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The HORN International Institute for Strategic Studies is an independent, applied research, and policy think tank based in Nairobi (Kenya). Its mission is to contribute to informed, objective, home-grown, definitive research and analytical inquiry that shape national, regional, and international policies, primarily in the greater Horn of Africa region. Its vision is a progressive Horn of Africa region served by informed, objective, and domestically produced, evidence-based policy research and analysis that positively inform scholarship, policy, and practice, regionally and globally.

Africa and the Global War on Terrorism and Violent Extremism: An analysis of the next frontier

By Edmond Pamba

Abstract

Terrorist and violent extremist groups are proliferating in Africa. Today, the continent is virtually encircled by pockets of Islamist terror groups from the Horn of Africa, Northern Africa and the Maghreb region, to West Africa, and more recently, parts of Southern Africa. Another growing trend is the pairing up of these terror groups with those in the Middle East (al Qaida and Islamic State of Iraq and Syria - ISIS), and the flow of foreign terrorist fighters between the two regions. The most disturbing emergent trend of these groups is perhaps the move to territorial control since this exposes the fragility of the African state and raises questions of governance, state control and security preparedness. This analysis restricts itself to Africa's modern history. It traces the historical development of terrorism and violent extremism on the continent and highlights its anatomy in Africa today. It explores the challenges that predispose Africa to terrorism and violent extremism and highlights the global war on terror on the continent in the light of Africa's preparedness for a war that has been largely US-led.

Introduction

Africa is gradually turning into a theatre of global terrorism due to the surge in number and spread of violent extremists and terrorist groups across the continent as a result of the re-emergence and fissioning of old and new groups. This reality threatens Africa's security and stability hence the need

Egypt Muslim Brotherhood supporters during a demonstration in Cairo on February 14, 2017 (Reuters)

for understanding the origins of these groups, their ideologies, networks and the level of threat in the context of today's continental and global interconnectedness.

The Muslim Brotherhood

Muslim brotherhood was formed by Hassan al-Banna in 1928 in Egypt, and it is today considered a terrorist organization by Egypt, Russia, Bahrain, United Arab Emirates, and Saudi Arabia. It advocated for institutionalization of strict Sharia law and ultimate formation of a caliphate (Ibrahim, 2013). This group advanced an extremist approach against the post-independence Egyptian government and eventually got banned in 1954 (Rais, 1981). This group joined in the fight for independence in Liberia, but got side-lined after independence by the National Liberation Front - FNL- (Ibrahim, 2013). Following the ban in Egypt, the group dispersed across the Middle East and North Africa (MENA). In the Arabian Peninsula, it established its influence through the *Sahwa* group in Saudi Arabia, *Hadas* movement in Kuwait, *Islah* movement in Yemen, *Minbar* Party in Bahrain, Iraqi Islamic Party in Iraq, *Fada 'iyen-e Islam* in Iran, Islamic Action Front in Jordan, Hamas in the Palestinian territories, National Islamic Front in Sudan, *al Nahda* in Tunisia, and also led the Hama uprising against the Ba'ath Party in Syria in 1982. It also gained influence in United Arab Emirates (UAE) and Qatar around the same period. It, however, got banned in Libya by law 71 of 1972 (Ibrahim, 2013).

The Egyptian Islamic Jihad (EIJ)

In 1977, Egyptian Islamic Jihad (EIJ) was formed in Egypt. It was responsible for the assassination of President Anwar Sadat in 1981, speaker of parliament, Rifaat el-Mahgoub, head of Counterterrorism police, Major General Raouf Khayat, over 100 police officers, tourists, and civilians through violent campaigns (Alimi, Bozi & Demetriou, 2015). This group's leaders, Sayyid Imam Al Sharif and Ayman Al Zawahiri, together with Abdullah Azzam and Osama Bin Laden would later in 1988 form al Qaida for worldwide *jihad* (Asthana & Nirmal, 2009). Al Zawahiri was thus a founder and long-time member of al Qaida while still the leader of EIJ. He and Osama Bin Laden had established contacts in Pakistan and Afghanistan during the fight against Soviets in Afghanistan and later, during Bin Laden's stay in Sudan (Ryan, 2013).

The Lockerbie Bombing and the Maitatsine uprising

In 1988, Pan Am Flight 103 was bombed over Lockerbie by terrorists linked to Libya, especially Abdelbaset al-Megrahi, whom Libyan intelligence officer accused of involvement in the bombing (Matar & Thabit, 2003). Further, in the 1980s, Maitatsine (Mohammed Marwa) and his movement *Yan Tatsine,* led Muslim uprising in Northern Nigeria escalating sectarian conflict in the country (Uwazie, Albert & Uzoigwe, 1999).

> The *fatwas* were followed by twin bombings in 1998, of US embassies in Nairobi and Dar es Salaam, for which al Qaida claimed responsibility

Al Ittihad Al Islamiyya

Around the time of Islamic rebellion in Sudan in 1989, other Islamist groups, Armed Islamic Group (AIG) in Algeria and Al Ittihad Al Islamiyya (AIAI) in Somalia, were formed. They were founded by elements that had participated in 1979-89 Afghanistan war, with belief in defensive *jihad* (Hroub, 2012; Hansen, 2013). AIAI embarked on an insurgency in Somalia and terrorist attacks in Ethiopia in the early 1990s with the help of its Ethiopian affiliates, *Jama'at al-I'tisaam Bil-Kitaab wa Sunna* and Ogaden National Liberation Front – ONLF (Hansen, 2013). With the fall of Siad Barre's government in Somalia in 1991, AIAI's insurgency got a boost in the anarchy that followed, but with minimal impact since many other militant groupings cropped up competing for power. In response to these attacks, Ethiopia invaded Somalia to fight AIAI in what became, the Battle of Dolow City in 1996 (Hansen, 2013).

Jamaa' al Islamiyya

In 1992, another extremist group sprung up in Egypt – *Jamaa' al Islamiyya*. This group challenged the political authority in Cairo through violent means such as suicide bombings, assassinations, kidnappings, and killings. In 1995, Jamaa' al Islamiyya, in collaboration with EIJ, attempted to assassinate President Hosni Mubarak. Both EIJ and Jamaa' al Islamiyya splintered from Muslim Brotherhood.

Osama Bin Laden and al Qaida

After his expulsion from Sudan, Osama Bin Laden went on to interpellate global *salafist jihad* by issuing two fatwas: the first in 1996 against the United States (US) and its allies for occupation of Muslim lands (Arabian Peninsula) and the second on February 23 1998, against Americans and their allies anywhere and everywhere they can be found, under the banner, *World Islamic Front for Combat against the Jews and Crusaders* (Gerges, 2011). This might have been the beginning of global terrorism.

The *fatwas* were followed by twin bombings in 1998, of US embassies in Nairobi and Dar es Salaam, for which al Qaida claimed responsibility. Around this time, EIJ merged with al Qaida and its leader, Ayman Al Zawahiri, became Bin Laden's deputy and chief ideologue (Lahn, 2016). On 11 September, 2001, al Qaida members crashed four aircrafts into the World Trade Complex in New York, a bombing that killed about 3000 people, injured over 6000 others, and resulted in massive destruction of property (Hoffman, 2014). Soon afterwards, America declared global war on terrorism, but first went for al Qaida and its supporters in Afghanistan and the Middle East (Hoffman & Reinares, 2014). The global war on terror later turned to Africa. More terror groups emerged and affiliated themselves with global terror networks and groups in the Middle East.

The late Osama Bin Laden November 2, 2017 (Newsweek)

The Anatomy of Terror in Africa

The extremist ideology driving mainly *Islamist* terror groups in Africa is *salafism* and or *wahhabism* that professes Islamic revivalism - Islamism (Aboul-Enein, 2013). Its extremist principles, puritanical doctrine of *takfir,* and the exegetical fallacy of jihad, explain the groups' turn to violence and persecution of non-Muslims and moderate Muslims in Africa. This religious extremism is then politicized to form an extremist version of political Islam that seeks to supplant modern secular state model

> The real or imagined sectarian struggle between Muslims and Christians in Africa fans the clash of identities in which Islamists pose as vanguards of Muslim identity in the spirit of *jihad*

and replace it with Islamic States or Caliphate(s) under strict Islamic Sharia law. The resultant alternative order is then, the fusion of state and religion (*din wa dawla*), into what Islamists view as divine rule (*hakimiyya*).

However, there is another face to the jihadist struggle of these groups, which is identity. Africa is predominantly Muslim and Christian with minorities that comprise of traditionalists and other religions. The real or imagined sectarian struggle between Muslims and Christians in Africa fans the clash of identities in which Islamists pose as vanguards of Muslim identity in the spirit of *jihad*. They thus brand their jihad as the struggle for rights, wellbeing and justice for the nation of Muslims (*ummah*) in a given territory, as their global jihad is for Muslims worldwide (Malik, 2006).

A belt of violent extremist and terrorist groups, now threaten Africa's security and stability, from North Africa and the Maghreb, through the Sahel in West Africa, Central Africa and the Horn of Africa, to Southern Africa. They control territories in Somalia, Libya, Mali, Nigeria, Chad, Niger, Cameroon, and Mozambique. They also exist in Egypt, Algeria, Tunisia, Burkina Faso, Morocco, and Sudan. They draw fighters from across and outside the continent, and have developed global networks that ease operations and coordination, and connection to terror groups in the Middle East.

The Horn of Africa region

Al Shabab, was formed between 2006 and 2008, as an offshoot of al Ittihad al Islamiyya – AIAI. Together with the Islamic State in Somalia ISS (also *Abnaa ul-Calipha*) founded in 2015, they form the main Islamist terror groups in the Horn of Africa. The former is the most deadly, carrying out attacks across the region. These are new terror groups that have complicated regional counterterrorism efforts. Al Shabab officially pledged allegiance to al Qaida in 2012, from which it gains training, military, and financial support. It also benefits from the larger network of affiliates. ISS, on the other hand, pledged its allegiance to the Islamic State of Iraq and Syria in 2015 (Warner & Weiss, 2016).

Northern Africa and the Maghreb region

In Egypt, a number of Islamist terror groups have existed for a long time now. The Muslim Brotherhood (founded in 1928) is the most powerful Islamist group in the country, followed by *Jamaa' al Islamiyya* and Egyptian Islamic Jihad group. However, new ones such as *Hasm and Lewaa*

North Africa and the Maghreb, University of Texas Libraries

The newly established *Ansar al Sunna* in Mozambique, Southern Africa, completes the belt of extremist terror groups in Africa

al Thawraa, Islamic State in Egyptian Sinai Peninsula and *Harakat al Sabireen* also exist. They have threatened Egypt's security and stability in its modern history, posed political challenge to the secular government in Cairo and some have morphed into political parties to formally contest power in the country. For instance, Muslim Brotherhood came into power following 2011-2012 elections that also saw the participation of *Jamaa' al Islamiyya* through its Building and Development Party (BDP). BDP captured 13 seats in the elections. Since the 2013 overthrow of the Muslim Brotherhood President Mohamed Morsi the military head and now the current president, Abdel al Sisi, Egypt has embarked on clamping down on Islamist and extremist groups in the country.

Libya is also another front for violent extremist and terrorist groups' infestation in Africa. For instance, the Islamic State of Iraq and the Levant has been active in Libya since 2014 and is organized in three groups. These are Fezzan Province (*Wilayah Fizan*) which in the South, Cyrenaica Province (*Wilayah Barqa*) in the East, and Tripolitania Province (*Wilayah Tarabulus*) in the West of Libya. Violent extremist groups include *Ansar al-Sharia*, Mohammed Jamal Network, Benghazi Defence Brigades, February 17 Martyrs Brigade and Benghazi Revolutionaries Shura Council - BRSC – (Mezran & Varvelli, 2017). The Islamic State of Syria and Levant is also active in the Maghreb across Tunisia, Libya, and Algeria following the Arab Spring (International Crisis Group, 2017; Sharif & Richards, 2016).

The Sahel region

The belt of terror groups stretches into the Sahel. Groups in this region are majorly affiliated with ISIS and al Qaida. The Islamic State in the Greater Sahara (ISGS), for instance, comprise Movement for Jihad and Oneness in West Africa (MUJAO), *al Mourabitoum* and the Masked Men Brigade groups. They operate along the borders of Burkina Faso, Niger and Northern Mali, and Algeria (Warner, 2017). They are flanked by al Qaida in the Islamic Maghreb (AQIM) which begun as Salafist Group for Preaching and Combat (SGPC) and is still involved in insurgency against the Algerian government in pursuit of

an Islamic State and carries out its activities as far as Mali, Niger, Mauritania, and Chad (Cristiani, 2011). It, however, teamed up with Ansar Dine, Macina Liberation Front and *Al Mourabitoum* to form another Islamist organization known as *Jama'a Nasra al Islam Wal Muslimin* in 2017 and pledge allegiance to al Qaida. It presents itself as the Group to Support Islam and Muslims in the Sahara – GSIMS - (Gaffey, 2017).

Boko Haram, founded in 2009, completes the Western Africa circuit of violent extremism and terror. It is the deadliest Islamist terror group in Africa in terms of scale of violence and related deaths (Associated Press, 2015). It operates in Northern Nigeria's states of Borno and Kano among the Hausa-Fulani peoples where it controls some territory. It started off as an insurgent group rebelling against the Nigerian government, exploited the fissures of sectarian struggle between the Christian South and the Muslim North, in the backdrop of establishment of Sharia law in 12 Northern Nigeria states. By 2014, the group's campaigns had left over 10, 849 people dead. In the same year, it spread into Cameroon, Chad, and Niger in a bid to reclaim the ancient Sokoto Caliphate (Hentz & Solomon, 2017).

The extremist and terror circuit passes through Central Africa where sectarian tensions exists in the Central African Republic following the civil war of 2013. The extremist Christian group, Anti-Balaka, and an extremist Muslim group, ex-Seleka, led the sectarian clashes in the country in the backdrop of the civil war (Bellal, 2016). The clashes account for killings, rape, forced disappearance displacement and religious persecution in the country that still fan sectarian tensions.

Southern Africa

The newly established *Ansar al Sunna* in Mozambique, Southern Africa, completes the belt of extremist terror groups in Africa. The group, originally known as *Ahlu Sunnah Wa-Jama*, sprung up in 2017. It is responsible for tens of beheadings, shootings, persecution, and other violence in the country. It operates in the Northern part of the country where marginalization and exclusion are partly to blame. However, the discovery of gas in

> Al Shabab condensed in the wake of Ethiopian occupation, but rode on a nationalist rhetoric to rally for support against the occupation

the Northern Province of Cabo Delgado accelerated the group's insurgency aimed at cutting off the central government from exploiting the resources of the region in protest over historical marginalization. However, the province is also predominately Muslim thereby motivating their Islamist cause to establish Sharia law in the region (Bloomfield, 2018). The group also operates in Tanzania's Kibiti region and is thought to be receiving training in Somalia, Tanzania, and Democratic Republic of Congo. It is inspired by the late Kenyan Islamist cleric Aboud Rogo, who was killed in 2012 (Bloomfield, 2018).

However, another factor connecting Africa with global terrorism is the flow of foreign fighters from Africa to the Middle East to join Islamist groups. Of the 36500 foreign fighters that joined ISIS between 2011 and 2013, 8000 came from four Maghreb countries of Tunisia, Morocco, Libya, and Algeria (International Crisis Group, 2017). This poses another danger to Africa upon return of these fighters, who might come back to radicalize, form their own Islamist groups and threaten security and peace in Africa.

Global War on Terror (GWOT) in Africa

Following al Qaida's attack on the World Trade Centre in New York on 11 September 2001, US president George W. Bush launched the global war on terror the same year. Initially, this counterterrorism campaign was focused on Afghanistan and the Middle East, the home to al Qaida and other terrorist groups such as the Taliban among others (Lansford, 2012).

Against the backdrop of US global war on terror in the Middle East, the activities of al Qaida's affiliates, ICU and its extremist militant wing, AIAI, drew the attention of GWOT to the Horn of Africa (Muggah, 2016). The two had established Sharia law in Mogadishu and well over Central and Southern Somalia, rivalling the UN-US-AU backed Transitional Federal Government (TFG) of Somalia. They also administered cruel punishment on those who broke Sharia law and persecuted moderate Muslims and non-Muslims. The groups also received support from various Muslim organizations and countries in the Horn of Africa region and in the Middle East (Hansen, 2013).

In US, GWOT first established Combine Joint Task Force- Horn of Africa (CJTF-HOA) in 2002 to conduct operations in the Combined Joint Operations Area that comprise Somalia, Sudan, Djibouti, Eritrea, Ethiopia, Seychelles, and Kenya. These operations are meant to enhance partner nation capacity, promote regional security and stability, dissuade conflict and protect strategic interests of the US and her allies. However, operations have also been extended beyond the Combined Joint Operations Area to Mauritius, Comoros, Liberia, Rwanda, Tanzania, and Uganda (Foos, 2016).

Then, the US-backed Ethiopian forces invaded Somalia in 2006, in support of TFG which faced considerable political threat from the extremist establishment (Hansen, 2013). Following the military successes of the Ethiopian forces, ICU crumbled and AIAI split into al Shabab and Hizbul Islam, as Mogadishu fell into the hands of the Ethiopian forces and TFG (Hansen, 2013).

Al Shabab retreated in the wake of Ethiopian occupation, but rode on a nationalist rhetoric to rally support against Ethiopian occupation. By the time of Ethiopia's exit in 2008, al Shabab had grown in number and capability. African Union, with the support of the US, European Union (EU), and Britain, deployed the African Mission in Somalia (AMISOM) in 2007. Crucial within the mission's mandate was to help stabilize the TFG and the country, and to rid the country of al Shabab and other militant groups (Hansen, 2013). AMISOM was later joined by Kenyan and Ethiopian troops and the mission has since recovered 80% of the territory formerly controlled by al Shabab (AMISOM, 2017).

GWOT then moved up into the Sahel in 2012 when conflict in Northern Mali, pitted the Malian government against Islamists groups advancing in the North. The U.S and allies including France initiated, upon invitation by the Malian government, Operation Ending Freedom-Trans-Saharan Africa (OEF-TS). France deployed troops in Mali and led Operation Serval on 23 January 2013 (Hirsch & Hopkins, 2013). This operation helped avert escalation of the conflict and contained Islamist militants in the Northern parts of the country.

In 2015, GWOT turned to West Africa's leading terrorist group, Boko Haram. The US supported the joint operation of armies of Chad, Niger, and Nigeria, in Operation

Lafiya Dole and continues to support them in the current Operation Last Hope (Ellis, 2018). The group, formed in 2009, had emerged much stronger by 2014, following the fall of its former leader, Mohammed Yusuf in 2009. It had spread into Niger, Cameroon, and Chad by 2014 and mounted deadly campaigns that claimed the lives of tens of thousands. It had however, split into two in 2012 leading to the creation of al Ansaru Islamist terror group allegedly affiliated to al Qaida. The remaining Boko Haram pledged allegiance to ISIS in 2013 and the latter came to be known as, ISIS West Africa (Ellis, 2018). The coalition's onslaught on the group is still on and has made significant gains forcing the Islamist group to retreat to their last stronghold, Sambisa Forest (hence Operation Last Hope). However, the group has still been carrying out attacks on civilians and coalition forces risking public confidence in the operation.

Is Africa Ready for GWOT?

African countries have tried to marshal legal, military-security, and ideological capacities to deal with the threat of terrorism and violent extremism across the continent and the world at large. For instance, the Convention on Prevention and Combating Terrorism of 1999 and its related protocols, African Union's Plan of Action on Prevention and Combating Terrorism of 2002 and Africa Model Law on Counter Terrorism provide the legal framework for counterterrorism efforts in Africa. In 2004, African Union created African Centre for Study and Research of Terrorism (ACSRT), based in Algiers. ACSRT provides information and analysis on terrorism and develops continental counterterrorism capacity building programs (Sharif & Richards, 2016).

African Union has also, through Africa Standby Force (APSA) of the larger African Peace and Security Architecture (APSA), incorporated specialized counterterrorism units at regional and sub-regional levels. Through its Peace and Security Commission (PSC), the African Union sanctioned the deployment of a Multinational Joint Task Force (MJTF) against Boko Haram in 2015 (Sharif & Richards, 2016).

Some sub-regional blocs such as the Horn of Africa under the Inter-Governmental Authority on Development

(IGAD) developed its own Strategy for Preventing and Countering Violent Extremism and Terrorism in early 2018. This follows establishment of International Centre of Excellence for Prevention and Countering Violent Extremism (ICEPCVE) in Djibouti by IGAD. The Centre provides technical support to the cause of preventing and countering violent extremism. Some of the most affected countries such as Kenya have increased their security and defence budgets as well as the number of security personnel.

However, most of the African countries involved in the war against terror have always been flanked by US and other foreign countries in the war. This has largely been due to shared security interests and the fact that the problem of terrorism seems too complicated to be managed by individual countries. That, notwithstanding, several factors undermine Africa's readiness for GWOT.

Challenges Facing Africa's War on Terror

Marginalization and ungoverned spaces: Many African countries face governance challenges especially with regard to government control of certain territories. This factor has been worsened by systematic marginalization of certain regions by African governments and political exclusion of certain social groups. Al Shabab in the Horn of Africa has, for instance, been mobilizing, radicalizing, and recruiting from Kenya's regions and communities (Muslims) that have suffered historical marginalization (Alcaro & Pirozzi, 2014). The group also established itself in Somalia's largely ungoverned Central and Southern regions since major parts of Northern Somalia are governed by fairly stable Puntland and Somaliland governments (Hansen, 2013). The Cabo Delgado province to the north of Mozambique also laments a history of marginalization. In other cases, ungoverned spaces have been created by political instability following civil wars and rebellions which limited state authority and control as the case in Libya, Tunisia, and Egypt after 2011 Arab Spring, and Somalia's long-drawn civil war.

The question of legitimacy: The issue of legitimacy arises from weaknesses in governance that permit rampant corruption, mass poverty, high unemployment, high cost of living, and repressive acts such as clampdown

Prevention and Combating Terrorism of 2002 and Africa Model Law on Counter Terrorism provide the legal framework for counterterrorism efforts in Africa

on media freedoms, demonstrations and protests, and criticism of government, among other deficiencies of some African governments (Hansen, 2013).

Islamist groups, thus, gain the moral persuasion over masses with their scathing attacks on governments' weaknesses in governance and moralistic approach to politics. This is the path taken by AIAI (and later on al Shabab) in Somalia in the final years of Siad Barre's regime (Hansen, 2013). The Muslim Brotherhood, *Jamaa' al Islamiyya* and Egyptian Islamic Jihad also followed the same path in Egypt and continue to do so. In fact, this is what contributed to Muslim Brotherhood capturing power democratically following the Egyptian revolution of 2011. It is also what contributed to *Ennahda* ascendancy to power in Tunisia (Wolf, 2017).

In some cases, extremist groups have widened governments' legitimacy concern by providing social services where the governments have failed. The Muslim Brotherhood for instance built schools and hospitals, gaining some support from the public (Laub, 2014).

Less preventive (proactive) and more reactionary approaches: Many African governments faced with rising Islamist extremism and terrorism mostly pursue reactionary strategies rather than preventive ones. Preventive measures may include practising good governance and political and economic inclusion, creating conducive environment for job creation for the youths, addressing historical injustices meted on certain social groups and systematic elimination of repressive machinery. Reactionary strategies mostly come after the fact – embraced for damage control. Sometimes such strategies end up aggravating the situation

A military spokesman for al Shabab issues a statement south of Mogadishu in January 9, 2018 (Reuters)

through profiling and persecuting certain communities making them more vulnerable to radicalization by extremist groups.

Poor security preparedness: Many African governments have not upgraded their security architecture to make it adaptable to the changing security challenges such as terrorism. First, their anticipatory response is low giving room for extremist groups to grow in number and capabilities to a point of controlling territories formerly administered by central governments. Their security agencies and personnel are also not well trained nor adequately equipped to effectively respond to springs of Islamist terror and extremism.

The issue of poor coordination of prevention and response in cases of terrorism and violent extremism has also undermined Africa's readiness for GWOT. This could be seen in Kenya's handling of the Mpeketoni, Westgate Mall, and the Garissa University attacks. Lapses in response to intelligence information, coordination of response units, emergency decision making and public fear management exposed the Kenyan government's security weaknesses.

Lack of prompt collective action: In the many years of Somalia's instability up to the early years of the formation of al Ittihad al Islamiyya and the establishment of Islamic Courts Union over Mogadishu and other parts of Somalia, collective action by regional countries was conspicuously lacking. The problem was perceived as Somali rather than regional until al Shabab started radicalizing and recruiting from the region, and conducting terrorist attacks across the region. The same was the case with Boko Haram in Northern Nigeria. Regional countries such as Cameroon, Niger, and Chad did not promptly mount a collective effort to fight alongside Nigeria to eliminate the Boko Haram threat before it spread into their countries.

Lack of adequate financial resources to commit to the cause: The US and EU have been funding GWOT both in West Africa and the Horn of Africa regions. African countries have majorly been contributing military and security personnel to both causes (Olsen, 2014). This is the case with AMISOM in Somalia and Africa-led International Support Mission to Mali - AFISMA- (Olsen, 2014). The US, for instance, extended USD 954 million to Sub-Saharan Africa for counterterrorism support between 2015 and 2018. In 2017/2018 FY alone, the US extended a total of USD 244 Million to the region for counterterrorism (Security Assistance Monitoring, 2018).

Conclusion

Given the rise in the number of terrorist groups in Africa, their tendency towards territorial control, the sophistication of their means and strategies, the impact of their attacks, and their connection with global terror networks, it is clear that global terrorism has zeroed in on Africa, and so must the global war on terror. Africa must therefore, rise its level of consciousness around Islamist terror and all forms of terrorism and violent extremism.

African governments should embrace governance practices that will reduce levels of corruption, incompetence in government, and strife among the masses. They should commit to economic policies that create jobs for their young populations. They should liberalize the political space to allow pluralistic politics, political and civil rights, media freedom and inclusivity. They should commit to addressing historical injustices and marginalization to remedy their legacies and address related grievances. They should mount prompt collective action against all forms of terrorism and violent extremism before they transcend national boundaries.

Further, African governments and counterterrorism agencies should also embrace more preventive and proactive measures to curb terror in its tracks. They should, for example, work with religious leaders and influential personalities in discounting extremist narratives and planting positive alternative narratives especially in countries affected by *Islamist terrorism.* They should also raise their counterterrorism budgets and create resource pools to help facilitate joint campaigns. Finally, they should develop meaningful local and international partnerships of both technical, military-security and financial nature, to bolster their efforts against terrorism and violent extremism.

> African governments and counterterrorism agencies should also embrace more preventive and proactive measures to curb terror in its tracks

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Between Euphoria and Reality: The Abiy Factor and the Remaking of the Ethiopian State

By Halkano Abdi Wario, Ph.D., and Edmond J. Pamba

Abstract

The State of Ethiopia has seen epochal political developments since the 13th Century. It has come from feudal, imperial, autocratic orders to the current era of 'revolutionary democracy' since 1991. A new constitution was adopted in 1995 that ushered in a new federal dispensation in the country informed by its ethnic diversity and political history. Through Ethiopia Peoples' Revolutionary Democratic Front (EPRDF), Ethiopia embraced a developmental state model, centralized power in the ruling party, and maintained strong involvement of the military and security apparatus in politics.

The repressive monopoly of power by the Tigray minority and marginalization of large ethnic groups such as the Oromo and the Amhara amid mass socio-economic frustrations, led to anti-government protests from 2015 through to 2017. In February 2018, Prime Minister Haile Mariam Desalegn unexpectedly resigned amid popular clamour for democratic change and struggle for power and radical change within the ruling coalition. This pushed Ethiopia further into instability although the power vacuum has since been filled by Abiy Ahmed, 42, the newly chosen Prime

Minister (ethnic Oromo). He represents great optimism amongst the Oromo and across Ethiopia yet the task of stabilizing Ethiopia and restoring its economic growth path looks easier said than done. This article explores dynamics leading to Ethiopia's recent political crisis and the new Prime Minister's repertoire. It also explores areas needful of restructuring in his bid to stabilize the landlocked country.

Introduction

Political transitions in Ethiopia have historically been turbulent, characterized by military intervention and popular agitation. This was case in the military conquest of Abyssinia during the formation of the State of Ethiopia from 13th Century culminating (in the 18th Century) into imperial order under Menelik II (Kumsa, 2014). The imperial order decayed and eventually got deposed in a military coup in 1974. Mengistu Haile Mariam then succeeded Emperor Haile Selassie in 1974 with his military rule (derg) that also ended in 1991. The Tigrayan-led military rebellion deposed the military regime bringing Meles Zenawi's revolutionary democracy to Ethiopia (Kumsa, 2014). Meles-led Tigray Peoples Liberation Front (TPLF) and Oromo Liberation Front (OLF) led the latter to opt out of the transitional government for guerrilla warfare against the new regime. The revolutionary democratic dispensation was solidified by the 1995 constitution that also established ethno-federalism in the country.

The new government under the ruling coalition of parties, EPRDF, adopted a *politburo* power structure and developmental State model. This ensured concentration of power in the ruling party (actually the ruling Tigrayan minority - TPLF), strong involvement of the military and security apparatus in politics and freezing of democratic space (van Veen, 2016). This gave way to one party (EPRDF) rule since 1991 that now controls almost 100% of the legislature. The total control over political landscape was fiercely contested during the botched 2005 general elections in which the party allegedly lost much ground to opposition parties. Resultant crackdown, internal party consolidation and mass recruitment and proscription of

oppositional politics half-heartedly returned the near absolute control to the ruling coalition.

However, Ethiopia's political history is also characterized by ethno-nationalisms (almost every ethnic group), separatist nationalism (the Oromo), and irredentism (ethnic Somali). This is due to the demographic aspects of the State, its political history and the nature of power distribution that fuel these kinds of nationalisms (Christopher, 2009). Demographically, Ethiopia is made up of Oromo (35%), Amhara (27%), Tigray (6%), Somali (6%), and other small ethnic groups such as Afar, Sidama, Wolayta, and Gurage (Kumsa, 2014). Historically, the Tigrayans and the Amhara have exclusively held power since 13th Century: 1270- 1872 (Amhara), 1872- 1889 (Tigray), 1889- 1991 (Amhara), and 1991- 2012 (Tigray) (Kumsa, 2014). This has always disturbed the largest ethnic group, the Oromo, which has never held power in the modern Ethiopian State (Kumsa, 2014). In eighteenth and nineteenth centuries, considerable portion of present day Ethiopian communities including significant sections of Oromo groups in the South, East and Western regions were forcefully incorporated into the emerging Ethiopian empire (Oba, 2013) and the Oromo consider the Ethiopian State, an imposition and colonial rule hence their ethno-nationalistic cause (Kumsa, 2014).

Even when EPRDF is a coalition of four parties (Oromo Peoples Democratic Organization, Tigrayan Peoples Liberation Front, Southern Ethiopia Peoples Democratic Front, Amhara National Democratic Movement), the Tigray minority controls the State military, security agencies, political system and key economic spheres to the resentment and disillusionment of coalition partners. This led to internal (ruling coalition) power struggles after the demise of the TPLF patriarch, Meles Zenawi, and more so after the resignation of his successor, Prime Minister, Desalegn in early 2018. Desalegn had suffered popular anti-government protests against the exclusive power structure, rising youth unemployment, police brutality, human rights violations, and a crackdown on dissent since 2015. Before his resignation, he had, however, instituted release of dozens of political prisoners opening up prospects for much needed reforms.

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Ethiopia's Prime Minister Abiy Ahmed was sworn into office on April 2, 2018, by the ruling coalition, EPRDF

The Oromia region, home to the Oromo of Ethiopia, was the first flashpoint (especially the town of Ambo) of massive protests against marginalization, corruption, political, economic, and social exclusion, and poverty in 2015. Land grabbing following proclamation of unpopular Addis Ababa Master Plan was an immediate cause of protest in Oromia as it led to forced displacement by the ruling elite (Maasho & Fick, 2018). Unemployment, internet blackout in a bid to muzzle social media, control of broadcast media, protests, police brutality, enactment of national-wide state of emergency and repressive arrests of activists, opposition politicians and journalists also contributed to these uprisings. The protests then spilt over into neighbouring Amhara region and eventually into Addis Ababa (Maasho & Fick, 2018). The Oromo, especially the youth (popularly called *Qerroo*)

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thereby played a critical role in the anti-government protests, resignation of the Prime Minister and the instability of Ethiopia. It is also important to mention the role Ethiopian activists in diaspora and Ethiopian-based Oromo musicians who through social media platforms and satellite televisions, furthered the tempo of the popular uprising (Allo, 2018). Thus, the nomination of Abiy Ahmed to succeed Desalegn elicited optimism as well as cynicism given his Oromo ethnic background (Manek, 2018).

Is Abiy Ahmed Ethiopia's Ultimate Uniter?

Prime Minister Abiy Ahmed comes at a crucial moment with regard to the social tensions, securitized politics and popular call for democratic change in Ethiopia. He is born of a Muslim father and Christian mother and speaks Afaan, Oromo, Amharic, and Tigrinya (Manek, 2018). This will likely endear him most ethnic groups that are at the core of Ethiopia's (in)stability. The Oromo have been at the center of the recent protests and clashes that forced the previous government out. They have been yearning for secession (Kumsa, 2014) or inclusion in the government because of their demographic significance and perceived alienation (Manek, 2018).

Abiy, being an Oromo ethnic, may help quell Oromo's nationalism especially now that both the Speaker

An EPRDF supporter waves a flag in an election rally in Addis Ababa on May 21, 2015

of the Peoples' Representatives, and the President are Oromo. The Oromo may feel in control of the top most executive positions in government by which their historical grievances can be addressed. He may also have the capacity to bridge the sectarian differences between Christians and Muslims, being a product of both faiths. In fact, towards his last years in the military, he was posted to his home town of Agaro to quell clashes between the two groups (Manalek, 2018).

Abiy also served in the military (up to the rank of Lieutenant Colonel) for long which means that he understands its structure, operations, as well as its political role. He is therefore in a good position to carry out reforms in the military. Additionally, his knowledge of Tigray may also help him work well with the Tigray-dominated military and security agencies (Manalek, 2018). He was once Deputy Director of the Information Network Security Agency which gave him experience with the intelligence community of Ethiopia.

He is also former director of National Science and Technology Center, cabinet minister in the department of Science and Technology, chairman of Oromo Peoples Democratic Organization, and Deputy President of Oromia region in charge of Urbanization and Housing (Manalek, 2018). This affords him immense experience and capacity to push for radical reforms within the party and government in Ethiopia.

In his inaugural speech, he promised expansion of democratic space, political freedoms and rights, public participation, and competitive politics in which all parties will contest freely and fairly (Hussein, 2018), acknowledged the role of the youth and women in the economy and politics of Ethiopia and pledged to support them through creation of employment, empowerment programs, expanded participation in governance and fighting corruption (Hussein, 2018). He also promised to address the state of emergency already in place, restored internet connectivity, released political prisoners and journalists, and followed on promises of closure of a notorious maximum prison, and has since been on a national tour visiting Gondar and Bahir Dar (Amhara region), Mekelle (Tigray region), Jijiga (Somali region), Ambo (Oromia region) and Awassa (SNNP region) and calling for national unity.

He has further invited opposition parties and leaders such as Gudina Merera and Bekele Gerba of the Oromo Federalist Congress to open dialogue and negotiation over unity and the future of Ethiopia (Meseret, 2018). He followed on this promise by hosting disgruntled and embattled key opposition leaders, media personalities and civil society activists reaffirming his plans to broaden political space and called upon them to prepare for peaceful dialogue and negotiation (Maasho, 2018).

Areas of Restructuring

To stabilize Ethiopia politically, socially, and economically, Abiy and his government need to understand historical as well as new fissures that are threatening the state and nation-building. He therefore needs to focus on the following areas:

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Ethnic Political Configuration: The nature of politics is largely ethnic, whic encourages ethnic competition for power and dominance and ethno-nationalism that undermines collective nationalism necessary for stability of Ethiopia. Heavy ethnic mobilization in Ethiopian politics is so apparent that almost every ethnic group has a political party if not an ethno-nationalist liberation front or insurgency movement.

For instance, the Tigray have Tigray Peoples Liberation Front (TPLF) and the Oromo have the Oromo Peoples Democratic Organization (OPDO), Oromo Peoples National Congress (OPNC) and Oromo Liberation Front (a proscribed rebel movement). The Amhara have the Amhara National Democratic Movement (ANDM) and the Somali have the Ethiopian Somali Peoples Democratic Front (ESPDF). The Afar have the Afar Peoples Democratic Organization (APDO), the Beni Shangul-Gumuz region has the Beni Shangul-Gumuz Peoples Democratic Party (BSGPDP) and the situation is replicated across tribes and regions. He should spearhead the process of transforming political parties from ethnic parties to national parties that will distribute leadership opportunities, representation and power on basis of equality, popular participation/vote and merit.

Democratization: Abiy should also change the Ethiopian paradigm of revolutionary democracy that has perpetuated single party rule with liberal democratic principles. This will guarantee democratic rights enshrined under Chapter 3 Part II of the constitution of the Federal Republic of Ethiopia, and judicial independence enshrined under Article 78. The current judiciary lacks independence from the executive which exposes it to political manipulation by the latter (van Veen, 2016). Judicial independence promotes institutional independence, rule of law, individual rights, and political stability (Helmke & Rosenbluth, 2009; Lagon, 1993).

The legislature's independence also needs to be restored to serve public interest especially the House of People's Representatives. This can be done by allowing multiparty politics to rid the legislature of the 100% EPRDF control.

Politico-military Complex: EPRDF had securitized politics through a raft of national security laws such as Access to Information Proclamation, the Charities and Societies Proclamation, and the Anti-Terrorism Proclamation. This, in consequence, had stifled media freedom, vibrancy of the civil society, and human and democratic rights enshrined under Chapter 3 of the constitution of the Federal Republic of Ethiopia. Abiy should oversee their repeal for democratic guarantees.

The military and security agents in Ethiopia are also manipulated by political leadership to support regime interests and protect the regime from its fears (which include opposition and dissent) (Manalek, 2018). Therefore, Abiy should separate the military and politics to break the spell of repression and carry on with Desalegn's reforms to rid the military and security agencies of ethnic domination of the Tigrayan political elites.

Economic Model: Ethiopia's developmental State model has also to be altered with shades of neoliberal economic principles. More free market economics should be embraced, less government regulation and more privatization of companies. This will free up the economy for investment and growth to increase employment opportunities and provide the economic base for sustaining population pressure and provision of public services. Greater economic shift should be done from the agro-based to a manufacturing and service-based economy. This will increase total economic output of the Ethiopian economy as well as create job employment opportunities for its restless youth and increase earnings and salaries of her population.

Developmental economic policies coupled with illiberal democratic structures allow patrimonialism, clientelism, and corruption to persist (Pitcher, Moran & Johnston, 2009). The same factors play out in Ethiopia allowing ruling elites to indulge in corruption, which led to previous anti-government protests. Liberalization of the economy and democratic liberalization will jointly help to end the culture of patrimonialism, clientelism and corruption in Ethiopian politics.

Federal Structure: The federalist approach in Ethiopia should also be improved to undo the ethnic stress. The current system has inadvertently encouraged politicization of ethnic identity and crystallization in certain territories (i.e. the Oromo in the Oromia region and the Somali in the Somali region causing evictions

of Oromos from the Somali region and vice versa over territorial 'ownership'). Ethnic minorities should instead be able to feel free, equal and safe in non-native regions and work synergistically to promote the stability of the whole federal system. More power should be federated to build the capacity of regional units to respond to security, economic, political and social challenges within them short of federal interference.

Conclusion

Abiy has given all good signals by lifting the state of emergency, freeing political prisoners, promising democratic freedoms and doing the national tour to quell social tensions. He also needs to engage rebel movements for dialogue on the future of Ethiopia in the context of stabilization. This will involve inviting their local and diaspora support, offering concessions and encouraging a free and patriotic dialogue with them. Such movements include Afar Liberation Front, Gambella People's Liberation Movement, Islamic Front for the Liberation of Oromo, and Oromo People's Liberation Front among others.

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R2P's False Start in Burundi: An Inherent Limitation?

By Edmond John Pamba

Abstract

In April 2015, Burundi's ruling party, National Council for the Defense of Democracy-Forces for the Defense of Democracy (CNDD-FDD), endorsed President Pierre Nkrunziza's 'unconstitutional' third term bid amid serious legal questions around it. This ushered Burundi into a period of political crisis that degenerated into political violence and systematic repression. Given the humanitarian circumstances amid unyielding crisis and genocidal possibilities, two Responsibility to Protect (R2P) moves were made by African Union and United Nations Security Council. However, the two moves were repudiated and were never operationalized. The option of East African Community-led inter-Burundian dialogue (Arusha process) is also proving slippery. The situation in Burundi remains far from resolved despite the Constitutional review referendum held in May this year. This article unpacks the concept of R2P, highlights inherent limitations to its utility in regard to its recent false start in Burundi and recommends more decisiveness on the part of the international community.

In April 2015, the ruling party, National Council for the Defense of Democracy-Forces for the Defense of Democracy (CNDD-FDD), endorsed President Pierre Nkrunziza's 'unconstitutional' third term bid amid serious legal questions around it. In May 2015, the constitutional court cleared his bid. A coup-attempt to 'save democracy' by a section of the military followed shortly, provoking more repression. Controversial elections were organized in July 2015 which main opposition parties boycotted citing lack of transparency, freeness and credibility. Nkrunziza won another term and the state instituted systematic repression (crackdown on dissent and media, and arbitrary arrests) in management of the resultant protestation and violence. The violence pitted pro-government supporters against, opposition groups, and security agencies. It was characterized by killings,

In April 2015, the ruling party, National Council for the Defense of Democracy-Forces for the Defense of Democracy (CNDD-FDD), endorsed President Pierre Nkrunziza's 'unconstitutional' third term bid amid serious legal questions around it

rape, assassinations, forced disappearance, torture and displacement of populations. There is still violence with the latest incident on 11 May 2018, resulting in the killing of 23 people in the Northwestern part of the country, six days to the referendum on constitutional changes.

Given these humanitarian circumstances amid unyielding crisis and looming genocide, two Responsibility to Protect (R2P) moves were made. In December 2015, the AU's Peace and Security Committee resolved to send 5000 peacekeeping troops to Burundi under the banner of Responsibility to Protect. The UN Security Council then issued resolution 2303, for establishment and deployment of a 228 police force for situation monitoring in Burundi in July 2016. The Burundian government repudiated both moves which have since stalled, and even the AU departed from its earlier position. The option of the East African Community-led inter-Burundian dialogue (Arusha process) is also proving slippery and the situation in Burundi remains far from resolved.

Responsibility to Protect (R2P) is a fairly new paradigm in the realm of international security. It emphasizes the primacy of human rights in armed conflict situations. It is a dialectical balance between traditional security discourse and evolutionary human rights discourse. It developed out of realization that humanitarian intervention was increasingly failing (Hilpold, 2013). Its early beginnings were in 1991 through the United Nations Secretary General, Javier Perez de Cuellar. He noted that public attitudes were gravitating towards the defense of the oppressed, in the name of morality above political and legal considerations of such action (Hilpold, 2013). These politico-legal considerations touched on the subject of sovereignty. It was further advanced in 1992 by Cuellar's successor, Boutros Boutros Ghali, who provoked thought around redefinition of sovereignty to imply state responsibility and collective security. UN Secretary General, Koffi Annan, picked it up from him with the idea of 'two sovereignties' to denote to the need for a balance between the cardinal principle of non-interference and primacy of human rights whenever sovereignty fails to protect them (Hilpold, 2013).

However, R2P was well developed as a paradigm of international security by two authorities: the International Commission on Intervention and State Sovereignty (ICISS) of Canada in 2001 and the UN World Summit of 2005 (Seybolt, 2007). It was developed in keeping with international humanitarian law, human rights law and refugee law. It also fits within the framework of UN Charter and thereby gained legal status and legitimacy. The World Summit Output created limitations for R2P in its paragraphs 138-139 to outrageous conditions of genocide, war crimes, ethnic cleansing, and crimes against humanity. It also set out R2P's three pillars: state responsibility, international community assistance and capacity building, and timely and decisive response. The two authorities also helped to develop guiding principles for the implementation of R2P (Seybolt, 2007; Hilpold, 2013). However, R2P also faces limitations that undermine its utility as in the case of Burundi.

Philosophical and Theoretical Underpinnings of R2P

Responsibility to Protect proceeds from natural law and moral philosophy whose great proponents include Thomas Aquinas, Hugo Grotius, St. Augustine of Hippo, John Locke, and Martin Luther King Jr. They fundamentally profess invariant moral principles that form basis for all human conduct. Their greatest contribution is the normative ethics that informed the just war theory, humanitarian law, human rights law and refugee law, which protect human rights in armed conflict.

Martin Luther King Jr. advocated for moral or just laws which protected universal principles inherent in the moral structure of the universe. He espoused the idea of shared moral obligation to protect human rights over edicts of power (Luther King, Jr., 1963; Bass, 2001). Thomas Aquinas advanced the just war theory (*jus bellum instum*) that doctrinally guides military leaders and decision makers in armed conflict situations. It is bifurcated into *jus ad bellum* (right to go to war) and *jus in bello* (right conduct in war). He established the principles of right authority, just motive or intention (to protect, stop or punish evil by government

or civilians) which should also bind the soldiers (Guthrie & Quinlan, 2007). St. Augustine of Hippo's just war theory is in principle, in concordance with that of Aquinas. Hugo Grotius on the other hand projects these moral principles onto the international society to guide international relations and lays them for codification in *jus gentium* that has evolved to accommodate and universalize *jus cogens* (Remec, 1960; Jeffrey, 2006; Haakonssen, 1996). Such peremptory norms include R2P.

These philosophical precedents of humanitarian discourse then informed the paradigm shift from overemphasis on national security to primacy of human security in armed conflict. To crystallize this philosophical revolution, international humanitarian law and human rights were codified in international law (Bellamy, 2011). The necessary elevation of human security above national security then attracted political nuance in the face of state sovereignty (Ayoob, 2002). R2P was then developed to objectively balance sovereignty calls and human rights needs in armed conflict (Badescu, 2011). This was after the falling out of favour with humanitarian intervention (Seybolt, 2007; Deng, 2010).

Legal Framework for R2P

R2P being a novel concept in international security needed ontological limitations and legal frameworks for its applicability. It was, therefore, limited to situations involving war crimes, genocide, ethnic cleansing and crimes against humanity as captured in paragraphs 138 and 139 of the World Summit Outcome Document (Bellamy, 2006; Seybolt, 2007). Its guiding principles were also limited to just cause, right intention, right authority, last resort, proportional means and reasonable prospect (ICISS, 2001; Cunliffe, 2015). It was built on three pillars: (i) state responsibility, which relied on individual state's preventive and management capacity, (ii) international assistance and capacity-building, which relied on international support for the first pillar, and (iii), timely and decisive response, which involved use of force in case the first two pillars which proved unsustainably inefficient (Seybolt, 2007; Amneus, 2012). These limitations built the legitimacy of R2P, promoting consensus and solidarity with its relevance, internationally. However, the aspect of its legality was still wanting and had to be properly established and enforced because it conflicted with Article 2(4) of the UN Charter on non-

Burundian refugees gather on the shores of Lake Tanganyika in western Tanzania ready for relocation to Kigoma on 17 May, 2015 (Photo: Reuters)

interference, in principle. Ideological militancy against R2P was, therefore, emanating from sovereignty-defending precepts.

The UN Charter's Article 2(7), Chapter VI (second pillar of R2P) and VII (third pillar of R2P) provide for R2P. The principle of authority is vested in the Security Council under Chapter 5 and in the spirit of complementarity in regional organizations under Chapter 8 and International Court of Justice under Chapter 14 of the UN Charter. International Criminal law that encompasses international humanitarian law, human rights law and refugee law gives legal backing to R2P. Its force is sinewed by the Rome Statute of 1998 that established the International Criminal Court (ICC) in 2002.

R2P in African Context: Legal and Implementation Framework

In the spirit of complementarity, the African Union (AU) exercises peace and security functions in concert with the UN Charter. The most crucial organs of the Union in matters of peace and security are the Assembly of the Union and the Peace and Security Council (PSC). The Assembly derives its R2P power and function from Article 4(h) and by extension Article 9(g) of the AU Constitutive Act of 2000 while PSC derives its powers from Article 7 of the PSC Protocol. The African Union, in its Constitutive Act of 2000 provides for R2P under Article 4(h) and (j). Article 4(h) and (j) set out the R2P threshold (grave circumstances such as war crimes, genocide and crimes against humanity) and the R2P principles of authority – Assembly and right intention- under Article 4(h). Article 4(j) supports the first pillar of R2P, Article 5(2) of the PSC Protocol supports the second pillar of R2P, while Article 4(h) of the AU Constitutive Act supports the third pillar of R2P.

Article 13(1) and (2) of the PSC Protocol then establishes African Standby Force (ASF) as a fundamental part of the African Peace and Security Architecture (APSA). ASF is structured into five regional Standby Forces for Eastern Africa, Central Africa, Southern Africa, Northern Africa, and Western Africa. PSC is also supported by another integral organ of the APSA, the Continental Early Warning Systems (CEWS), established under Article 12 of the PSC Protocol. CEWS liaises with PSC through the Peace and Security Department and also liaises with Regional Economic Communities (RECs) through periodic meetings. An interesting component of APSA for R2P was the African Capacity for Immediate Response to Crises (ACIRC) established in 2013 on transitional basis ahead of the operationalization of ASF. It was an instrument of decisive and timely response as R2P demands in principle.

Aning and Atuobi (2009) observe that Africa was in fact among the pioneers of R2P codification as early as 2000 through the African Union Constitutive Act, as discussed above. European Union also followed suit in 2005 through the Ezulwini Consensus (Seybolt, 2007).

The Case of R2P False Start in Burundi

In April of 2015, the ruling party (CNDD-FDD), endorsed the incumbent president's third term bid. This was despite having 'exhausted' his two constitutional terms, a matter that sparked a politico-legal storm in the country (Kushkush, 2015). This provoked widespread protests which turned deadly with the repressive reaction of government forces. Freedom of press was frozen, and mass arrests of protesters and opposition politicians were experienced. The political unrest escalated with the clearance of the president to vie again, by the constitutional court. This unpopular and controversial ruling reeked of executive interference with the independence of the judiciary. The court's vice president had fled the country prior to the ruling adducing state capture of the judiciary ("Top Burundi Judge," 2015). Protests increased and social unrest degenerated into violence pitting security agencies against opposition supporters, ruling party's youth wing (Imborurakure) against opposition supporters and leaders (Biryabarema, 2018). This violence (still ongoing) is characterized by murders, abductions, torture, rape, assassinations, displacement, and forced disappearances. It also verged on genocide.

So far, 600,000 have been displaced of whom 427,800 fled to Tanzania, Rwanda, Uganda and DR Congo. Between 400 and 1000 (or over) have been killed by the indiscriminate violence. The number is still increasing ("Political Crisis in Burundi," 2018). An attempted coup in May 2015 was thwarted provoking more repression as the president

So far, 600,000 have been displaced of whom 427,800 fled to Tanzania, Rwanda, Uganda and DR Congo

Burundian policemen confront protesters in Bujumbura on May 11 2016 (Photo: Getty Images)

ventured to consolidate power and purge dissent. A hotly disputed election was organized handing the incumbent another controversial term. The ruling has embarked on power consolidation and has organized a referendum on constitutional changes, amid repression. The referendum will increase presidential terms from 5 to 7 years each, possibly extend the incumbent president's rule till 2034 and revise the consociational power distribution formula (between Hutu and Tutsi ethnic groups).

At the beginning of the political crisis in 2015, the country attracted the attention of the international community. Fears for degeneration and instability given the county's political history grew among international observers. The government of Burundi (through the ruling party) had in fact played a proximate role in the conflict thereby proving irresponsible with regard to the first pillar of R2P. It had also aggravated the conflict through state capture, intimidation of the opposition, arbitrary arrests, use of excessive force in dealing with protests, and the clumsy handling of the violence. Its bellicosity and belligerence against the opposition grew and this, in part, fomented political intolerance. The first pillar of R2P, state responsibility, had been shirked already by the Burundi government. It had failed and continues to fail in exercising its sovereignty responsibly to prevent conditions that occasion mass atrocities of paragraphs 138 ad 139 of the World Summit Outcome Document.

AU, through its Peace and Security Commission, resolved to send 5000 peacekeeping troops to Burundi in December of 2015 (McCormick, 2015). It invoked Article 4(h) of the Union's Charter that provides for R2P. AU had given an ultimatum of 96 hours for Burundi to accept the mission or have the troops intervene regardless of government behavior.

However, the Burundi government swiftly rejected the African Prevention and Protection Mission (MAPROBU) of the AU. He vowed to fight any foreign forces arriving in the country as he interpreted the venture as a violation of Burundi's territorial integrity and sovereignty ("Burundi's President," 2015). He even incited the citizens to rise up in arms against MAPROBU in defense of their country. AU later in early 2016 abandoned this resolve (Oluoch, 2016), risking the relevance of R2P and exposing its legitimacy and structural weaknesses altogether.

The UN Security Council Resolution 2303 to set up a 228 monitoring police force followed in July 2016 ("UN to send Police," 2016). It was, however, rejected by the Burundi government which instead proposed a unit of only 20 unarmed police officers. This resolution is yet to be operationalized, exposing UN's indecisiveness on Burundi. In fact, during the Security Council meeting, abstentions were curiously expressive of R2P's inherent limitations. For example, Angola, China and Egypt,

A ballot box is opened at a polling station in the opposition stronghold of Musaga, Bujumbura, on 29, June 2015 (Photo: AFP)

abstained from the vote citing lack of consultation with and consent of the Burundi government, and lack of proper assessment of the local situation in view of proposed measures (UN, 2016). The issue of lack of solidarity within the council itself does not auger well with R2P and this is why ICISS advised against the use of veto in its report. The failures of AU and UN in Burundi thus far defeat the relevance and purpose of the third pillar of R2P, of timely and decisive response, and undermines the utility of Chapter VII of the UN Charter.

The second pillar of R2P is also plagued in Burundi. The international community (European Union, the United States) responded with sanctions and cutting of donor funding to the aid-dependent country in the wake of violence ("EU suspends aid," 2016). This further undercut the country's capacity to prevent and protect. The humanitarian situation worsened out of the direct effect of resource shortage in provision of public services. The international community thus acted first in a reactionary manner and then punitively. It pursued the regime's recalcitrance over the peremptoriness of human rights, and this jeopardized R2P by setting it on a false start. AU, however, has been pursuing inter-Burundian dialogue mediated by the EAC. This is in keeping with Chapter VI of the UN Charter. This diplomatic route is, however, hanging in the balance. It is being daunted by the lack of political commitment on both sides of the conflict (government, former presidents of Burundi and opposition).

Inherent Limitations

R2P is in conflict with the sacred rule and principle of international law that venerates state sovereignty and non-interference. It, therefore, contradicts Article 2(7) of the UN Charter and Article 4(a) of AU Constitutive Act that venerate state sovereignty and protect it from interference. The precedence of R2P on moral grounds over state sovereignty is, thus, legitimate and compelling but 'illegal.' This is captured pithily in former UN Secretary General, Javier Perez Cuellar's 1991 dilemma – whether interventions call into question one of the cardinal principles of international law and obligation of non-interference. He was, however, making a case for R2P as an instrument of defending the oppressed in the name of morality, and that it should then prevail over frontiers of legality (Hilpold, 2013). This dilemma lingers on in didactic propositions by his successors Boutros Boutros Ghali in 1992 (*Agenda for Peace*) and Koffi Annan in 1999 (*Two Sovereignties*). The Burundi government, in resistance against R2P, activated the dialectics of it, on the front of inviolable state sovereignty. The UN continues to advance R2P over receding relevance of state sovereignty through annual reports on the subject, authored by Secretary Generals (Hilpold, 2013). The abstentions to UN Security Council Resolution 2303 especially of China and Angola were partly informed by this dilemma (UN, 2016).

Use of force in R2P, especially under the third pillar, also contradicts international law in principle and in consequence calls R2P into question. It is, therefore, considered controversial by conservative schools of international law. This recourse is considered an exception, though implies a breach of a rule or principle per se. It contradicts Article 4(g) of the AU Constitutive Act of 2000, and Article 2(4) of the UN Charter that inveigh against use or threat of use of force against another state's territorial integrity and independence. The Burundi government led by President Nkurunziza, repudiated MAPROBU and called for respect for Burundi's borders. He even termed such a move an act of war on Burundi and vowed to fight any foreign forces sent to the country. He also rejected a contingent of 228 police officers (for situation monitoring) that were to be sent by the UN to Burundi and offered to take only 20 unarmed police.

Other limitations are structural in nature, including mixed-motives, counterfactual, conspicuous harm, end-state and inconsistency problems. Mixed-motives brings self-interest of intervening countries into conflict with principles and purposes of R2P, thereby undermining the credibility and legitimacy of such an operation. The Libyan R2P case of 2011 led by NATO forces is a case in point where R2P was converted into regime change campaign by the West (Rieff, 2011). Conspicuous harm on the other hand is the disastrous effects associated with military intervention as was witnessed in Libyan and Kosovo bombings by the NATO forces. This makes R2P less attractive on the part of target states and their civilians.

The counterfactual problem is simply the problem of bounded rationality and R2P assumptions against available information. Some interventions may simply be goaded by fear-mongering calculations rather than reliable and actionable information. This might end up escalating the problem on the ground due to lack of clear understanding of the problem.

The end-state problem is associated with the after-math of R2P and the exit strategy. Some R2P missions have left

> R2P is in conflict with the sacred rule and principle of international law that venerates state sovereignty and non-interference

countries and civilians more devastated as in Libya and Iraq where instabilities were created and humanitarian situations worsened during and after the interventions (Rieff, 2011; Murray, 2010). This has inspired another school of just war theory, *jus post bellum*, that advocates for reconstruction and reparations among other post-conflict measures (May & Forcehimes, 2012). This problem of end-state ties in with that of inconsistency, in damaging the credibility of R2P. Use of force in R2P has registered chequered results, and this haunts the principle of reasonable prospect in R2P, which altogether, damages the utility of R2P especially in different circumstances and societies.

The other challenge is that of logistics. MAPROBU was undercut by lack of readily available forces and finances to support it. It relied on the voluntary contribution to EASF of military personnel and foreign financial support, which were immediately lacking (Moncrieff & Vircoulon, 2016). This cast doubt over capability of the APSA necessitating re-evaluation and re-designing of its operational aspects too.

Conclusion

R2P's false start in Burundi cannot be attributed to a single causation. However, circumstantial evidence points to the question of sovereignty, use of force and structural weaknesses of R2P. The failure of R2P in Burundi undermines it's core mandate — an instrument of human security, peace and larger security. It has therefore permitted an environment of impunity, totalitarianism and relapse in Burundi which might create fissures for future conflict or contours for escalation of the current political crisis. With an affirmative plebiscite on constitutional changes kicking into effect, presidential powers and tenure, ethnic representational balance among other corner stones of post-civil war 2005 constitution will be affected, putting Burundi on the precipice again.

With the Arusha Process (Inter-Burundian Dialogue) tossing in the winds of high politics, the international community should not let the crisis in Burundi degenerate due to inaction or indecisiveness. The UN should carefully monitor the situation in Burundi, gather reliable and actionable information, and assess policy options for response and management of the situation. It should then get involved decisively and in a timely manner to avert looming instability and conditions of paragraph 138 of the World Summit Outcome Document of 2005. The UN should act as the vanguard of R2P, strongly build capacity for its adoption and implementation by entities

of Chapter 8 of its founding Charter and prevent R2P from suffering the fate of humanitarian intervention. The UN should work with AU and EAC on the holistic R2P approach and peace-building in Burundi for a lasting peace and stability in the country.

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How to Foster Peace in 'New' Intractable Conflicts: Designing Theoretically Informed Pathways for United Nations' efforts in South Sudan

By Jules Swinkels

Introduction

South Sudan has been marked by war for far too long which has resulted in millions of deaths and seemingly endless flows of refugees. In 2005, the Comprehensive Peace Agreement (CPA) was signed by the Sudanese People's Liberation Army (SPLA), ending the civil war and allowing for a referendum on South-Sudan's independence in 2011. The South Sudanese overwhelmingly voted in favour of secession, adopted a comprehensive constitution, and created a multi-ethnic government. Hopes were high, but soon after, the country descended the path of ethnic strife and civil war. In 2013, violence once again erupted after President Salva Kiir Mayardit sacked his entire cabinet and accused Vice-President Riek Machar of instigating a coup. Mr. Kiir, an ethnic Dinka, the largest tribe of South Sudan, pitted his SPLA forces against forces loyal to Dr. Machar's Nuer tribe, resulting in over tens of thousands of deaths and displacing more by 2014 (Kulish, 2014).

Refugees jostle for water in one of the camps in Juba, South Sudan on 29 December, 2013 (Photo: AP)

In 2015, the warring parties were pressed by the United Nations (UN) to once again settle their disputes through an agreement. In April 2016, Dr. Machar returned to his position as vice-president, only to be removed again a few months later as a result of renewed conflict (British Broadcasting Corporation, 2018). Dr. Machar went back to the bush to conduct a guerrilla-warfare style campaign against the Dinka, who in turn retaliated against Nuer civilians. Another ethnic conflict was born. In December 2017, the warring parties once again signed a cease fire deal. The latest round of peace talks, which the United Nations described as a "last chance" for peace in the country, was pushed by the regional IGAD bloc as a revitalisation of the 2015 deal (Agence France-Press, 2017). The question now is if this last change is taken or spoiled, and in case of the latter, what's next, and what is the role of the international community?

The South Sudanese conflict is one of the world's most intractable and intense. Ethnic rivalries, land disputes, resources, deep grievances, human rights violations, and food and water scarcity all impact the region and foster armed groups and subsequent violence. Some scholars would dub the conflict a 'new' intractable conflict, thereby pointing to South Sudan's lack of institutions, deep ethnic cleavages, lack of positive perspectives, and a zero-sum game for both Mr. Kiir's and Dr. Machar's factions. This article follows this line of thought and tries to provide theoretically informed pathways to success in the South Sudanese intractable conflict.

Incremental Conditions to the Practice of State - and Peacebuilding: Theory and Practice

Theory

Robert Egnell (2010) discusses the concept of 'organized hypocrisy' and its negative impact on state- and peacebuilding operations. He defines this form of hypocrisy as a discrepancy between actions, and words and ideals (Egnell, 2010). Organized hypocrisy allows for operations without sufficient resources, undermining operational effectiveness and credibility of international State building efforts (Pugh, 2004). For example, the discrepancy that exists between a liberal normative emphasis on elections, which might, if not implemented correctly and timely, exacerbate tension and undermine peace processes in fragmented societies (Egnell, 2010, p. 467). Combine this with the tension between local ownership and predefined processes of liberal democratic transformation, and you get a two-fold misunderstanding. First, similarity between 'your words' and 'your actions' is of incremental importance. Promising one thing and failing to deliver or promising that certain actions will lead to certain results while in fact they don't, significantly damages the peacebuilding effort. Secondly, local leaders are generally sceptical and resistant to reform. Assigning ownership to those that are inherently anti-democratic does not feel right and undermines the democratic project. Instead of forcibly removing such local owners, a more pragmatic approach would be to engage in other forms of governance, such as federalism (Burgess & Burgess, 2006).

As mentioned above, untimely introduction of elections might exacerbate tensions. But what exactly does untimely mean, and when is the right time to introduce change? Barbara F. Walter (1997) argues that only 20% of civil wars end at the bargaining table. Most of them end violently by wiping out the other party or dealing unsurmountable losses. Unless foreign power steps in, conflict deteriorates. Walter (1997, p. 336) states that negotiations mostly fail, not because of unbridgeable divides, but because parties are asked to demobilise, disarm and disengage while there is no one to enforce the agreement. Left with no sense of safety, parties will never fully follow up on these demands unless they have the guarantee that they will not be victims. With regards to the right time to introduce change, Walter (1997) thus suggests that there should be a demilitarized situation of enforced peace, with regional or international enforcers. This includes the prevention of access to weapons by civilians, which makes conflict entrenched in society.

Saphir Handelman (2016) argues that the absence of a peacemaking contract and effective mechanisms to enforce it contribute to the intractable nature of a conflict.

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Handelman (2016) favours a 'contractualist' approach in which two social elements, leaders and people, play a key role in the struggle for change. With regards to leaders, they are required to carry out a peacemaking policy, negotiate solutions to the struggle, and conclude agreements (Handelman, 2016, p. 125). Ordinary people should be prepared for a new social order and take the lead in the peace effort. The moderate centre is encouraged to speak out to their leaders and form a clear agenda. Handelman (2016) thus argues that successful state- and peacebuilding efforts should incorporate the moderate centre.

Another condition is the prevention or narrowly control of neopatrimonial dynamics. In states lacking formal governance forms and institutions, power is to a larger extent vested in informal networks (De Waal, 2014). These networks are often vague and not transparent, erasing lines between the party leadership, the army, and the office of the president (Rolandsen, 2015). It is of paramount importance for effective statebuilding efforts to take into account the role of neopatrimonialism dynamics and effectively deal with them.

These theoretical conditions point toward the complexity of statebuilding efforts. Intervening without being imperialistic, sharing ownership but not with those who try to undermine the process, intervening at the right time, keeping true to your word, avoiding neopatrimonial dynamics, being sensitive to local, religious, and cultural dynamics, and so forth. This list is far from exhaustive but it provides us with a general idea of the sensitivity of state- and peacebuilding efforts (Selby, 2013). The Organization for Economic Co-operation and Development (OECD) has drafted ten principles for good international engagement in fragile states and situations (2007) and a policy guidance on *Supporting Statebuilding in Situations of Fragility and Conflict* (2011). Let us summarize these lessons shortly.

Adding Theory to Practice

The OECD has drafted two leading documents (2007, 2011) based on case evaluations that have become some sort of conventional wisdom with regards to statebuilding. These documents provide relevant propositions in this case. With the knowledge from theory as described above, I would like to modify some of these propositions and add another one:

1. Interventions must address potential organized hypocrisy.

2. Interventions must be extremely well-adapted to the respective political and social context and international interventions must abide by the principle of neutrality and impartiality.

3. Interventions must address the broader state-society relations, prevent neopatrimonial governance, and actively engage the moderate centre. Interventions should not focus on the state alone.

4. Interventions must deal with the state in its security, legitimacy (inclusive nationbuilding), and capacity dimensions, and interventions in the first regard should be timed before the other dimensions.

5. Interventions must reflect a balance between recognizing that statebuilding is first and foremost an endogenous process with clear limits as to what external support can achieve, and local ownership that might undermine the process.

These propositions might provide a pathway to deal with new intractable conflicts. In the case of South Sudan, the propositions might push the international community in the right direction compared to the contemporary situation. Taking these propositions into account, the article proceeds to analyse to what extent the United Nations Mission In South Sudan (UNMISS) has followed these propositions, to what extent the mission can be seen as successful, and recommend what should be altered in the mandate.

Following good practice propositions: Is United Nations Mission in South Sudan a Failure or Success?

Interventions must address potential organized hypocrisy: The first form of organized hypocrisy is lacking similarity between 'your words' and 'your actions'- and this is of incremental importance in South Sudan. Promising one thing and failing to deliver or promising that certain actions will lead to certain results while in fact they don't, significantly damages the peacebuilding efforts. Per the original mandate, UNMISS was to support the government in peace consolidation and thereby foster longer-term state building and economic development; assist the government in exercising its responsibilities for conflict prevention, mitigation, and resolution and protect civilians; and help the authorities in developing capacity to provide security, establishing the rule of law, and strengthening the security and justice sectors in

Chinese peacekeepers in South Sudan on 23 May, 2018 (Photo: AP/Getty Images)

the country. When violence broke out in 2013 the UN effectively failed to achieve these objectives, feeding into an increasingly tense relationship between UNMISS and the government with the mission being accused of partiality in the conflict, favouring anti-government forces (UNMISS, 2018).

It is questionable to what extent the mission, initially starting with just 7,000 military personnel and 900 civilian police, could fulfil its promises. The goals set out in the original mandate require a huge military force to keep the peace, intense involvement through local, regional, and national authorities, significant funding, and a clear division of tasks. UNMISS fulfilled neither of these objectives, delivering empty promises for peace and security, thereby undermining operational effectiveness and credibility of international statebuilding efforts. Egnell (2010) argues that half-hearted efforts exacerbate tensions and undermine peace processes in fragile states. With UNMISS' lacking mandate, funding, and personnel, it might thus have fed into the breakout of violence in 2013.

The second form of organized hypocrisy, assigning local ownership when these leaders are sceptical and resistant to reform, might increase tensions between international efforts and local leaders. Both the South Sudanese

government and the opposition have been described as very corrupt. The Sentry (2016), a Washington-based investigation bureau, argues that the conflict is waged for the grand prize: control over state-assets and the country's abundant natural resources. Local leaders who adopt such cronyism and corruption generally tend to be resistant to reform as it threatens the status quo they so desire. Assigning ownership to those that are inherently anti-democratic undermines the statebuilding project. UNMISS' efforts were and are destined to fail if cronyism is not dealt with adequately, despite the complexity of this undertaking.

Interventions must be extremely well-adapted to the respective political and social context and international intervention and mediation must abide by the principles of neutrality and impartiality: When violence broke out in Juba in 2013, the relationship between the government of South Sudan and UNMISS began to grow increasingly tense. Anti-UN sentiment spread like wildfire with government officials adding fuel by publicly stating unfounded allegations that the mission was not impartial and that UNMISS was aiding anti-government forces (UNMISS, 2018). Through Resolution 2155 (2014) the mandate was reprioritized towards the protection of civilians, human rights monitoring and supporting for the delivery of humanitarian assistance. The Secretary-

The goals set out in the original mandate require a huge military force to keep the peace, intense involvement through local, regional, and national authorities, significant funding, and a clear division of tasks

General believed that it was necessary to shift away from a stand dedicated to peacebuilding, statebuilding, and the extension of state authority, to one of strict impartiality in its relations to the parties in the conflict (UNMISS, 2018). Interestingly, UNMISS argues that these allegations were unfounded, but still altered the mandate to deal with the image of the mission as partial and prevent alienation with the government. However, in doing so UNMISS gave in to the wishes of a political context that is known to be resistant to reform.

In that same period, the conflict between the political elites unravelled along ethnic lines. The 'big men' succumbed in a power struggle over key state assets and state power. Immediately after the outbreak of violence, Uganda stepped in to assist Mr. Kiir, and Sudan to assist Dr. Machar (Ylönen, 2016). Uganda, mainly motivated by economic and political gain, tried to uphold the status quo by supporting Salva Kiir. Sudan on the other hand tried to somewhat weaken the Kiir government (Ylönen, 2016). Other regional actors such as Kenya and Ethiopia tried a diplomatic approach, while international powers such as the United States and China sought to protect their individual interests at the expense of diplomatic mediation efforts. While the US remained distant and tried to secure counter-terrorism operations, China actively protected the economic infrastructure in which it had invested (International Crisis Group [ICG], 2015). This 'mediation bias' among intervening parties led to a lack of coordination and pressure. Finally, in March 2015, the international community got together and actively began pressuring the warring parties. Key players threatened the parties with an arms embargo and targeted sanctions, after which Dr. Machar signed the draft peace agreement on August 17, and Mr. Kiir 15 days of intense pressuring later (Ylönen, 2016). This shows that impartiality and neutrality, and sensitivity to the local political context, are crucial to successful state- and peacebuilding.

Interventions must address the broader state-society relations, prevent neopatrimonial governance, and actively engage the moderate centre. Interventions should not focus on the state alone: The exclusive top-down SPLM/A-centric view of the nation marginalized part of the population and contributed to the continuing political instability and armed violence (Ylönen, 2016). Politics in South Sudan has however always been elitist and state-centric. Interventions should engage the moderate centre to bypass corrupt political elites who have limited to no interest in reform. The moderate centre should be engaged to form an agenda towards peace. UNMISS has, however, done little to actively involve the moderate centre and address the broader state-society relations. Instead, efforts have largely been state-centred by trying to get the warring parties to the table.

In addition, this top-down approach from political elites was fostered by neopatrimonial dynamics. These dynamics are informal networks that erase the lines in the '*trias politica*', the separation of powers (De Waal, 2014). In South Sudan, politics happens behind closed doors. In a country where the political elites are accused of corruption, cronyism and mobilizing ethnic violence for personal gains, it is of paramount importance to prevent neopatrimonial forms of governance. The 'behind closed doors' way of politics should be replaced for open and transparent decision-making where society can clearly see who does what. International interventions should aim for creating transparency, and one way to do this is by involving and actively engaging the moderate centre. UNMISS has tried to do this through their civil affairs division by supporting and coordinating peace/reconciliation initiatives at the local level in collaboration with local and traditional authorities, and regular consultations with political parties and civil society groups on political participation and representations as well as legal, institutional, and capacity challenges (UNMISS, 2018). UNMISS has however lacked the capacity to sufficiently address these challenges throughout the country, leaving neopatrimonial dynamics rampant in a top-down elitist government where its officials are not interested in reform.

Interventions must deal with the state in its security, legitimacy (inclusive nationbuilding), and capacity dimensions, and interventions in the first regard should be timed before the other dimensions:

This proposition might have been the most difficult for UNMISS to fulfil, and it is especially the timing of the first and second dimension that have been mixed up, creating a security-vacuum in the aftermath of the 2011 independence, and a half-hearted attempt to repair this fault afterward.

First, interventions should aim at creating a safe and secure environment in which further reforms can take place. It is necessary to reconstruct the security apparatus in such a way that it portrays society. Now, government forces are almost exclusively ethnic Dinka's, limiting the feeling of safety when opposition forces are asked to lay down their arms. In this regard, addressing the security dimension of the state is of paramount importance early in the resolution process, as Barbara F. Walter (1997) argues. It is near impossible to build a stable state or foster a sense of a unified nationality when fighting is still going on.

UNMISS set out as a statebuilding mission rather than a peacekeeping operation. That is however not completely hitherto: at the time of Security Council Resolution 1996 (2011) South Sudan had just emerged as the world's newest country, and hopes were high if South Sudan managed to build strong institutions and uphold the rule of law. With just 7000 military personnel and 900 police officers, UNMISS was never truly prepared for the violence that ensued in 2013. The sheer scale of the civil war was an "unprecedented development, one that presented unique challenges and placed a huge strain on Mission resources (UNMISS, 2018)." By 24 December, 2013, UNMISS had received an influx of personnel, with the total troops rising to 12.500 and police to 1323, albeit still acting under the old mandate. On 27 May, 2014, the Security Council unanimously adopted Resolution 2155, reprioritizing the mandate of UNMISS towards the protection of human rights, monitoring and upholding human rights, and the delivery of humanitarian assistance (UNMISS, 2018). However, it was too little too late. Between 50.000 and 100.000 people are estimated to have died in South Sudan since independence, even though UNMISS was deployed. Lacking protection from other institutions, people seek it from their own tribe. Rather than demand even-handed government, they back tribal leaders, knowing that they will steal and hoping they will share the spoils with their kin. UNMISS' incapability to apprehend this embodies the failure of the global 'never again' after Rwanda.

Second, with regards to legitimacy, peacebuilding efforts should focus on crafting a government that is legitimate and representative for the country. This does not mean that a government should be created by foreign

South Sudan's President Salva Kiir, center, and opposition leader Riek Machar, right, shake hands during peace talks in Ethiopia, 21 June, 2018. (Photo: AP Mulugeta Ayene)

> If UNMISS does not prevent this false-legitimization, the government will act under a banner of a elected liberal democracy, while missing practically every characteristic of one

interveners to reflect the country, but rather that the process of statebuilding and government creation should be done in collaboration with other groups. Strengthening the legitimacy of the government is vital to generating state resilience to fragility. However, in the case of South Sudan, that legitimacy is far away. On 7 May, 2018, the UN specifically asked South Sudan to postpone elections and concentrate on peace efforts instead. The South Sudanese government has however said that "if nothing transpires from the upcoming revitalisation forum, the government will conduct an election to legitimise the leadership (Makuei, 2018)." If UNMISS does not prevent this false-legitimization, the government will act under a banner of a elected liberal democracy, while missing practically every characteristic of one.

In addition, the official government is predominantly Dinka and a loyal follower of Mr. Kiir. The Nuer and other ethnic groups do not feel represented by this government and see it as a dictatorship. This was however not always the case, and there was an especially unified mood right after independence. This mood was unfortunately not acted upon sufficiently. UNMISS, as set out in Resolution 1996 (2011), had a comprehensive mandate, entailing peace consolidation, fostering long-term statebuilding and economic development, supporting conflict prevention, mitigation, and resolution, and supporting the government in developing the security apparatus, the rule of law, and the security and justice sectors (United Nations Security Council, 2011). Building a reflective government was not part of the mandate, but UNMISS' activities did include supporting and coordinating peace/reconciliation efforts in collaboration with local and traditional authorities. The scope and impact of these efforts remains vague however, and it is unclear to what extent this had any serious impact while fighting was still going on in other parts of the country.

Finally, to give credit where credit is due, UNMISS has tried to deal with the capacity of the state, both in the resolutions and in their actions. They have facilitated capacity building workshops for members of the State Legislative Assemblies, local government and law enforcement officials, traditional leaders, political party representatives, women, and youth groups (UNMISS, 2018). In addition, UNMISS has provided technical advice and support to government, including assisting in preparation of Elections Law and establishment of National Elections Commission (UNMISS, 2018).

Interventions must reflect a balance between recognizing that statebuilding is first and foremost an endogenous process with clear limits as to what external support can achieve, and local ownership that might undermine the process: In this proposition, it should be clearly delineated what the role of the international community is and is not. The UNMISS mandate defined the role of the force quite clearly, and the use of "all necessary means" had limited applicability to certain paragraphs. Furthermore, the mandate and actions showed a recognition that statebuilding was predominantly an endogenous process. The limits as to what external support can achieve were also clearly delineated, and a significant role was assigned to the government of South Sudan

It is the latter aspect of the fifth proposition that posed problems to UNMISS: recognizing that local ownership might undermine the process and work counterproductive. Throughout the mandates over the last seven years, we have seen an incremental role for local owners. This fits largely within the conventional *modus operandi* of the United Nations, where the concept of human security and its accompanying role for local owners is central. However, this is one of the most critical flaws of UN peacekeeping, but also one that is not easy to solve.

Mr. Kiir and Dr. Machar have actively undermined peace efforts, refused to sign agreements and ceasefires, violated human rights, and illegally acquired state-resources. Key officials in the South Sudanese government are accused of cronyism and corruption, investing heavily in maintaining the status-quo. With this knowledge, it is questionable to what extent UNMISS can actually assist the government in building a legitimate and functioning state, when the government itself is not willing to push for change. UNMISS mandate and action underestimate this.

South Sudanese women from various organizations carry placards as they march through Juba to express their frustration and suffering women and children have endured during years of conflict on 9 December, 2017 (Photo: VOA)

Conclusion

This article has tried to demonstrate that international state- and peacebuilding interventionism in South Sudan has not merited any substantial results. Even though numerous cease fires and peace agreements have been signed, the latest in December 2017, violations of these agreements are still happening daily. UNMISS missed a big change in the aftermath of the 2011 independence of South Sudan. Half-hearted state- and peacebuilding efforts did little to prevent the country from spiralling into civil war two years later. Combined with international interventions for countries' own gain in the affairs of South Sudan has further entrenched the conflict. In addition, the country's immensely centralized power in political elites and government officials, and its subsequent cronyism and corruption among government officials and elites, has created local owners that are heavily opposed to reform and proponents of the status quo. How much can we really expect from the existing leadership, both in the opposition and in the government, when they profit from the war itself?

This brings us to the complex question of what is to be done in South Sudan. As we have seen numerous times in the past, the international community should not be thinking of leadership replacement. Instead, what is necessary is an increased focus on the moderate centre, and providing a safe and secure situation through comprehensive peacekeeping. This might foster a situation of relative calm in which warring parties are inclined to work together towards disarmament. You cannot build a state or peace when you're in danger every day. The international community should deploy more troops under a comprehensive mandate, encompassing both peacekeeping efforts such as the protection of civilians and upholding human rights, as well as softer approaches such as reconciliation talks, facilitating economic recovery, supporting institution building, and start the process of nation building. The international community should further engage the moderate centre, and refrain from giving empty promises and adopting state centric approaches that only strong-arm corrupt local owners who stagnate the peace process. Finally, the international community should impose an arms embargo and increase targeted sanctions against those leaders that try to block change. What we see now however, is exactly the opposite of deeper involvement: a special report of the Secretary General on the renewal of UNMISS, drafted in February 2018, in which one of the objectives is to define an exit strategy for South Sudan. Instead of focussing on how to leave, we should focus our attention on how to solve.

This is not a magic formula but rather common sense vested in academic theory. What is a magic formula however is an exact policy plan for the coming years that takes all of the above aspects into account without being imperialistic and while finding enough funding. This will be the main challenge for the international community and for South Sudan in the years to come.

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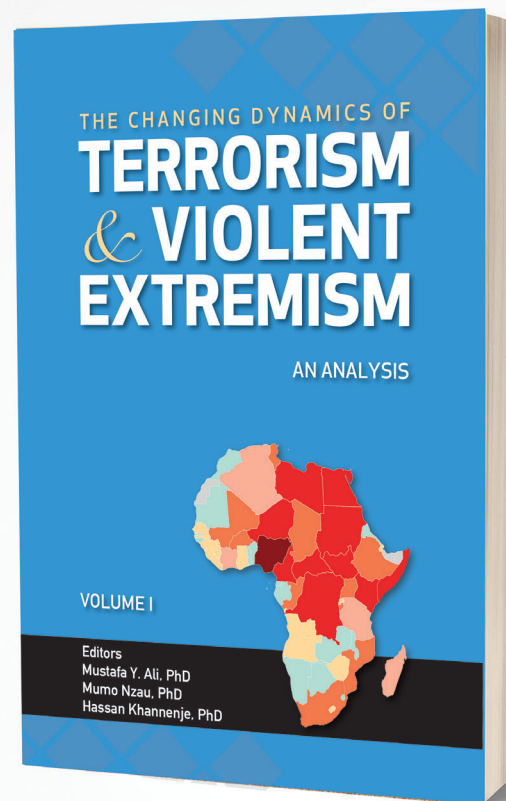
Upcoming Activities

Launch of Two Book Volumes

In August, the HORN Institute is set to launch two book volumes: *The Changing Dynamics of Terrorism and Violent Extremism: An Analysis* and *The Changing Dynamics of Terrorism and Violent Extremism: Policy and Practice.*

These books contain chapters derived from researched and peer-reviewed papers presented at the international conference on terrorism and violent extremism held on 24 – 26 April 2018 in Nairobi-(Kenya). The conference was organized by the HORN Institute to provide a platform for exchange of ideas and experiences in countering terrorism and violent extremism in Africa.

The volumes' contributors comprise of leading scholars and practitioners who examine the subtleties and complexities of terrorism and violent extremism in Africa today. Some of the topics in the books include political and religious extremism; ideological dimensions; state responses to terrorism; preventing and countering violent extremism; gender and terrorism; role of schools in countering extremism; media and terrorism; terrorism financing; terrorism and human rights; critical infrastructure protection; conflict dynamics in the Gulf and the wider Middle East, and their impact in Africa; global trends in terrorism and violent extremism; terrorism, trauma and counselling; radicalization and deradicalization; and case studies from Somalia, Nigeria, Jordan, Egypt, and Syria, among others.
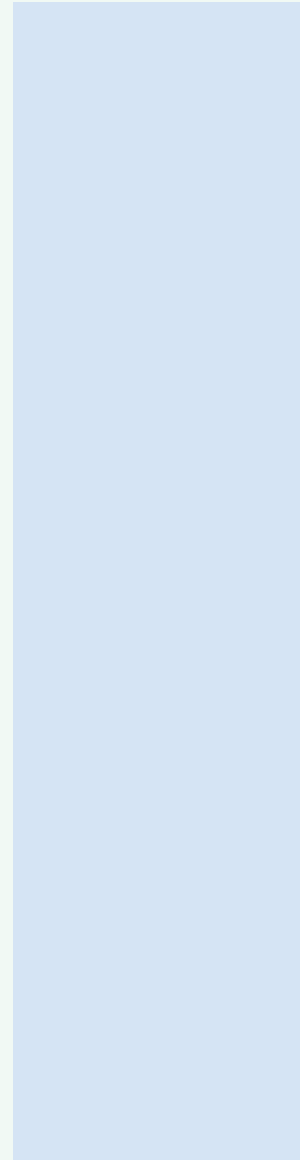
Editor's Note

Dear our esteemed readers.

We are excited to release our second bimonthly issue of the HORN Bulletin. We bring to you well researched articles and analysis of topical issues and developments affecting the Horn of Africa. We welcome contributions from readers who wish to have their articles covered in the HORN Bulletin. At HORN, we believe ideas are the currency of progress. Feel free to contact the Editor for more details at hkannenje@horninstitute.org.

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