African Union and Intra-State Conflict Resolution: A Return to the Libyan Crisis (2011)

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Abstract

This paper looked at the performance of the African Union (AU), in the resolution of Intra-state conflicts in Africa. The study necessitated a re-visit to the Libyan crisis. It is acknowledged in the study that conflicts pervade human relations. In the case of Africa, the study further shows that Africa has never experienced a lasting peace. The theoretical framework of games theory has been adopted in the study, to describe the character of African conflicts and to proffer solutions for the minimization of the level and number of such intra-state conflicts. The Libyan conflict typified the character of intra-state conflicts in Africa and was used for illustration in the study. The study concluded that the AU has made significant contributions towards the resolution of intra-state conflicts in Africa but there are still shortcomings of the AU and impediments to the efforts of the African Union, towards the resolution of such crises.

Keywords: African Union, Intra-state conflicts, Libyan Crisis, International Community Conflict Resolution,

Introduction

Conflicts pervade human relations. Thus, the phenomenon of conflict can occur between individuals, among family members, within religious and sundry organizations; between and among states, and within the borders of independent states. International Relations have thus, gradually moved from state to state relations, to a position whereby states, are directly interested in how the citizens of the other state-actors in the international system are treated by their own governors. The idea of not meddling in the internal affairs of the other nation-states has thus, become anachronistic. Within this context, conflict resolution has moved from resolving conflicts among nations and between nations, to include the resolution of intra-state conflicts. International organizations, at global and regional levels, have therefore become deeply involved in such intra-state conflict resolution.

At the global level, the United Nations (UN) has fully assumed a strategic position in global conflict resolution. In effect, saving succeeding generations from the scourge of war was the main motivation for creating the United Nations, whose founders lived through the devastation of two world wars. Since its creation, the UN has often been called upon to prevent disputes from escalating into wars, or to help restore peace when armed conflict does break out, and to promote lasting peace in societies emerging from wars. Hence, the first UN peacekeeping mission was established in 1948, when the Security Council authorized the deployment of the United Nations Truce Supervision Organization (UNTSO) to the Middle East, to monitor the Armistice Agreement between Israel and its Arab neighbors. (http://www.un.org/en/globalissues/peacesecurity/). UN peace making further expanded in the 1990s, as the end of the Cold War created new opportunities to end civil wars through negotiated peace settlements. A large number of conflicts were brought to an end, either through direct UN mediation or by the efforts of others, acting with UN support. Countries assisted included, El Salvador, Guatemala, Namibia, Cambodia, Mozambique, Tajikistan, Sierra Leone, and Burundi. As the decade drew to a close, continuing crises led to new operations in the Democratic Republic of the Congo, The Central African Republic, Timor Leste, Sierra Leone and Kosovo (http://www.un.org/en/globalissues/peacesecurity/).

At the African regional level, the African Union (AU) has equally assumed strategic regional responsibilities for political conflicts-resolution. The African Union, which is the successor-body to the Organization of African Unity (OAU), was born in 2001 (Mathiasen, 2006). Prior to the birth of the AU, the OAU in its declarations acknowledged that the scourge of conflicts must be controlled, for socio-economic progress to be made in Africa. Incidentally, the defunct O.A.U, unfortunately failed to actualize such desirable controls. For instance, the OAU declaration, establishing a Mechanism for Conflict Prevention, Management and Resolution had admitted that:

> *No single internal factor has contributed more to the present socio-economic problems in the continent than the scourge of conflict in and among our countries. They have brought about death and human suffering, engendered hate and divided nations and families. Conflicts have forced millions of our people into a drifting life as refugees and displaced persons, deprived of their means of livelihood, human dignity and hope. Conflicts have gobbled-up scarce resources, and undermined the ability of our countries to address the many competing needs of our people. (page2).*

After reaffirming a commitment to work in concert in search of speedy and peaceful resolution of all the conflicts in Africa, the Cairo Declaration, (as the document was also called), further stipulated as follows:

> *The Mechanism will be guided by the objectives and principles of the OAU Charter; in particular, the sovereign equality of member states, non-interference in the internal affairs of states, the respect of the sovereign and territorial integrity of member states, their inalienable right to independent existence, the peaceful settlement of disputes as well as the inviolability of borders inherited from colonialism. It will also function on the basis of the consent and cooperation of the parties to a conflict (page3).*

This document/declaration and its zero-sum plans remained only declarations; as the African Union, subsequently succeeded the OAU.

The AU came into existence, when the African space had already become notorious for conflicts (Mathiasen, 2006). Therefore, conflict resolution was expected to be a major challenge to the Union. The AU has given some indications that it can do better than the defunct OAU. Where peaceful resolution had failed, the AU had resorted to military intervention. The AU's first military intervention in a member state was the May 2003 deployment of a peacekeeping force of soldiers from South Africa, Ethiopia, and Mozambique to Burundi, to oversee the implementation of the various agreements. AU troops were also deployed in Sudan for peacekeeping in the Dafur conflict, before the mission was handed over to the United Nations on 1 January 2008. The AU has also sent a peacekeeping mission to Somalia. (http://en.wikipedia.org/wiki/africanunion)

Furthermore, one of the objectives of the AU is to promote peace, security, and stability on the continent. Among its principles is "peaceful resolution of conflicts among member states of the Union, through such appropriate means as may be decided upon by the Assembly". The primary body charged with implementing these objectives and principles is the Peace and Security Council. The PSC has the power, among other things, to authorize peace support-missions, to impose sanctions in case of unconstitutional change of government and to "take initiatives and actions it deems appropriate" in response to potential or actual conflicts. The PSC is a decision-making body in its own right and its decisions are binding on member states (http://en.wikipedia.org/wiki/africanunion).

Since it first met in 2004, the PSC has been active in relation to the crises in Darfur, Comoros, Somalia, Democratic Republic of Congo, Burundi, Cote d'Ivoire and other countries. It has adopted resolutions creating the AU peacekeeping operations in Somalia and Darfur, and imposed sanctions against persons undermining peace and security, (such as travel bans and asset freezes against the leaders of the rebellion in Comoros). The council is in the process of overseeing the establishment of a "standby force" to serve as a permanent African peacekeeping force. (http://en.wikipedia.org/wiki/africanunion). Despite the foregoing forthright initiatives of the AU, conflicts have persisted in Africa.

The Concept of Conflict: A Conceptual Analysis

To interrogate the concept of conflict, we must agree that conflict is as old as mankind. Experience has shown that conflicts are usually the result of incompatible interests. We also know that human beings are in one form of relationship or another. It is in these relationships that conflicts generally occur. (http://www.c-r.org/resources/occasional-papers/africana-media-and-conflict-part-four-dossa.php:) Furthermore, Dahrendorf (1959), cited in Wasburn (1982:83) has a posited that in every social organization, including total societies, there are some positions with the right to exercise control over others and this differential distribution of authority becomes the determining factor of politically significant

social conflict. In addition, to demonstrate that conflict pervades human existence, Ball and Peters (2000:27-28), have also illustrated as follows:

> *Two children in a nursery with one toy which both want at the same time present a political situation. There is conflict and there is the need to resolve the conflict.*

To further demonstrate the connectivity of conflicts with political situations, Ball and Peters (2000:28) opine that although the possibilities of resolution of conflicts are numerous, the essence of a political situation remains: that of conflict and the resolution of that conflict. Halebsky (1976:95) has also maintained that society is importantly, though not exclusively characterized by relations of conflict. Furthermore on the inevitability of conflicts, Ball and Peters (2000:34) have posited that the propaganda myths that propose the end of conflict, with the realization of certain social and economic changes, should not be accepted as the actual creation of a conflict-free society.

On causes of conflict, Ball and Peters (2003:31) are of the opinion that the diversity that gives rise to conflict need not have an objective base such as economic or racial differences. They at the same time recognize that all differences are not sources of conflict at public level because; the differences between tall men and short men do not give rise to political conflict. On his part, Halebsky (1976:101) has among other factors opined that: racial, ethnic, linguistic, and other cultural traits are frequent sources of group differences and conflict. However, it appears as if self-interest is at the root of all conflicts and it has in this regard, been posited that if we scrutinize some former wars in the world, we will see that their causes are the same as those of present conflicts - self interest, either at the individual or group level.(http://www.c-r.org/resources/occasional-papers/africna-media-and-conflict-part-four-dossa.php: Conflicts therefore pervade the entire society. Thus, to engage in conflict resolution, would not be a curious African engagement.

The Nature of African Conflicts

Research findings and conclusions, (Munya, 1999), have shown that Africa has never experienced a lasting peace. Peace and stability proved elusive in pre-colonial and colonial Africa. The scourges of the slave trade, inter-tribal warfare and the imposition of colonialism did not allow it. Thus, continues (Munya, 1999), one would expect emancipation and independence to have created an era of stability and relative peace. Instead, post-colonial Africa has experienced conflicts of a scale and magnitude heretofore un-witnessed. Pre-colonial Africa may have been volatile but the rudimentary nature of the weapons and the unsophisticated organizational structure of the societies made conflicts disruptive and adventurous rather than catastrophic (Munya, 1999). The emergence of an artificially constructed modern state apparatus and weaponry, coupled with the pressure of external forces, has therefore made Africa one of the most unstable regions in the world and has made creation of peace prospects a daunting task (Munya, 1999). The nature of African conflicts thus becomes attributable to what Kamrava (1993:139) sees as discontinuities and lack of coherence in the political culture of most Third World Countries. Fundamental political principles are never agreed upon and thus major differences in political orientations and beliefs continue to persist. Under such circumstances, parochial loyalties maintain supremacy over national ones, often to the extent that the central government is unable to gain widespread popular legitimacy. There is also lack of widely accepted and operative civil procedures for goal attainment and conflict management, thus increasing the likelihood of political violence, un-reconciled conflicts and repressive politics (Kamarava, 1993:139). According to Oche (2006:1), although conflicts are taken to be an inherent aspect of human relations, whether at the group, national or international levels, the prevalence of conflicts on

the African continent in contemporary times has assumed the dimension of a scourge, indeed so serious an issue has the problem become, that it is arguably the greatest impediment to any meaningful form of development on the African continent today. According to Ndioho (2010:1), Africa has been characterized by many conflict situations that have resulted in the loss of millions of lives, widespread displacement and a wide array of human rights abuses. Today, Africa accounts for about 70 percent of United Nation's peacekeeping operations…Africa continues to suffer from violent conflicts. In Somalia, in Sudan's Dafur Region, in the Eastern Democratic Republic of Congo, the toll has been devastating. There, scarce resources are diverted to buying arms. Insecurity, displacement, and destruction follow (Ndioho, 2010:1).

During the 1990s, narrates Skard (2003:21), there were 18 civil wars in sub-Saharan Africa. Each conflict is different. But in all cases, the civilian population became directly involved in a different way. In the past, there were very few civilian casualties. Now, they amount to 90 percent, of which at least half are children. Civilians are not only caught in unexpected crossfire, women and children have become important targets for warring groups. Maiming, rape, and massacres have become part of war tactics. Nobody is spared or protected. Nothing is held sacred. The war in Sierra Leone became notorious for its brutality, and children suffered on an unprecedented scale. Nobody knows exactly how many people were killed. Estimates start at 40,000 and go upwards. Around one-half or perhaps two-thirds of the population were displaced. Sexual violence against girls and women were extremely widespread. In addition, mutilation became systematic. To terrorize the population, people's arms and legs were "amputated"- cut off without anesthesia, sometimes with blunt machetes (Large Knives). Many died. The others formed a new group of invalids, the 'useless', who had special needs for assistance (Skard, 2003:21)). It then became a characteristic of African war that children suffer most. And in the estimated two million children that were killed in wars globally, during the decade (Skard, 2003), most of them died in Africa. And to further demonstrate the nature of African conflicts, Skard (2003:21) illustrates with the traumatic experience of a nine-year old girl from Liberia who relates that:

> *I saw 10 to 20 people shot, mostly old people who couldn't walk fast. They shot my uncle in the head and killed him. They made my father take his brains out and throw them into some water nearby. Then they made my father undress and have an affair with a decaying body. They raped my cousin who was a little girl of nine years.*

Major African conflicts have always taken the intra-state dimension. There have been such crises in Nigeria, Liberia, Angola, Rwanda, Mozambique, etc. Usually at the root of these crises are the zero-sum games of the political class. Increasingly therefore, the nature of African conflicts becomes intra-state. Mathiasen (2006:1) has further posited that African conflicts are spread all over the continent and there are no regions without conflicts. The nature of African conflicts therefore creates the need for capabilities for peace support operations. The nature of African conflicts shows that efficient resolution of conflicts in Africa requires that the African Union has the authority to intervene in international, transnational and intrastate conflicts; authority both in terms of formal authority and acceptability by member-states. And at the organizational and decision making level, it must be able to make the member states comply with decisions. Above all, the AU has to develop the resolve to solve problems (Mathiasen, 2006:4). The crux of the matter however, is that the African Union faces a number of organizational, decision making and military challenges, as well as challenges of providing adequate funds for resource build-up and expansion (Mathiasen, 2006), required for such peace-support operations.

A Historical Context of the African Union in Conflict Resolution

Research findings and conclusions on the African Union in conflict resolution; show that the AU has indeed begun to administer complex, costly and dangerous peacekeeping operations - formerly the preserve of the United Nations. Thus, the Peace and Security Council loosely modeled on the UN Security Council, which was created as a response to increasing cases of conflicts in Africa, has become the most visible evidence of Africa's growing security capacity.(http://www.africaresearchinstitute.org/files/briefing-notes/doc/No-Mr-President-7DNRTNET.pdf). Where peaceful resolution had failed in conflict resolution in Africa in the past therefore, the AU had even resorted to military intervention.

The AU's first military intervention in a member state was the May 2003 deployment of a Peacekeeping forces of soldiers from South Africa, Ethiopia, and Mozambique to Burundi...AU troops were also deployed in Sudan for peacekeeping in the Dafur conflict, before the mission was handed over to the United Nations on 1 January 2008. The AU has also sent a peacekeeping mission to Somalia of which the troops are from Uganda and Burundi.

(http://en.wikipedia.org/wiki/africanaunion). When therefore it is posited that in the past decade, diplomatic and military intervention in Africa has become more frequent and more assertive than in Latin America, Asia or the Middle East (www.africaresearchinstitute.org), the credit for such development duly goes to the AU.

The International Community in Conflict Resolution in Africa

Onya (2000.72) has submitted that since after the end of the Second World War, how to maintain peace in the world has caused the United Nations much money and lives of people who were engaged in one way or the other in peacekeeping operations, in different parts of the world. Down the African continent, Onya (2000:72) further declares: most countries have constantly been crisis-ridden. Peace-keeping forces therefore, have become useful to the international community in maintaining global peace and security. Alger (1975), quoted in Obasi (2008:17), has described these peace-keeping forces as useful invention in the global system, while on his part, Huseynov (2008:2) has on the increasing role of the international community in conflict resolution, demonstrated as follows:

> *Increasingly, the international community finds itself in a situation when it is the sole political actor able to stop the violence or break up the deadlock and push further the peace process when local actors are unwilling or unable to reach an agreement.*

This is precisely where the African Union (as symbol of the international community in Africa) enters, to play a critical role in conflict resolution, as the umbrella regional international organization in Africa. Interestingly, the Constitutive Act of the African Union, in its preamble (pg.2), contains the following:

> *Conscious of the fact that the scourge of conflicts in Africa constitutes a major impediment to the socio-economic development of the continent and of the need to promote peace, security and stability as a prerequisite for the implementation of our development and integration agenda...*

However, the critical issue has to do with the practical side of this consciousness of AU's founding fathers, as Mathiasen (2006:4) contends that the African Union has to develop the resolve to solve problems.

Theoretical Framework

The theoretical framework adopted for this study is the games theory. The zero-sum game has also been adopted in the work, as the theoretical model of the framework. Games theory itself is a branch of applied mathematics that is used in the social sciences (http://en.wikipedia.org/wiki/Gametheory).Games theory attempts to mathematically capture behavior in strategic situations or games, in which an individual's success in making choices depends on the choices of others (Myerson, 1991). Games theory has been widely recognized as an important tool in many fields. According to Ofoegbu (1980:18), the games framework of international relations focuses attention on rational choices and conflict resolution. Other notable contributions to the evolution of games theory include the works of Von Neumann and Morgenstern (1947), Morgenstern (1963), W.H. Rikert (1962), and Thomas Schelling (1960). Intrastate conflicts in Africa have seemingly become intractable because, political leadership in Africa has reduced leadership to zero-sum games. In order to reverse the escalating trend of this zero-sum pattern of politics, a political brand of the Calvo Doctrine (Schelling, 1960) has been examined as an option in this study, using the Libyan crises of 2011 as case study.

The Libyan Crisis Of 2011

The Libyan crisis was simply and squarely, about the strong resolve of the opposition, to dethrone the widely adjudged despotic regime of Col. Muammer Gadaffi, who had been in power in Libya, for more than four decades. The Libyan crisis was accordingly, fundamentally an intrastate conflict. It was therefore, the self interest games of Muammer Gadaffi that was at the root of the Libyan crisis. The crucial question becomes: does the African Union lack the capacity to intervene successfully, to resolve the self-interest games of the leaders of its member-nations, as such self-interest games, increasingly lead to intrastate conflicts? In the case of Libya, it critically appeared as if the African Union did not have the capacity to resolve the crisis. At the early stages of the crisis which subsequently developed into a seemingly intractable battle, between forces loyal to the late Libyan leader, Muammar Gaddafi, on one hand; and the NATO-backed rebels(so-called) on the other hand, it was strongly contended from Africa, that Africans should be allowed to resolve the crisis. Butagira (2011:1) on this contention quoted Ugandan Presidential Spokesman, Mirundi Tamale as follows:

> *President Museveni believes Africans understand African problems more than anybody else...My president believes it is only through regional African blocs or continental bodies - supplemented by efforts of the A.U or international community that true solutions can be found to African problems.*

In order words, President Museveni wanted the African Union, to play the leading role in the critically needed conflict resolution in Libya. However, the issue remained if the African Union possessed the capacity to resolve such a conflict. The nature of the crisis in Libya was complicated by the massive arsenal of warfare that the late Libyan Leader had amassed over the years and his continuing readiness to put such weapons of war into heavy use in fighting the rebels and their NATO "supporters". According to Alan (2011:67), one of the biggest difficulties that faced NATO and the rebels was Gaddafi's forces' heavy weapons. Thus, with regards to such suggestions as in Butagira (2011), representing the views of President Museveni of Uganda; Mathiasen (2006:14) would react that the African Union has a built in ability to become an efficient player in Africa but faces extensive challenges which can only be overcome with extensive external support. Extensive external support in the Libyan case, translated to extensive military sustenance.

Thus, while President Museveni's viewpoint positioned the African Union at the forefront in conflict resolution in Africa, with the capacity to resolve the Libyan conflict for instance; but with supplementary effort of the UN or international community, Mathiasen (2006), posits that the nature of the external support required by the African Union, to play such a role is rather extensive. Curiously, President Museveni, in the Libyan conflict, accepted that the effectiveness of the African Union in resolving such crises as the one in Libya was dependent on the supplementary effort of the UN or international community. Thus, the position of Mathiasen (2006) that the challenges facing the AU can only be overcome with extensive external support becomes reinforced. In other words, the capacity of the AU to play such leading roles in resolving such intra-state African crises as in Libya is surrounded by uncertainties.

At the early stages of the Libyan crisis, Butagira (2011:1), once again reported as follows:

> *The African Union which the Libyan leader is understood to have plotted to head, weighed in on February 23, 2011, condemning what it called indiscriminate and excessive use of force and lethal weapons against peaceful protestors. AU's Peace and Security Council, in communiqué issued at its 261st meeting resolved to send an ad-hoc fact-finding mission to Libya amid reports some 1000 people have perished in the unrest, majority reportedly from gunshots or ripped apart by explosion. AU is calling on Gaddafi's government to guarantee the safety of citizens. The continental body said it underscores that the aspirations of the people of Libya for democracy, political reform, justice and socio-economic development are legitimate and urges that they be respected.*

At this initial period of the Libyan crisis, the above intervention by the AU could have been considered significant. However, it was at this same time that the larger international community was considering its response to the crisis, which ultimately resulted in a no-fly zone implemented and enforced by Britain, France and the United States. The North Atlantic Treaty Organization (NATO), was given the responsibility of enforcing the no-fly zone, in accordance with a corresponding United Nations' Security Council Resolution (Madlala,2011:1). The crisis subsequently escalated, resulting into massive destruction of Libyan lives and infrastructure. According to Madlala (2011:2-3) the AU's Peace and Security Council, appointed a panel to review the solution. The panel presented an African roadmap for peace, which included an immediate cease-five, an end to NATO bombings, a truce between the rebels and Gaddafi's forces which would be supervised by the international community and negotiations between the rebels and Gaddafi, to reach a political settlement.

On the whole, the "intervention" of the AU in the crisis was built on the foundation that the continued expansion of areas of common interest in all conflicts gradually leads to conflict resolution. This agrees with the theoretical framework of this study. One possible area of common interest to both Muammar Gaddafi and the rebels was that Libya continued to exist as a sovereign state in the international system, governed by Libyans, and with the oil resources of the independent state, also controlled by Libyan authorities. The AU's contribution towards resolving the crises in Libya could have been from this perspective of saving Libya for Libyans. Unfortunately, the AU's participation in the efforts to resolve the Liyan intrastate crisis, largely bordered on ambivalence. Whereas the principle of non-interference has become anachronistic, an apparent ambivalence of AU on an intrastate African crisis was not only curious and worrisome but equally anachronistic. In fact, the same AU is believed to have indeed, began to administer complex, costly and dangerous peacekeeping operations - formerly the preserve of the United Nations. Thus, AU's Peace and

Security Council, loosely modeled on the UN Security Council, became the most visible evidence of Africa's growing security capacity

(http://www.africaresearchinstitute.org/files/briefing-notes/doc/).

Such AU's peacekeeping operations had taken place in Burundi, Sudan and Somalia. In the case of Libya however, it does appear as if the crisis so much overwhelmed the AU that it could not contemplate such strategic (military) intervention. It would appear as if the "international community" took the leadership position, in finding "solution" to the crisis in Libya; thereby reducing the relevance of the AU in such situations in Africa. When the international community, which can sometimes be a euphemism for the United States of America (U.S), the European Union (EU), the North Atlantic Treaty Organization (NATO) and the G-7) of leading capitalist countries, (Madunagu 2011:67), had taken the leadership position on a crisis as complicated as the one in Libya; there was the possibility that such intervention by the "international community" would reduce the continued relevance of the AU in such conflict resolution. Besides, the "international community" appears to continue to take such leadership position only whenever and wherever conflicts begin to escalate into immense crises in the international system. In place of ambivalence therefore, it is either the AU in the event of unavoidable, intrastate African crises, votes for peaceful resolution and intervenes to bring same about or fully prepares itself for active participation in NATO-like military interventions

Conclusion

This study has critically examined the pervasiveness of conflicts in human relations, the efforts of the international community, in the resolution of such conflicts, the spread of such conflicts in Africa, the intra-state nature of the conflicts in Africa, and the role of the AU, in the resolution of such conflicts. An illustration was drawn from the Libyan conflict of 2011. The games framework was adopted as theoretical framework for the study. A political brand of the Calvo Doctrine was alluded to, under which the AU would take up the centre-stage, in the resolution of African intrastate conflicts. The study arrived at the findings that the AU has made significant contributions towards the resolution of conflicts in Africa but there are still critical shortcomings and impediments to the efforts of the AU towards the resolution of such crises.

The study indicates that the African Union has to improve upon the contributions it has made to the resolution of intrastate African crises, enlist the cooperation of the international community, whenever necessary, in surmounting the impediments to its efforts in resolving the manifold crises; and in the process increase its continued relevance in conflict resolution in Africa. In conclusion, the study recommends that the self-interest games that manifest in Africa and indeed elsewhere as conflicts must be resolved in win-win patterns, before they escalate into full-blown wars.

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