Thursday, 12pm-2pm)**

Marcia Wright (Chair)

Meredeth Turshen, "Women and Conflict in Africa"

Violet Cherry, "Professional Accountability: Lessons from the South African Truth and Reconciliation Commission"

Bud Day, "Landmines: An Issue of Health and Political Violence"

Julie Cliff, "Update on Mozambique: Health Consequences of Political Violence"

Karim Hirji (Discussant)

### **Democratic Elections Are Not Enough (Date and Time To Be Announced)**

Ann Seidman (Chair)

Theodosio Uate, "Mozambique's Efforts to Build a New, Democratic Law-Making System"

Hamudi Majomba, "The Use of Law to Facilitate Community Participation in Efforts to Protect the Environment"

Robert B. Seidman, "Reflections on the Use of Law for Development in Africa"

John Ohiorhenuan (Discussant)

### **Refugees and Intervention in Africa (Thursday, 2:15pm-4:15pm)**

**(Co-sponsored with the Current Issues Council)**

Michael West (Chair)

Niranjan Karnik, "Stigma and the Imagery of Humanitarianism"

Asma Abdel Halim, "Refugee Women in the Sudanese Civil War"

Jack Geiger, "Practical and Ethical Problems of Complex Humanitarian Disasters"

Robert Marlin, "War, Flight, and Return: The Health of Returnees and Displaced Persons in Mozambique"

Jim Cason (Discussant)

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**Special Offer:** As part of our continuing effort to enhance the benefits to members, we have arranged for a special offer that includes reduced membership costs for ACAS (and thus issues of the *ACAS Bulletin*) and a discounted one-year subscription to the *Review of African Political Economy* (normally \$40/year). This offer is valid only for individual memberships, and not institutional or overseas memberships/gifts. The rates are listed below.

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