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# ABOUT THE JOURNAL

The Brazilian Journal of African Studies is a biannual publication, in digital and printed format, dedicated to the research, reflection and propagation of original scientific articles and book reviews by PhD researchers and professors, with emphasis on the analysis of International Relations, Organizations and Integration, Security and Defense, Political Systems, History, Geography, Economic Development, Social Structures and their Transformations and Schools of Thought. The BJAS is essentially academic, linked to the Brazilian Centre for African Studies (CEBRAFRICA) of the Universidade Federal do Rio Grande do Sul (UFRGS).

The BJAS has as target audience researches, professors and students interested in the specificities of the African continent and its international insertion. Alongside such perspective, the Journal intends to expand the debate about the Brazilian projection world widely, the Brazilian cooperation efforts (including in the Defense field) with the African countries in the South Atlantic perimeter and the construction of a regional identity in face of a scenario of geopolitical transformations.

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## CONTACT INFO

Universidade Federal do Rio Grande do Sul

Prédio ILEA – CEGOV

Av. Bento Gonçalves, 9500 Prédio ILEA, Sala CEGOV (115)

CEP 91501-970 – Porto Alegre/RS - Brasil

Phone: +55 51 3308.9860/3308.7988

E-mail: [cebrafrica@ufrgs.br](mailto:cebrafrica@ufrgs.br)

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## EDITOR'S NOTE

Analúcia Danilevicz Pereira

December/2022

The History of Africa is intertwined with human history. When we think of civilization, Africa has also been a pioneer. In Africa, more than anywhere else, we are confronted with our past. We can affirm, therefore, that history begins with the evolution of the human species in East and Southern Africa, the starting point for the colonization of the rest of the continent and the world, when it adapted to new environments and specialized itself until the emergence of various ethnic and linguistic groups. Later on, knowledge of food production and metals would give rise to the slow concentration of population, as ancient rocks, poor soils, scarce rainfall, a profusion of insects and diseases generated a hostile environment for agricultural communities, with the exception of Egypt and other privileged regions. It is only in the last decades of the twentieth century that Africa ceased to be an underpopulated continent.

In the face of all these difficulties, African societies ended up specializing in maximizing the number of human lives and the ways of colonizing the land. For a long time, agricultural systems were mobile, that is, they were adapted to the environment rather than transformed, because the concern about extinction due to crop failure was intense. Social thinking therefore centered on fertility and man's defense of nature. Populations of small numbers who owned large tracts of land manifested social differences by extending control over the people, possessing precious metals, and raising cattle where the environment allowed, especially in the east and south.

Some regions escaped these limitations, such as, for example, North Africa, although subjected to isolation from the rest of the continent by the Sahara. On the other side, in most of tropical Africa, the first engagement with the outside world on a large scale was through the slave trade. Ironically, an underpopulated continent was the great exporter of people in exchange for goods. Today,

the continent seeks to overcome the effects of imperialism and colonialism, characteristic of the nineteenth century, and the interruption of its spontaneous development. More than adapting to new international conditions, Africa needs once again to show the world how it is possible to deal with the contradictions intrinsic to its history and contribute to the evolution of societies.

In this issue of the BJAS, the articles contemplate the historical trajectory and contemporary challenges of this important continent through case studies, but also the advancement of multilateral relations and cooperation in the framework of the multidimensional crises of our time. Henry Kam Kah and Emmanuel E. Kengo, in the article “Coercion and violence in German labor conscription in Cameroon, 1880-1914”, discuss German colonialism and the preference for coercion and violence in labor recruitment in Cameroon. In the study “Through armed struggle: colonial occupation, national liberation war and independence in Mozambique”, José Alejandro Sebastian Barrios Diaz analyses the context of Mozambique’s national liberation war, which took place between 1964 and 1975, and characterizes FRELIMO’s role in this conflict in historical perspective.

Vadim Kurillo and Sifiso Mxolisi Ndlovu explore the so-called latent politics in South Africa during the *apartheid* era in the text entitled “Latent politics in South Africa: the fall of *apartheid* and the personality factor”. In the article “Boko Haram insurgency and forced displacement in North-East Nigeria: an assessment of state management strategies”, Luqman Saka and Ousman M. Bojang, in assessing the Boko Haram insurgency as the most devastating of crises, discuss the depth of humanitarian needs of people internally displaced by the insurgency and the nature of state management of the displacement crisis. Following this, Enoch Ndem Okon seeks to explain the variables that promote military coups in Africa in the new millennium in the article “Why military coups are back in Africa”.

Finally, Olajide O. Akanji analyzes the intersection of the response to Covid-19 with human rights in Nigeria and Kenya, as both countries illustrate two Covid-19 endemic states that responded rapidly to the Covid-19 pandemic in the study entitled “Politics of Covid-19 response and human rights in Nigeria and Kenya”. And, still on the health crisis in Africa, Camila Castro Kowalski and Amabilly Bonacina, in the article “African regional and international coordination: how Covid-19 advanced integration trends and South-South cooperation”, argue that the restrictions imposed by the coronavirus strengthened the role of the African Union in advancing collective action and encouraged self-reliance. In addition, they examine how South-South cooperation provided a platform for immediate response when access to disputed medical supplies on the world market was difficult.



The BJAS publishes a bilingual electronic version (Portuguese and English). Thus, we expect the contribution of colleagues from Brazil and abroad, with whom we intend to establish links for the deepening of knowledge and the construction of a vision of the South about the African continent and its relations with them.

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# COERCION AND VIOLENCE IN GERMAN LABOR CONSCRIPTION IN CAMEROON, 1880s-1914

Henry Kam Kah<sup>1</sup>  
Emmanuel E. Kengo<sup>2</sup>



## Introduction

Cameroon is officially bilingual with English and French used in public administration and in business. It is multi-ethnic and multi-lingual consisting of over 250 ethnic polities that make it aptly described as “a babble of tongues”. Its location straddles the Central and West African sub-regions. The ecological zones of the country include the Sahel, Savanna and forest. Through this, the country has been nicknamed “Africa in miniature” (Fanso 2017, 9). The country has a triple colonial heritage. It was first annexed in July 1884 by Germany. After the German defeat in World War I, the country, like other German colonies, was seized from Germany and eventually partitioned into two unequal halves by Britain and France after a botched condominium. The economic foundation of the territory during the colonial period was laid by the Germans. Labour played a cutting-edge role in this German economic enterprise in Cameroon. The conscription and treatment of labour in the country and other German colonies was barbaric and dehumanising to say the least. This paper discusses this poor labour treatment and the ramifications on the population and in the redefinition of German labour policy in the territory.

<sup>1</sup> Department of History and African Civilisations, University of Buea. Buea, Cameroon. Email: henry.kah@ubuea.cm.

<sup>2</sup> Department of History and African Civilisations, University of Buea. Buea, Cameroon. Email: emmakengo@yahoo.com.

Germany essentially had a three-fold agenda in its African colonial possessions of Tanganyika, Kamerun, Togoland and South West Africa (Cana 1915, 356-357). One of these was to create a true colony in South Africa where it would control as much of that region as possible. This was because of the region's suitability for permanent settlement of whites. The second reason for German interest to establish permanent colonies in Africa was motivated by H.M. Stanley's discovery or so of the course of the Congo. Such discovery led Germany to increase its interest in the acquisition of plantation colonies in equatorial Africa. It also wanted outlets for commerce and harbours and coal stations for the German navy and marine mercantile. Their third objective of wanting colonies in Africa was to obtain a strategic base on the Atlantic coast of Morocco. Such a base would enable Germany to successfully become a menace to sea routes to South America, West and South Africa for its own benefit.

There was also general consensus in the German colonial philosophy that plantations and German settlers should make use of African labour as the mainstay of colonial production before 1905. In East Africa for example, German colonial authorities demanded from ethnic groups free labour and monthly tribute in ivory, livestock or foodstuffs. This was meant to support the construction of military fortifications to serve as bases of exploitation. The Wasukuma of Usukuma for example, ignored this and went ahead to attack German government and missionary caravans that traversed their territory and carted away property. The German response against them was ruthless (Itandala 1992, 9; Stearns 2008, 134). It was after the *Maji Maji* revolt of 1905-1907 in German East Africa that policy makers turned away from the direct use of force to procure workers. This revolt was the first united inter-ethnic opposition to brutal colonial rule, a result of a policy of forced labour on cotton plantations (Sunseri 2003, 430). The German greatest challenge was how the sparsely populated people would be used for the production of cotton, sisal, coffee, rubber and also food crops for various families (Sunseri 2001, 46).

German colonial policy in Togoland was diverse and included government exaction of compulsory labour, severe punishment, imposition of several direct taxes and restraint against the people's involvement in trade. The German colonial officials infringed on the people's right to land. Land alienation was pursued as a form of punishment for the Togolese (Amenumeey 1969, 67). Indigenous groups resented the German *corvée* in Togoland. One effective form of resistance was that the people moved with their families to remote parts of the colony where they would be free from the press-gang. Large numbers of people also migrated to the adjacent British territory of the Gold Coast. By doing so, it increased the difficulty of obtaining labour by German colonial officials for different economic groups. The burden on those

who stayed back became heavy and unbearable (Gray 1919, 29). Problems of Togolandese increased over the years because colonial authorities depended on their labour, excessive and arbitrary taxation to construct railways, roads and the telegraph system in their land (Laumann 2003, 196). This was a heavy price paid for being under German suzerainty. While those who could not stand it escaped into rural enclaves, others crossed the border into British territory thereby frustrating German economic interests.

German labour policy in Cameroon and East Africa was particularly unique in all its African colonies. Labour recruitment to the plantations was generally through coercion (Nana 2016, 173). This German attitude towards labour was captured in pictures showing prisoners being hanged or of forced labour scenes representing the life of the indigenous population as if it was natural for them to be treated through brute force (Kössler and Melber 2004, 23). Apart from the fact that they were recruited by force, indigenous production of the crops cultivated was discouraged. Cameroon was so peculiar that it became known as “The Land of the Twenty Five.” This was due to the regular number of blows that were inflicted on labour including a heavy whip for minor transgressions (Charteris 1937, 21). The Germans wanted to develop the resources of Cameroon based essentially on their culture of work. They needed labour at all costs including the use of force and to subject this labour to the work ethics of Europe (Rudin 1938, 318). This use of violence has been conceptualised for better understanding.

## Conceptualising Violence

Violence has been theoretically debated over a long time. In the long tradition of western thought the explanation of violence has an ideological basis. Although it is ubiquitous, violence is often qualified as a problematic anomaly. It’s also been described as “a non-rational uncontrolled mode of action signifying a regression to a wild state of nature (Abbink 1998, 271-272).” Malesevic has described violence as a social relation between two or more living organisms which is not fixed but historically generated, structurally shaped and ideologically framed (Malesevic 2015, 2). On his part, Dewey contends that violence is the intentional use of force to injure or kill (Dewey 2016). Galtung further opines that violence is “the cause of the difference between the potential and the actual, between what could have been and what is (Galtung 1969, 168).” These conceptualisations of violence show that there are divergences in its contextual meaning but also a point of convergence. For violence to take place it must be between two or more persons and make them behave without rationalising their action.

During conscription of labour in Cameroon, the Germans used coercion and violence for various economic interests. Excessive violence was used to recruit labour from the hinterlands of Cameroon for the plantations along the coast. Competition for scarce labour between traders and planters, other economic operators and government services eventually led to a review of policy after 1906 and for government regulation of this activity to pre-empt further chaos. Labour conscription prior to government regulation was uncontrollable. Labour recruiters and their agents acted like wild beasts. Competitors for labour used brute force to obtain it, failing which they would have failed in their mission in Cameroon, namely, to exploit natural and human resources. Social relations between Cameroonians and Germans were poor due to brutish labour recruitment. Many involuntarily offered services to commercial plantations as porters or guards but were compelled to do so. Due to coercion, several resistances were organised in several parts of the country against the German administration. The intentional use of force as discussed by Dewey (2016) had an ideological backing. This was because of the Germans' feeling of superiority to Cameroonians. There was also an actual difference between potential action of Germans with regards to labour conscription and reality in the field. It was a sad experience and pointed to actual or practical German treatment of labour in Cameroon.

## Relevance of study and early labour incorporation

The relevance of this paper today cannot be overemphasised. In 2004, which coincided with centenary of genocide on the Herero and Nama people of Namibia orchestrated by German administrators, interest was rekindled among Namibians to better appreciate German atrocities in South West Africa (Peraudin and Zimmerer 2011, 1). Colonial army extermination of the main labour force in 1904 created a labour shortage that lasted for years, to the disadvantage of the coloniser. In spite of promises to Nama groups to elicit their surrender, they were deported to concentration camps and conscripted into forced labour. They were also underfed, ill-clothed and badly accommodated. As a result, thousands of prisoners died from sheer neglect or from exertions of forced labour (Kössler and Melber 2004, 23). The commemoration of this genocide in 2004, called into serious interrogation overall German colonial labour policy not only in Namibia but on her other colonial possessions in Africa namely Kamerun, Tanganyika and Togoland. The dehumanising treatment of Herero and Nama ethnic groups and the war of extermination launched on them was unparalleled barbarism in colonial labour policy in Africa. This needs to be

recognised by the German government and be ready to pay reparations for the atonement of their sins in colonial possessions in Africa.

In addition, in Cameroon like Togoland, German colonial officials opposed those merchants whose interests they presumably represented (Steinmetz 2008, 595). This is a paradox when one remembers how ruthless Governor Jesko Von Puttkamer was in pursuit of the labour policy in Cameroon. He literally turned the country into a concessionary enterprise. The Togolese today are increasingly conscious of the fact that their ancestors were forcibly displaced from their original settlements for forced labour in the construction of railways, roads, buildings, wharfs among others essentially for the benefit of German colonial economic interests (Azamede n.d., 68). In fact, the main instruments of German colonialism were rape, extermination order, forced labour and theft of land (Mushaandja n.d., 37), which differed from one colony to the other in Africa. All these point to the supreme price that indigenous people across Africa paid for enduring German colonial rule. This cruelty or barbarism of a people over another will forever remain in the psyche and social memory of generations yet unborn. For this reason, there is a need for a new world order where the very strong are prevented from annihilating the weak and vulnerable for selfish purposes.

The early general need for labour in Cameroon was for plantation work, transportation of goods and to clear the jungle for railroads. In the domain of plantation work, German officials were favourable to its growth from the outset. Colonial rulers made land and labour available to planters through non-market mechanisms at the expense of African competition (Clarence-Smith 1993, 188 and 190). There also emerged very stiff competition for labour between German planters and traders. Government services needed labour as couriers, carriers for expeditions, construction sites and as railroad workers (Rudin 1938, 316-317; Tem 2018, 2). There was an ever increasing need for labourers to work on the plantations in Cameroon, tap wild rubber, carry loads, construct railways and perform a number of associated tasks (Gann and Duignan 1977, 167). The establishment of administrative posts and commercial centres also needed labour to work in them (Fonlon 1969, 33), which was often generally obtained through force and not free will. This was often the case because from the German occupation of Cameroon voluntary labour was insufficient in number (Oyono 2013) to do the work that was available.

Around 1870 prior to the annexation of Cameroon by Germany onwards, Cameroon's western grassfields, like other hinterland areas, were increasingly incorporated into a larger geographical division of labour. This was due to the advance of the European trading frontier into the hinterlands of the country. The western grassfields economic importance continued into

German annexation and administration. It became a serious, competitive and permanent source of labour for different economic activities pursued by the German economic class. Enforced labour conscription policies led to new plantations on the coast. It also replaced the sale of slaves and undermined the pre-eminent position of local elites (Rowlands 1979, 4). German colonial officials succeeded to put in place a highly organised plantation economy which was on constant pressure to recruit labour from the denser inland population (Ardener 1962, 343) on a voluntary basis, as penal labour rounded up in punitive expeditions or provided by chiefs on contract (Nkwi 1989, 17).

In the early years of German administration in Douala like elsewhere in Cameroon, workers came from several African countries and later from the hinterlands of German Kamerun. Among the supplying countries were Nigeria, Sierra Leone, Dahomey (present day Benin), Ghana, Liberia (especially Krumen, Wey and Bassa) and Togo. Within Cameroon, labour came from several places that included the Ewondo-Beti, Bamileke, Hausa, Bakundu, Kribi, western and eastern grassfields areas (Schler 2005, 96; Ebune 2015, 112; Eckert 1998, 139; Okia 2014, 176; Ardener 1996, 162; Nkwi 1989, v; Nfi 2016, 2; Austen 1983, 16; Müllendorff 1902, 72). Some ethnic groups like Bali, Bamum and Ewondo did not confront plantation owners and recruiters because they collaborated with them to ease labour conscription (Richardson 1999, 146). Some of them used the colonial dispensation to migrate away from densely populated and less developed grassfields to the coastal plantations created by the Germans (Konings and Nyamnjoh 2003, 14). Others had been providing services to Douala agricultural and trading ventures prior to the advent of the Germans (Eckert 1998, 139). During the colonial period, some of them were dockworkers, porters, manual labourers and civil servants. Among these people were those brought to a city like Douala as prisoners, soldiers or forced labour (Schler 2005, 96).

Following exploration in the western grassfields in 1888-1889, Eugene Zintgraff reported about the abundance of cheaper labour than that recruited from Monrovia or Accra. He proposed the use of penal labour to clear and prepare plantation estates (Nkwi 1989, 13). This report triggered labour recruitment in the grassfields which was often a very risky venture (Richardson 1999, 144). The friendship pact with Fon Galega in 1891 made the traditional ruler control the western grassfields under German protection. He promised the Germans that he would do everything within his powers to supply colonial authorities with men for the plantations (Njoh 2002, 411). Defeated ethnic groups were required to supply labour or private recruiters contracted chiefs to supply workers for specific periods. The chiefs also collected labour tax and mobilised it for communal activities (Eyong 2007, 55). The wider implication



of all these was dethronement, imprisonment or death by execution (Ardener 1996, 162; Nana 2016, 173 and 191). In spite of this pact, Fon Galega soon began to complain regularly of excessive mortality on the plantations, and from time to time cut off supplies of labour in response to this. The missionaries described this as disguised slavery which promoted slave raiding and trading (Clarence-Smith 1993, 200).

The German colonial administration also grappled with competition for labour between planters and traders who both needed it to exploit wild rubber. The planters and traders were in high and deadly competition for labour from the hinterlands. Traders needed porters and without labour supply it was to be a herculean task to supply goods from the coast to the hinterlands with communication at a major handicap. What were available were mostly footpaths in a majority of the hinterlands. In 1913 alone, over 80,000 porters including men, women and children were in the pay of traders transporting rubber between Kribi and Yaounde (Rudin 1938, 316; Epale 1985, 50). Some porters menaced villagers whose territory they traversed, making many of them escape to neighbouring countries. They often conscripted or molested the population. It took the German colonial administration to place restrictions on the exit of the population to these countries (Epale 1985, 50). When the situation became more precarious, in 1913 private recruitment of labour was discontinued by the government who took upon itself the responsibility of regulating this sector. However, tax delinquents were still used by private employers (Ardener 1996, 162) even with government regulation. It is also interesting to note that even when the government started to regulate labour procurement in 1913, the Bakweri for example, were still being subjected to systematic forced labour for the estates (Clarence-Smith 1993, 209).

## Labour challenges, coercion and violence

From the onset of German administration in Cameroon, there was the challenge of raising enough money for administration, public works and for enough plantation labour (Ngam 2017, 2). This was compounded by resistance to German efforts to conscript labour from different ethnic groups. Several of these ethnic groups in the grassfields could not forgive the Germans for ruthless suppression of resistance against them. German planters never relented on the recruitment of resilient, faithful and loyal labour (Ibid., 5). Beti people from the initial encounter with the Germans in 1887 resisted them. They did this by retreating into the forest as the work gang recruiters approached their area (Quinn 1973, 722). Others like Fang however supported the Germans.

For example, during an expedition into the interior in 1889 Captain Kund was accompanied by Fang porters ("The Cameroon District..." 1889, 211) without which this expedition would have encountered a lot of difficulties.

From 1906 to 1914, Cameroonians devised passive and active ways of resisting the Germans from expropriating their land, forced labour in German firms or administration, recruitment for unpaid labour on road and bridge projects and imposition of taxes. Whenever people got wind of a recruiting party in their area, all able-bodied men left the village in rejection of recruitment. In many cases, people abandoned or deserted their villages or escaped the payment of taxes and forced labour. They took up residence in tropical forests or escaped into neighbouring British or French territory of Nigeria or other countries of French Equatorial Africa. This was all in a bid to evade possible recruitment into portorage for several German firms and businesses (Stoecker 1986, 169-170). Some labour recruiters went to the field with followers disguised as soldiers. They gave bribes to chiefs in the form of money or alcohol. The recruitment methods that they used gave rise to outbursts of violence especially in the neighbourhood of Yaounde and Ossidinge in the present-day Mamfe area. In 1900 and 1907 labour recruiters were murdered (Clarence-Smith 1993, 201). This was the challenge many of these recruiters went through for daring to forcibly get labour for German economic interests in Cameroon.

Coercion and violence were used to recruit workers in German plantations in Cameroon like elsewhere in Africa. Africans were considered as animals to be used for labour and shot down like mad dogs if they dared to assert their claim of man or womanhood. Such a sickening graphic picture was captured in the editorial of *The African Telegraph* and *Gold Coast Mirror* of December 2014 (Njung 2016, 146). Governor Jesko von Puttkamer as an ardent proponent of forced labour supported this inhumane treatment of labour (Clarence-Smith 1993, 192). He became governor in 1895 and was in this position for eleven years as an autocrat. It was alleged that he had a personal financial stake in plantation companies which was never proven (Ibid., 192, 196-197). Under his long period of governorship in Cameroon, Jesko von Puttkamer ordered soldiers to raid and capture people for colonial services. Captured men were subjected to forced labour while females were kept for the pleasures of Europeans and soldiers (Gwanfogbe 1995, 72). Still under his administration, Cameroonians went through provocation and all kinds of humiliation. They were flogged, subjected to forced labour, paid taxes and were pushed into other social ills (Ngam 2017, 6). Some soldiers dispatched into the hinterlands by the colonial administration were assigned the task of recruiting labour to perform tasks in the plantations (Gwanfogbe 1995, 183). German punitive raids and defeat of Nso in the Bamenda western

grassfields between April and June 1906 led to the establishment of a patrol in Kumbo. This was charged with supervising forced labour on the road that linked Bamenda and Banyo (Chilver and Kaberry 1960, 8).

Governor Puttkamer promoted concessionary enterprise in Cameroon, made use of penal labour for this purpose and was angry with the attitude of some chiefs. In 1894 close to half of the labourers on the *Kamerun Land und Plantagen Gesellschaft* (KLPG) plantation were Ewondo penal labourers. Hundreds of people from rebellious ethnic groups including women and children were punished through work in the plantations. In one case, Bulu workers were sent to work in these plantations for six years for no pay. They were, however, paid something far below the standard wage for regularly recruited people (Clarence-Smith 1993, 200-201). Puttkamer also argued that chiefs were reluctant to send their best men to work in European employment. They would despatch the weakest they found (Gann and Duignan 1977, 169) showing a kind of rebellion against German economic enterprise. His favourite plantation, where he was also shareholder, though contested elsewhere, *Westafrikanische Pflanzungsgesellschaft Victoria* or the West African Plantation Company (WAPV) abusively seized land and subjected people to forced labour with utmost cruelty. Some people who lost their land to it, were forced into reservation in total disregard of their freedom of choice (Stearns 2008, 135). The German system of forced labour as it was generally applied in Cameroon made for cheap labour services ("Notes on the Cameroons..." 1916, 403-406). Constant pressure on the colonial government to recruit labour from densely populated areas led to social upheavals throughout the period of German administration in Cameroon (Ardener 1962, 343). The manner in which labour was recruited and transported from the western grassfields for instance provoked bewilderment (Ngam 2017, 10).

Chiefs who would not stand the German onslaught during wars of resistance were forced into loyal collaborators. They had no other option than to do so. Several of them were more or less coerced into signing treaties of friendship and swore to collect taxes for the Germans, assist in coordination of public activities and recruit labour for the planters (Ibid., 4). Others did not out-rightly resist the cruel German labour policy. Rather, they got into an entente and promised to supply labour even from neighbouring chiefdoms. With the official ban on slavery, the Germans smartly negotiated with the Fon of Bali in 1891 for a constant supply of labour. This enabled free Bali men to take along with them domestic or purchased slaves for the plantations. In return, the Fon of Bali was paid part of the labourers' wages. He also received presents, firearms and kept an alliance with the Germans to suppress his rivals in the Grassfields. This arrangement was rather erratic from

1897 and benefited the *Westafrikanische Pflanzungsgesellschaft Victoria* (WAPV) (Clarence-Smith 1993, 200) more than the Fon of Bali or his free men.

Through the treaty signed by Fon Galega I with the Germans, he was expected to extort toll and taxes from his Widekum neighbours. He also served as a major recruiter of labour for the Germans using all kinds of unorthodox means. Due to his unflinching collaboration, Dr Max Esser of the WAPV signed an agreement with him in 1896. Through this strategic agreement, he was given 100 Bali men for the plantations. They got to the coast the following year in July (Epale 1985, 48-49). The Bali did it by ensuring that there was a constant supply of labour from several grassfields chiefdoms that came under the control of Fon Galega. They were to perform tasks in the German plantations, government work and services (Niba 1995, 65). This placed Bali in a privileged position over other grassfields fondoms during the era of German administration.

Examples of companies and plantations that abused labour during recruitment and during work in these companies abound. The *Gesellschaft Sud Kamerun*, for example, used wages and forces to assemble their workers. With the blessing of the government, when other recruitment methods did not work out, to work on the plantations served as a penalty and the people were sent to spend jail terms. In fact, those who were condemned to serve jail sentences for crimes and misdemeanours were sent to work punishment as plantation workers for these crimes (Richardson 1999; Rudin 1938, 320; Schaper 2009, 24). Due to the high need for labour in the plantations, planters admonished the government to get labour from the hinterlands of Cameroon and to make them sign contracts of three or five years (Rudin 1938, 320).

German brutal treatment of labour reached an apex during the period leading to the First World War. Around this time, Germans raided for labour and porters to serve their interests on a regular basis. Fons were also compelled to provide men for different labour services and portage. This made them unpopular among their people (Ngam 2017, 9). Government had taken over recruitment of labour in 1913 on the understanding that they would better the lot of the people but this was not to be. Abuses on labour still continued. Labour needs increased because this was needed not only for plantation work but also for government work, like in road work. Men were still obtained by forced levy but were used for a variety of tasks (Richardson 1999, 146). The government's extradition, though onerous, ceased to be arbitrary and was strictly regulated, so Africans at last came to be looked upon as economic men rather than as merely savages (Gann and Duignan 1977, 170). There were consequences of this reckless use of coercion and violence by different stakeholders in the German economic interests in Cameroon.

## Consequences

The consequences of coercion and violence in German labour conscription were telling on the sociocultural and economic fabric of the Cameroonian society. Among the Bakweri for instance, after the Germans had subdued them in 1894, they were forced into densely packed villages, were imposed a huge fine which included slave labour in the construction of the government station in Buea which overlooked Buea Town, Small and Great Soppo (Njoh 2002, 408; Ardener 1996, 116). The coercion of the Bakweri into manual labour following their defeat led to greater resistance because this took place on their expropriated land. Bakweri people were not willing to work for the German plantations and the latter looked for labour elsewhere. This was to do the job that had been rejected by the Bakweri in anguish.

The arrival and acceptance of labour from elsewhere to do the job so rejected by the Bakweri led to a love-hate relationship for these other ethnic groups by the disgruntled Bakwerians. The other ethnic groups were accused of collaboration with their oppressors, the Germans (Dibussi n.d., 5-6). The resistance of the Bakweri to conscript labour capitulated because following peace terms that concluded the war with them in 1894, the people agreed to at any time put at the disposal of the District Officer in Victoria 400 labourers against a monthly pay of 7 marks and free maintenance (Ardener 1996, 115). To say the least, the Bakweri worked on the plantations as forced labour (Ibid., 150), like other ethnic groups but their number was not enough to serve all these plantations. As late as 1913 they were still being subjected to systematic forced labour for the estates. The population of the country was seriously being competed for requirements of plantations, peasant cash crop production, wild rubber collection, portage and railway building (Clarence-Smith 1993, 209).

The labour so generally forcibly recruited from different ethnic groups in the hinterlands of Cameroon could not be paid the wage that could reproduce their labour power. One German scholar H. Winkler captured this scenario and other related problems of labour under German rule in Cameroon in the following words: "Starvation wages, excessively long hours, malnutrition, poor shelter, female and child labour, the breakdown of family life, an early death, floggings and chains – such was the fate of the workers in Cameroon (Stoecker 1986, 168)." From Winkler's remarks, the people forcibly recruited received wages that were only enough to starve them to death. The long hours of work were never appropriately remunerated and the people could not feed well which explains why there was early death. Mortality rates in the plantations reached new heights. In 1913 for example, a doctor demanded that recruitment be suspended after two terrible instances of plan-

tation mortality, one of 30.5 % over seven months and the other 20.6% over three months (Clarence-Smith 1993, 210). The shelter provided for plantation labour was poor. Women and children were exploited and where a man had been conscripted to work for a specified period, he was separated from the family and this explains the breakdown in family life. Added to this litany of problems was flogging of labour for minor and other offences committed.

Other ethnic groups could not stand the German attitude towards labour and paid dearly for it. The Maka, for example, were forced to work for government stations and were continually exposed to crimes which were committed by itinerant traders. Unable to bear the exploitation of their labour services, they staged a rebellion against the Germans for dehumanising them. This was an outcome of consultation between all chiefs. They desperately wanted to prevent their tormentors from persistently tormenting them (Stoecker 1986, 170). There was, however, arbitrary whipping inflicted on several indigenous populations on the order of officials, army officers and employers which went unrecorded and which were a common feature of daily life in Cameroon (Ibid). It was therefore not surprising that there were resistances in several instances from among different ethnic groups.

Due to notoriety of German plantations, Africans regarded them as a new form of slavery and on these plantations, labourers died like flies (Eckert 1998, 139; Rudin 1938, 317). To say the least, working conditions in commercial plantations set up by the Germans as seen by the indigenous population was near slavery (Epale 1985, 47-48). Force was the weapon to get labour for the coastal plantations and many died there. Their employers did not help matters because of their general harsh treatment of labour (Ibid., 50-51). Others braved deplorable working conditions and returned home after the expiration of their contracts while others ran away from plantations that needed them most (Rudin 1938, 317).

The trickery that was used by labour recruiters together with collaborators to get labour for plantations often led to deaths of some of them and stubborn workers were subjected to various forms of punishment. Several labour recruiters did not return from their recruitment trips. Private recruitment in general created many problems between recruiters and indigenous populations from where the labour was obtained. Private recruiters continued to receive support from more effective administrative networks even when this was regulated by the government (Clarence-Smith 1993, 209). Collaborators like Bali were accused of being directly involved in the supply of forced labour from their neighbours to work in the German plantations (Page et al. 2010, 353). In 1907, a European was killed because he held some women captive on the condition that their men should appear for recruitment (Rudin 1938, 325).



Unable to bear it any longer, the German government took over responsibility for regulating the recruitment of labour. Labour recruitment then became a public and no longer a private issue in 1913. The damage had been done because this was coming only at the tail end of the German administration of Cameroon. The government policy was that those who wanted to recruit workers paid a recruitment cost before they could embark on it (Richardson 1999, 144). For the workers who got fined or committed any other infractions, they suffered deductions of their wage (Ibid., 149) which was not good enough.

The rebellious local population was punished through military expeditions like the one at the Bamenda station in the western grassfields which lasted for fifteen years. These expeditions were either aimed at punishing ethnic groups that refused to supply labour, for ambushing patrols and killing soldiers or refusing to acknowledge German suzerainty in their area. In two expeditions mounted against the Bafut by German forces, over 1062 people died and 600 of them were taken prisoners or as penal labour (Nkwi 1989, 17). Through conscript labour, men had no other hope than to migrate down to the coast without their spouses or families. Matters were compounded when they were coerced into spending long periods away from these families (Njoh 2002, 411). This had an impact on family unity and care provision to older members of the family. The general use of forced labour by the Germans in their economic undertakings in Cameroon was strongly resented by the local population across the territory but to no avail (Ngho 1979).

German brutal treatment of labour made it possible to escape from the plantations, seek protection from missionaries and created general insecurity. The Basel Mission was particularly vocal about the treatment of labour in German plantations and the repressive measures in Buea which led to the widespread use of forced labour. The Mission on several occasions intervened on behalf of Cameroonians against excesses of colonial agents and labour recruiters (Gwanfogbe 1995, 63) and argued that plantation concessions regarded the local population as their private sources of labour (Ardener 1996, 162). The missionaries fought very hard for the humane treatment of labour. The privately owned coastal trading companies with plantations in the interior did not also want forced labour. This was not because of any genuine concern about labour but because their non-recruitment worked to their own advantage and to the detriment of planters who had plantations along the coast (Richardson 1999, 147-148). It is also important to note that missionaries made the local population believe that work and worship went together (Rudin 1938, 318). Due to government occasional recruitment, school pupils were forced into labour either for the regime or for the German plantations or compelled to work as porters to German traders in the hinterlands (Gwanfogbe 1995, 54).

Living conditions in the plantation camps, as well as the hot climate of the coastal region where most of these plantations were located had a negative effect on those who were recruited from the highlands that were colder. While a good number of them passed on, still many others never returned to their villages for several reasons (Ibid., 183), probably because they had been detribalised and got married to women from other ethnic groups especially those along the coastal region like the Duala, Bakoko, Balong, Mungo, Bassa and Bakweri. Due to the high death rate in the plantations as a result of the unhealthy climate, the government in 1896 passed an edict which stipulated that there was no private disciplining of workers. The government also required provision of medical attention for all workers and this proved to be costly to the planters in the territory (Bederman 1966, 354). The pay for labour was poor and their treatment bad. German executions were sometimes accompanied by vicious cruelty which often led to widespread resistance. For example between 1904 and 1907 there was armed resistance in many parts of southern Cameroon (Gann and Duignan 1977, 168). All these were a response to the brutish treatment of the people by the Germans. On the whole, plantations applied brutal and ineffective methods of labour procurement and management. Thousands of labourers paid for this arrogant blunder with their lives (Clarence-Smith 1993, 188).

## Conclusion

In this paper we situated the country under study and presented the overall German policy in her colonial possessions in Africa which included Cameroon, German East Africa, German South West Africa and Togoland. The use of labour for various economic activities formed part of the German economic policy in these colonies. Labour was used by both government and private services and there was often competition for it between different stakeholders such as the planters and traders.

We have also examined early attempts to open up the hinterlands to the world global economy and this could not have been possible without the crucial role of labour as porters, railway and road workers among others. It was within the context of the importance of labour to the German colonial enterprise that this study was made relevant. In order to perceive or paint a picture of German labour conscription or present a generalisation, there was a need to review the concept of violence as examined within scholarly settings or by some scholars and to contextualise it within the German colonial period in Cameroon like elsewhere in Africa.



This paper has also examined the challenges of getting labour for the various economic interest groups in Cameroon. There was the use of coercion and violence with some traditional rulers acting as facilitators. This was especially so for those who were conscripted to work in the German commercial plantations established along the coastal belt of Cameroon. The last part of the paper was on an analysis of the consequences of labour conscription. There is therefore a need for lessons to be drawn from this for a better labour policy that honours rather than degrades labour.

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**ABSTRACT**

We have investigated German preference of coercion and violence in recruitment of labour in Cameroon. Cameroon's colonisation was facilitated by two German trading firms and economic motivations were central to this scheme. The establishment of several plantations triggered a gripping need for extra labour from the hinterlands for economic and administrative purposes. Its scarcity in the immediate vicinity occasioned supply from other areas and was facilitated by chiefs and labour recruiters. Chiefs signed labour contracts without consent from recruits. Some constructed or maintained roads and died in the process. This paper discusses these issues through a content analysis of accessible literature.

**KEYWORDS:**

Coercion. Violence. Conscription. Germany. Cameroon. Colonisation.

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# THROUGH ARMED STRUGGLE: COLONIAL OCCUPATION, NATIONAL LIBERATION WAR AND INDEPENDENCE IN MOZAMBIQUE

José Alejandro Sebastian Barrios Diaz<sup>1</sup>



## Introduction

The *Daily News* of Tanzania recorded Samora Machel's visit to a FRELIMO<sup>2</sup> school that proposed the following arithmetic problem in a class:

During an attack on an enemy post, the fighters used 11 out of 24 grenades that were in a box. "How many grenades were left in the box after the attack?". Machel asked for a volunteer to solve the problem and soon a young man volunteered. After he answered, Machel posed another question, "Each of the eleven grenades fragmented into 48. How many shrapnel were formed?" (Christie 1973, n.p., our translation<sup>3</sup>).

This school was located in the Nangade area, one of FRELIMO's three pilot centers in Cabo Delgado, a province in the north of the country. Machel's stance reflected the political line of FRELIMO's Central Committee in understanding education as an area "vital for the total liberation of the Mozambican man, liberation from the evils inherited from colonialism and also liberation from economic underdevelopment" (Machel 1979, 3). The subjects that were taught in elementary school were arithmetics, science, politics, drawing,

1 Department of International Relations, Instituto de Ensino Superior de Brasília. Brasília, Brazil. Email: ale.ri.barrios@gmail.com. ORCID: <https://orcid.org/0000-0001-8386-3642>.

2 Frente de Libertação de Moçambique, in Portuguese, literally Liberation Front of Mozambique.

3 In the original: "No ataque a um posto inimigo, os combatentes utilizaram 11 das 24 granadas que estavam numa caixa. "Quantas granadas ficaram na caixa após o ataque?". Machel pediu um voluntário para resolver o problema e logo um jovem se ofereceu. Depois de ter respondido, Machel pôs outra questão: "Cada uma das onze granadas fragmentou-se em 48". Quantos estilhaços se formaram?" (Christie 1973, s.p).

geography, and Mozambican history. In addition to these subjects, children also learned subsistence agricultural production, handling of firearms, and debated the national culture, with choir, dance and drama presentations.

In fact, according to Meneses (2015), in the case of Mozambique, the struggle against colonial domination and the achievement of independence were some of the founding moments of its national history, marked by the political project of FRELIMO, the main nationalist movement during the struggle for the country's independence, and a political party since 1977. This has been the main political group in power throughout the history of the Mozambican state, even after the introduction of multi-party elections in 1992.

Portugal, in turn, openly allied itself with the racist regimes of Southern Rhodesia and South Africa and gained support from the North Atlantic Treaty Organization (NATO). It should be noted that in Southern Africa colonialism survived through these three regimes, whose final marks of defeat were Namibia's independence and Nelson Mandela's release from prison, both in 1990 (Saul 2011).

Using primary sources from University of Coimbra's Documentation Center "25 de Abril", the objective of this paper is to understand the context of Mozambique's national liberation war, which took place between 1964 and 1975, and to characterize FRELIMO's role in this conflict from a historical perspective. The paper is divided in three parts, aside from the introduction and concluding remarks. First, the article narrates, in broad strokes, the colonial occupation of the Mozambican territory between the end of the 19th and the 20th century, to then approach the national liberation struggle. The third part describes FRELIMO's work, its formation and its role in the struggle for independence.

The research design draws on three qualitative methods. From (i) consulting a historical archive, the Documentation Center "25 de Abril", in Portugal, (ii) followed the construction of a narrative to analyze the information obtained through the documents with a critical sense. Then, finally, (iii) conducting bibliographical research in secondary sources, in order to support the understanding of the primary sources.

According to Woods (1996), understanding a phenomenon involves investigating a particular event, delving into its history. From this history, a narrative that allows us to understand the phenomena can be constructed. History is, therefore, the instrument used to question the reality of the investigated processes. The aim is to understand the phenomena from their meaning, their historical context, and their connections with broader issues of power relations.



## Colonization of Mozambique between the 19th and 20th centuries

For Henriques (2004), it is possible to define three central aspects of Portuguese colonization in Africa. The strategy consisted in (i) installing fortresses or trading posts in coastal regions to ensure the establishment of trade relations and using these facilities to gather information about the interior of the country. They also served the purpose of defending the territory, protecting traders, missionaries, and navigators. (ii) The use of European technology such as large ships, firearms and production techniques, agriculture, construction, and trade as advantages employed to ensure the maintenance of occupied territories. And (iii) changing the previously existing men-women social dynamics that organized the African territory, a significant operation of transformation of the social and cultural landscape by the Portuguese, which included the introduction of patriarchy.

Portuguese colonialism was based on its religious character, and can be understood as the establishment of “a population of European origin that would guarantee Portuguese sovereignty” in the territories that today bear the name of Mozambique. In fact, this was not a peaceful phenomenon (Capela 2010, 118).

The focus of this section, however, is the passage between the 19th and 20th centuries in the Mozambican territory, politically organized under the conception of the *Prazos da Coroa* (large estates leased to colonists), one of the first models of the colonial state, in the region of the Zambezi Valley, a river that crosses Mozambique towards the Indian Ocean, where the Cahora Bassa hydroelectric plant, which provides energy for Mozambique and South Africa, is currently located. *Prazos* were lands inhabited by the Portuguese that belonged to the Crown, leased for a term of three generations, including rights to collect local taxes and exploit resources (Dinerman 2006).

According to Mondlane (1969, 32), the *prazos* system in Mozambique dates back to the 17th and 18th centuries. The “*prazeiros*” were Portuguese settlers and landowners and, in those areas, were the personification of the colonial authority. Later, the *prazos* system gave way to concession companies.

The *Prazos da Coroa* were the material and structural basis for the colonial formation of the territory and the construction of a patriarchal society. Along the way, a defined stratification was established, in which there were the *muzungos* (lords), the *donas* (when the landlord was a woman) and the slaves, who were distributed by several hierarchical orders (Capela 1996).

It is worth noting that Portuguese colonialism was financially dependent on England, especially in the plantation sector, in navigation, and in

railways. An example of the English presence in this region were the telegraph lines installed between Portugal and Mozambique, which began to be built in 1875 by an English company. The railroads which linked Lourenço Marques (former name of the capital Maputo) to Pretoria (in South Africa), built with English capital between 1886 and 1894, were the same as those which connected the city of Beira (capital of the province of Sofala) and Southern Rhodesia (present-day Zimbabwe). At the end of the 19th century, the two existing banks in Beira operated with English capital: the Standard Bank of South Africa and the Bank of Africa; and the press was reduced to the Beira Post, an English newspaper (Liesegang 1993).

For Machel (1974a), the emergence of Lourenço Marques as capital and center of the country would be linked to phenomena such as the growth of intensive elephant hunting. This increased the ivory exports around 1850, the export of labor to the British colony of Natal (now South Africa), and the beginning of capitalist agricultural projects, such as cotton and sugar plantations, as well as the construction of the port of Durban, in South Africa.

However, according to Serra (1996, 40), between 1870 and 1875 the capital was a “small colonial establishment”, with a population of less than a thousand inhabitants and limited colonial authority. In the 19th century, the fundamental change for understanding the emergence of capitalism in Mozambique was the conjunction of two axes related to the economy of southern Africa in general and to the strengthening of economic ties between Mozambique and the British colonies in South Africa: (i) the opening of the Kimberly diamond mines, which increased labor migration, and (ii) gold exploration in Lydenburg, in the eastern Transvaal. These are processes associated with the growth of commercial enterprises in Lourenço Marques, such as warehouses and hotels, and the expansion of the commercial network within the Portuguese colony.

Between 1885 and 1900, new gold mines were opened in the southern and central Transvaal (present-day Witwatersrand) areas, railway lines were built, and other industries emerged. Thus, southern Mozambique became the largest supplier of labor to the South African mining industry, and the capital became one of the main destinations for South Africa's goods revenue (Cabaço 2009).

It is worth mentioning that, from the European point of view, colonial policies were strengthened from 1884, when Germany's representative in England requested an audience with the Minister of Foreign Affairs, Lord Granville, requesting a meeting with the participation of France and Portugal, among other countries, to discuss the issues and the course of colonial occupation in Africa, on behalf of Bismarck. The Berlin Conference, held between November 15, 1884 and February 26, 1885, institutionalized the right to occupy and possess African territories (Uzoigwe 2010).

In broad strokes, according to Atmore and Oliver (2005), the Berlin Conference, or partition of Africa, changed the physiognomy of the continent. In particular, the Portuguese Empire used the techniques available in order to “effectively occupy” the African colonies: trade was used as an instrument of war, white settlers enslaved the population, missionaries acted as “peacemakers” and military forces occupied the coast; later, they integrated the “indigenous peoples” into colonial society, but with an inferior status (Mondlane 1969).

In fact, the exploitation of the Portuguese colonies was carried out with the patronage of international capital, and was reproduced through a game of concessions and alliances with other colonial powers. In this sense, at the end of the 19th century, with the purpose of accomplishing the occupation and exploitation of the country, the Mozambican territory was divided into four zones of concessions: (i) the Northern region, under the concession of the Niassa Company; (ii) a strip extending south of the Zambezi River, acquired by the Mozambique Company and the Zambezia Company; (iii) the Central region, operated by the Mozambique Company and (iv) the District of Mozambique, directly administered by the Portuguese government (Cabaço 2009).

The occupation of Mozambique advanced in the 20th century at the pace of changes in the colony’s institutional and territorial organization. In 1907, Ayres de Ornelas, Minister of the Navy and Overseas Territories, launched the Administrative Reform of Mozambique, which modernized the institutional organization under the aegis of a Governor-General and the division of the territory into districts, each with its own Governor. The districts were grouped into circumscriptions that formed Councils, headed by an administrator. These regions were the “main unit of the administrative structure” (Albuquerque and Pimenta 2021), in which traditional chiefs were incorporated into the local level of colonial authority.

Before the *Estado Novo* (1933-1974) was constitutionally implemented, Salazar drew up a decree that reorganized the political and administrative design of the colonies. The 1930 “Colonial Act” renewed Portugal’s policy toward the colonies, and was characterized by an imperial aspect, the idea of the “indissolubility of empire”, which determined colonization until the end of 1951. Thus, with the goal of centralizing power in Lisbon, the main result of this institutional reform was the redefinition of the relations between metropole and colonies, based on the supposed unity of the “Portuguese Nation”, establishing the Ministry of Colonies as the center of decision-making (Pimenta 2014).

The “Colonial Act” was a legal instrument that reaffirmed Portugal’s vocation and historical right to its possessions, establishing that the overseas domains would constitute the Portuguese Colonial Empire (Article 3); characterizing the Empire as “solidary” with its “parts” and “with the metropole”

(Article 5); imposing restrictions on the “alienation” of the territories (Article 7); reserving to the state the “administration” and “exploitation” of the colonies (Article 11); instituting the labor of the “indigenous in service to the state” (Article 19); and, finally, Article 15 assigned the “defense” and “protection of the indigenous” to the state (Portugal 1930).

Furthermore, the Indigenous Labor Code of 1928 (Portugal 1928), which introduced compulsory labor for public purposes as a replacement for slave labor, and the Constitution of 1933 (Portugal 1933b) were the instruments that formed the legal framework of the new policy for the colonial territories in the most centralizing phase of the Portuguese Empire. In 1953, another colonial mechanism was established, the Statute of the Portuguese Indigenous of Guinea, Angola, and Mozambique, a law that aimed to assimilate the “natives” to Western culture without granting them citizenship.

For Castelo (1998, 30), this colonial policy breaks with the past in three ways: there is a process of centralization of the metropole’s exercise of power, foreign capital gave way to nationalization, and the development of the colonies became in line with the “integration of the empire”. The policy was designed by Armindo Monteiro, Minister of the Colonies between 1931 and 1935, who conceived the empire as a “timeless” and “indissoluble” entity, above all interests.

Another characteristic of this policy was the substitution of the term colony by the term “overseas provinces”, which corresponds to an affirmation of national unity between the metropole and non-contiguous territories. However, the understanding of this unity was not new, because in 1663 official documents already used the expression “overseas provinces”, as the “Portuguese Lands” overseas were called so in the Constitutional Charter of 1821. For example, “Title X” of the 1838 Constitution was entitled “*Das Províncias Ultramarinas*” (“On Overseas Provinces”). The idea of unity between the center and the “parts” in Portuguese colonial administration was therefore not new (Henriques 2004).

Later, the “Colonial Act” was replaced by the Organic Law of the Portuguese Overseas Territories of 1953. After the Second World War, Lisbon wanted to erase the vestiges of the imperialist conception that the overseas territories were colonies. From then on, the main legal instrument was the “Statute of the Indigenous of the Provinces of Guinea, Angola and Mozambique”, approved in 1954. In particular, its chapter “On the extinction of the indigenous condition and the acquisition of citizenship” defines the legal conditions that allowed Africans to obtain Portuguese citizenship, namely: age over 18, ability to speak Portuguese and to work, ownership of property, having good behavior and “acquiring habits” to comply with “public and private law” (Portugal 1953).

It should be noted that 1961 was central to the liberation movements of the Portuguese territories in Africa, because the liberation war in Angola began and the Indian Union occupied Goa, Daman and Diu, the last Portuguese colonial territories in India. Internationally, Portugal's situation was one of growing isolation, and declarations condemning Portuguese colonialism multiplied at the UN (United Nations). Salazar's reaction was to adopt new measures in relation to the colonies, such as sending troops and military hardware to Angola, as well as changes in the legislation of the African populations, namely Decree-Law no. 43893 of September 6, 1961, revoking the Statute of the Indigenous (Portugal 1961).

## The war of national liberation

In fact, for the metropole, the colonial war began in 1961 with the attack of the People's Movement for the Liberation of Angola (MPLA, in Portuguese) on the São Paulo prison in Luanda. That year also marked the independence of Dahomey, now Benin, a former French colony in the Gulf of Guinea, on the coast of West Africa, where Portuguese sailors had developed slave trade to Brazil.

In the case of Mozambique, the liberation struggle began in 1964, after a thousand FRELIMO soldiers returned from training in Algeria, with the objective of launching a military offensive in the north of the country. For Mondlane (1982), the first attack occurred on August 21, 1964 under the command of General Filipe Magaia, who attacked an area patrolled by the Portuguese armed battalion, followed by similar attacks in Chai and Xilama, in Cabo Delgado, both in the north, near the border with Tanganyika (now Tanzania).

In general, the war of national liberation can be understood in two phases: the first lasted six years and ended with changes in FRELIMO's leadership. The second began with a major Portuguese military campaign, Operation *Nó Górdio* (Gordian Knot, in English) in 1970, and lasted until 1974, with Mozambican victory (Telepneva 2021). In the late 1960s, FRELIMO operated in twelve regions united by a Military Command, which answered to a twelve-member War Council, formed after the death of General Filipe Magaia. The head of that Council, Samora Machel, became the first president of the People's Republic of Mozambique.

Taking into account the weak Portuguese presence in the North, FRELIMO quickly advanced over Niassa and Cabo Delgado provinces, and crossed Malawi as an entry point to reach Manica and Sofala provinces. However, according to Dhada (2016, 50), Portugal had begun to prepare for FRELIMO's

counterinsurgency since 1962, when it understood that it could be a “communist-inspired rebellion that threatened 500 years of work in bringing Western civilization to its colonies in Africa.” Thus, Portugal had stationed 20,000 men to fight FRELIMO in defense of the territory’s integrity.

At that moment, the participation of women combatants in FRELIMO began. In October 1966, at a meeting of the Central Committee, FRELIMO’s highest decision-making body, it was decided that Mozambican women could play an active role in the national liberation struggle. Within that framework, a group of women received military training and just a few months later, in early 1967, the first group of women began their activities in the war. This first group became the founder of the Women’s Detachment, and were deployed in the interior of the country with various goals (Machel 1969).

According to Josina Machel (1969), women’s military activities focused on defending liberated areas and participating in combat, while men were on the front lines of offensive actions. Women also participated in the Department of Defense, investigating “enemy infiltration”. They acted in social support groups for families who lost relatives in the war and in the FRELIMO orphanage, in the education department, in literacy campaigns and in elementary schools. The fact was that “(...) work was carried out in a complex tangle of macho social fabrics, where women had no role in the public life of societies, where parents and husbands did not agree with the idea of education for women” (Machel 1969, n.p., our translation)<sup>4</sup>.

From the point of view of international relations, it is worth noting that the bonds of solidarity and support for decolonization between Angola, Algeria, Tanzania, Zimbabwe, Zambia, among others, were decisive for the beginning of the armed struggle in Mozambique. However, a problematic factor was *apartheid* South Africa and its relations with Portugal.

An important contact for FRELIMO was Egypt, which opened opportunities for cooperation with the Arab world and the Soviets. In the 1960s, according to Schneidman (1978, 59), China was the main partner for the revolution in Mozambique, while in the 1970s it was the Union of Soviet Socialist Republics (USSR). The USSR<sup>5</sup> could provide diplomatic support within the UN and donation of military equipment, unlike China, which until 1971 had not joined the UN Security Council, but still provided weapons and financial support.

4 In the original: “(...) o trabalho era realizado em um complexo emaranhado de tecidos sociais machistas, em que a mulher não tinha um papel na vida pública das sociedades, em que os pais e os maridos não concordavam com a ideia de educação para as mulheres”.

5 For Simpson (1993) the initial concern of the Soviets was with the structure and composition of the leadership of the African revolutionary movements. The inspiration for FRELIMO’s socialism was Marxist, but it sought roots in African experiences, such as the strategy used by the Tanganyika African National Union, known as *Ujamaa*.

According to Shubin (2008, 123), FRELIMO was the only armed organization in southern Africa that received Chinese, Soviet, and American aid, because these three countries projected interests over Mozambique at different times. There were also African collaborators, mainly from Algeria, Tanzania, Zimbabwe, and Malawi, and the Nordic countries, which contributed with non-war materials. Sweden, especially after 1966, provided humanitarian resources to national liberation movements in southern Africa, especially Mozambique (Schneidman 1978).

The Lisbon government criticized the collaboration of Western governments with independence movements, perceived as “African terrorists”. A report published by The Star newspaper (“Lisbon top Man Keen on Talks” 1974) stated that on a visit to South Africa, Rui Patrício, Portugal’s Foreign Minister (1970-1974), criticized Northern and Eastern European governments that provided aid to “terrorists”. The Minister argued that:

(...) these same governments which defend the inviolability of their own orders, which fears subversion at their own gates and which condemn terrorism when their nationals are the victims, at the same time support subversive movements in Africa and finance terrorists who kill and fellow Africans who proclaim that they will destroy the frontiers in Southern Africa by force of arms (our translation)<sup>6</sup>.

According to Aquino de Bragança and Depelchin (1986, 32), in the historiography of Mozambican independence there was a tendency to narrate the process of the armed struggle without questioning it. The fact that the armed struggle initiated the independence process collaborated with this premise. The question posed by authors Bragança and Depelchin (1986) is that some achievements of the armed struggle, such as emancipation, and the narrative of “forming a new society”, among others, could be undermined if the main reasons for victory against the metropole weren’t critically evaluated subsequently, such as the creation of the idea of an “internal enemy”.

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6 In the original: “(...) esses mesmos governos que defendem a inviolabilidade de suas próprias ordens, que temem a subversão em suas próprias portas e que condenam o terrorismo quando seus nacionais são vítimas, ao mesmo tempo apoiam movimentos subversivos na África e financiam terroristas que matam e compatriotas africanos que proclamam que destruirão as fronteiras da África Austral pela força das armas”.



## FRELIMO and the armed struggle

It is important to underline that Lisbon did not allow a negotiated decolonization settlement in the case of Mozambique, ending the possibility of a peaceful resolution of the conflict, in which FRELIMO was supported by leftist movements of the white community, such as the Academic Association of Mozambique and the Mozambican Democrats. For the FRELIMO Executive Committee, the right to independence for the people of Mozambique was the only solution to the war (Mondlane 1969).

It is worth noting that the popular movements which promoted the struggle for the independence of Mozambique were created abroad, the most important ones being (i) the *União Democrática Nacional de Moçambique* (UDENAMO, in English: Mozambique National Democratic Union), formed in 1960 in Salisbury (now Harare, Zimbabwe), led by Holomulo Chitofu; (ii) the Mozambique African National Union (MANU), founded by Mateus Mhole in 1954, under the name *União Maconde de Moçambique* (Mozambique Maconde Union); and (iii) the *União Africana de Moçambique Independente* (UNAMI, in English: Independent Mozambique African National Union), formed in 1961 in Nyasaland (current Malawi) by José Baltazar Chagong'a (Opello 1975).

FRELIMO was born out of the union of these three organizations in June 1962, in Dar es Salaam, capital of Tanzania. According to Simango (1969), this event was a great milestone for the country's decolonization's history, because FRELIMO led the fight for independence against the metropole, using two premises: "fighting for Mozambique" and "through armed struggle".

According to Mustafah Dhada (2016), during the armed struggle, FRELIMO focused its energy on two diplomatic fronts: isolating Portugal internationally and seeking military aid from Algeria and Egypt, as well as training cadres for the guerrilla. Janet Mondlane sought help from the Ford Foundation to develop the *Instituto de Moçambique*, the country's first school designed to train fighters for the war and personnel to reconstruct liberated zones. According to her, the Foundation collaborated with the Institute for a year, but then the Portuguese government persuaded the American government to intervene in the war and to cancel the aid (Mondlane 1996).

The First Party Congress of FRELIMO was held in 1962 in Tanzania, and was focused on the discussion of the clandestine nature of its actions. At the time of the Second Party Congress, held in 1968 in Niassa, a province in the north of Mozambique, it was agreed that the national struggle would be part of a global struggle for the emancipation of the peoples under colonial rule. In order to achieve this goal, it became necessary to establish relations of solidarity with



other countries, especially with the countries of southern Africa, with which the coalition called “Front Line States” was created in 1976, a group of political-diplomatic coordination, composed of Angola, Botswana, Mozambique, Tanzania, Zambia, and Zimbabwe. This purpose would mark Mozambique’s foreign policy in the first post-independence moment (Classen 2010 ).

In 1969, the assassination of leader Eduardo Mondlane represented a crisis for FRELIMO, followed by an attempt by the vice-president, Uria Simango, to take over with a non-socialist approach, aligned with Kavandame and others, who opposed the Marxist-Leninist ideology previously adopted by FRELIMO (Simango 1969). Mondlane’s death led to the arrest of Silvério Nungu, the administrative secretary, whose name was linked to the assassination of the president (Opello 1975).

There were three suspects for the killing of FRELIMO’s leader: Nungu, Lázaro Kavandame, and Portugal’s International and State Defense Police (*Polícia Internacional e de Defesa do Estado*, or PIDE, in Portuguese). With his death, a triumvirate composed of Uria Simango, Marcelino dos Santos, and Samora Machel was formed to assume the leadership of the liberation movement. This and other stories reveal tensions within FRELIMO, arising from the lack of participation of the urban working class in the liberation struggle, a fact that made the peasants the main characters of the revolution. The challenge was to build, prior to independence, an alliance between peasants and urban workers in Maputo, with an emphasis on developing an industry and an urban proletariat, while socializing agriculture through communal villages in liberated areas (Simpson 1993).

Against this background, in the early 1970s FRELIMO was subject to internal disputes. According to Simpson (1993), FRELIMO’s Central Committee was polarized around a socialist faction and a petty-bourgeois faction. Tensions resulted from conflicting views on how to organize production in the liberated zones, or by disagreements over the direction of post-independence Mozambique.

The Portuguese general Kaúlza de Arriaga, Commander of the Terrestrial Forces from 1969-1970 and Chief of the Portuguese Armed Forces in Mozambique from 1970-1973, was part of the NATO network and was convinced that FRELIMO could be defeated by a war of attrition. When he arrived in the colony, he gathered 35,000 armed men for combat, this being one of the largest concentrations of force to fight FRELIMO in northern Mozambique (Dhada 2013).

According to Mustafah Dhada (2016), Arriaga was inspired by the British, who employed against the Malayan National Liberation Army tactics of scorched-earth and blockading supply and food chains, in addition to

hit-and-run attacks. This encouraged dissent from FRELIMO by feeding its rival organizations, such as RENAMO (*Resistência Nacional Moçambicana*, in Portuguese, or “Mozambican National Resistance”), which later entered into a conflict that plunged the country into civil war.

The Commander was responsible for launching, on June 10, 1970, Operation *Nó Górdio*, a coordinated offensive between paratroopers, naval command and special units, this being the largest Portuguese military campaign in that province. The objective was to eradicate FRELIMO guerrillas on the border with Tanzania. The Portuguese air force provided assistance and strategic bombing of medical and training bases and camps (Dhada 2016).

In this sense, the province of Tete, in the north, became strategic, as Portugal sought to prevent FRELIMO from reaching the districts of Manica and Sofala, both in the central region. It also prevented a threat to the security of Beira province, a gateway for the military from Ian Smith’s Southern Rhodesia and Kamuzu Banda’s Malawi, Portugal’s allies in the fight against FRELIMO (Dhada 2013).

In an interview for the Sunday Times on April 2, 1972, Samora Machel noted that in the southern part of the Zambezi the struggle developed quickly, because in that area:

Portuguese oppression was felt more strongly than in other places. And there are the people who live near the Rhodesian border - they suffered double oppression. They were recruited to work on the banana and sugar plantations in Mozambique, and when they were done, they were sold to Rhodesia to work on the tobacco plantations. Then, when they came back, they were recruited again by the Portuguese government (“Des pilotes sud-africains...” 1972, n/p, our translation)<sup>7</sup>.

The war in Tete began in 1968, and it was necessary to engage in armed struggle in other regions in order to reach this province, such as Niassa and Cabo Delgado, where the decolonization process had already begun with the construction of hospitals and schools (Machel 1972). In the case of Tete there were significant economic interests at stake since the 1950s, such as the construction of the Cahora Bassa hydroelectric plant, inaugurated in 1974, a project in which great powers were involved. In addition, trucks transported goods from Tete to Southern Rhodesia and Malawi.

7 In the original: “a opressão portuguesa se fez sentir mais forte do que em outros lugares. E tem as pessoas que moram perto da fronteira da Rodésia - eles sofreram uma opressão dupla. Foram recrutados para trabalhar nas plantações de banana e açúcar em Moçambique, e quando terminaram foram vendidos à Rodésia para trabalhar nas plantações de tabaco, quando voltaram foram recrutados de novo pelo governo português”.

According to Isaacman (2021), the Cahora Bassa project also had an important aspect in financing Portugal's defense needs, and was key in its relations with South Africa. Fifteen years after the first studies, the project was inaugurated as the largest dam south of the Sahara. Feasibility studies were carried out in 1956 and the Zambezi Valley General Plan began to be created in 1957, the largest Portuguese colonial development in Mozambique's public works sector.

The Portuguese government was worn down and isolated and by 1971 was spending in the African colonies 40% of its national budget on military equipment (Roberts 2008). The Africans, who, on the other hand, had started the war in a situation of weakness and vulnerability, were increasing their field of operations and their victories, conquering territories called liberated zones.

To complement operations in the field, the *Grupo Unido de Moçambique* (GUMO, in Portuguese, or United Group of Mozambique) was created within the colonial army in the 1970s, and was at the service of Portuguese colonialism to neutralize FRELIMO. Marcello Caetano and Baltazar Rebelo de Sousa were the creators of GUMO, according to Machel (n.d.) in the text "*denunciemos e neutralizemos os fantoches*" (let's denounce and neutralize the puppets, in English). The group was intended to demobilize the Mozambican people and change international opinion about the liberation struggle, making it seem that Portugal recognized the rights of the Africans.

The fact that Portugal committed numerous atrocities in this theater of operations, such as crimes against the native population, including burning children and women alive, is not new. These allegations were made by two Roman Catholic priests, who were prosecuted for anti-government activities in the colony. Father Martins Hernandez Robles and Father Alfonso Valverde Leon were imprisoned for over a year on charges that they made anti-Portuguese speeches from the pulpit and demanded answers from the authorities about the killings (Dhada 2013).

Among the atrocities committed by the Portuguese, it is possible to list the massacres in Xinavane, Mueda, Mucumbura, Wiriyamu, Chawole, Inhaminga, among others. University of Coimbra's Documentation Center "25 de Abril" has a rich collection about what happened in Wiriyamu, with a hundred articles and newspaper clippings from the most diverse countries that participated in spreading information about the acts of the Portuguese in the region. On Saturday, December 16, 1972, Portuguese soldiers killed approximately 400 Mozambicans in Wiriyamu. Today, in the old village of Wiriyamu, there is a monument with the bones of the victims.

Furthermore, there is evidence published by *Le Monde Diplomatique* (1972) that two South African pilots were hired as mercenaries by Portugal, and carried out secret chemical warfare missions against nationalist fighters in northern Mozambique. The operation was aimed at destroying the crops that would feed FRELIMO guerrillas, using the substance 2,4-D, Dichlorophenoxyacetic Acid, which was among those used by the US in Vietnam and World War II.

Two years later, in 1974, Portugal's Armed Forces Movement was responsible for the end of the *Estado Novo*. A group of officers overthrew the regime in Lisbon under the slogan of "decolonization and democratization". The Carnation Revolution marks the end of the *Estado Novo*, the fall of Marcello Caetano on April 25, and the beginning of the democratic regime in Portugal, which came into effect with the new Constitution in 1976.

In the text "Declaration of the Executive Committee of FRELIMO on the events in Portugal", the opinion of FRELIMO on the events of April 25th is that the coincidence between the crisis of the Portuguese regime and the national liberation struggle in Mozambique was not random, but an "additional proof of the impact that our struggle has on the situation in Portugal" (FRELIMO n.d.). There was an understanding that the determining factor for this situation in the metropole was the war of independence in Angola, Cape Verde, Guinea-Bissau, and Mozambique, and not the other way around. The independence of the colonies was not a product of the 25th of April, but instead, the 25th of April itself was the result of a long process of political and economic attrition of the authoritarian regime.

The press release sought to state FRELIMO's understanding that the Portuguese who engaged in the war were defending the Portuguese colonial system, and that the Mozambican struggle contributed to the fight against the fascist Portuguese regime; that they were not fighting to become "Portuguese with dark skin", but to affirm themselves as "Mozambicans". Furthermore, they emphasized that the "FRELIMO guerrillas are not professional soldiers, but Mozambicans who took up arms", and that the war would only end when "the Portuguese understand Mozambique's right to independence".

Finally, in 1974, an agreement was signed in Lusaka, Zambia, between FRELIMO and the post-*Estado Novo* Portuguese government, in which Portugal recognized Mozambique's rights to independence. It was agreed that Mozambique would become independent on June 25, 1975, and the legal regime would consist of a transitional government. It must be noted, however, that the end of the colonial war did not translate into a time of peace, as a civil war broke out between 1977 and the General Peace Accords of 1992.

The Lusaka Conference was the climax of three months of negotiations: it consecrated the independence of Mozambique, introduced a new administration, and ratified the understanding between Samora Machel and Mário Soares on how power would be transferred. The Agreement is composed of 19 paragraphs, and the first one states that the Portuguese state recognizes the right to independence and declares to accept the progressive transfer of the powers it holds over the territory of Mozambique (Portugal 1974).

But the 25th of April did not automatically mean the end of hostilities. The movement *Moçambique Livre*, between September 7 and 10, 1974, almost five months after April 25, tried to seize power and trigger a rejection of the Lusaka agreement. On September 8, a local radio station, *Rádio Clube de Moçambique*, was occupied by people who opposed FRELIMO and the Lusaka Accord, a movement known as “*Moçambique Livre*” (“Free Mozambique”). It was the last attempt by the settlers to prevent the independence of the country, and confrontations lasted for 92 hours, with casualties. According to José Luís Cabaço, interviewed by Lusa News Agency (Cabaço 2004), this mutiny was “an organized attempt and not something spontaneous, especially since on September 2 the main leaders of the revolt had met at Hotel Avenida to plan the operation”<sup>8</sup>.

The *Moçambique Livre* Movement released imprisoned PIDE agents, occupied the post office and the Gago Coutinho airport. The Association of Portuguese in Johannesburg threatened independence, claiming that its members would invade “the border to come to the rescue” of the colonial regime. However, they were accused by the Lisbon government of being a “minority of reactionaries”, and their action ended on September 10, when about 8,000 Portuguese fled to South Africa, leaving behind hundreds of people dead (Cabaço 2004).

As shown in an interview in the newspaper *Diário de Lisboa* in 1974, Samora Machel claimed that “it constituted the symbolic end of the war” when FRELIMO liberated “all the Portuguese soldiers it had in its power”, referring to the liberation of 197 men in Nachingwea, Tanzania. According to the report, the soldiers received a “farewell gift, consisting of a plastic bag with toiletries and cigarettes”. The prisoners were flown to Nangade, near the border. Most of the prisoners were captured in 1974, during FRELIMO’s campaign in the north of the country (Machel 1974b).

The Mozambican transitional government took office in the morning of September 20, 1974, in a ceremony held at the Ponta Vermelha Palace. High Commissioner Admiral Victor Crespo, Prime Minister Joaquim Chissano, and President Samora Machel spoke. Several delegations from friendly countries

8 Our translation. In the original: “uma tentativa organizada e não espontânea, tanto mais que no dia 02 de setembro os principais líderes da revolta reuniram-se no Hotel Avenida para planejar a operação”.

attended, such as Cameroon, Somalia, Guinea Conakry, Tanzania and Zambia. There were delegations from the Organization of African Unity (OAU), composed by the Secretary-General William Etekl M'Boumona, Lieutenant Colonel Hashin Mbita, Executive Secretary of the Liberation Committee, Doctor Fernando Dias Van Dunem (Angola) and the chief of staff of the OAU, Major Nasibu. The UN was also represented by Under-Secretary-General Tang Ming-Chao. The Portuguese government was represented by a special mission headed by Major Melo Antunes, along with Major Canto e Castro and Captain Pinto Soares.

Mozambique inherited a complex political, economic, and social situation with independence on June 25, 1975. New problems emerged with the transformation of the overseas province/colony into a nation-state and FRELIMO's subsequent quest for national unity. FRELIMO took control of the state even before independence, with the transitional government.

## Conclusion

This article, based on historical documentary research, pointed out the background of the Portuguese colonization in Mozambique. Focusing on the administrative processes between the end of the 19th and 20th century, and on the division of the territory into *Prazos da Coroa* and, later, into concession zones operated by colonial exploration companies, it described how the Portuguese colonization was guided by the search for economic profits and in the gradual occupation of part of the territory, highlighting the articulation between economic and political interests in this period.

Subsequently, the article presented a context of the period of the national liberation struggle, its origins, trajectory, and advance throughout the Mozambican territory. The international dimension of the national liberation struggle and the support of other African countries for the revolutionary process in Mozambique were highlighted.

The work contextualized, from primary sources of the University of Coimbra's Documentation Center "25 de Abril", previously unpublished in Brazil, the internal political process of FRELIMO and its performance in the national liberation struggle. Since its origins, FRELIMO was the armed movement that fought for the independence of the country, and later became the only party in power throughout the history of Mozambique.

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## ABSTRACT

In the context of Mozambique, the narrative of the liberation war experience is central to the construction of national history in the post-independence period. During this conflict, the marxist-oriented Mozambique Liberation Front sought to define the idea of an independent country as opposed to the territory colonized for over four centuries by the Portuguese empire. Using primary sources from the April 25th Documentation Center, the objective of this article is to understand the context of Mozambique's national liberation war, which took place between 1964 and 1975, and to characterize FRELIMO's role in this conflict from a historical perspective. The paper is developed in three stages, besides the introduction and concluding remarks. First, the article narrates, in broad strokes, the colonial occupation of the Mozambican territory between the end of the nineteenth century and the twentieth century, and then approaches the national liberation struggle. The third part characterizes FRELIMO, its formation and role in the struggle for independence.

## KEYWORDS:

Mozambique. Colonization. National Liberation War.

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# LATENT POLITICS IN SOUTH AFRICA: THE FALL OF *APARTHEID* AND THE PERSONALITY FACTOR

Vadim Kurillo<sup>1</sup>  
Sifiso Mxolisi Ndlovu<sup>2</sup>



## Introduction

The aim of this paper is to study the phenomenon of latent politics in South Africa's struggle against *apartheid* in the period from the second half of the 1970s to the early 1990s. Its methodological basis includes the theory of latent politics and Hegel's philosophical substantiation of the role of the individual in the historical process. The paradigm that is developed in the article considers real politics as an organic unity of additional parts – hidden (latent) and overt (transparent). The potential theoretical or empirical significance of the work is as follows: at the theoretical level – a more detailed development of the concept of 'latent policy' and its use; and at the empirical level – an applied research of specific archival material, recorded oral history testimonies, political speeches and documents that confirm the correctness of the proposed paradigm which focuses on latent politics. We also argue that latent policy is not only the activity of intelligence and special services, but also includes many other unobserved or concealed actions and phenomena in society.

On the phenomenon of latent politics in political science, the work by Vadim Kurillo (2013), although published in the Russian language, offers a general theoretical approach but does not relate directly to realities in South Africa; it focuses specifically on Eastern Europe. The theme on the fall of

<sup>1</sup> Department of Political Sciences, Petro Mohyla National University. Oblast, Ukraine. E-mail: vadym.kurillo@chmnu.edu.ua.

<sup>2</sup> College of Graduate Studies, University of South Africa. Pretoria, South Africa. E-mail: sifisondlovu@telkomsa.net. ORCID: <https://orcid.org/0000-0003-0979-6802>.

*apartheid* has received wide coverage in many publications, including those by Nancy Clark and William Worger (2013), Dedria Bryfonski and Alex Cruden (2010), Lindsay Eades (1999), Adrian Guelke (2005), Robert Harvey (2001), Ken Keable (2012), Robert Price (1991), Paula Pratt (1995), Liz Sonneborn (2010) and many others. These works provide a valuable historical description of events, but do not focus on latent politics and its role in South African politics. Nevertheless, some challenges posed by hidden politics and the personality factor are considered in the works of Niël Barnard (2015), Barry Gilder (2012), Ronnie Kasrils (1998), Ron Nixon (2016), Jacques Pauw (2017) and Allister Sparks (1995) – primarily in the format of historical narratives. Furthermore, Kevin O’Brien (2011) and James Sanders (2006) make an extensive study of the intelligence services of South Africa, but other aspects of the political process, including the personal factor, are not covered. This is understandable because archival documents and primary sources about clandestine and covert actions in South Africa are either kept secret or have been destroyed. Between 1990 and 1994 huge volumes of information were destroyed in an attempt to keep the *apartheid* state secrets hidden. All documentation confiscated by the security police from individuals and organizations opposed to *apartheid* were destroyed before the 1994 general elections (TRC Report 1998). This being so, the speeches of political leaders, publications by the heads of the special services of both the *apartheid* regime and the liberation forces, are of cardinal importance.

On the politics and history of resistance, the South African Democracy Education Trust (SADET) multi-volume publications, *The Road to Democracy in South Africa*; the oral history interviews and archival material collected by both SADET Oral History Project (SOHP) and those recorded by Padriag O’Malley, some held at Nelson Mandela Foundation and the Mayibuye Archives at the University of the Western Cape, are used as sources. From an interview with Thabo Mbeki (former president of South Africa) conducted by Sifiso Mxolisi Ndlovu in Johannesburg on 23 February 2011 on behalf of SOHP, it is clear that Mbeki is of the view that political change in South Africa came about primarily because of internal dynamics which challenged the South African economy; change was not necessarily wrought because of the fall of the Soviet Union or through the supposedly constructive engagement as pursued by certain Western powers during the Cold War. As he puts it:

I am saying when we (the ANC) looked at things like that, with the chairperson of the Broederbond saying to me they will get rid of *apartheid* legislation, with the Minister of Finance saying *apartheid* is unaffordable, we might still be attached to it but we cannot finance it ... this indicated that political change was coming to South Africa ... and

indeed adds to what then happened with the pull-out of the SADF from Angola leading to the processes that led to the independence of Namibia in 1990 ... Then the changes in South Africa came about because of internal pressures. It was the question about the financial sustainability of *apartheid* and the war in Angola, add to that the mass struggles that have been taking place internally. It was not the changes in the Soviet Union (Mbeki 2011, n/p).

About his meeting with the chairman of the Broederbond, Pieter de Lange, held in New York, in 1986, Mbeki asserted:

The chairman of the Broederbond effectively said that *apartheid* must go. He said to me, if we had not arrived at this point by 1990, when South Africa definitely had to change, then it means South Africa will be caught in a terrible civil war which would claim the lives of many people. We must solve this thing by 1990. [He said that we would] have to resolve this conflict by 1990 (Mbeki 2011, n/p).

In the same interview in February 2011, Thabo Mbeki indicated that he informed his principals about his meeting with Pieter de Lange when he returned to the ANC headquarters in Lusaka:

With regard to the use of oral history testimonies in the study of the struggle against *apartheid* in South Africa, one agrees with Jeremy Seekings (2010, 7-28) who claims that the challenge for scholars is to integrate different voices or testimonies into an overall picture, while recognising that voices are incomplete; that some potential voices are likely to remain silent; and that making sense of oral history testimonies requires going beyond them (Mbeki 2011, n/p).

This article focuses on the following three themes. It begins by discussing latent politics as a social phenomenon and looks at the elements of its theory. It then turns to the practical application of the concept of latent politics to the South African political process prior to the 1994 political dispensation. Finally, it identifies the role of the personality factor in latent politics in South Africa during the *apartheid* era.

## Latent politics as a social phenomenon: the basic elements of its theory

The terms ‘latent policy’, ‘latent politics’, ‘latent directions of political activity’ and others, are based on the Latin word ‘latens’ (‘latentis’), meaning hidden or invisible. This denotes something hidden, secret; something that is not manifested outwardly, but is not necessarily negative. A prominent American political scientist of the twentieth century, Gabriel Almond, was among the first to use this concept in October 1959 in a speech at a scientific conference devoted to the study of outer space. He emphasized that popular opinion could also be classified as latent politics. As he put it: ‘It is not only significant changes in public politics and the political elite, it is the most significant component of that public policy and must be understood and appreciated if a proper of the meaning of that policy is to be made (Almond 1959, n.p.)’. Strictly speaking, Almond did not propose the definition of ‘latent politics’ and in the context of his speech he emphasized that public opinion is designated only as a behind-the-scenes element of resource allocation in the political system. At the same time, his views highlight an important development in methodology, one that calls for further theoretical and empirical research work in the field of latent political processes.

However, the very term ‘latent’ has become widespread in various fields of study and knowledge production, as in Robert Bradley’s work, *Latent Impulse in History and Politics* (1911), Robert Merton’s (1957) sociological work, and the latent class analysis in the study by Paul Lazarsfeld (1950). See also the publication by Jacques Hagenaaers and Alan McCutchen (2002) and the journal article by Richard Breen (2000). In addition, the term ‘latent’ has its own essence, which distinguishes it from other similar terms, for example, from ‘informal politics’ discussed in the book by Gretchen Helmke and Steven Levitsky (2006). ‘Informal politics’ as a rule means a policy that is not legally approved or formally defined. However, one type of latent policy – intelligence – has both a legislative basis and a formal status. The term ‘covert’, differs from the notion ‘clandestine’, while latent politics includes both. Peter Scott (1993, 2015) uses the notion of ‘deep politics’, but this is dominated by a negative meaning – something that also deviates from the normative pattern (drug trafficking, crime, military conspiracies, etc.). The term latent policy includes both positive and negative phenomena. It is a universal term denoting a wide spectrum of phenomena, a theoretical construction with specific categories and regularities and a concrete practice in the field of politics.

In this article, political latency is understood as existing objectively, but not reflected in the public consciousness; it is realized but concealed from extraneous eyes. It is underpinned by reality in the aggregate of its inherent negative and positive qualities. This allows us to perceive political life more truthfully and pressurizes subjects to act more effectively. In the words of German philosopher, Hegel (2001, 44), politics in this case, has a beginning ‘from concealed fount ... still hidden beneath the surface, which, impinging on the outer world as on shell, bursts it in pieces, because it is another kernel...’. The concept of latent politics is not identical to conspiracy, since it does not consider politics in the format of conspiracy theory.

By definition, latent policy and latent politics refer to a special, unenlightened sphere of activity, the implementation of hidden interests or the use of secret methods of obtaining, retaining and using power, as well as ensuring the security and self-protection of the political system, that is, society as a whole. It is underpinned by a non-transparent type of relationship between people, society and the state. When considering the latent content of the *apartheid* state, ‘latent policy’ is implied. As for the latent political activities and actions of some structures and personalities, the term ‘latent politics’ is used.

Therefore, politics as a holistic phenomenon includes its latent and transparent components in their organic unity and complementarity. According to Vadim Kurillo (2013), safety, rivalry and the struggle for survival by the state, members of ruling government and elites are the main source and core of latent politics. The understanding of safety in his interpretation of latent politics covers:

- the safety of achievement or conquest of power and its retention;
- the safety of the mechanism of functioning and implementation of power, including the safety of decision-making processes;
- the safety of subjects of political life and protection of their interests;
- the safety of the state’s position in international relations;
- the safety of the functioning of certain structures that protect the interests of the state and society within and outside the country, including intelligence, counter-intelligence, law enforcement bodies and regime institutions;
- the protection of society from political and economic destabilization, destruction, drug trafficking, terrorism, organized crime, etc.; and
- the safety of some industrial, financial, research and information and communication structures, etc. (Kurillo 2013).

Furthermore, Kurillo (2013) also argues that the social purpose of latent politics is indicated by its functions. They can be divided conditionally into functions reflecting the organic connection of latent politics with politics in general and those in which the specificity of latent politics is manifested. The following belong to the sphere of latent politics:

- the realization of the existential interests of the state and other subjects, including political parties, that is, security, survival, assessment of the prospects for the development of situations and threats, timely adaptation to the new conditions or the implementation of certain preventive measures, etc.;
- the realization of the interests of coexistence and harmonization of value positions, that is, an exact definition of the international positions of the state and other actors of interstate relations an adequate understanding and consideration of the positions of political subjects in the country among themselves, etc.;
- the implementation of functional interests, that is, a realistic assessment of the effectiveness of political activities with the help of various, including confidential, sources, objective information, financial support provision, staffing, etc.; and
- the realization of the interests of strengthening/undermining the internal order; and the protection of the individual and society from the actions of destructive and criminal elements (Kurillo 2013).

In this paper, Kurillo's theory of latent politics in the *apartheid* crisis from 1976 to the early 1990s will be explored – particularly the political process which led to substantive negotiations at the Convention for a Democratic South Africa (CODESA) which convened formally in Johannesburg on 20 December 1991 (Ndlovu 2010; 2013).

## **Practical application of the latent politics to processes that led to the end of *apartheid* in South Africa, 1970s-1990s**

The main content of the political process in South Africa in the given period was the struggle between the supporters and opponents of *apartheid*, and the outcome was the fall of the *apartheid* system. The elements of the political process were underpinned by various types of politics, including latent politics; and some latent components, the results of spontaneous interaction of its participants; and latent changes in public consciousness associated with further radicalization of the mood of the oppressed peoples of South Africa.



A fundamental feature of South African history was the existence for many years of ‘colonialism of a special type’ (CST), which means that the ‘metropolis’ and the ‘colony’ were located on the territory of one country. CST consisted of, firstly, political power that was explicitly monopolized by white South Africans; they had the vote and controlled state institutions. Secondly, whites had exclusive economic power. For example, the 1913 Natives Land Act set aside 13% of the land area of South Africa to indigenous inhabitants and 87% for white inhabitants. Thirdly, the economic system in South Africa was basically one of labor coercion, in which a number of systems and laws were used to compel indigenous peoples, that is, ‘natives’, to make themselves available as cheap labor power. Fourthly, because the system was so evidently unfair, it had to be authoritarian, so there were a myriad of laws to bolster the CST system which deprived Africans, the oppressed majority, of rights that other people took for granted elsewhere in the world. So when we talk about emancipation in South Africa, it means overthrowing the system of colonialism of a special type (Turok et al. 2010, 38).

In 1962, in the South African Communist Party (SACP)’s chapter on CST characterized the essential feature of South Africa as: a new type of colonialism in which the oppressive white colonisers ‘occupied the same territory as the oppressed people themselves and lived side by side with them’ (SACP 1962). Similarly, the ANC describes the South African social formation as a system of ‘internal colonialism’ or ‘colonialism of a special type’, a latent form of colonialism (ANC 1977). One of the most important elements underpinning latent policy is the development and promotion of a general strategy for ‘double entity’: the disguise or concealment by politicians of the true content of their ideological platform and its goals. Formally, *apartheid* meant ‘separation’ and ‘division’ of the racial groups of the population in South Africa because of allegedly insurmountable contradictions between them, and this was justified by the supposed right of every ‘nation’ (racial group) to independent development. As L.M. Eades (1999, 33) notes, ‘an examination of the nature of separation and the tradition of racial divisions before and during the years of *apartheid* is crucial to understanding the reasons for its collapse’. The hidden goal of *apartheid* was to strengthen the dominant position of the white population by means of total racial segregation, discrimination and exploitation of the African majority, depriving it of political rights and freedoms. For the sake of an even deeper hiding of the true essence of *apartheid*, after 1948 when the National Party (NP) came to power, it replaced the negatively perceived word ‘*apartheid*’ in its doctrine with the more harmonious term ‘separate development’. However, for the African people, this ‘separate development’ meant lack of rights in the country of their birth, police arbitrariness, impoverishment, cultural degradation and the destruction of family foundations (Butler et al. 1978).

The cornerstone of the latent strategy of *apartheid*, which can be traced back to the late 1940s, was the so-called ‘Bantustanization’ of the African population. This involved the creation of ethnic reserves with limited self-government, outside of which Africans were not recognized as full citizens of South Africa. The leaders of the racist regime declared that in the future, Bantustans would become independent, sovereign states that would provide their inhabitants with a decent life, political rights and freedoms (Ndlovu 2018, 43-69). The prime minister of South Africa, B.J. Vorster (1966-1978) articulated this policy as follows:

I say to the Coloured people, as well as to the Indians and the Bantu, that the policy of separate development is not a policy which rests upon jealousy, fear or hatred. It is not a denial of the human dignity of anyone, nor is it so intended. On the contrary, it gives the opportunity to every individual, within his own sphere, not only to be a man or woman in every sense, but it also creates the opportunity for them to develop and advance without restriction or frustration as circumstances justify and in accordance with the demands or development achieved (Williams 1989, 23).

But it was a hidden maneuver of the ruling classes in the changing political realities of South Africa and in the rise of the national liberation movement on the world stage. The true goals of Bantustanization were to separate the African population and automatically transform the white minority into the dominant ‘nation’ in South Africa with a monopoly on power, thereby enabling it to undermine the formation of a democratic, non-racial South Africa; to incite the so-called African ‘tribes’ into divisive conflict; to undermine the formation of a united front of the African masses to resist racial discrimination and exploitation; and to suppress the struggle for a democratic dispensation which prioritized the oppressed people of South Africa.

The struggle for the liberation of South Africa’s oppressed majority has a long history which began when the first European settlers set foot in the region. But when scholars and others analyse the beginning of the collapse of *apartheid*, often their timeline begins from the mid-1980s. This in our opinion does not take into account the latent phase of the process, the earlier, hidden stage of conflict between the African people and *apartheid* South Africa. As shown below, the rise of the democratic movement was preceded by a stage of gradual increase of latent radicalization, a simmering moodiness of the oppressed population; the ‘hidden’ strengthening of the liberation forces and the gradual erosion of *apartheid*’s racist practices. In an imperceptibly evolving process, it is difficult to identify the initial milestone that marks the beginning

of the end of *apartheid*. Most likely, the beginning of the latent stage of deepening the crisis of *apartheid* was the Soweto uprising of African youth in 1976, supported nationally and not only by the youth (Ndlovu 2017). In his book entitled *The Soweto Uprisings: Counter-memories of June 1976*, Sifiso Mxolisi Ndlovu writes that the Soweto uprisings were a turning point in our history. They exploded into a momentous historical and political event, leading to major repercussions that are still with us today. The uprisings reinvigorated the ailing ANC as well as the PAC, and it also led to the re-examination of the ideology of black consciousness and the formation of the Black Consciousness Movement (BCM). The uprisings aroused world abhorrence of *apartheid* and its image as child killers; and it gave rise to a dual response from the *apartheid* regime, a stepping up of ruthless repressions, and desperate, yet ineffective reforms (Ndlovu 2017, 64). According to Harvey, '16 June 1976, [defined] the starting point for the events that were to result in a handover to black rule 18 years later and [was] the real turning point in South Africa's post-1948 history' (Harvey 2001, 71). Similarly, J.D. Brewer writes: 'However great the differences may be between the various accounts of the process of change and reform in South Africa, there is much greater agreement in the view that the events of 1976 were crucial in beginning or reinforcing the slow, often hesitant, process of liberalization and reform' (Brewer 1986, 4).

A growing number of young people moved into exile during the late 1970s; most of them joined the ANC, and some pursued their studies outside South Africa. In July 1977, the commissioner of police had every reason to state that the Soweto unrest of African youth had swelled the ranks of the 'terrorist movement', as he put it (*South African Digest*, 29 July 1976). It took the ANC some time to provide these young people with the necessary military and political training and to create additional resources. There was also preparation for their subsequent penetration as Umkhonto we Sizwe (MK) cadres into South Africa.

According to the theory of conflict as shown at Ebrary.net<sup>3</sup>, open insurgency (for example, pickets and mass mobilization) are preceded as a rule, by the latent stage of articulation of political attitudes, organizational preparation and development, during which discontent, initially psychological, arises in consciousness and grows without external manifestation or action. The BCM, with its strong ideological basis, played a special role in the 'psychological liberation' of Africans – especially in the early and mid-70s among the youth (Mzamane, Maaba and Biko 2006).

3 [https://ebrary.net/2866/management/stages\\_conflict\\_conflict\\_process](https://ebrary.net/2866/management/stages_conflict_conflict_process).

The murder in September 1977 of Steve Biko, a prominent BCM figure, in the state torture chambers, was proof that all hope for nonviolent forms of struggle was futile. This prompted BCM supporters to go into exile to join the ANC and the PAC military cadres (Nyameko and Singh 1977, 34-47). Such changes occurred and accumulated gradually but by the mid-1980s they became increasingly apparent. Moreover, incidents of protest by workers became more frequent; mass protests also spread to the Western Cape. At the same time, MK launched resonant sabotage operations. Therefore, it was evident that the crisis experienced by the South African government in the 1980s was kick-started by the Soweto uprisings of 1976.

Furthermore, the turbulent 1980s saw the formation of trade unions, the Federation of South African Trade Unions (FOSATU) and student organizations such as the Congress of South African Students (COSAS) which brought together a network of student bodies that flourished in the wake of the 1980 school boycotts. New and radical forces such as the United Democratic Front (UDF), formed in 1983, emerged and became more vocal in their protest against *apartheid* rule. And despite divergent viewpoints, there was slow but promising progress in worker unity paving the way for the Congress of South African Trade Unions (COSATU) and the National Council of Trade Unions (NACTU). The fact that the UDF united various organizations was significant for it represented the ANC's call for united action.

The simmering crisis took on a new dimension in 1984 when a countrywide popular insurrection broke out. The situation in the Vaal area was one such example. In a desperate bid to stem the tide, the government declared a national state of emergency and instituted what it termed 'reform', a phony constitutional maneuvering to set up a tricameral parliamentary system involving Indians and coloured people as 'junior partners' – but excluded the African majority. In defiance, the ANC rejected this meaningless constitutional tinkering. In his annual address to the ANC on 8 January 1984, the president of the ANC, O.R. Tambo, made the following salient observations:

- The revolutionary ferment in South Africa had plunged the ruling racist clique into deeper levels of crisis and was evidence of the growing credibility of the ANC as an alternative center of power. Western governments had come to regard the ANC as a government in-waiting. Inside South Africa growing numbers of whites realized that the ANC had to be part of any solution to the country's political predicament. Importantly, most of the capitalist establishment thought so too.

- The recent constitutional maneuvers by the government were an implicit recognition that unless Mandela was released, the crisis could not be resolved.
- The popular anger that was sweeping the country looked to the ANC for inspiration. The ANC encouraged this by calling on the masses to make the country ungovernable.
- The growth of the democratic trade union movement and its power to wrest recognition from both the regime and the employers was a significant advance in the struggle.

Although mass mobilisation and peaceful demonstrations had occurred earlier, the erosion of *apartheid* developed slowly and took place in latent and semi-hidden forms, contrary to the will of the ruling white minority, some of whom believed the situation was under control. This creeping progression has been called the 'silent revolution' and is explored in the works by Allister Sparks (1995) and J. Kane-Berman (1990). Robert Price (1991) describes it as the slow transformation towards transition. But in the late 1970s and 1980s, some were mesmerized by the obduracy and power of the Afrikaner establishment and its willingness to use that power to bludgeon everyone to submission. As Leonard Thompson and Jeffrey Butler (1975) show, the regime spread the word that it was 'perfectly secure' and insisted that ... the 'gross national product has continued to soar'. It went on to profess: 'European, American and Japanese corporations have continued to increase their profitable participation in the South African economy by trade and investment through industrial subsidies' (Thompson and Butler 1975; Adam and Giliomee 1979).

But this was mere bravado. Mass popular resistance to *apartheid* had reached unprecedented heights by the mid-1980s. The country was on the verge of being ruled under a permanent state of national emergency. The balance of power had changed and the African townships had become ungovernable – a major political objective of the ANC. The mass popular resistance posed special problems both at the level of practical activity and theoretical understanding – how, to use Lenin's phrase, 'to organize a universal political struggle ... in such a manner as to obtain the support of all opposition strata for the struggle' (Lenin 1975, 153).

It is necessary to emphasize that it would be a mistake to depict all anti-*apartheid* actions and processes as being exclusively latent in character. Such an error may lead one into the sphere of conspiracy theory, which reduces everything in politics to conspiracies and secret actions. In politics, there are both latent and overt activities. Between these poles is a large array

of blurred, intermediate phenomena in which both poles manifest themselves interdependently. Therefore, these cannot be categorized as exclusively latent or overt. There are elements of latency and openness in close interpenetration. Many visible actions (strikes, boycotts, demonstrations, the formation of organizations, etc.) initially involve intentions, plans and predictions, all this is undercover; it is preferable not to reveal such issues prematurely in the public domain because the state will curtail such plans. And it is true that in overt actions there are often hidden, covert performers.

As shown above, one of the manifestations of the growth of the resistance movement against *apartheid* was the creation of the UDF in August 1983. It was the outcome of changes on the social, economic and political level since the Soweto uprisings. By the mid-1980s, UDF was the leading legal anti-*apartheid* opposition, a coalition of hundreds of organizations numbering some 2.5 million members. It was a front for the banned ANC. The growing influence of the UDF led to the ban of its top echelon's activity and hunting down of its leadership. Another factor with growing influence on the *apartheid* regime in the period 1976-1985 was the successful struggle for independence in Angola and that of the Namibian people for liberation. On the other hand, as the head of the *apartheid* regime's National Intelligence Service (NIS) Niël Barnard notes, in the early 1980s some of the white establishment had already, though in embryonic form, come to the realization that the government's policy of defending *apartheid* was unacceptable in the eyes of many white South Africans and that the only way to solve the most urgent problem for the country was a political solution (Barnard 2015, 47, 147). In an interview conducted on 7 September 1998 by Pdraig O'Malley, Barnard emphasized:

Even before I joined the NIS, but from 1980 onwards there was an annual intelligence report ... if you read [those intelligence reports systematically] you will see that from as early as 1981 ...we gave the view [to the government] that there was only one solution ... there would have to be a political solution. There was no way to fight it out ... In this country there are many who don't enjoy fundamental political rights. We shall have to change that and we will have to find a political answer (Barnard 2015).

According to Pallo Jordan (Ndlovu 2010, 63-64; Jordan 1985, 8-10), the introduction of the tricameral constitution was the *apartheid* regime's undercover, latent attempt to paint the ANC into a corner by championing constitutional models that were counter-revolutionary<sup>4</sup>. As ruling elites, they

<sup>4</sup> This section of the article is based largely on Pallo Jordan's briefing paper. It was presented by him to the NEC of the ANC and is available in the archival collection held at the University of Fort Hare (UFH), OR Tambo Papers, Folder B4.5.3, Box 34.

wanted to salvage essentials of white domination, consolidate the position of the ruling class and blunt the thrust of the South African revolution by co-opting elements from the oppressed majority as allies. Another strategy was to isolate the black elite who were then expected to pose a challenge to the gains made by the ANC and oppose the liberation movement if substantive negotiations were to be held. Jordan goes on to explain that the most explicit exposition of the government's strategic thinking and that of 'big business', came from Samuel Huntington, a professor of Political Science at Harvard University. In his keynote address to political strategists at a conference in Johannesburg in 1981 (subsequently published as an article in *Politikon*), Huntington asserted that fundamental change in South Africa appeared to be 'waiting for its Lenin' (Huntington 1981, 8-26). He hastened to warn that this should not be read as approbation, but rather as urging that 'intense attention' be paid to the strategy and tactics of reform, just as Lenin had used 'the strategy and tactics of revolution'. The reform process, according to Huntington, would be affected by six factors, which he enumerated as (i) political leadership; (ii) strategy and tactics; (iii) timing; (iv) power and its use; (v) issue selection and sequence; and (vi) divide and reform (rule). Jordan maintains that Huntington's exposition gave the ANC some idea of how long-range strategists and ideologists of the ruling class conceptualized what they were doing as political advisors to governments. He rationalized that the ANC leadership might agree and disagree about the extent to which it conformed to P.W. Botha's strategy *vis-à-vis* the tricameral parliament, the constellation of states in southern Africa, the Nkomati Accord and 'talks about talks'. The ANC's National Executive Committee (NEC) agreed that the tactics outlined by Huntington had a familiar ring and Jordan writes: 'On one thing we must absolutely agree, and on this Huntington is quite clear, the purpose of [P.W. Botha's] reform is to pre-empt revolutionary change – its essence is counter-revolution' (Jordan 1985, 10).

Thus, the situation in 1985 when the Pretoria regime began to look for paths to solve the problem of *apartheid* in a satisfactory way, arose over an extended period of time with ongoing discussion and the gradual formation of what it felt were appropriate internal and external measures and prerequisites. Moreover, much of this process unfolded in a latent format. As suggested by Barry Gilder (2012, 316), one of the leaders of the ANC intelligence structure, '... each participant ... interacted and interfaced with that struggle through a complex web of often hidden cause and effect'. In reaction to cumulative pressure from different interest groups and power-brokers, underscored by a complex web of often hidden cause and effect, the ANC took steps to address the question of negotiations during the mid-1980s. In 1985 it appointed a four-member sub-committee whose task was to analyze the question of



negotiations in South Africa systematically and to submit a working paper/report to the NEC immediately after its completion. The members of this sub-committee were Pallo Jordan, Siphso 'Simon' Makana, James Stuart (Hermanus Loots) and Thabo Mbeki. By November 1985 this sub-committee, driven by Jordan, who was presumably the 'principal author', produced two incisive papers<sup>5</sup>. The content of both papers is similar. 'A Submission on the Question of Negotiations' was a summarized version of the full report, and included a 'sunset clause' with preliminary ideas on constitutional guidelines. This was produced in 1986 and later improved upon and officially adopted by the ANC in 1988. The early draft laid the framework for the ANC's first official statement on negotiations and was released into the public domain in October 1987. These policies later informed the substantive negotiations which took place in the early 1990s and subsequently led to the formation of a democratic, non-racial Republic of South Africa in 1994. In hindsight, it can be argued that the 1985 submissions were the basis of the so-called 'sunset clause', a compromise strategy employed during substantive negotiations in the early 1990s. Indeed, the sub-committee proposed various scenarios, including a 'worst case' scenario whereby the ANC might have to 'consider a situation in which it had to make do with a great deal less'. In terms of the politics of knowledge production and history of ideas, it is important to highlight the existence of these very significant primary documents and the archival material because they provide insight into the opinions and ideas put forward by outsiders, various power brokers, personalities/individuals, foreign governments and interest groups, who profess that *they* latently drove and spearheaded the process of negotiation in the Convention for a Democratic South Africa (CODESA). In order to understand such views, read, for example, the publications by Van Zyl Slabbert (2006), Rosenthal (1998), Renwick (1997), Crocker (1993), Sparks (1990) and Waldmeir (1997). These groups and personalities justify such claims by asserting variously that the ANC was a captive of 'intellect' and 'diplomatic' charm offensive of the ruling party, liberal, white South Africans and western governments.

Speaking of the specific manifestations of latent politics, let us dwell on its types such as clandestine/covert forceful actions and political intelligence. The distinctive feature of forceful action (active operations) in latent politics is the hidden use of a resource that makes primary use of a resource of force (armed struggle, physical influence or coercion, poisoning, arson,

<sup>5</sup> The ANC's two papers, 'Submission on Negotiations' and a condensed version entitled 'A Submission on the Question of Negotiations' can be viewed at UFH, ANC Archives, OR Tambo Papers, Folder 137.1.7-1.7.2, Box 36. The ANC also published its 'Statement on Negotiations, October 9th, 1987', in *Sechaba*, December 1987.



armed coup d'état, etc.) to solve a particular political problem. Gregory Houston writes that in the 1980s, there were significant changes in the ANC's military structures and the regional situation that affected the conduct of the armed struggle. MK actions until the end of 1982 were focused primarily on armed propaganda, with spectacular armed operations, such as the MK attack at Voortrekkerhoogte and SASOL, which aimed at motivating the population to participate in the struggle. In the second phase, from 1983 until 1985, the focus of military policy shifted to preparing for a people's war, that is, creating an armed presence inside the country, while in the third phase, from mid-1985 to 1989, the ANC military policy shifted from preparing for a protracted struggle to preparing for insurrection – ensuring that MK linked up with the popular struggles inside the country (Houston 2010).

Covert actions differ from clandestine operations by the fact that the result is most often obvious, but the source remains unknown. Clandestine operations usually hide the very fact of their implementation<sup>6</sup>. On the other hand, hidden covert actions, for example the Pretoria-inspired military raid on Lesotho on 20 December 1985, had the aim of killing ANC members. Similar operations were carried out into Swaziland, Angola and Mozambique. Because such actions, also involved the death of civil refugees and residents of neighboring countries, as a rule Pretoria denied its involvement in such events. Thus, political murders became part of the latent policy at governmental level. Ronnie Kasrils (1993, 244) writes that in 1986, South Africa 'instigated a military *coup d'état* in Lesotho to overthrow the government that provided friendly support to the ANC'. Another type of forceful operation is the killing of those arrested by the *apartheid* regime under the guise of an 'accident' while in police custody. The death of Bantu Steve Biko in 1977 is an example of such political murders. By 1985, about 120 victims died in police custody. According to an exhibition staged in 2007 at the *Apartheid* Museum, Johannesburg, the minister of Justice, Jimmy Kruger, claimed that Biko's death on 14 September 1977 was as a result of a hunger strike and added: 'I am not glad and I am not sorry about Mr Biko. His death leaves me cold. I can say nothing to you...'

The government also used fake paramilitary structures and semi-criminal groupings to kill fighters and/or supporters of the ANC and other liberation movements, trade unions and above-ground anti-*apartheid* movements. In 1986, for example, the Civil Cooperation Bureau (CCB) – a government-sponsored death

6 According to the 'Dictionary of Military and Associated Terms' a clandestine operation is 'sponsored or conducted by governmental departments or agencies in such a way as to assure secrecy or concealment', while a covert operation is 'planned and executed to conceal the identity of or permit plausible denial by the sponsor'. UFH, ANC Archives, ORT, Box 34, Folder 85-85.2. O.R. Tambo's note to NEC members, nd.

squad was created for attacks against activists. Jacques Pauw (2017) notes that it carried out brutal acts of intimidation, poisoning, sabotage and killings, such as murdering Ruth First and Janette Schoon by sending them letter bombs.

The ANC also made use of violence of various kinds in the armed struggle. But as it repeatedly stated, this violence was in retaliation to the terror of racist power. Such action involved covert preparation and implementation to make the results widely known – to use the power of ‘armed propaganda’ (Kasrils 1993). Furthermore, on occasion ANC sabotage had to be covered up as happened in December 1985 when a bomb was placed in a garbage container in a shopping centre in Amanzimtoti. Because civilians were killed, this matter received serious attention behind the scenes (Maharaj 2008, 30-31). Then too, a specific part of the ANC’s armed struggle was the provision of military training to MK fighters abroad. Most often this was carried out in a latent format. For example, Thabo Mbeki underwent political and military training in the USSR and at the International Lenin School under the Soviet Union’s ruling party. He also attended the military center near Moscow, specializing in guerrilla warfare. This cannot but have impacted on his thinking and development as a leader; he played a prominent role in substantive negotiations for democratic dispensation and majority rule in South Africa.

Political intelligence is the receipt and processing by state and non-state structures of information about its own and other political systems, as well as a secret influence on the processes occurring in them. The qualitative difference between political intelligence and other types of such activity is its focus on the structural elements of political systems and political processes. This information is obtained both legally and illegally by both state and non-state structures. During the period under review, in South Africa at the state level, intelligence was undertaken by the Bureau for State Security (BOSS) (1969-1978); the National Intelligence Service (NIS) (1980-1990) and the Military Intelligence Division of the Ministry of Defense (1976-1990). To discuss political intelligence by state structures, a particular example will be used – the visit of the Eminent Persons Group (EPG) sent to South Africa by Commonwealth leaders to investigate the prospects for change and democratization. The group arrived in 1986, and held meetings with Mandela in Pollsmoor Prison, together with senior UDF leaders and P.W. Botha and asked about cross border raids. The government emphatically denied any previous knowledge of the cross-border raids (Papenfus 2010, 426). But Niël Barnard, NIS head at the time, admits that he knew beforehand the SADF was scheduled to attack neighboring countries on the morning of 19 May. He explained in an interview in December 2007, that the government’s motivation was about far more than just choosing military might over negotiation:

The fundamental question was, if we decided on a negotiated settlement, who were the people who should negotiate and settle? I was involved in the negotiations on Namibian independence ... we sat around the table talking, but Russia and America determined the rules, they were pulling our strings. There was a similar situation during the Rhodesia/Zimbabwe negotiations ... We could not allow international consultants to negotiate on our behalf. Why not do it ourselves? We are all South Africans. If we want to make peace, we'll talk to each other around a table. We don't need outside help. Let me say this about the EPG episode. We were not talking as yet, but we were about to do so – the talks with Mr Mandela began soon afterwards and we could not talk about the meetings we had ...they were held in secret (Du Preez 2013, 78).

Like the South African government, the ANC also had a highly developed non-governmental intelligence structure which in 1987 was transformed into the Department of Intelligence and Security (DIS). There was also a unit of military intelligence in MK (O'Brien 2011, 208).

Political intelligence can be divided into various categories such as agent (illegal), legal, technical and analytical types. (i) Agent intelligence is the secret penetration to glean information carried out by specially selected, recruited and as a rule, conspiratorial people. The ANC and MK, were engaged in gathering information that could be used against the *apartheid* regime (Kasrils 1993; Gilder 2012). And similarly, the regime had agents who operated secretly to investigate the ANC and other liberation movements. (ii) Legal intelligence does not require special agent technologies, because it uses open sources to obtain information. Especially valuable channels of legal intelligence are official receptions, meetings, etc.; the use of open and semi-open visual observation and using various non-governmental organizations and foundations. (iii) Analytical intelligence is the intellectually complex processing of information received; new information of a higher level is derived from such processes. For this work in the ANC's intelligence, a special unit was created under the leadership of Bill Anderson (Kasrils 1993). As for the South African government, in the early 1980s, the head of NIS, Niël Barnard, was instrumental in carrying out the transformation of the repressive BOSS into the analytical NIS. He believed that 'the era of "blood and thunder" was over' and that instead of using its fists, we 'had to start using our heads' (Barnard 2015, 33). (iv) Technical intelligence implies the use of optical reconnaissance, electronic computer reconnaissance and other types of information collecting in which the technical factor plays the key role. This type of political intelligence played an important role in the ANC's Operation Vula. There was skilful use of computer networks for communication and obtaining secret information from the data banks of the *apartheid* regime's special services (Braam 2005).

Because of the significant role played by the secret services of both the ANC/MK and the South African government in the latent component of the negotiation process, it is sometimes argued that the end of *apartheid* was championed by the intelligence services of both sides (O'Brien 2011, 172). But it is difficult to attribute the fall of *apartheid* to the work of the special services on either side of the divide. *Apartheid* was not destroyed by secret services. It was brought to its knees by the people. The South African government's relentless oppression and denial of human rights; its aggression against the frontline states; and its destabilization of neighboring governments, failed to bring it the security it sought. Furthermore, the tricameral reforms, the 'hoax' reform, had no takers. From that time onwards the *apartheid* state suffered paralysis of initiative in the face of mounting popular struggles from the masses at home and from the international community (Magubane 2013, 1371). There were other processes which took place before the intelligence services of both sides met in the late 1980s and these define the latent politics of negotiations. A meeting in New York in 1986 with Pieter de Lange, the chairperson of the Broederbond (AB), convinced Mbeki that substantive negotiations would begin soon in South Africa. Some 25 years later, in an interview conducted by Sifiso Mxolisi Ndlovu in Johannesburg on 23 February 2011.

Outside the military sphere the reformist trend inside Afrikanerdom gained momentum in the mid-1980s. Most significant was the publication by the Afrikaner Broederbond of a document on the basic political conditions for the survival of the Afrikaner. It stated boldly that the status quo had become unsustainable and that all citizens had to have participation in the political and legislative processes. It did qualify this view by saying that power sharing should be such that no group could dominate another; minority rights had to be protected; and power had to be devolved to limit government interference. The way to achieve this was through a negotiated settlement. In an interview cited in Max du Preez (2013, 73-75), Pieter de Lange explained:

The most dramatic thing in the document was [the realization] that there was going to be a black president in the future, with all the implications that would have. The document was sent to all AB divisions ... The Executive Council was tasked with visiting all the regions and divisions to explain the context of the document ... It was a purely Afrikaner Broederbond (AB) initiative and had nothing to do with the National Party (du Preez 2013, 73-75).

According to De Lange, the ruling NP did not react favorably to the AB's suggestions, although there was some 'support from some senior members', even in the cabinet, such as Barend du Plessis. Apparently F.W. de Klerk was

very worried about the [AB] document. He went on to say that he informed P.W. Botha about his New York meeting, his impressions of Mbeki and the ANC's positions. Botha's reaction was apparently not one of surprise or anger and this made De Lange think that he 'already had something up his sleeve'. De Lange was correct. Botha's minister of justice, Kobie Coetsee had paid Nelson Mandela a secret visit in a hospital in Cape Town in November 1985 (Mandela was treated for an enlarged prostate gland). P.W. Botha encouraged Coetsee to maintain the contact. Shortly after this meeting, Mandela asked his lawyer, George Bizos, to travel to Lusaka to inform the ANC leadership in exile about this meeting. Indeed, Bizos traveled to Lusaka more than once to inform Oliver Tambo on developments. Bizos and Judge Johann Kriegler had a private briefing with Coetsee after the second trip to Lusaka in February 1986.

A decisive step towards formal negotiations to end *apartheid* was the signing of the Peace Accord of September 1991. And it is not by chance that in the section on 'clandestine or covert operations' it read: 'The government shall not allow any operation by the security forces with the intention to undermine, promote or influence any political party or political organization at the expense of another by means of any acts, or by means of disinformation'. But on 17 June 1992 the massacre at Boipatong took place. The Goldstone Commission was appointed to investigate the massacre and its findings were a surprise. As F.W. de Klerk put it:

Then, out of the blue, on 16 November 1992, the Goldstone Commission issued a dramatic statement in which it revealed it had made a surprise raid on an office building in a Pretoria suburb, which turned out to be the headquarters of a covert, ultra-secret branch of the ... South African Defense force. During the raid the commission seized files that pointed to unacceptable activities in the area of the commission's investigations (De Klerk 1996, 259).

The commission discovered that Ferdi Bernard, who had previously been employed by the now disbanded Civil Cooperation Bureau death squad – had been re-employed secretly, apparently to conduct propaganda activities against the ANC. This was yet another example of latent components in the South African political process at the time (Pauw 2017). And on the other hand, social and political changes that undermined the foundations of *apartheid*, the growth of resistance to the racist regime and the active struggle against it called for a vigorous challenge by the oppressed masses and the strengthening of their organizations. Some of these changes, processes and actions were of an overt nature while others were semi-latent and some were latent. It is posited that the time of its origin was the second half of the 1970s.

## Identification of the personality factor role in latent politics in South Africa: late 1970s to the early 1990s

In any analysis of the personality factor in latent politics in South Africa during the period under review, one must at the outset point to the crucial roles played in the political process and the elimination of *apartheid* by individuals such as Nelson Mandela, Frederik de Klerk, Oliver Tambo and Thabo Mbeki. One should also note the roles of Niël Barnard, Aziz Pahad, Willie Esterhuyse, Kobie Coetsee, Michael Young as well as the role of P.W. Botha. The personality factor of some of these personalities will be unraveled below.

A remarkable contribution to the elimination of *apartheid* was made by personalities such as Mandela and South African president, Frederik de Klerk. It is to them, quite deservedly, that much attention is paid in publications on the fall of the *apartheid* system. However, in this regard most authors tend to focus on unofficial contacts and secret negotiations conducted since 1985 by representatives of the regime and its mediations with the imprisoned Mandela, and his firm and incorruptible position as a fighter for democratic South Africa. But many of these studies neglect the crucial role played by Tambo's leadership of the ANC. In October 1987, the ANC's NEC issued the organization's 'Statement on Negotiations' and subsequently published it in *Sechaba*, the official ANC mouthpiece, in its December 1987 issue. The ANC's position was based on the 1985 submissions by the sub-committee discussed earlier in this article. The statement served as a counterpoint to the *apartheid* government's policy on negotiations enunciated by P.W. Botha on a number of occasions, including his so-called 'Rubicon' speech. While addressing parliament on 17 April 1987, Botha proclaimed that negotiations would 'not be conducted with the SACP, international or national terrorist groups [presumably here he referred specifically to MK] or other fanatics [the ANC leadership]' (South African Bureau of Information 1987, 33). Furthermore, on 15 May 1987, Botha elaborated on the South African government's pre-conditions for negotiations:

As far as the Government is concerned, it remains adamant that it is prepared to negotiate with citizens of South Africa, provided they do not resort to violence as a means of attaining their political and other goals, or call in foreign agencies to support them. Negotiations of necessity imply that participants should accept that not all their requirements are likely to be met; it implies willingness to listen, to discuss, to seek solutions. But these solutions will result from deliberations by South Africans in the interests of South Africans. It is in this spirit that the Government approaches the process of negotiation and I want to appeal to all who have made the change for peaceful and constitutional change, to display similar disposition (South African Bureau of Information 1987).



Responding to P.W. Botha, the ANC's October 1987 official statement on negotiations reiterated the point that the liberation movement had never been opposed to a negotiated settlement geared towards addressing the national question in South Africa. On various occasions the ANC had, in vain, called upon the government to cease the violence perpetuated in *apartheid* policies and for the regime to dismantle *apartheid* and enter into negotiations 'provided they are aimed at the transformation of our country into a united, and non-racial democracy'. One such statement was presented by Tambo in a speech in London on 29 October 1985. This standpoint was sacrosanct for it clarified the main objective of any negotiating process in South Africa. Being fully conscious of the way the *apartheid* government had, in the past, deliberately dragged out the question of exploratory negotiations and 'talks about talks' to buy time for itself, the ANC maintained that any negotiations would have to take place within a definite timeframe. This was considered necessary to meet the urgent necessity to end apartheid 'and lift the yoke of tyranny from the masses of our people who have already suffered for too long' (Sechaba 1987, 5). The 1987 statement also re-emphasised the ANC's rejection of any secret negotiations (and secret deals) behind the backs of the oppressed majority.

The decisive and determining source in history is not the individual but the people and then the individuals. Their influence depends on the people and on the connection individuals have with them and their social activity. To Mandela's honor, he understood and gauged this perfectly. To avoid friction within its ranks, the South African government adopted a divide-and-rule strategy on the question of negotiations by offering to release the incarcerated Nelson Mandela. This offer was made public by the then state president, P.W. Botha, who stipulated the preconditions necessary for Mandela's release during a parliamentary session early in 1985. Mandela's response to Botha was also read in public by his daughter, Zinzi, at a political rally in Soweto on 10 February 1985. In this hard-hitting response, reported at length in *Sechaba* of April 1985 and also discussed in Mandela (1995) he indicated his surprise at the conditions attached to the offer of his release. He maintained that essentially, he was not a violent person. He reminded P.W. Botha that in the 1970s at the time of the ANC's defiance campaign, he and his colleagues had written a letter to the then prime minister, D.F. Malan, asking for a round-table conference to find a solution to the national question in South Africa. This letter had been ignored. Again, 'when Strijdom was in power, we made the same offer. Again it was ignored. When Verwoed was in power, we asked for a national convention for all the people in South Africa to decide on their future. This, too, was in vain'. Driving home the point about freedom and negotiations, Mandela said that only free people could negotiate.

Nelson Mandela reiterated these views four years later in the notes he made in preparation for his meeting with P.W. Botha on 5 July 1989. He wrote: 'I am a loyal and disciplined member of the ANC, my political loyalty is owed primarily, if not exclusively to this organization and especially to our Lusaka Headquarters where the official leadership is stationed and from where affairs are directed'. In practical terms, Mandela meant that he required, indeed had to have, an organic relationship with the ANC and a rigorous orientation towards the political line of the Congress Alliance, especially during secret negotiations with the regime (McCartan 1990). As shown above, preliminary talks took place in November 1985 but were confidential, informal meetings between Mandela and Kobie Coetsee when he visited Mandela in hospital. The next series of secret meetings with Mandela from 25 May 1988 was by a small group of officials under NIS chief, Niël Barnard – with the full knowledge of P.W. Botha. Barnard (2015) says he was not told of Coetsee's meeting with Mandela, but he found out soon enough when Coetsee asked the NI to compile a profile of Mandela for him – a profile that referred to Mandela as charismatic; without question the most prominent black leader in the country; and a man with no bitterness towards whites. In an interview cited in Max du Preez (2013), Barnard claims he had talked to Botha about releasing Mandela even before Coetsee's visit:

Remember, in 1985 there was an internal uprising and a state of emergency and despite minister Louis le Grange's assurances, parts of the country were literally ungovernable. The idea of a negotiated settlement started gaining traction, even with Botha himself. I told him on several occasions ... that when we think about a negotiated solution, we should also think about who we're going to talk to. It won't help to talk to the stooges, the homeland leaders. We had to negotiate with the nucleus, and that was Mr Mandela. So that seed was planted with him ... (du Preez 2013, n.p.).

Mandela's position in his contact with Pretoria reflected the strategic thinking of the ANC and did not undergo any significant transformations in the years leading up to the destruction of *apartheid*. The struggle was always about attainment of one person one vote, the establishment of a non-racial, democratic South Africa in which the majority would rule. But the position of the *apartheid* regime changed over time, depending on the particular crisis it faced and the increased pressure from the oppressed majority and the international community. And of course the individual who headed the *apartheid* state – his ability to judge the situation objectively, to feel the necessity and inevitability of historical changes and to take appropriate action. As Harvey (2001, 116) writes, 'Mandela was one extremely strong-willed man in prison. The ANC [in exile] consisted of hundreds of hundreds of guerrillas, activists



and supporters'. To secure a peaceful settlement, the *apartheid* regime had to negotiate with the ANC in exile. To hold talks with Mandela, influential as he was, would not provide the settlement it sought.

P.W. Botha's militaristic ideas were first expressed in 1977, while he was minister of defense in Vorster's cabinet. Botha tabled the concepts of 'total onslaught' and 'total strategy'. Total onslaught was a policy formulation to give credibility to what was fundamentally a strategy to ensure the survival of racism and *apartheid*. It posited that the southern tip of Africa was being 'targeted' by the forces of Marxism, orchestrated from Moscow, a move, he declared, that had already made significant gains in the shape of socialist-oriented Mozambique and Angola (Holness 1986). To resist this 'communist' onslaught required that countries in the region join forces and mobilize their human and material resources in a well-coordinated 'total strategy', at whose core would be South Africa – economically the dominant country in the region. Thus, the *apartheid* regime's total strategy had two prongs; one coercive, the other persuasive. In international geopolitics there can, of course, be no sharp demarcation separating these two strategies. Coercion easily spills over into persuasion and vice versa. On 7 March 1979, in an effort to sensitize the international world with a 'diplomatic' version of total onslaught, 'Pik' Botha (the minister of foreign affairs) addressed a reception in Zurich. He announced that henceforth, Pretoria would give priority to 'advancement of our own southern African region', with a view to the 'establishment of a sub-continental solidarity which would form the basis for cooperation in the important spheres of life'.

The historical personality needs to be assessed in terms of how she or he implements the actual tasks facing that society. A progressive personality speeds up the course of events, a conservative one tends to slow it down. From this point of view, Botha can hardly be mentioned among supporters of a democratic South Africa state, fostering a movement forward to the establishment of a non-racial, majority ruled democratic state. Although it could be argued that he initiated reform that led to the dismantling of *apartheid* by releasing political prisoners such as Walter Sisulu, Govan Mbeki and Andrew Mlangeni, the vector of his activity was by no means forward-looking. He acted within his political culture and one might argue that he served as a brake on the course of history rather than its accelerator. But this is not the case in terms of latent politics and policy. During 1984 there were persistent hints from official quarters and in the *Sunday Express* of 13 December – that two senior ANC leaders, Govan Mbeki and Walter Sisulu, might be released. And in November 1984 the posturing 'Pik' Botha announced in an interview in West Germany that the ANC was welcome to take part in South Africa's

constitutional discussions if it dropped its 'violent aims'. All these events culminated in the Afrikaans-language newspaper, *Beeld*, publishing two articles on 11 December 1984, indicating that Piet Muller, its assistant editor, was in Lusaka to interview members of the ANC executive. He could not have done this without the permission of P.W. Botha.

Various political analysts observed that articles published by *Beeld* were part of a strategic move, a sort of 'kite flying' exercise carried out by the South African government which was preparing the white public for dialogue with the ANC. It was believed that Kenneth Kaunda played a central role in arranging for the interviews to take place between the pro-establishment newspaper and the ANC. Significantly, *Beeld* editorials and articles urged P.W. Botha to hold talks with the ANC, the UDF and the Inkatha Freedom Party.

In 1986, after the four person sub-committee had submitted its proposal, Tambo complained to the ANC's national executive committee that its leadership was poorly briefed and lagging behind on ideas being bandied about among the enemy's 'think tanks' on constitutional modeling. The NEC's response was to form a sub-committee on constitutional guidelines, and the paper on 'constitutional models'. It was also led by Jordan. In one of the in-house seminars organized by the constitutional guidelines sub-committee in 1986 to discuss its draft submission, Tambo remarked:

I am pleased that ... these proposed constitutional guidelines are not a series of prescriptions which we clutch out of the sky as so many so-called experts do and as the wealthy Think Tanks do. The Western world seems to abound with these ... and the governments, including the *apartheid* regime which hides behind them, want adjustment to *apartheid* which ... will firmly preserve if not entrench economic privilege, which in our country is synonymous with racial privilege ... they want to institutionalize racism through their fancy formulas and the desire to protect so-called group rights. We on the other hand, want to assert the sovereignty of the people.

But because part of the South African society was still actively opposed to the abolition of *apartheid*, and was supported by the Western super powers during the age of Cold War politics, the ANC had to adopt perceptive tactical strategies, hence the first steps in the negotiation process had to be done in latent politics format. O.R. Tambo's critique of US policy towards *apartheid* South Africa was articulated in an address in New York on 8 November 1982 and in other interviews. His 1982 lecture was titled 'The African National Congress, the United States and the Future of South Africa'. Tambo asked the question: What qualified P.W. Botha for protection and unflinching support

in the eyes of the US administration? The answer was that P.W. Botha was perceived by the Reagan administration as a reformer. In the eyes of US policy makers on Africa, Botha was the one in power and thus had the means to initiate and control the process of change. Therefore, from the hard nosed point of view of the US government, it could deal with P.W. Botha rather than some perhaps more attractive liberal-reformist elements outside the corridors of power. Some years later, the ANC met the USA government officially for the first time in February 1987, when Tambo met George Schultz, the US secretary of state. Thabo Mbeki, who was among those involved in the planning for this important meeting, recalls that on one occasion they met with Chester Crocker to finalize their preparation. Crocker bluntly told the ANC delegation that the meeting with the US government became possible because the armed struggle had begun to claim the lives of white South Africans. And in an address he gave in Doha on 24 May 2010, Mbeki recounted that an arrogant Crocker said that the situation in South Africa was 'too important' to be left to South Africans (Ndlovu 2010).

Much more interesting is the question of F.W. de Klerk. The fact that he was in the forefront of South African political history on substantive political negotiations, together with Mandela, is a combination of chance and necessity. The need to nominate de Klerk for the presidency was predetermined by South African society's need to replace a 'militaristic' Botha.

Unlike the role of Tambo and Botha, the discussions between Mandela and De Klerk, which began in 1990, are described in detail in the literature. They were underpinned by many elements of latent politics. Kasrils (1998), for example, believes that De Klerk played a double game and, during the negotiations, sanctioned the secret murder of ANC activists and fomented violence in urban areas. The horrific massacre in Boipatong in 1992 provided both the OAU and UN, as members of the international community, an opportunity to act decisively regarding substantive negotiation in South Africa. On 17 June 1992, 48 residents of Boipatong were butchered in their homes when approximately 200 men, alleged to be Inkatha Freedom Party supporters, heavily armed with guns, knives and axes rampaged through the usually peaceful township. The slaying of innocent residents of Boipatong, coming so shortly after violent outbursts on the East Rand, West Rand and Natal made a mockery of the National Peace Accord signed by the various political formations. This accord was no longer worth the paper it was written on; it had been violated and this posed a very real danger to the CODESA negotiations. Until those responsible were arrested, the utterances of the commissioner of police and F.W. de Klerk could not be taken seriously. It was commonly

held that much of the violence was perpetrated by ‘third force’ elements, shadowy assassins controlled by, or at least connected with, members of the South African security forces. The *Sunday Star* headline of 21 June was ‘Codesa could Crumble’ and sure enough, on 22 June 1992 the NEC of the ANC formally announced its withdrawal from negotiations with the regime. It was reported in the *Cape Times* the following day that the ANC was holding what it called ‘crisis talks’.

The ANC strategy served as a principled guide in the struggle against *apartheid* and negotiations with Pretoria. It was the result of careful strategizing by the collective leadership of the ANC, for thirty years headed by Tambo. He had a profound theoretical grasp of the internal and international situation, hidden and open public practice; the ability to maintain the simplicity and clarity of thought in the most difficult conditions and to fulfill tactical plans and political strategy. A leader with Tambo’s tactical acumen was aware of the possibility of political change in the correlation of social forces, could understand what path to choose, how to combine latent and overt politics, and how to turn historical opportunity into reality. Tambo was a great historical personality who led the ANC in exile during Mandela’s imprisonment and what was achieved was largely the result of Tambo’s strong and stable thirty year leadership. He returned to South Africa in late 1990 to attend the ANC’s National Consultative Conference. Speaking after the conference on 16 December 1990, Tambo highlighted:

It has taken us many long years of grim and bloody struggle to persuade the National Party to open talks with the true leaders of the black majority ... I stand in front of you in the company of that illustrious son of our people, my brother and friend, Comrade Nelson Mandela. What he has said about me so many times, whether it is true or not, I want to repeat to him a thousand times, and this covers all the years of our political life, whether we were in jail or not ... It covers our position to this day when the head of the government feels it necessary to seek out the opinion of an African leader ... We are as capable of running a country as anybody else ... South Africa is at the crossroads ... [We must] ... live up to our responsibilities and engage one another in an honest and serious dialogue.

The years of tense, dangerous work undermined Tambo’s health and caused his premature death but his name stands among the greatest sons of South Africa. Considering the role of the individual personality, Mandela was by no means the only channel of the ANC, through which the liberation movement and its allies could pursue the negotiation process with Pretoria.

In another example of latent politics, from August 1984 to May 1987 in Zambia and Senegal, a number of meetings were held between the ANC leadership and representatives of the intelligentsia and business circles of South Africa to develop mutual understanding between the ANC and the white community. Then, in October 1987, a series of secret negotiations between the emissaries of Pretoria and the ANC delegation began in Marlow, England. Of particular importance here was that there were no representatives of the public present. These were indirect and hidden contacts between ‘insider’ leadership authorities. Although formally the group of negotiators from Pretoria was headed by Willie Esterhuyse, he agreed to cooperate with Barnard (NIS) who took control with the support of Botha (who apparently watched expectantly in the background). The ANC negotiation team was headed initially by Aziz Pahad, but from February 1988 Thabo Mbeki, who was then the head of ANC Information and Publicity, took over. During these meetings, a constructive framework for further agreement on a political settlement was created. The organizer of the external communication channel between the two sides of the negotiation process was Michael Young from the British-based company Consolidated Gold Fields. Young, who was the head of communications and corporate affairs at CGF, was a participant in the negotiation process, not so much for his goodwill as a humane person but because of his understanding that *apartheid* was causing significant economic damage to the mining company for which he worked, and whose major subsidiary was in Johannesburg (Du Preez 2013; Ndlovu 2013).

While on an economic note, besides political insurrection, P.W. Botha’s ‘Rubicon’ speech in August 1985 was disastrous for the South African government. Over the following years the rand collapsed and this triggered a string of other international banks to stop rolling over the country’s debt. South Africa’s financial reputation worldwide was in tatters and the noose from within and without was tightening. Even De Klerk (1996, 122) was obliged to admit in retrospect that there was a ‘serious collapse of international confidence in South African government’s capacity to handle the escalating crises’ from all sides.

The final phase of the struggle against *apartheid*, especially its negotiating part, was undertaken in public and thus the final victory of the liberation forces is sometimes labelled the ‘negotiated revolution’, for example by Sparks (1995, 15), and is associated with the role of prominent personalities such as Mandela and De Klerk. It seems that in this case there is something of a distortion of the real picture of cause-effect relationships. Vladimir Shubin notes astutely: ‘What really mattered was not the goodwill of one or the other political figure, however important, but the development of the struggle, which led to the growing pressure on the regime from inside and outside South Africa’ (Shubin 2008, 282).

## Conclusion

The discussion above leads us to conclude that for an adequate understanding of the content of South African public policy in this period it is necessary to explore the component which G. Almond designated as 'latent policy' or 'latent politics'. Latent politics is a special sphere of human activity, primarily related to the realization of hidden interests or the use of secret methods of obtaining, retaining and using power. As the grip of *apartheid* tightened and all hope for peaceful change appeared to be fading it became apparent to the ANC that it could not rule out dramatic new seismic shifts and realignments and the sub-committee on negotiations reasoned that if negotiations were viewed as providing another relevant terrain for the struggle, rather than being a means of drawing the struggle to a close, the ANC had no convincing reason to reject negotiations with the enemy camp. However, as demonstrated in Namibia, adversaries could press for talks in South Africa to use the process as a means to buy time and force the ANC to wind down the struggle. Furthermore, proceeding from the ANC's dependence on the frontline states, including the diplomatic and moral support of African countries, the liberation movement had to face the prospect of being forced into negotiations. Therefore, in its 'Submission on the Question of Negotiations' in 1985, the sub-committee advised the ANC to approach proposed substantive talks as a means of winning the battle at the negotiating table, and in the process it would be consolidating what MK had not won on the battlefield. In other words, the ANC would enter into talks with the *apartheid* regime as a means of pursuing its political objectives by supplementing the liberation movement's conventional means.

The ANC's sub-committee on negotiations established by Tambo expressed the view that the ANC had no option but to be both vigilant and well organized if substantive negotiations with the NP government were to commence. Historical antecedents proved that negotiations and the shape they assumed were determined largely by the relative strengths of the contending parties, that is, which party was on the ascendant and which was in decline. Therefore, should the ANC hold talks with the *apartheid* regime, either voluntarily or through force of circumstance, the organisation was expected to extract from the new situation the optimum condition for the continuation of the liberation struggle.

Many options for classifying types of latent politics can be suggested. First, since it is part of politics as a whole, the general classification of politics (as economic, military, international, etc.) is included. Second, it is possible to designate a whole series of classifications that reflect the special nature of latent politics: the development and promotion of the political strategy of the

‘double entity’; political intelligence; covert forceful actions (active operations); undisclosed public opinion and its influence; campaigns of disobedience and destabilizing peaceful resistance; covert psychological and information operations; non-public diplomacy and secret activity of illegal structures in the sphere of world politics; hidden and illegal clandestine activities of political parties (this does not apply to military operations, psychological or information operations); creation and legal activity of ‘subsidiary’ structures of political underground; ‘confidential management’ of legal and banned political parties; lobbying operations; illegal activities of terrorist, criminal groups and non-state military formations; the secret political activity of private and commercial structures, and so on.

The study of latent politics is possible within the framework of a special branch of political science – the science of latent politics (or, using brief terminology – political latentology). It is a system of knowledge that explains the laws, trends and forms of implementation of latent politics with the help of appropriate paradigms, categories and methods. For example, the law is that the increase of the ‘stealthiness’ of latent politics leads to the growing trend towards the degradation of its political content, or that the increase in transparency of latent politics reduces the security of its subjects and complicates the fulfillment of their specific functions. An important regularity of latent politics is the narrow circle of its subjects and participants, the strengthening in it of the role of political leaders, narrow groups of professionals and individuals (Kurillo 2013).

The ANC’s 1986 draft paper on constitutional guidelines provided the framework for the final document adopted by the ANC in 1988. The draft document qualifies as a primary document that influenced the new South African Constitution after the demise of *apartheid* in 1994. The authors of the 1986 draft paper on constitutional guidelines teased out the five main issues as fundamental to the proposed Bill of Rights which was earlier suggested by Jordan. These were (i) basic principles; (ii) political and exercise of rights; majoritarian state as opposed to protection of group rights; (iii) economic freedom, land and property bill; (iv) the choice between a presidential and prime ministerial system; and (v) the legal system and judiciary. The new South African Constitution of 1996 addressed all these pertinent issues.

In terms of latent politics and policies and the personality factor, it is argued in this article that both O.R. Tambo and P.W. Botha played a crucial role in establishing a strong foundation upon which both Mandela and De Klerk were able to convene CODESA and drive substantive negotiations in South Africa to a successful conclusion (Ndlovu 2010; 2013).



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**ABSTRACT**

This paper explores the phenomenon of latent politics in South Africa during the *apartheid* era. The term 'latent policy/politics' was introduced into scientific use by Gabriel Almond. In the field of political science latent policy/politics refers to a hidden, completely or partially unobserved sphere of politics underpinned by personality factors. The political process in South Africa shows many examples of latent politics. For example, the Soweto uprisings and the wave of unrest in mid-1976 marked the beginning of the final stage of the struggle against *apartheid*. Furthermore, in the fall of *apartheid*, hidden personality factors are also apparent, and here the role of the liberation movements was of decisive importance. Organizations such as the African National Congress (ANC), the Pan Africanist Congress (PAC), and other historical movements of the masses like the worker movements and the Black Consciousness Movement (BCM) are also studied in this context. An exploration of latent politics allows inclusive disclosure of various aspects of the political process.

**KEYWORDS:**

Latent Politics. *Apartheid*. National Liberation Movement. Secret Negotiations. Coercive Action. Political Intelligence. Personality Factor.

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# BOKO HARAM INSURGENCY AND FORCED DISPLACEMENT IN NORTH-EAST NIGERIA: AN ASSESSMENT OF STATE MANAGEMENT STRATEGIES

Luqman Saka<sup>1</sup>  
Ousman M. Bojang<sup>2</sup>



## Introduction

Since its political independence from Britain on October 1<sup>st</sup> 1960, the Nigerian state has stumbled from one crisis to another. Six years into independent statehood, the democratic order bequeathed by the colonial system was dismantled by young military officers in a bloody coup on the night of 15<sup>th</sup> January 1966. Six months later, another bloody counter-coup was staged resulting in the change of guard within the military establishment that oversaw the affairs of the country in the aftermath of the first military coup. The political dynamics of the first and second coups dragged the country into a thirty-month long fratricidal civil war. The civil war gave rise to the first instance of large scale population displacement in the history of modern Nigeria. Millions were displaced while hundreds of thousands of Nigerians became refugees outside of the shores of Nigeria seeking safe haven from the destructive manifestations of the civil war. Since the end of the war and the winding up of the Federal Government's three R program (Reintegration, Rehabilitation and Resettlement), Nigeria has not witnessed any serious internal crisis resulting in large scale forced displacement. While there have been instances of violent

1 Department of Political Science, University of the Gambia. Brikama, The Gambia. Department of Political Science, University of Ilorin. Ilorin, Nigeria. Email: sakaluqman@unilorin.edu.ng; owolabisaka@gmail.com. ORCID: <http://orcid.org/0000-0002-7811-5268>.

2 Department of History, University of the Gambia. Brikama, The Gambia. Email: ombojang@utg.edu.gm.

outburst of conflicts like the Maitatsine uprising in Northern Nigeria in the 1980s, they were contained and did not result in serious forced displacement of the scale witnessed during the civil war.

While many Nigerians had expected that the return to civil rule in May 1999 would bring about peace dividends, such expectations seem to have been misplaced. Nigeria has had to contend with violent expressions of ethno-national, religious and communal conflicts of which the Boko Haram uprising ravaging North-East Nigeria is the most devastating. More than being a national and regional security challenge, the Boko Haram insurgency has given rise to one of the most serious humanitarian crises in Nigeria's history since the civil war. The manifestation of the emergency is better revealed by the extent of people internally displaced within Nigeria's border and those displaced as refugees in neighbouring countries. Other manifestations of the insurgency are the humanitarian crisis, the displaced persons face within and outside Nigeria, and the rights violations arising from the nature and manner of their displacement which is largely informed by the brutality of the insurgents. While significant attention has been directed at understanding the political, security and religious dimensions of the insurgency and how to address them, there has been relatively little academic and policy research on the humanitarian implications, especially as it relates to the crisis of forced displacement.

This paucity of research on internal displacement amongst other humanitarian issues arising from the violence speaks to the lack of coherent national policy and robust engagement by state institutions and agencies in Nigeria on the plight of those internally displaced by conflicts or other factors (Abdulazeez and Oriola 2018; Adewale 2016; Obikaeze and Onuoha 2016; Osagioduwa and Olusegun 2016; OCHA 2013; Ibeanu 1998). Indeed, rather than being an isolated challenge, incidences had shown that the Nigerian state lacks a coordinated policy approach to manage forced displacement, whether induced by violent conflicts or nature. This becomes clear if one examines the nature of state responses to flood induced displacement. The 'omiyale' flood disaster that occurred in Oyo State in 1982 and the more recent incidents of flood disasters along the stretch of the banks of rivers Niger and Benue up to the Atlantic Ocean in Bayelsa state in 2012 and 2018 are points of reference. In these flood crises, the response by the Nigerian state seems to be more of ad-hoc, lacking a nationally coordinated emergency response inclusive of addressing the crisis of displacement arising from such disasters. While it might appear that state agencies are not coordinating their emergency response and disaster management properly, there are spirited efforts being made by national and state agencies, non-governmental organisations, faith based organisations, community based organisations and development/aid agencies towards addressing the humanitarian needs of the displaced people in North-East Nigeria.

To this end, understanding the scale of the displacement crisis, the nature of state management and the resilience of communities impacted by the crisis becomes essential for policy needs. This study explores the nature and dimension of forced displacement that emanate from the Boko Haram insurgency in North-East Nigeria and the nature of state management of the displacement crisis. The study adopts the qualitative research approach in the gathering and analysis of its data. Data for the study was sourced from key national policy documents on displacement in the North-East, media interviews on displacement and its management by state institutions/agencies, news articles, reports, editorials, commentaries and academic publications. Relying on these data sources, the study seeks to highlight the nature of state management of the displacement crisis arising from the Boko Haram campaigns of terror in North-East Nigeria, the successes that have been recorded and the challenges confronting state institutions, and communities impacted by the conflict as it relates to the management of the displacement crisis.

## **Nature, human and forced displacement: conceptual explanation**

A number of factors account for the unravelling displacement crisis facing humanity especially in developing societies. For the sake of categorization, these factors can either be human induced or arise from the force of nature. Most of the human induced factors giving rise to displacement are often associated with incidences of violence. The development process can also generate a displacement crisis. Thus, forced displacement can be categorised and explained along three dimensions: natural disaster induced, development induced, and violence/conflict induced.

In specific terms, forced displacement as a result of the force of nature is largely informed by natural disasters from changing environmental conditions. This cause of displacement includes but is not limited to flooding, drought, desertification/desert encroachment, rising sea level and receding shoreline, tsunami, typhoons and such other natural disasters. For development induced displacement, the provision of social infrastructure, most especially large scale dam projects, has been identified as an important cause of forced displacement (IDMC and NRC 2014a; Twomey 2014; Ferris 2008; Shettima 1997). While not diminishing the factors highlighted above, the general consensus in forced displacement/migration literature is that more than any other factor, violence or war in general generates the most potent threat forcing people to make the decision on whether to flee their homes/communities or stay behind (Adhikari 2013; Melander, Oberg and Hall 2009; Moore and Shellman 2006).



In the discourse of forced displacement, there is the issue of differential definition given to categories of displaced people. The differential definition also gives rise to variances in the way the international community mobilises resources to aid efforts of sovereign states in addressing the humanitarian needs of displaced people across regions of the world. In displacement literature, displaced persons can be categorised either as refugees or Internally Displaced Persons (IDPs). Speaking on the differential categorization, former US ambassador to the United Nations, Richard Holbrooke notes that:

Two-thirds of the refugees of the world do not fall under the official purview of the United Nations High Commission for Refugees, UNHCR. We call them IDPs. In our mission, across the street, we have tried to figure out ways to abolish this odious terminology. The very use of initials to refer to people is not, in itself, healthy. These are people, and to a person who has been driven from his or her home by conflict, there is no difference between being a refugee or an IDP. In terms of what has happened to them, they are equally victims but they are treated differently (Robinson 2003, 1; United Nations 2000).

In relation to who a refugee is, the 1951 Refugee Convention provides a clear explanation. According to the Convention, a refugee is a:

[...] person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, unwilling to return to it (United Nations High Commission for Refugees, UNHCR 1988; Robinson 2003, 1).

As for the definition of internally displaced persons, IDPs, the UN Guiding Principles, defined internally displaced persons as:

[...] persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence in particular as a result of, or in order, to avoid the effects of armed conflict, situations of generalized violence, violations of human rights, or natural or human-made disasters and who have not crossed an internationally recognized State border (Fisher 2006, 8; Robinson 2003, 1; Deng 1999; United Nations 1999).

Protecting the rights and dignity of displaced persons whether refugees or IDPs is a daunting task and has remained a major preoccupation of the international community for decades. The need for protection becomes more critical for those internally displaced as a result of violent conflicts, given the

nature of their displacement and the fact that they often seek refuge close to conflict theatres and that they are usually subjected to continued rights violation by military and security agencies, armed militia groups and state officials charged with running camps sheltering displaced persons. Thus, for IDPs, there is no hiding place when it comes to rights violations and abuse. They are forced out of their homes and communities as a result of acts of violence occasioned by incidences of armed conflicts. In the process, they suffer rights violations and become susceptible to abuse in camps set up to house them and provide protection. The vulnerability of IDPs was amplified by the Brookings Institution (2008, 2) when it noted that:

The effects of internal displacement on IDPs, local authorities and communities that host them can be devastating. This is because while the act of displacement in itself amounted to violation of the rights of those affected, the subsequent loss of access to shelters, lands, livelihoods, personal documentation, family members, and succour afforded by social networks do affect negatively the ability of IDPs to assert and enjoy range of fundamental rights (Brookings 2008, 2).

Since the end of the Cold War, the United Nations has been in the forefront of facilitating and coordinating international and national governments' domestic responses to internal displacement. These had been done through the humanitarian assistance provided by the United Nations specialised agencies notably, the United Nations Children and Education Fund (UNICEF); United Nations High Commission for Refugees (UNHCR); World Health Organisation (WHO); World Food Programme (WFP); United Nations Development Programme (UNDP); UN Office for the Coordination of Humanitarian Assistance (OCHA); among others. Aside from delivering aid and assistance through these specialised agencies, the United Nations has also used the instrumentality of the rules of international law that govern all state responses to displacement as stipulated in the UN Guiding Principles on Internal Displacement (Brookings Institution 2008). Of importance in this regard are principles 1.1, 3.1 and 4 of the 1999 document<sup>3</sup>.

3 As it relates to the statutory responsibility of states affected by internal displacement, the Guiding Principles stipulates in Principle 3.1 that, 'Sovereignty entails not only the right of each state to conduct its own affairs but also the primary duty and responsibility to provide protection and assistance without discrimination to its population, including the internally displaced, in accordance with international human rights and humanitarian law' and in Principles 1.1. & 4 that, 'While those displaced within their own country remain entitled to the full protection of rights available to the population in general, displacement gives rise to particular vulnerabilities on the part of those affected. Therefore, and in order to ensure that the displaced are not deprived of their human rights, states are obligated to provide special measures of protection and assistance to IDPs that correspond to these vulnerabilities in order to ensure that IDPs are treated equally with respect to non-displaced citizens.'

Principle 3.1 clearly tied sovereignty to the responsibility of states to protect their citizens and provide assistance without discriminations while principles 1.1 and 4 speak to human rights of IDPs and provision of special measures of protection and assistance that are commensurate with the level of IDPs vulnerabilities.

## Conflicts and the Global Displacement Crisis

Scholars have come to the conclusion that violence and war in general generate threat which force people to make the difficult decision of whether or not to leave their homes and communities and seek safety elsewhere (Adhikari 2013, 82; Edwards 2009; Melander, Oberg and Hall 2009; Oucho 2009, 16; Moore and Shellman 2007; 2006; 2004; Davenport, Moore and Poe 2003). These scholars affirm the existence of certain degrees of disagreement on the scope, nature and dimension of conflict that is required to trigger forced displacement. There are discussions surrounding the extent of displacement generated by international and internal conflicts, on the impact of violence perpetrated by government and irregular forces/militias groups/rebel forces and how they trigger forced displacement, and on how a country's infrastructure and geography might inform the decision to move or not especially across national borders. There is also the position advanced by Adhikari (2013, 83) that when confronted with conflict, people tend to stay in their homes and communities especially when the opportunity cost of fleeing (measured in relations to forgone economic opportunity and attachment to communities) far outweighs a physical threat to life.

Although the position espoused by Adhikari (2013) seems controversial, given that previous studies had established that violent conflicts/wars trigger forced displacement, the position should not be discarded as it contains some elements of truth. Indeed, people that are displaced from their communities but are within the territorial confines of their home countries often decide to stay close to their place of original abode as IDPs even when there are potent threats to their lives and safety. For instance, in the case of the Boko Haram induced displacement in North-East Nigeria, the larger percentage of the displaced are within Nigeria as IDPs and most of the camps are confined within the region, with Maiduguri, the capital of Borno state, the epicentre of the conflict hosting the largest IDPs camp. The astronomical rise in the number of people displaced by conflict but who remain within their country as IDPs especially in Sub-Saharan Africa attests to the destructive impacts of civil wars in the region from the 1990s until date.

Arising from the complex conflicts raging in a number of countries in Sub-Saharan Africa, the region has come to be characterised by high numbers of displaced persons (refugees and IDPs). The region has the world highest concentration of IDPs and hosts approximately 20 percent of the world's refugee population. In the region one can find sending and receiving states, states that send and receive at the same time as well as transit states (Croll 2009, 4; Naude 2009, 21). Rather than abate, the conflict situations in Sub-Saharan Africa continue to force people in the region to abandon and flee their homes and communities and seek refuge elsewhere within national boundaries as IDPs or outside as refugees in other countries. For instance, the Internal Displacement Monitoring Centre (IDMC) and the Norwegian Refugee Council (NRC) in the Global Report on Internal Displacement (GRID) noted that some of the worst ever levels of violence and displacement were recorded in 2017. These new displacements were driven by political instability and conflict, complex humanitarian emergencies, failed peace agreements, and urban warfare and disasters. In specific terms, the report noted that conflict in Afghanistan, the Central African Republic, the Democratic Republic of the Congo, Iraq, Nigeria, South Sudan, Syria and Yemen continued to force large numbers of people to flee their homes (IDMC and NRC 2018, 4).

According to IDMC and NRC (2018, 5) a total of 30.6 million new displacements associated with conflict and disasters were recorded in 2017 across 143 countries and territories worldwide. The report noted that thirty-nine percent (39%) of all new displacements in 2017 were triggered by conflict and violence, while sixty-one percent (61%) by disasters. The number associated with conflict almost doubled, from 6.9 million in 2016 to 11.8 million in 2017 (IDMC and NRC 2018, 6). These statistics show that the number of newly displaced persons arising from violent conflicts witnessed geometric increase between 2016 and 2017. The situation was grimmer for Sub-Saharan Africa when compared with other regions. According to the report, the region accounted for 26.3% of displaced persons for 2017, coming behind East Asia and the Pacific that accounted for 30.5%. However, the percentage hides important information. With 5,472,000, Sub-Saharan Africa led the pack when it comes to the number of people newly displaced by conflict in the year 2017. This more than doubled the numbers of newly displaced persons by natural disasters in the region which stands at 2,561,000. The number of people displaced by conflict in Sub-Saharan Africa was rivalled only by the figure reported for the Middle East and North Africa which stands at 4,485,000. Sub-Saharan Africa alone accounted for 46.47% of persons newly displaced as a result of violent conflicts in 2017. When combined, Sub-Saharan Africa and the Middle East and North Africa accounted for 84.56% of newly displaced persons as a result of conflicts in 2017 (IDMC and NRC 2018, 16).

While Sub-Saharan Africa accounted for only 14 percent of global population, it however, generated almost half of new conflict induced displacements for 2017 (46.47%). The countries with the highest numbers of conflict induced newly displaced persons are Congo (DR); Somalia; Ethiopia; South Sudan; and Central Africa Republic (CAR) in descending order (IDMC and NRC 2018, 17). Coming closer home, the Boko Haram insurgency raging in North-East Nigeria with ramifications across the Lake Chad Basin Commission (LCBC) countries has brought the area under the spotlight as it relates to conflict induced displacement. For the LCBC countries, 279,000 new displacements were recorded in North-East Nigeria, the epicentre of the Boko Haram insurgency. 119,000 were recorded in Cameroon's Far North region, 40,000 in Niger's Diffa region, and 5,800 in Chad's Lac region. As a whole, the Lake Chad Basin countries accounted for 8 percent of conflict induced new displacements in Sub-Saharan Africa for the year 2017. There were more than 2.2 million people living in displacement camps as IDPs and Refugees in the Lake Chad Basin as at the end of 2017 (IDMC and NRC 2018, 17; 21).

## **Boko Haram insurgency and the displacement crisis in Nigeria's North-East**

Nigeria has had its own fair share of internal displacement arising from conflicts, violence and the attendant human rights violations. Underlying the seriousness of the problem of internal displacement in the country was the submission of the Norwegian Refugee Council (NRC) and Internal Displacement Monitoring Centre (IDMC 2014b, 9) that Nigeria was one of the five countries that generated the highest numbers of internally displaced persons as a result of violent conflicts in 2013 and the trend has continued for the country within the context of new displacements in the Lake Chad Basin as highlighted in the Global Report on Internal Displacement for 2017 (IDMC and NRC 2018, 21)<sup>4</sup>. Most of the displaced Nigerians estimated at 1.5 million as at 2013 were forced to flee the violence and terror unleashed by the Boko Haram sect in North-eastern Nigeria, in particular Adamawa, Borno and Yobe states that were the worst affected by the violence in the region at the height of the insurgency (EU 2014;

4 Nigeria was listed along with Syria, Central Africa Republic, Democratic Republic of Congo, and Sudan as the five countries that generated the highest numbers of internally displaced persons in 2013 as a result of armed conflicts. While the numbers of newly displaced generated by Nigeria has steadily declined, the country with others within the Lake Chad Basin area still accounted for 8 percent of newly displaced by conflict, majorly the Boko Haram insurgency in 2017.

IDMC and NRC 2014b, 2; 2014c)<sup>5</sup>. Aside from those registered as IDPs within Nigeria, there are thousands that fled across Nigeria's borders into Cameroon, Niger Republic and Chad as refugees.

The security and humanitarian challenges arising from the Boko Haram campaign of violence has made it to capture and continue to be the focus of attention of academics, policy makers, humanitarian aid agencies and the Nigerian people. Indeed, there exists a sizeable number of academic studies, policy briefings, and other forms of documentation that have explored different dimensions of the challenges that the Boko Haram insurgency in North-East Nigeria has generated for the Nigerian state and its people (Tar and Mustapha 2017; Amnesty International 2014; Marc-Antoine 2014; Onuoha 2014; Human Rights Watch 2014; 2012; Watchlist 2014; Animasawun and Saka 2013; Loimeier 2012)<sup>6</sup>. Many of the issues addressed especially in the reports by Amnesty International (2014); Human Rights Watch (2014; 2012) and Watchlist (2014) highlighted the precarious humanitarian and human rights crisis that the Boko Haram insurgency has generated for the people and communities in North-East Nigeria, the region worst impacted by the conflict. For example, the loss of human life as a result of the insurgency is estimated to be around the range of 30,000 people. The insurgency has also devastated communities in the countryside, towns and cities in the North-East (Council on Foreign Relations 2018; Zenn 2018, III). The situation is particularly grave for people that were forced to flee their homes and com-

5 The Jama'atul Alhul Sunnah Lidda'wati wal Jihad (people committed to the propagation of the Prophet's teachings and jihad) also known as Boko Haram was founded in 2002 by Muhammad Yusuf in Maiduguri. In 2009 the Nigeria Army surrounded and attacked the movement's facilities and its leader was later killed in police custody. The death of Yusuf forced the sect to go underground. It resurfaced in 2010 and commenced its series of deadly attacks against state and civilian targets. The group's tactics now include targeted assassinations, suicide bombings, deployment of vehicle-laden improvised explosive devices (IEDs), kidnapping, hostage taking and coordinated armed assaults against communities, schools, and military installations. For details on the origin, transformation and tactics of Boko Haram (Adesoji 2010; Loimeier 2012; Onuoha 2010; 2012; Marc-Antoine 2014).

6 The Boko Haram insurgency has impacted on the six states that make the Northeast geo-political zone of Nigeria. These states are Adamawa, Bauchi, Borno, Gombe, Taraba, and Yobe. However, the three states highly impacted by the violence and in which the Federal Government has had to declare a state of emergency in the height of the insurgency were Adamawa, Borno and Yobe. The state of emergency was declared at the time when Boko Haram held territory (11 Local Government Areas at the height of the insurgency) and declared it Caliphate in the areas it was able to hold sway. The state of emergency has since been lifted given the relative success of the military campaign against the group. At present, the group no longer holds any territory (Local Government Areas) in Nigeria and is on the run. However, it still has the potential to stage destructive hit and run attacks, ambush and deploy suicide bombers against security targets, IDPs camps and communities.

munities and seek refuge as IDPs in camps, many of which are located in the six states of North-East Nigeria with majority in Maiduguri, the Borno State capital and the epicentre of the insurgency.

In the period leading to the conduct of the 2015 general elections in Nigeria, the issue of security with particular focus on combating Boko Haram insurgency was an important issue in electoral campaigns of the two leading political parties and their flag bearers. Then General Muhammadu Buhari, the flag bearer of the opposition All Progressive Congress (APC) made the fight against Boko Haram a cardinal campaign issue promising that if elected, his administration would prioritise the defeat of the group and address other security challenges facing the nation. After his electoral victory, and to demonstrate his readiness to take the fight to the insurgents, President Buhari during his inauguration address announced the creation of a new brigade (the 7<sup>th</sup> Brigade) with headquarters in Maiduguri with the declared mission of routing Boko Haram and retaking territories occupied by the group in the North-East. As part of the battle strategy, the President also directed the relocation of the Nigerian Military Command Centre for the coordination of military efforts against the insurgents from Abuja to Maiduguri, the appointment of Major General Buratai, a native of Borno to lead the Nigerian Army, and Rt. General Munguno also from Borno as National Security Adviser and the creation of the position of Chief of Intelligence for the forces, a move seen as prioritising intelligence gathering in the operational strategy and tactics of the Nigerian Armed Forces and Nigeria's military campaigns against Boko Haram (Blanchard 2016, 9; Leach 2016, 7-8).

By the end of 2015, President Buhari declared that Boko Haram had been “technically” defeated, as the group no longer had the capacity to hold territories and could no longer conduct conventional military attacks against military and civilian targets (Felter 2018; Torbjornsson and Jonsson 2017, 4; Alfred 2016; Zenn 2016). While the military basked in the euphoria of its campaign success, the relative reprieve had come with a cost measured in loss of lives and increased forced displacement. The renewed offensive by Boko Haram since late 2017 resulting in spike in suicide attacks and successfully mounted ambushes against military and civilian targets had also meant that the people in North-East Nigeria in general and Borno state in particular were still being forced out of their communities (Torbjornsson and Jonsson 2017, 20-21). However, while those previously displaced are beginning to return to their communities and localities, continued military operations by the Nigeria Armed Forces against the Boko Haram terror group continue to generate fresh displacement in Northeast Nigeria and across the Lake Chad Basin Commission countries.



In the most recent Displacement Tracking Matrix (DTM) for the Lake Chad Basin countries released by the International Organization for Migration (IOM) in December 2021, it was reported that Cameroon, Chad, Niger and Nigeria were hosting an estimated 5,462,244 affected individuals made up of IDPs, Refugees (both in-and-out of camps), Returnees (former IDPs and Returnees from abroad) and Third Country Nationals (TNCs). Of these, 3,032,378 were IDPs, 1,937,769 were Returnees that were former IDPs, 227,753 were Returnees from abroad and 263,344 were refugees. The IOM record also indicated that 4,143,802, representing 76 percent of the total number of the affected individuals, were located in Nigeria. In specific term, the IOM data indicated that 2,200,357 were internally displaced persons registered in IDPs camps in Nigeria, and 264,344 were refugees that crossed the Nigeria borders into Niger Republic (129,835), Chad Republic (19,321) and Cameroon (115,188). By the data, Nigerians forcefully displaced from their communities and localities as a result of Boko Haram campaign of terror and general insecurity as at the end of 2021 stood at 2,464,701. (IOM, 2021). By the IOM data, not only has the Boko Haram insurgency continued to generate forced displacement, it has also made Nigeria to remain atop the ladder of the displacement crisis in Sub-Saharan Africa.

While the conflict in the North-East has impacted the population of the region adversely, women and children as population segments are more severely impacted. For instance, the IOM in the round 23 assessment report on IDPs situation in the region reported that 27 percent of IDP population are children under 5 years, while 46 percent of IDP population are male and 54 percent are female. When combined, the children under 5 years and women IDPs population approximate 79 percent of total IDPs population as of June, 2018 (IOM 2018b, 4). However, while the displaced have numerous needs, reports of survey on unmet needs highlighted that food remains the predominant need in the majority of IDPs sites (IOM 2018b, 4). Whether in the course of displacement or in campsites, reports also showed that IDPs fell victim to extreme violence perpetrated by Boko Haram and the Nigerian military. While Boko Haram continued its campaigns of suicide bombings of population targets, the military in attempts at curtailing these egregious attacks had mistakenly hit communities and IDPs campsites. The erroneous bombing of Rann by the Nigerian military in January 2017 showed how friendly fire from the Armed Forces had resulted in loss of life and destruction of communities in the North-East (Human Rights Watch 2017; Norwegian Refugee Council NRC 2017). While there had been consistent international outcry and call that the military should do more to protect IDPs, Boko Haram bombing and shootings inside IDPs and densely populated areas continue

in the North-East. This clearly shows that while the capacity of the group might have been seriously degraded, it still retains the potential to mount deadly attacks against civilian targets across North-East Nigeria. This has been clearly demonstrated by the resurgence of the group's attacks against communities, IDP's camps and military targets especially in Borno state, the epicentre of the insurgency.

## **The Nigerian state and the management of internal displacement in the North-East**

As stipulated in Principle 3(1) of the United Nations Guiding Principle on Internal Displacement, “national governments have the core primary responsibility to provide protection and humanitarian assistance to IDPs within their territorial jurisdictions”. To this end, the UN championed the development of a national legal framework geared towards upholding the rights of IDPs. The UN also took the adoption of a national policy or plan of action on internal displacement by national governments as priority. This is largely because the UN considered these steps as cardinal parts of national responsibility of all states as far as responding to the needs of IDPs is concerned (Brookings Institution-University of Bern Project on Internal Displacement 2005, 16-17; Kälin 2006). Thus, in times of crisis that generates large scale internal displacement, the responsibility to provide protection, facilitate the establishment of places of refuge, and provision of humanitarian assistance and support for those internally displaced falls squarely on national authorities.

In the case of Nigeria, the framework for the provision of protection and humanitarian assistance to people internally displaced as a result of violent conflicts and natural disaster is believed to be informed by legal and institutional parameters. However, it is significant to underscore the position that the legal framework upon which the management of the displacement crisis and provision of protection and assistance to IDPs in the country is expected to be anchored has largely remained an unfinished project. This is because the national policy on IDPs is yet to be ratified. The non-ratification and adoption as part of the national body of law has made state response to, and management of, IDPs arising from the Boko Haram insurgency to lack proper coordination and greater inter-agency synergy that would ensure a robust management of the displacement crisis in the North-East.

Nigeria had sought to develop a legal framework and national policy on IDPs. In 2006, the Nigerian Government put together a National Policy on IDPs, the draft of which was tabled for consideration in 2007. However,

the Obasanjo administration could not adopt it. The draft was revised three times in 2009, 2010-11 and December 2011. Despite the plethora of revisions, it remains a draft yet to be adopted. This draft was further revised by a team of consultants and the Multi-Stakeholders Forum between May 30 and August 2012. However, the revised draft continues to await Presidential assent and subsequent adoption by the Federal Government (Ladan 2013). The failure on the part of the Nigerian state as it relates to the ratification and implementation of a national framework on IDPs is particular appalling given that Nigeria was one of the original seventeen (17) member states of the African Union that signed the AU Convention on IDPs in Kampala in 2009. The country ratified the same in 2012 and was grappling with the most complicated displacement crisis in its national history since the end of the civil war in 1970.

In Nigeria, the national responsibility to respond to displacement lies first with the local government. However, given the glaring lack of capacity at this level of governance, emergency response and humanitarian assistance for displaced persons has become the responsibility of respective state governments and the Federal Government. The institutional framework for humanitarian emergency in time of disaster (nature or conflict induced) at the national level is anchored by the National Emergency Management Agency (NEMA) established in 1999. There is an equivalent agency established by some state governments known as the State Emergency Management Agency (SEMA) which works with the federal agency and serves as the mechanism for delivering state governments' assistance in emergency and crisis situations (Adewale 2016, 179-180). In the case of human displacement, the National Commission for Refugees, Migrants and Internally Displaced Persons (NCFRMI) established in 1989 works in complementary manner with NEMA and other stakeholders in the delivery of humanitarian assistance and protection of IDPs especially in conflicts areas (Abdulazeez and Oriola 2018). The multi-sectoral approach has been deployed in humanitarian aid delivery to those internally displaced by the Boko Haram insurgency and Nigerian Armed Forces military counter-insurgency campaigns in North-East Nigeria.

In the context of the multi-sectoral/decentralised approach to humanitarian aid delivery adopted by NEMA, the organisation in conjunction with NCFRMI coordinates national efforts in the management of the delivery of relief materials to IDPs across camps in North-East Nigeria. Relief materials received by NEMA from the Nigerian government, international aid agencies, and from foreign and local donors are channelled to the agency's zonal offices from where they are delivered to authorities of State Emergency Management Agencies (SEMAs) in a particular geo-political zone. The responsibility of SEMA is to coordinate the delivery of

these materials to IDPs through traditional institutions, local government authorities, local non-governmental organisations and others involved in the process of humanitarian aid delivery.

The international community has aided the Nigerian government's efforts by providing support and assistance to victims of Boko Haram insurgency in North-East Nigeria. The international community through foreign government development/aid agencies, United Nations agencies and international non-government organisations has provided assistance and support to national agencies/institutions and sub-national governments' agencies in the affected region. The assistance and support has been highly instrumental in aiding the efforts of the Nigerian state to meet its national obligation as it relates to the delivery of relief materials to displaced persons in the North-East. The United Nations, through the platform of the Office for the Coordination of Humanitarian Assistance (OCHA) has been particularly essential in the provision of support and technical expertise on management of IDPs camps and coordination of the delivery of humanitarian assistance to IDPs in the region. The Norwegian Refugee Council and Internal Displacement Monitoring Centre are crucial in the coordination of information on displacement and the displaced in the North-East. The expertise of the International Committee of the Red Cross/Crescent (ICRC) and other humanitarian organisations have enhanced the coordination and delivery of aid and assistance. International aid agencies such as USAID (United States Agency for International Development), UKAID, JIDA (Joint Improvised-Threat Defeat Organization) and Nigerian nationals have been instrumental in raising funds for humanitarian efforts in the region.

Without doubt, assistance and support for national efforts (Federal and State governments) in the management of the displacement crisis in North-East Nigeria has been forthcoming. However, the assistance has fallen short of needs and there is no denying that assistance from outside of the coffers of the Nigerian state has been highly instrumental to the relief work in the North-East. Within the context of constraint on national capacity imposed by resource availability, logistics and expertise, it should be noted that while the Nigerian state has made progress in the management of the displacement crisis in the North-East, there is still an avenue for greater improvement on disaster response and management. More than this, there have been lapses in the Nigerian state's management of the displacement problem in the region. The lapses make the national efforts in the management of the displacement crisis in the North-East to be haphazard and fragmented in terms of coordination (IDMC and NRC 2013, 12).

## The Nigerian state and the challenges of IDPs management in the North-East

An important starting point in grappling with the task of addressing humanitarian needs of internally displaced persons in Nigeria rests on putting in place appropriate legal and institutional frameworks to address the displacement crisis in the country. For this to be accomplished there would be the need to revisit the draft of the National Policy on Internally Displaced Persons. The revisit would be to ensure that the policy document contains appropriate legal provisions on the status of IDPs, security provisioning for IDPs, and identifying a national agency that would be designated as lead agency for the provision of humanitarian assistance to IDPs. Accomplishing this would address one of the core challenges that has been identified as undermining: the Nigerian state's response to the plight of internally displaced persons notably in North-East Nigeria and other parts of the country (Ekpa and Dahlan 2016; Ladan 2015; 2013; Magaji, Zaki bin Ahmad and Suriya Binti Ahmad Apandi 2018; Shedrack and Nuarrual 2016). Addressing the legal and institutional constraint is important given that its lack has meant that the state is unable to plan and implement short, medium and long term measures directed at addressing the plights of the displaced persons in Nigeria (Itumo and Nwefuru 2016; Obikaze and Onuoha 2016; Onanuga 2013). The absence of a legal and institutional framework has also meant that the tasks of rehabilitation, resettlement and reintegration of IDPs are mostly undertaken by agencies of government (NEMA, SEMA, NRC) on an ad-hoc and reactive basis (Abada and Okafor 2017).

Another problem that undermines aid delivery efforts to displaced populations in the North-East is the logistics of relief materials distribution. This challenge is directly linked to the lack of a clear cut national, legal and institutional framework on IDPs and humanitarian aid delivery. The challenges associated with the logistics of aid delivery and distribution to targeted populations is such that facilitated the diversion of relief materials by those that work in the humanitarian sector in the region. For instance, NEMA, the Federal Government's vehicle for aid delivery to IDPs do not reach IDPs directly. Rather, it delivers materials meant for IDPs in a state to SEMA. The State Emergency Management Agency in turn distributes materials through traditional institutions, local government council officials, local NGOs and other civil society organisations in the business of humanitarian assistance in their localities. This layered delivery process means that it is difficult to follow aid until it reaches intended beneficiaries. This makes it difficult to exercise oversight, ensure transparency and accountability in the delivery and distri-

bution of materials to IDPs. Because of the layers of organisations involved in the distribution process, it is difficult for NEMA, International agencies and humanitarian organisations to track materials they supplied for delivery and distribution to IDPs in the region (Alqali 2016). Indeed, civil society groups have been reported to complain that poor coordination among agencies and groups and lack of clear oversight of the delivery and distribution process have aided the diversion of relief materials by traditional leaders, local politicians and officials from the relief agencies themselves (Alqali 2016).

For example, in Geidam local government area of Yobe state, NEMA officials have been accused of allowing aid to go astray. Recounting an experience of aid diversion in the council, a United Nations High Commission for Refugees official was reported to have stated that when shipment of relief material was delivered and received by authorities of the local council, very few of the IDPs benefitted from the materials. The NEMA official was reported to have bribed the local officials by giving them a portion of the items while they carted away the bulk of the relief materials (Alqali 2016). There have been reports of grains and other essential items meant for IDPs sighted in major markets on sale to the larger population across the North-East. Similar allegations of diversion of relief materials, their re-packaging and sale to the public have been levelled against senior officials of the Borno State Emergency Management Agency prompting the then Governor, Shettima, to order police investigation on the matter (Haruna 2016; Kazeem 2016). Aside relief materials, there have been reports that cash transfer meant for IDPs through a scheme run by International Committee of the Red Cross administered by the Nigerian Red Cross Society and delivered through United Bank for Africa has ended up in the pockets of unintended beneficiaries (Alqali 2016).

Another issue undermining state effort in the management of IDPs is the systemic resource mismanagement and endemic institutional corruption that plague governance in Nigeria. While one would expect prudence, frugality, accountability and transparency in the management of humanitarian funds and relief materials as well as empathy in the distribution of the materials to displaced people, the contrary is the case in the governance of humanitarian and relief resources in North-East Nigeria. According to Page (2018, 17) graft, fraud, extortion and other forms of financial criminality abound within Nigeria's humanitarian sector. This has helped to exacerbate the humanitarian crisis arising from the displacement of more than two million people in communities affected by the Boko Haram insurgency. The graft, fraud, extortion and criminal diversions of fund and relief material meant for IDPs in the North-East has worsened the plight of the displaced and compounded the humanitarian disaster arising from the conflict in the region. By assuming the

role of middlemen in the relief effort, Page (2018, 17) notes that officials from the National Emergency Management Agency (NEMA) and its counterpart agencies at the state level, State Emergency Management Agency (SEMAs) on a regular basis obstruct international aid delivery efforts, embezzle relief funds, and divert supplies meant for IDPs in the North-East. These agencies that are led by political appointees have turned these institutional instruments for delivering assistance to IDPs into conduits for diverting millions of dollars in emergency humanitarian spending into private pockets.

Instances of fraud, graft, extortion and criminal diversion associated with humanitarian and relief efforts in North-East Nigeria abound. For instance, in 2016, the Nigerian Senate expressed its concerns that the Presidential Initiative on the North East (PINE), which was inaugurated by President Muhammadu Buhari in 2015 to manage the humanitarian crisis in the region, was yet to show tangible results despite the fact that more than half of the money appropriated for it for the fiscal year 2016 had been released. The Senate expressed concern that rather than use the fund to ameliorate the humanitarian crisis faced by the displaced, the focus of disbursement made in the fiscal year had been used for other interests. The Senate in its official record of proceedings listed a summary of transactions that it deemed not of importance to the humanitarian cause of the displaced population in North-East Nigeria (FRN 2016, 471-473).

Making its case for the occurrence of fraud and graft in the disbursement and use of humanitarian intervention fund, the Senate noted that the incoherent and largely fragmented state of the procurement process points to a vague and corrupt scheme that is not in tune with helping the people of the North-East in general and the internally displaced people in the region in particular. The Senate reached the conclusion that the pattern of disbursement, the projects for which the disbursement was made, and the management of intervention fund by state agencies was such that undermined efforts of the Nigerian government. It noted that the management of the fund and governance of humanitarian aid delivery failed to ameliorate the harrowing experiences and misery of the displaced people in North-East Nigeria (FRN 2016, 473; Kazeem 2016). To worsen the case was the allegation of graft levelled against the then Secretary to the Government of the Federation (SGF) Mr. Babachir Lawal (Punch Editorial 2016). Some of the companies that were awarded spurious contracts with no bearing on ameliorating the plights of IDPs had direct link to the then SGF. As a result of public anger, the President was forced to relieve the SGF of his position. However, it is instructive to note that the prosecution of the former SGF has not progressed as expected.



In a highly publicised case, the National Assembly indicted Vice President Yemi Osinbajo over the alleged illegal approval of a mismanaged N5.8 billion intervention fund for IDPs in North-East, Nigeria. The House of Representatives Committee on Emergency and Disaster Preparedness in its report noted that the approval of the fund by the Vice-President was in contravention of constitutional provision. It also noted that the fund, as released for NEMA to address food security in the North-East, was largely mismanaged. The committee in its recommendations called for the removal from office and prosecution of the then Director-General of NEMA, Mr. Mustapha Maihaja, over allegations of fraud, corruption and embezzlement of N33 billion Emergency Intervention Fund. The committee arrived at its recommendations on the basis of its evidence that the National Emergency Management Agency's Director-General was deeply involved in the approval, processing, release and diversion of the emergency intervention fund to private pockets (Oyeyipo 2018).

Highlighting the fraud that characterised the disbursement and use of the fund, the House committee noted that of the total sum of N5.8 billion disbursed, NEMA got N829 million to take care of logistics alone. Out of this total, NEMA claimed it spent N369.5 million on general logistics, N189 million on branding and packaging, another N248.6 million on branding and packaging and N21.9 million on contingency (Oyeyipo 2018). Expending nearly N1 Billion meant for meeting food security and general humanitarian needs of IDPs on logistics and contingency showed the recklessness that characterised fund management and governance of humanitarian aid delivery by agencies of the Nigerian state in the North-East. This instance alone is a clear validation of Page's (2018) position that the humanitarian sector in Nigeria, like other sectors, is plagued by graft, corruption and criminal diversion of funds, aid and other humanitarian/emergency relief materials.

In 2017, the Economic and Financial Crimes Commission (EFCC), Nigeria's foremost anti-graft agency, arrested the head of Gombe State SEMA, Mr Danlami Rukuje for allegedly redirecting and selling relief materials meant for IDPs in his state (Page 2018, 17). Similarly, the acting Chairman of the EFCC, Mr Ibrahim Magu was reported to have lamented that his commission has received complaints of corruption in IDPs camp. The complaints were made by international humanitarian and other civil society organisations that were donating relief materials to IDPs scattered across camps in the region (Obia 2016). The reports noted that the main culprits are civil society groups, non-governmental organisations and government officials that work in the humanitarian sector in the region (Obia 2016). It was also reported that officials of NEMA were caught changing the bags with rice procured

by government, benevolent Nigerians, and foreign donors for IDPs for the purpose of reselling such re-bagged grains (Obia 2016). Instances like this highlight the corruption, fraud and diversion that characterised the process of humanitarian aid delivery in the North-East and the undermining of government efforts at meeting the needs of displaced people in the region.

From the issues raised above, it seems that the efforts made by the Nigerian government at improving its response to, and management of, the displacement crisis in North-East Nigeria have clearly lagged. The Victims Support Fund (VSF), an important vehicle for fund humanitarian aid delivery in the North-East, is constrained by the lack of clarity in Nigeria's overall framework for humanitarian response and the same can be said of the Presidential Initiative on the North-East (PINE)/Presidential Committee on Northeast Intervention (PCNI). In the same vein, neither the National Emergency Management Agency nor its state-level counterparts (SEMAs) have the funds, logistic capacity and technical experience to manage a prolonged and large-scale humanitarian operation. These legal, institutional and technical constraints are compounded by inadequate resources, the poor governance of the humanitarian aid delivery process and other pressing security problems confronting the Nigerian state.

## Conclusion

Nigeria, like other countries of the world combating terrorist inspired insurgency, has had to contend with large scale displacement crisis. Although it is monumental, the incidence of population displacement that emanated from the acts of terror of Boko Haram is not new to Nigeria given that the country had witnessed such large scale displacement during its thirty months long civil war (1967-1970). Therefore, it would be expected that the country should have evolved a legal framework and coordinated institutional mechanism solely devoted to address displacement crises wherever and whenever they arise. Although, Nigeria had signed up to the AU Convention on Internally Displaced Persons and drafted a national policy on IDPs, the failure of successive regimes to ratify and give effect to the implementation of the policy has meant that the country still lacks a national action policy and plan of action on the management of internal displacement. This failure has meant that national response to, and management of, displacement in Nigeria lack a well-defined direction and a designated national institution to coordinate and direct national response to displacement. The state of unpreparedness emanating from an absence

of national policy means that, when tasked, the national agencies that have mandate on disaster response and management are unable to rise to the occasion of effective and energised delivery of humanitarian assistance to ensure the protection of displaced persons and advance the protection of the rights and dignity of displaced persons in Nigeria.

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## ABSTRACT

Nigeria has contended with violent expressions of conflicts since the return to civil rule in 1999. The Boko Haram uprising is the most devastating of these crises and it has given rise to serious humanitarian challenges. The manifestation of the emergency is revealed in the extent of internal displacement it has generated. Thus, this study assessed the depth of the humanitarian needs of those internally displaced by the insurgency and the nature of state management of the displacement crisis. Data for the study was sourced from national policy documents, media documents, reports and other publications on the displacement crisis. Relying on these sources, the study highlighted the nature of state management of the displacement crisis, assessed recorded successes and noted challenges.

## KEYWORDS:

Boko Haram. Human Rights Violation. Forced Displacement. Internally Displaced Persons (IDPs). North-East Nigeria.

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# WHY MILITARY COUPS ARE BACK IN AFRICA

Enoch Ndem Okon<sup>1</sup>



## Introduction

During the 76<sup>th</sup> Annual General Assembly of the United Nations in New York in September 2021, the United Nations Secretary General raised alarm on the return of coups across the world. This concern is of utmost relevance in Africa, where the revival of democracy was highly celebrated, and the outbreak of the Arab Spring was seen as the last straw on authoritarianism, and the ascendancy of democracy in the hitherto authoritarian enclaves of the Maghreb region. The success of the transition to democratic rule in Egypt and Tunisia, as were done in the third wave of democracy in many sub-Saharan Africa, were seen as the changing of narratives on unconstitutional change of government and consolidation of democratic governance across the continent.

The celebration of seeming democratic density on the continent is understood against the background of the recent historical past where almost all the states in Africa were under the grip of either a military ruler, or an authoritarian one party despot. At the dawn of the new millennium, military coups and totalitarianism were releasing their grip on the continent as multi-party elections and electoral turnover gained momentum. Indeed, many regional organizations within the continent subscribed to the elimination of military coup and other means of grabbing political power, except the ballot boxes, as well as the full embrace of democratic norms and practices; therefore, there are clauses in regional governance and protocol affirming the primacy of democracy over any other form of government as signed by regional blocs on the continent.

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1 Department of Political Science, University of Calabar. Calabar, Nigeria. Email: enochokon@gmail.com. ORCID: 0000-0003-0700-4525.

The birth of the African Union in 2002 gave additional boost to democratic consolidation, since liberal values and principles were entrenched into its Constitutive Act. In addition, the African Peer Review Mechanism (APRM) was designed to encourage the promotion of democracy and the review of those internal factors which hitherto led to dissidence and political tension – the precursor of military coups and political instability.

Howbeit, numerous military coups have been recorded on the continent in the past ten years and include the Egyptian coup, which overthrow Mohammed Morsi in 2013; the overthrow of Robert Mugabe in Zimbabwe in 2017; Madagascar attempted coup of 2021; the Malian coups of 2012, 2020 and 2021; the coup in Guinea Bissau in 2012 and the attempted coup in January 2022; the Chadian coup after the death of late President Idris Derby in 2021; the Guinean coup of 2021, which recently overthrew Alpha Conde; an attempted coup at the eve of inauguration of new government in Niger in 2021; the Burkina Faso coup, which ousted President Kabore in January 2022; and the military coups in Sudan, which ended the authoritarian regime of Omar Al Bashir in 2019, and consolidated military grip on power in 2021.

The ascendancy of coup making on the continent is the central objective of this study and seeks to answer the question: why are military coups back on the continent? This paper is divided into introduction, literature review, theoretical framework, discussion, and conclusion.

## Literature review

Several scholars have defined and conceptualized military coups across divides, but there is a consensus among them that military coups involve the forceful takeover of political power by members of the Armed Forces of the country; it refers to an intervention, subsequent overthrow and replacement of civilian rulers/politicians by military men. It could also involve the replacement of one set of military rulers by others. Military coups are sometimes associated with social change and political revolution, but the two are sometimes complementary and mutually exclusive (First 1970, 6). Coup making is common in the ousting of civilian administration by military men. However, members of the Armed Forces do overthrow the military regime and this is seen as a counter-coup; and when a coup is executed by a deputy or members of the inner caucus of a ruling junta, it is seen as a palace coup. Thus, a counter-coup is exemplified by the second military coup in Nigeria in July 1966, while Blaise Compaore in Burkina Faso led a palace coup against Thomas Sankara in 1987. We also have a phantom coup, whereby a coup in

stage managed by agents of an incumbent government in order to implicate members of the Armed Forces; this manifested in the purported coup of General Oladipo Diya and others against the government of General Sani Abacha in June 1998 (Adefaka 2016; ICG 2021; Nyang'oro 1993).

Military coup is globally seen as a symptom of political decay and crises and these were common during the Cold War era in Third World countries. Latin American countries were the hot bed of military coups before the emergence of African states in the 1960s. However, by 1985, Africa became the epicenter of military coups, where soldiers easily got keys to the armory, mobilized a few hundred personnel in the barracks, took over radio stations, post offices, airports, telecommunication facilities and arrested the president. These took place in more than half of the about 50 countries on the continent, but some experienced counter-coups within eight to twelve months (Japhet 1978; Welch 1987; First 1970; McGowan and Johnson 1984).

Several scholars have outlined reasons for the recurrence of coups in Africa and in Third World Countries in the past. The domineering themes centered on socio-political and economic systems and the military subsystem (Finer 1962; Acemoglu et al. 2010; Thompson 1976; Huntington 1981; Nordlinger 1977). After a decade or two of democratic transition, similar occurrences and narratives are coming back to the continent, especially between 2012 and 2022.

## Theoretical framework

The chosen framework for this study is the Human Security Theory. Proponents of this theory include the United Nations Development Program (1994), Thakur (2006), and von Tigerstrom (2006). Human security is a post-Cold War security framework which seeks to expand the reference object of security beyond the state-centric paradigm of the preceding era. According to the UNDP, "the concept of security has for too long been interpreted narrowly: as security of territory from external aggression, or as protection of national interests in foreign policy or as global security from the threat of a nuclear holocaust" (UNDP 1994, 2). The global community considered the Cold War framework unfit for the new era, since threats to lives emanate from internal dynamics within the states, especially in Third World Countries. Human security centers on the promotion of the fundamental human rights of the citizenry and aggressive pursuant of sustainable development, as strategies against social discontentment and political instability. Human security therefore focuses on the welfare and safety of individuals and groups within states, and protects them from the tyranny of the state and other anthropo-

genic factors that threaten their existence (Thakur 2006; von Tigerstrom 2006). To this end, human security are: economic security – availability of decent unemployment and poverty eradication; political security – freedom of political view and association, political inclusion, and participation; food security – access to balance diet and three square meals daily; and health security – availability of adequate health personnel, citizens' access to health care facilities, basic drugs, protection from communicable and non-communicable diseases. Others are community security – freedom of association and conscience, racial, ethnic and religious tolerance, and effective policing of neighborhood; environmental security – control of environmental pollution, enforcement of laws and regulations that enhance the protection of environment, protection of natural resources, and sustainable exploitation of natural resources; and personal security – freedom from threat and fear of physical violence, and states/governments coercion, and freedom of decisions and actions (Thakur 2006; UNDP 1994; von Tigerstrom 2006).

The relevance of human security to this study lies in its capacity to explain various variables accounting for the return of military coups in Africa since 2012. Specifically, human security theory gives insight into the systemic inadequacies in African countries which generate social discontentment, political tension, and eventually, a military coup. It also explains the moderating role of the international community in African coups, since military coup and human security are topical issues on global agenda.

## **Why military coups are back in Africa**

The return of military coups in post millennium Africa, especially from the second decade of the millennium, is a great concern to scholars, international community, Civil Society Organizations (CSOs) and other actors. This section seeks to identify those variables which promote coup plotting and execution in Africa.

### ***Relics of authoritarianism and sit-tight syndrome***

At independence, most African leaders inherited forms of authoritarian structures and normative imperatives that sustained colonialism, and adopted them in the governance of their respective states. Colonialism and colonial governments across the continent were not democratic. Indeed, all the colonial states were conquered by force and administered with all forms of cruelty against any opposition (Okon and Ojakorotu 2018). The state's structures,

with arbitrary boundaries, were constructed by forces without consultation with the indigenous people. These laid the foundation for authoritarianism at macro-scale on the continent, since competition between contending ethno-religious groups and nations within the states are seen as zero-sum and required a despot to regulate them (Joseph 1984; Nyang'oro 1989).

The net impacts of these dynamics include the emergence of strong men with the capacity to manipulate the state in a manner that promotes future conflicts; instances abound to support this and its aftermath. Cecil Rhodes led the British South Africa Company in the late 19<sup>th</sup> century to acquire and eventually colonize Zimbabwe and other parts of Southern Africa as a commercial empire. It was managed with profit maximization as the mantra, without consultation with the indigenous people, and the latter was not represented in the management of the company and the government. Subsequent administrations had a hallmark of totalitarianism. Ian Smith spent fourteen years as the prime minister of the Republic between 1965 and 1979, after which minority whites unilaterally declared Rhodesia an independent state.

The political intrigue and guerilla warfare by Black majority led to formal independence in April, 1980, with Robert Mugabe as the President. Mugabe therefore inherited the contradicted socio-economic and political structures and normative imperatives. Firstly, the black majority had minimal access to land and the productive sector. Mugabe, thus invented a new land governance framework for the redistribution of land to black community. Widespread opposition to the land policy and the perceived need to stabilize black holding on the land increased Mugabe's grip on power, until he became the life-President of Zimbabwe, with enormous power to manipulate the political system and processes. Attempts by Mugabe to project his wife, Mrs. Grace Mugabe, as his successor to Zimbabwe Presidency could only be stopped by the military, which did so in 2017, since every other institution was too weak to check the excesses of the aged President (Asuelime 2018; Tendi 2019).

Similarly, Sudan is a product of European colonialism and authoritarianism. The ancient Kingdom of Kush around 1070 BC became an Anglo-Egyptian condominium in 1899 and was ruled by the British until the Egyptian Revolution of the early 1950s and subsequent independence in 1956. Ethno-religious difference between Muslim North and Christianity in the new state, and the control of oil resources in the southern part of the country led to a long Civil War between southern region and Sudanese central government. The Civil War ended with the succession of South Sudan in 2011.

Howbeit, united Sudan lasted on the strength of Omar Bashir and other dictators who forcefully kept the country together through iron-fist, and as such abhorred political competition. The weakening of opposition



and personalization of political institutions made military intervention the only option of leadership change, and this took place in 2019. However, the failed coup of Gen. Abdel Fattahal Burman in 2021, were attempt at consolidation of power by the new leadership, since the protest which justified the ousting of Omar Bashir brought actors with diverse thoughts on critical national issues, but common interest of ending the strongman grip to power (Hoffman 2021; Lowings 2021).

The Egyptian coup, which ended decades of Hosni Mubarak dictatorial regime in 2011 and the overthrow of Mohammed Morsi regime in 2013, were in the same class with the coups in Zimbabwe and Sudan. The Arab Republic of Egypt has a long history, which is dated back to 3000 Century BC. However, the history of Egypt is synonymous with authoritarianism. From the Mamluks, to Ottoman's rule and Mohammed Ali Dynasty between 11<sup>th</sup> century and 20<sup>th</sup> century, Egypt has been a center of authoritarianism, which was interrupted by seven years of British 'protectorate' authoritarianism between 1915 and 1922.

The Mohammed Ali Dynasty ended with the Egyptian Revolution of 1952. The Arab Republic of Egypt was subsequently ruled by strongmen: Gamal Abdel Nasser (1954-1970); Anwar Sadat (1970-1981); and Hosni Mubarak (1981-2011). During the Mubarak era, elections were held periodically as an instrument of legitimation of the President, since electorates were asked to mark yes or no on their ballot papers and there was no alternative candidate or party in them (HRW 2010; Vatikiotis 1991). The momentarily democratic experiment after the ousting of Mubarak in 2012 was counter-productive, as Morsi reactionary and Islamic extremism threatened the secularity of the state, as well as the delicate peace in the Middle East; Morsi was toppled by a military coup in 2013.

Thus, relics of authoritarianism and tight leadership account for some of the coups in post millennium Africa, since it becomes the only instrument for socio-political change in weak states with authoritarian leaders. The global community should not be surprised if the military takes over power in Cameroon, Uganda and Republic of Togo, where relics of authoritarianism and sit-tight leadership are entrenched (Igwe 2011; Siegle 2006).

### ***Weak democratic structures, values and norms***

The distinctive hallmarks of democracy include political parties, legislature, electoral umpire, vibrant civil society organizations and elected executive arms of government. These structures are always affected or banned as soon as military coups succeed in African states. Besides, these structures,

in collaboration with the judiciary, are essential in upholding democratic values and norms, such as: the Rule of Law; protection of basic rights of the people; periodic, competitive, free, fair and credible elections; constitutionalism; accountable and transparent leadership; socio-political and economic inclusiveness and participation of the citizenry; as well as separation of power, and checks and balances (Agnew 2002; Chakravarty 2018).

Unfortunately, most of these structures are weak in African states. This is attributed to primordial imperatives such as ethnicity and religion in secular states. For instance, political parties reflect the aggregation of interest and ideology of people with a common interest of ascending to political power and implementing a set out agenda preferred by electoral victory in the polls. This is hardly obtained in Africa, except in selected countries, such as Ghana, Botswana and South Africa in the new millennium.

At the birth of the Fourth Republic in 1999, the Alliance for Democracy emerged as a South West Party in Nigeria, but was later displaced by the then Peoples Democratic Party, principally due to the political weight of former President Olusegun Obasanjo. Egyptian political landscape of 2012 was dominated by Mohammed Morsi's Islamic Brotherhood, a party dedicated to Islamist dominance and possible enthronement of an Islamist state in lieu of the secular state. In Burundi 2005-2015 elections, National Council for Defense of Democracy – Forces for the Defense of Democracy (CNDD-FDD), led by late President Pierre Nkurunziza, was considered a Hutu party, meant to defend Hutu interest against the threatening Tutsi minority hegemon. Similarly, in Kenya, the Kikuyu had the Jubilee Party led by Uhuru Kenyatta against the Luos, dominated Orange Democratic Movement (ODM) of Ryla Odinka in 2017, a reminiscent of Kenya African National Union (KANU) and Kenya African Democratic Union (KADU) in the early independence era, even when the constitution forbids outright ethnic-based parties. ZANU-PF party was dedicated to the cause of Blacks in Zimbabwe.

The dominance of these parties in their respective parliaments translates into the marginalization of issues of national concern in favor of primordial issues. The net impact of these realities amongst others is the lopsided decision and legislation in parliaments which weakens national consensus on national issues, such as land governance, redistribution of national resources, justice, equity and fairness in the allocation and distribution of public goods, and government appointments and patronages. Besides, primordial parties weaken parliamentary capacity to hold the executive accountable to the people and reduce the parliament to an appendage of the executive. The accumulation effect of these include weakening the parliament as a very important structure of democracy and the alignment of marginalized populations with any entity

capable of liberating them from the shackles of the dominant primordial party and its parliament (Arieff 2015; Kisaka and Nyadera 2019).

Worst still is the emergence and prominence of primordial civil society organizations in African states with enormous influence on national discourses. In Nigeria, for instance, they include: Afenifere, Odua Peoples' Congress, Yoruba Council of Elders (YCE) and others from the South West. The South-South of the country boasts of Pan Niger Delta Forum (PANDEF); the South East has Ohaneze-Ndigbo; Northern Nigeria boasts of Arewa Consultative Forum (ACF), and coalition of Northern Groups (CNG). The danger of their prominence in national discourse is the dearth of CSOs community with national agenda on issues, such as accountable and inclusive government, corruption, socio-political, environmental, economic and security sector reforms, as well as emerging threats to peace and security in the country.

These primordial CSO have indeed become part of the centrifugal forces that weaken other democratic structures in African states. Another structure worth evaluating is the electoral umpire across the continent, in terms of their capacity to conduct free, fair and credible elections on the continents. According to Teffo (2018), the evaluation of the performances of electoral umpires in the last fifteen years on the continent revealed cases of fraud, gerrymandering, abuse and sometimes collusion of the incumbent with Independent Electoral Commission/Electoral Management Body (IEC/EMB) to ensure a predetermined outcome.

Besides, consensus on the accepted rules and modalities for the conduct of elections by all stakeholders has also emerged as a challenge. Many stakeholders in some countries boycott elections on this basis, while others resort to electoral violence (Hounkpe and Fall 2011, 2). Moreso, it is common for detailed elections results to disappear while the electoral body announces the winners and losers, with their respective percentage of the national vote (Fridy 2009, 88).

Jinaldu (1997, 2) traces the shallow foundation of electoral umpire to the colonial past and independence era, whereby the inherited electoral machinery was an easy prey to manipulation and control of successive administrations to the colonialist, who in a bid for self-perpetuation in power and dominance of political space refused to build strong and independent electoral commission with the capacity to subvert their hegemonic ambition. These dynamics of the historical past continue to affect the integrity of electoral umpires across Africa; there is very little trust between electorate and the umpire. This resulted in voter apathy across the continent, as many voters believe that electoral outcomes are pre-determined and their votes do not count. Voter's apathy and withdrawal de-legitimate electoral outcome and subsequent governments formed after the elections. Under these political scenarios, citizens see democratic leaders as

illegitimate entities foisted on them by incumbent power brokers that control the electoral machinery and the state (Mataka and Nkandu 2020; Ogwuchi and Jooji 2020). In sum, ethno-regional and religious polarized political parties and parliament, primordial CSOs and manipulated electoral umpires form the bedrock of weak democratic structures, which alienate governments in African states from the governed and increase regime vulnerability of these governments and subsequent military take over.

## Failures of democracy in Africa

Towards the end of the Cold War and the currency of the Bretton Woods Institutions' orchestrated Structural Adjustment Program (SAP), liberal democracy was presented to African states as a one-stop solution to their socio-political and economic woes, using Asian Tigers as prototypes (Kim 1998; Paul and Tan 2003). There was a rising expectation among Africans that transition to democratic governance from military rule was the best solution to their diverse challenges, but such euphoria has been replaced by pessimism due to the worsening in every index of societal development and growth.

Instances abound to substantiate these, African economies are still depending on extractive and agricultural resources with little value add services to improve their value in the global market; the economy has remained a market not just for the traditional Western countries, but also for China and other emerging economies. Poverty and inflation indices are increasing every year; unemployment is on the rise due to population explosion, arising from the effectiveness of early childhood immunization; crop failure and drought exponentially increase food insecurity; national currency are intermittently devalued; and the real sector of the economy is in moribund; as the dream of industrialization is a still-born. Worse still, infrastructural facilities are grossly inadequate and hardly sustain small and medium enterprises (SMEs). The net implication of these, amongst others, is that a greater percentage of Africans are poorer today than they were at the beginning of the millennium (World Bank 2013; AfDB 2021).

Related here is the stratospherically level of social inequality between individuals, groups and regions. Political class in Nigeria, for instance, earns higher than any other groups in the country. They also have access to government contracts, patronages and state's treasuries. In Mali, the infrastructural and development gap between the South and Northern Mali is phenomenal, which accounted for the series of Tuareg rebellions. This is also replicated in Nigeria and elsewhere in Africa where access to education, health and social services are unevenly distributed both in quality and quantity.

Moreso, there is a huge disparity in access to social services between rural and urban areas, as well as uneven distribution of public goods across geo-political districts; these are seen as failures of democracy in the new millennium. Also worrisome is the level of institutional corruption and rapacious stealing of public funds in African States. Transparent International consistently placed African states at the lowest rank of the Corruption Perception Index (CPI). Furthermore, nepotism and other parochial sentiment characterize appointment in government institution; merit and competence are sacrificed as purported in the perceived nepotism in Nigeria since 2015 (Akadiri and Akadiri 2018; Abdul-Korah 2010; Hope 2017; Shimeles and Nabassaga 2017).

The narratives on political marginalization and exclusion is a recurring decimal in Africa: the Igbos in Nigeria, the Luos in Kenya, the Tuaregs in Mali and its neighbors, Tutsis in Burundi, the list is endless. Beyond the ethno-regional marginalization and exclusion lies class exclusion, whereby electoral processes make it very difficult for average citizens to stand for an elective position, this is common in Nigeria where the cost of contesting for elective position is beyond the reach of average salary earners. Consequently, many aspirants turned to influential individuals for support and sponsorship. The net outcome of this process is the emergence of political godfathers who bank-rolled elections for aspirants and sought patronage in return. Thus, clientelism becomes a common feature of African democracy; this reinforces corruption in African states.

Moreso, political contests are hardly fair and their outcome is zero sum and most of the time favors money bags. Political marginalization and exclusion by ethno-regional and class manipulation in democratic dispensation is a failure of democracy to ensure equity, justice and fairness to all (Onah and Nwali 2018; Joseph 1984).

Another tragedy of democracy is the failure at state and nation building in Africa. Divisive lines between ethnic and religious groups become more pronounced as politicians lobby for support from parochial constituencies and correspondingly canvass for public goods for these constituencies without fairness and national spread. Besides, governments in African states hardly embark on a genuine integration project which would submerge ethno-religious fervor and promote national consciousness. Hence, more than 60 years after independence and 20 years unbroken democratic governance, many Africans identify themselves with their ethnic groups first, before their country, as done by Igbos, Yoruba, Tiv, Ijaws, Efiks and others in Nigeria, as well as Kikuyu, Luos, Kalenjins, Maasai and Luhyas in Kenya. Indeed, the relevance of states to an average African is superficial, except such identity is needed for personal or groups' advantages, but hardly out of patriotism (Kisaka and Nyadera 2019; Ugoh 2008).

Democracy has also failed to contain the security challenges of the post-Cold War era, which are remarkably different from the state-centric security of the preceding eras. Specifically, the ascendancy of centrifugal forces within African states and explosion of civil wars on the continent as experienced in Cote d'Ivoire, Central African Republic, Cameroon and Ethiopia. The security challenges were reinforced by the sacking of Gaddafi in Libya and looting of the armory of Libyan state and compounded by the global rise in Islamic extremism with Jihadist agenda.

The outcome of these interplay are the proliferation or wide circulation of illicit arms stole from Libyan's armory and the rise in terrorism and Islamist insurgency across the continent, especially the Sahel region. Indeed, eighty percent of recent coups on the continent took place in the Sahel region. The unfolding security threats are challenging to African armed forces, which were hither to train on conventional warfare and trench battles. This is complicated by dearth of specialist in counter-terrorism, poor training and obsolete equipment and platforms needed to contain these threats. Consequently, African states, such as Mali, Nigeria, Niger, Chad, Burkina Faso and Cameroon record massive casualties from threats. The perceived failure of democratic governments to meet the operational requirements of the soldiers at the battlefield of these wars and the need for unity of command emanating from battle tested Commander In-Chief may as well explain the ousting of democratic governments in Mali, Burkina Faso, Guinea and Chad. Indeed, democracy has failed in most indices of human security on the continent, and therefore accounts for the attraction of military rules to the people (AfDB 2021; Abdul Korah 2010; Akadiri and Akadiri 2018).

## **Weak regional and global governance on the continent**

The post-Cold War era heralds globalization and increased interdependence between states, especially those in common regions. This led to heightening of regional integration and sharing of common norms and values for ease of interactions and attending to common threats and challenges in the regional domain. These realities led to regional governance in diverse areas of regional concern. The European Union, for instance, has embraced liberal democracy, respect for human rights and free market economy as the instruments of regional governance in its domain (Micossi 2008; Mayoral 2011).

Democratic regional governance is grossly inadequate in Africa. Attempts at forging an African Governance Architecture (AGA) with a continental wide regulation of democratic practices and good governance on the

continent remain ineffective since its establishment in 2011. According to the European Center for Development Policy Management, AGA has a broad mandate but lacks the administrative and operational capabilities and resources to monitor, coordinate or otherwise stimulate or enforce compliance with the AU's agreed governance positions (ECDPM 2017, 1). The import of this amongst others is that states on the continent define governance according to the whims and caprices of their political leaders and hardly keep to the minimal global practices of liberal democracy which they claim to practice. Even the African Peer Review Mechanism, constructed to enhance periodic review of governmental policies by member states, looks good on paper. Most of the evaluation reports are politically tilted to support and endorse incumbent governments since collated data on the issues so evaluated contradicts the realities in the states so evaluated (Bing-Pappoe 2010; Grudz 2009).

The AU Constitutive Acts rejects unconstitutional change of government, but very little is done to enforce it by the AU itself. At sub-regional level, anchored on the AU subsidiarity principle, the five recognized regional groups – North African Regional Capability, Economic Community of West African States, Eastern African Community, Southern African Development Community (SADC) and Economic Community of Central African States (ECCAS) – have variously projected democratic governance in rhetoric, without corresponding concerted effort to promote democratic practices beyond symbolic elections. Thus, democracy has an empty shell on the continent.

For instance, in the Maghreb, individual states set standards for what it is considered as democratic governance. Indeed, the dominance of Islamic culture in the sub-region and hegemonic competition between states have made it difficult for member states to construct a common value on governance and other realms. ECCAS is the home of sit-tight leaderships as exemplified by Cameroon, Republic of Chad, Equatorial Guinea and Gabon, amongst others. Therefore, manipulated elections are done periodically to legitimate incumbent regimes, hence the low electoral turnover of regime in the region and totalitarian democracy in the sub-region. According to International IDEA (2021), there are no democracies among the seven countries of Central Africa.

Similarly, the Eastern African Community has very little democratic credentials apart from Kenya. Poor democratic showing within the sub-region has made it difficult to construct sub-regional democratic governance capable of checking tenure elongation of incumbents through frivolous constitution amendments, as witnessed in Rwanda, Uganda and Burundi. Eritrea does not pretend about its authoritarian governance and disdain for democracy and its inherent value. Thus, without pressure from immediate neighbors on shared democratic norms and practices, democratic decline is bound to degenerate and indeed lead to military coups in Eastern Africa.



Southern African Development Community (SADC), on the hand, has ratified Strategic Indicative Plan for the Organ on Defense, Politics and Security (SIPO) and the Harmonized Strategic Indicative Plan for the Organ (SIPOII) as integral instruments for the implementation of the SADC Treaty of 1999. The main emphasis of these regional instruments is on the promotion of democracy, rule of law, human security, and the rejection of chaotic and unconstitutional change of government. These aptly explained its mediating role in the coup which ousted President Robert Mugabe in 2017 (SADC 2004; Van Neuwerkerk 2012; Asuelime 2018).

ECOWAS is said to have the best democratic credentials among sub-regional groupings in Africa. Defining democracy in relation to representative government, impartial administration, participatory engagement, fundamental rights and checks on government, as captured in International IDEA'S Global State of Democracy (GSoD) conceptual framework, ECOWAS was said to be the most democratic sub-region on the continent, with 50 percent of the continent's democracies (International IDEA 2021, 5). This may not be unconnected with the operationalization of the protocol on Democracy and Good Governance ratified in 2001 as part of the ECOWAS Conflict Prevention Framework (ECPF) (Atuobi 2010; Ekiyor 2008). These justified ECOWAS involvement in the restoration of democratic mandates across the sub-regional, as illustrated in The Gambian electoral crisis of 2017, Cote d'Ivoire electoral impasse in 2011, and involvement in the transition from Abdullahi Wade's regime in Senegal, as well as continuous engagements with military juntas in Mali, Guinea, Burkina Faso within the last six month.

In spite of these remarkable efforts by ECOWAS, there are remarkable gaps in ECOWAS responses to democratic decline and unconstitutional change of government, and these include: poor evaluation of early warning signals; inability to stop tenure elongation of incumbent leader through constitutional manipulation, poor management of security challenges in member states and the French interest in the sub-region. Principally ECOWAS always watches the position of France on issues in Francophone countries. This explains the delay of ECOWAS in making pronouncements on issues in former French colonies, as the recent constitutional amendment in Cote d'Ivoire may not scale through in Anglophone West African countries to give President Ouattara a nod for third term. Moreso, French tacit acceptance of Asimi Goita first coup in August 2020 influenced ECOWAS mild disposition towards the junta. The weakness of ECOWAS in the Mali case really strengthened the junta's hold on power and generated the contagious ripples in Guinea, Burkina Faso, as well as threatened Guinea Bissau. Indeed, apart from low capacity within ECOWAS to mobilize resources and funds needed

for regional democratic governance projects, neocolonialism arising from French interest weakens regional governance in West Africa and elsewhere on the continent, and account for recalcitrant behavior of member states which hitherto ratified regional democratic governance instruments in their respective domain (Okon 2021; Zambakari 2021).

Furthermore, the dearth of global consensus on an ideal democracy, as well as Great Power politics on the authoritarian and unconstitutional change of government buoyed coup plotters on the continent. The United Nations itself has not set a standard for an ideal democracy, except for its encouragement of periodic elections and rhetoric on human rights, as echoed by Western countries. Thus, even North Korea passes as a democratic enclave in a manner Uganda, Cameroon and Togo pride themselves (Igwe 2011; Sakai 2013; Siegle 2006). The relics of the Cold War divides continue to hinder global consensus on unconstitutional change of government and the appropriate punishment for military juntas. Recently, ECOWAS, French and EU jointly sanctioned Mali on the extension of military rule till 2025; these sanctions were criticized by some members of the UN Security Council (UNSC) (ECOWAS 2022; AFP 2022). This and similar divisive decisions of the UNSC and indeed international community on authoritarianism encourage impunity of democratic leadership on the continent as well as coup plotting, since there is no moderating entity to check excesses of the twin evil, and the imminent reecho of the contraption of sovereignty by the beneficiaries of these criminal government.

Thus, in the absence of deterrence against authoritarianism and coup plotting, the latter is bound to follow the former, as soon as there is an opportunity, such as mass protest of opposition and groups over government policies or perceived failure of governments.

## **The anatomy of African military and coup plotting**

The African military is caught in a web of contradictions inherent in African States themselves, as most of the Armed Forces on the continent are caricatures of ideal military by global standard (Decalo 1977). The description captures the basic feature of most of the Armed Forces on the continent, whereby recruitment into these services are done to ensure ethnic hegemony and balancing. In these scenarios, the beneficiaries of the policies owe their loyalty to some political godfather or their ethno-regional symbol. The implication is that most of these militaries are a bunch of unpatriotic folds gathered together to satisfy the desire of power brokers, without any zeal or patriotism for

their nations or states. Consequently, most of them find it difficult to keep to the constitutional roles of the Armed Forces and submission to civilian authorities in their respective states, especially, when there are perceived threats to the constituencies that facilitate their recruitment into the Armed Services. This leads to the prevalence of counter-coup as a phenomenon in African states over the years, and the Guinea Bissau coup in 2012, the recent failed coup in Niger Republic in 2021 and the inheritance coup in Chad in 2021, at the demise of late Idris Derby (Ilorah 2009; Ouedraogo 2014).

Another deficit in African Armed forces is the dearth of required logistics required of the modern military. African militaries are not well equipped due to neocolonial defense pacts, which make African states rely on their erstwhile colonial masters and Cold War allies for military support. The new wars of the post-Cold War era have indeed exposed these inadequacies since the theaters of the conflicts are within the domestic domain, and the defense pact against external threats to states' sovereignty and security may not be useful in such types of conflicts.

Neethling (1999, 5) observed that, apart from Nigeria, South Africa, Angola and Egypt, five out of twenty African armies do not have any Logistics base, eight had logistics network that could not even support company level units beyond their barracks and six (small) states had limited battalion level capabilities to perform within their home state. This reveals that only a fraction of militaries in African states participate in coup plotting and execution, since only this fraction have the required platform and equipment for military operations in their states. The low logistics capacity makes it difficult for other military formations to repel coup attempts or check the ambition of military officers with access to the limited equipment and platforms available in the country. This was confirmed by First (1970, 4) recorded that late Mobutu overthrew Beatrice Lumumba with 200 men; General Soglo took power in Dahomey (now Togo) with sixty paratroopers in 1967; and Kwame Nkrumah was overthrown by 500 men.

Thus, military coups in Africa are done by a small group of soldiers with access to a few conventional weapons, with which they hold the entire country to ransom. Besides, most African States spend very little on their military and defense. This affects the training of the members of the Armed forces and leads to lack of professionalism in the military services. In most cases, the majority of the troops are trained in trench battles and general duties. Poor training and lack of professionalism expose military officers to national politics and make political patronage a veritable path to promotion and career advancement in patrimonial enclaves (Howe 2001; Ouedraogo 2014). African militaries and indeed the political systems are not bold enough

to prescribe a consistent punishment for coup plotters, especially the successful coups. Coup is a treasonable offense against the state in subverting the popular will of the people. Rather than criminalizing the act in its entirety, primordial civil society organizations (CSOs) widely support the criminality and the masses celebrate the crimes.

Subsequently, the Junta are persuaded to release politicians and others captured and a new broad base government is formed. The paucity of corresponding punishment for coupists irrespective of time and space make coup plotting attractive, especially in the enclaves where many join the military not because of patriotism, but as a means to earn decent living and escape the shackles of poverty and joblessness. Besides, a successful coup and military leadership of an African state gives the junta unrestricted access to the national treasury, which they loot with impunity. The import of this reality is that coup making is a lucrative venture and a means of acquiring both political and financial assets for societal influence. Instances abound to support this. In Nigeria, ex-military juntas are among the wealthiest and influential in the country. Yahya Jammeh of the Gambia, Blaise Compaore of Burkina Faso, late Jerry Rawlings of Ghana, are among ex-juntas who enjoy the gains of coup plotting and play significant roles in the political space of their respective countries. The successes of the ex-junta serve as inspiration to modern coupists, since coup making is a short route to wealth, influence and fame in the society, it is even more rewarding than long and meritorious services in the military, where most military veterans in Africa are neglected by their respective states and left to die in penury, sickness and wants (Heinencken and Bwalya 2013; Runesu 2016).

## Conclusion

This paper set out to explain why military coups are back in Africa in the new millennium. It identifies relics of authoritarianism and sit-tight leadership syndrome; weak democratic structures, norms and values; failures of democracy; the dearth of consensus in regional and global governance on democratic beyond symbolic elections; and dissected the anatomy of African military as a caricature of global best in terms of training, equipment, discipline and patriotism amongst others as the reasons for the recurring coups in Africa. The paper also highlights the roles of Islamic extremists, climate change, the fall of Gaddafi and subsequent looting of Libya's armory as the facilitators of terrorism in Sahel and other security challenges in Sahelian states, which accounts for about eighty percent of military coups in Africa

within the last decade. The study reveals that the glorification of military institutions by civil military relations scholars boost the psyche of the military and encourages them to intervene in politics on the continent. Besides, the dearth of deterrence punishment for coupists and the enormous benefits accruing to military rulers would continue to remain as incentives to coupists.

It is concluded that military coups arise from the human security deficits on the continent and are routine activities of which the armed forces is a potential and willing offender. African states are targets due politico-historical, social and economic factors, and there are no counter measures to deter the military both within and beyond African States.

The study therefore recommends the promotion of human security on the continent through:

- Industrialization and investment in infrastructural facilities that supports small and medium scale enterprises. These measures are central to employment creation and poverty reduction.
- Promotion of credible elections, political freedom, participation and inclusion beyond the electioneering process.
- Protection of the basic rights of the citizenry and adherence to Rule of Law.
- Enactment and enforcement of resource governance laws that promote fair redistribution of earned revenue, and the protection of the environment in resource rich regions across the continent.
- Massive investment in the health sector, and provision of health insurance for the citizenry.
- Enhancement of ethnic and religious harmony, and effective community policing on the continent
- Continent wide investment in agriculture, and adaptation of new technology in the sector to the needs of the continent.
- Criminalization of coup plotting globally with deterrence punitive measures, such as life imprisonment and seizure of all property of coupists.
- institutionalization of two term limits for presidents across the continent.
- the ratification of the African Governance Architecture in the manner that will exclude a sitting President from benefitting from a constitutional amendment in tenure extension.
- Continuous investment in the security sector reforms and strengthening of sub-regional counter terrorism mechanisms.

Above all, the promotion of broad base CSOs capable of setting national agenda and holding governments accountable to the people is an urgent imperative that would promote good governance and protest against any coup attempt on the continent.

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**ABSTRACT**

This article seeks to explain the variables which promote military coups in Africa in the new millennium. The study adopts historical research design and is grounded on the theory of Human Security. Data are sourced from secondary sources and presented qualitatively. These data are analyzed with content analysis techniques. This study identifies relics of authoritarianism, weak democratic structures, failure of democracy, and poor regional and global democratic governance, as well as indiscipline in the armed forces as reasons for recurrence of military coups in Africa. It therefore concludes that coup making could be checked and recommends the criminalization of coup plotting globally with deterrence punitive measures. Besides, African states need to address the socio-political and economic factors, as well as other human security variables which justify military intervention in their respective domains.

**KEYWORDS:**

Military Coup. Africa. Authoritarianism. Democracy. African military.

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# POLITICS OF COVID-19 RESPONSE AND HUMAN RIGHTS IN NIGERIA AND KENYA

Olajide O. Akanji<sup>1</sup>



## Introduction

The Covid-19 pandemic has prompted governments all over the world to respond in diverse ways, including through preventive/containment measures. These include social distancing, use of face masks, regular hand washing, total/partial/selective lockdowns, travel restrictions, curfews, and stoppage of businesses, sporting and nonessential commercial activities, among others. In ensuring effectiveness, legislation has been enacted and introduced in support of the measures, and government security personnel have had the additional responsibility of ensuring compliance with the measures. This paper, therefore, examines how Nigerian and Kenyan governments have responded to the Covid-19 pandemic, with the aim of investigating the implications of the responses for human rights, in addition to assessing the human rights impact of Covid-19 crisis itself. This is done with the understanding that policies and actions of governments that impact fundamental rights in Nigeria and Kenya, like any African country, are not new but historical, given plethora of structural and systemic problems arising from efforts at nation-building, including weak legislative institutions, and that responses of governments across the world to Covid-19 have impacted fundamental rights in diverse ways.

The goal is to have some insights into the more general question of the impact of Covid-19 on peace and security; since enjoyment and exercise of human rights is a *sine-qua-non* for peace and security. The paper adopts a qualitative research method, using secondary data sources. These include newspapers, particularly online newspapers, and social media platforms. This is complemented with official publications of government and local and international non-govern-

<sup>1</sup> Department of Political Science, University of Ibadan. Ibadan, Nigeria. Email: akanjijide@yahoo.com. ORCID: <https://orcid.org/0000-0002-6882-2284>

ment agencies, books, and journals, especially their online versions, and information gathered and content analysed. The paper begins with a brief reflection on the Covid-19 pandemic. Next, the paper analyses official state responses to Covid-19 in Nigeria and Kenya, and their impact on human rights, focusing on counter-Covid-19 policy measures (emergency measures) adopted in both countries, with emphasis on the features of these measures and impact on fundamental rights. The paper concludes with the recommendation that governments need to adopt emergency measures that respect and foster human rights.

## **Covid-19 pandemic: an overview**

The outbreak of the novel coronavirus in Wuhan, Hubei province, China in December 2019 was initially considered something of concern only to the Chinese government, as little was known by the international community until January 3rd 2020 when the Chinese authorities officially provided information to the World Health Organisation (WHO) (WHO 2020a). Within a month, however, the outbreak in China had reached an alarming level, with 170 deaths and 7,736 confirmed cases (WHO 2020b), resulting in the Chinese government's introduction of strict measures, including lockdown. However, as the number of infections and deaths increased in China, and in 18 other countries, including Thailand, Japan, US, France, and United Arab Emirate (UAE), which recorded their index cases on the 13th, 16th, 21st, 24th and 29th of January 2020, respectively (WHO 2020a), the WHO designated the outbreak as a public health emergency of international concern (i.e. a pandemic) on January 30th 2020 (WHO 2020c), and labelled the virus the Coronavirus Disease 2019 (COVID-19) on February 11th 2020 (WHO 2020a).

Like the rest of the world, African countries recorded cases of Covid-19 in the first quarter of 2020, starting with Egypt, which recorded the first case of the virus on the continent on February 14th 2020 (Bwire 2022, 3; Loembé et al 2020, 999; Hagan et al 2020, 2). This was followed by other countries on the continent to the extent that, by May 22nd 2020, 54 out of 55 African Union (AU) member countries (except Western Sahara) had cumulatively recorded 100,000 cases of infections and 3,100 deaths (Loembé et al 2020, 1000). Although the first index case of the virus in Africa was from a person with travel history to China, most index cases in other countries on the continent originated in Europe, which had become the epicentre of the pandemic by early March 2020 (Loembé et al 2020, 1000). However, by the end of 2021, South Africa had become the country with the highest number of infections and deaths in Africa, with about 48% of the total number of cases on the continent at the time, and Chad with the least number of cases (Bwire 2022, 3).



In response to the cases, WHO issued guidelines and health advisory/protocols on how to prevent the spread of the Covid-19, and emphasised the absence of any known cure or vaccine for it. Some of the health guidelines/protocols are social distance of between one and a half meters and two meters, regular hand washing with soap and running water, use of hand sanitizers, where washing of hands is not feasible, coughing and sneezing into disposable tissue paper or bent elbow, and restriction of movement, except where it is practically unavoidable.

These measures became part of the new normal in the world, as the WHO insisted that the Covid-19 would remain for a long while. Also, the cliché, “stay home, stay safe”, promoted by the WHO, which emphasises the need to prioritise personal safety against Covid-19 by minimising contacts with other people, became a universal maxim. However, late/delayed response and indifference to the health protocols resulted in community spread of the virus in many countries, evident in high infection and fatality rates. Thus, while the number of Covid-19 infections and deaths in China were 85,278 and 4,648 respectively by 10:52am CEST by July 3rd, 2020 (WHO 2020c), after the country had succeeded in flattening the curves of the infection, the number of cases and deaths in many other countries had spiralled. For example, by 10:52am CEST in July 3rd, 2020, the number of Covid-19 infections and deaths respectively in the United Kingdom (UK) were 313,487 and 43,906; the US, 2,617,220 and 127,858; Brazil, 1,448,753 and 60,632; Russian Federation, 661,165 and 9,683, and India, 625,544 and 18,213 (WHO 2020c). In Africa, the number of infections and deaths by the end of 2021 was cumulatively at 7,110,817 and 155,505 respectively, with South Africa accounting for 3,417,318 of the infections (Bwire 2022, 3).

In response to the pandemic, several countries, such as Italy, France, Spain, China, the US, UK and Saudi Arabia, as well as most African countries, such as South Africa, Kenya and Nigeria introduced diverse measures, including ban on international and domestic flights, restriction on intra-country movement, and lockdowns (of schools, businesses, etc). All over the world, the health security threats of Covid-19 disrupted socio-economic activities. For instance, major international, regional and sporting activities, such as the English Premier League, LaLiga (the Italian League), and German Bundesliga (German League) were suspended, while the 2020 Tokyo Olympics and Paralympics were, for the first time in the history of the modern games, postponed to 2021 (UN 2020).

Sports in Africa, like other regions, were also disrupted by the Covid-19 pandemic. The Confederation of African Football (CAF), for example, had to suspend the qualifying rounds of the 2021 edition of the African Cup of Nations (AFCON, known in French as CAN i.e. *Coupe d'Afrique des Nations*), and post-

poned the African Nations Championship, popularly called CHAN (i.e. *Championnat d'Afrique des Nations*, in French), slated for Cameroon in April 2020 to a later date due to the Covid-19 pandemic (Oteng 2020). Also, the Africa Basketball League was postponed twice in 2020 due to the pandemic (SportenCommun 2021). Though the impact of the pandemic has been felt in all sports, it is arguably even more present in football (soccer). This is because of the financial implications of the disruption on players, clubs, leagues and referees (Webb 2020). Similarly, the International Labor Organisation (ILO) points to the devastating impact of the pandemic on workers and jobs, projecting an equivalent of 195 million full-time job losses globally by the second quarter of 2020 (ILO 2020). For Africa, the economic impact of the pandemic has been huge, as the continent has witnessed “declining employment, livelihoods, food security, and human capital” (Paci 2021). In Kenya, Nigeria and Ethiopia, for example, “almost 1 in 3 household enterprises closed at the outset of the pandemic, while in Gabon, South Sudan, Malawi, Uganda, Mali, Madagascar, and Zambia, revenue declined for more than 70 percent of household businesses” (Paci 2021).

## State response to Covid-19 and the impact on human rights in Nigeria

Nigeria has responded to Covid-19 pandemic through a series of emergency measures: preventive/containment measures, including non-pharmaceutical measures, and socioeconomic measures (also called palliative measures). Although a federation, with three-tiered governance structure consisting of a federal government, 36 state governments, and 774 local government areas, Nigeria's response has been both federal and state governments-led. This is in view of the country's Constitution (the 1999 Constitution [as amended]), which places certain health issues (those on the exclusive legislative list), such as quarantine, exclusively within the purview of the federal government, and others (those on the concurrent list) in the purview of both federal and state governments (Federal Government of Nigeria [FGN] 1999).

It is however pertinent to note two things. The first is that the conditions and capacity to enforce fundamental rights in full, particularly socioeconomic rights, are largely non-existent in Nigeria, first because socioeconomic rights are non-justiciable rights under the 1999 Constitution (as amended) and second because of unresolved systemic challenges, including widespread poverty, unemployment and weak legislative institution, being faced by the country, like any African country. The second is that national actions/measures against serious health issues are not new in Nigeria. A broad range of

measures were, for example, adopted to address HIV/AIDS, starting from 1986 (National Agency for the Control of AIDS [NACA] 2005), and the Ebola virus disease between 2014 and 2015 (WHO 2015). These include introduction of national policy on HIV/AIDS (adopted 1997, revised in 2003), monitoring of HIV/AIDS through biennial sentinel survey of pregnant women attending antenatal clinics, public sensitisation, provision of antiretroviral (ARV) drugs and facilities for HIV/AIDS test (Federal Ministry of Health 2010; NACA 2005). Also, in response to the Ebola virus epidemic, the federal government of Nigeria established emergency operation centres and isolation facilities, embarked on house-to-house campaigns and broadcasted messages on radio [and television] stations in local dialects, and deployed GPS for contact tracing (WHO 2015). These measures helped Nigeria to successfully eradicate Ebola (WHO 2015), and manage the issue of HIV/AIDS (Federal Ministry of Health 2010). Almost the same way, the Nigerian State has responded to the Covid-19 pandemic.

### ***Counter-Covid-19 measures/response in Nigeria***

Nigeria recorded its Covid-19 index case on February 27th 2020 from an Italian who works in Nigeria but with a travel history to Italy (Nigeria Centre for Disease Control [NCDC] 2020a). Eight months after, precisely by October 25th 2020, Nigeria had recorded 61,992 infections and 1,130 deaths (NCDC 2020b), and by February 28th 2021, a year after the index case, the total number of infections had risen to 155,657 while the total number of deaths was 1,097 (NCDC 2021). Preparatory measures to counter the virus, however, commenced in December 2019. These include the setting up and training of coronavirus rapid response team across the 36 states of the country by the NCDC; creation of a national emergency operations centre, and establishment and constitution of the Coronavirus Preparedness Group, a multi-sector group led by the NCDC with the task of actuating the national emergency operations centre (NCDC 2020a). Consequently, the immediate response to the index case was that the NCDC activated the national emergency operation centre, commenced contact tracing and sensitisation of the public on the health protocols/precautions that should be followed. These include:

- i. regular and thorough washing of hands with soap and water, and use of alcohol-based hand sanitiser;
- ii. maintenance of at least one and half meters (5 feet) distance between oneself and anyone coughing or sneezing;
- iii. persons with persistent cough or sneezing should stay home or keep social distance, but not mix in crowd;

- iv. need to follow good respiratory hygiene by covering mouth and nose with a tissue or sneeze into sleeve at bent elbow;
- v. need to stay home if unwell with symptoms like fever, cough and difficulty in breathing, and need to call NCDC toll free, 24/7 number, and
- vi. stay informed about Covid-19 through officials on TV, Radio etc (NCDC 2020a).

As the number of cases increased, the response broadened, with more emergency measures introduced by both the federal and state governments. It is however important to note that while recognising the powers of the states to legislate on and respond to issues in their jurisdictions, sections 4(5) and 5(3a) of the 1999 Constitution (as amended) makes the federal government (comprising executive, legislative and judicial arms) superior to other tiers of government. Hence, the executive arm of the federal government (hereafter federal government), through the Federal Ministry of Health and the NCDC, coordinated the national response to Covid-19 by introducing emergency policy measures and providing guidelines. To oversee the national response, the federal government constituted a Presidential Task force on Covid-19 pandemic, led by the Secretary to the Government of the Federation (NCDC 2020a). On their part, the executive arm of state governments (hereafter state government[s]) such as Lagos, Oyo, Ondo, Ogun, Bayelsa and Kano and Kaduna, each instituted State Task force on Covid-19 to coordinate responses at individual state level within the ambit of the federal framework and guidelines and to complement efforts of the federal government. It is important to note that these efforts were purely those of the federal and state executive arm of government.

Some of the federal preventive measures included ban on entry into Nigeria for travellers from 13 countries (China, Italy, Iran, South Korea, Spain, Japan, France, Germany, Norway, Netherland, Switzerland, UK and the US) on March 18th (Busari and Adebayo 2020), which later extended to all countries after the closure of borders and ban on international flights on March 23rd (Dixit, Ogundeji, and Onwujekwe 2020). The federal government also ordered closure of all public and private schools (nursery to tertiary) on March 19th, 2020 and total lockdown of Lagos state, Ogun state and Abuja, the federal capital territory, on March 30th, 2020 (Dixit, Ogundeji, and Onwujekwe 2020), being the most affected parts of the country at the time. Similarly, the federal government banned domestic flights on April 20th, 2020; imposed nationwide overnight curfew between 8pm and 6am; banned public gatherings, including social and religious gatherings, and introduced the policy of mandatory use of face masks in public on May 4th, 2020 (Punch 2020; Dixit, Ogundeji, and Onwujekwe 2020).

In addition, restrictions on interstate travel and movement were introduced on May 4th, 2020 (Ailemen 2020), except for essential services, including food, petroleum and pharmaceutical supplies, and for those on essential services, such as security, media and medical personnel. Though introduced by the federal government for nationwide implementation by the Nigeria Police, the state governments proposed the policy of interstate travel restriction at the Governors' Forum meeting of April 23rd, 2020 (Adams 2020). Emergency economic measures were also introduced by the executive arm of the federal government to cushion the effects of the lockdowns and movement restrictions on the people, including approving an economic stimulus package; food assistance programme for the needy and cash transfer of \$52 to the poor that were registered on the National Social Register (NSR) (Dixit, Ogundeji, and Onwujekwe 2020).

Complementing the federal efforts, and as part of their constitutional responsibilities to the people, state governments, including Oyo, Lagos, Ondo, Bauchi, Kaduna, Kano, Osun, Ekiti, Benue, and Rivers states, introduced a number of preventive measures. These include ban on mass gatherings and religious activities for over 50 persons, later reduced to 20 persons, by Lagos and Ogun states; lockdowns (partial/total) and movement restrictions in Taraba, Borno, Delta, Ebonyi, Kano, and Bauchi, Ekiti, Osun, Rivers, Niger, Kwara and Kaduna states respectively, and night curfews in Oyo state. These were in addition to the health advisory/protocols prescribed by the Federal Ministry of Health and the NCDC. Also, a number of states, such as Lagos and Oyo states, introduced emergency economic measures, particularly food distribution to the poor, to mitigate the economic effects of the movement restrictions and lockdown policies on the people. Lagos state, for example, introduced a food distribution programme for 200,000 poor households (Okon 2020).

To give the federal and state measures a legal backing, a number of new legislations/regulations were introduced by the executives (federal and state) to complement existing ones, particularly the Quarantine Act. These include the Federal Government of Nigeria COVID-19 Regulations, 2020 (Federal Government of Nigeria [FGN] 2020), Lagos State Infectious Diseases (Emergency Prevention) Regulations 2020 (Lagos State Government 2020), and Ekiti State Coronavirus (Prevention of Infection) Regulations, 2020 (Ekiti State Government 2020). Though laudable for aiming to curb the spread of Covid-19 and cushion the socioeconomic effects on the people, the emergency measures of the federal and state governments have had direct and indirect impact on human rights in Nigeria. This was, however, possible because the legislatures (federal and state) were sidelined by the executives (federal and state), as there was no parliamentary participation in the formulation of the regulations and proper parliamentary oversight of their implementation.

### *Impact of counter-Covid-19 measures on human rights in Nigeria*

The intersection of response (by federal and state governments) to Covid-19 and human rights in Nigeria is diverse. However, it is first and foremost important to note that the failure of the federal government, like governments of most other countries, to ensure that Covid-19 was not imported into Nigeria was a serious negligence that compromised the right of Nigerians to protection and security, including against infectious diseases like Covid-19, contrary to section 14(2b) of the 1999 Constitution (as amended), which states that “the security and welfare of the people shall be the primary purpose of government” (FGN 1999, 37). The negligence was directly related to the late closure of major ports of entry for international travellers, and late introduction of concrete policies to ensure adequate and proper screening and monitoring of travellers into the country, despite calls by the federal legislature (the National Assembly) to the executive to take proactive measures before the index case was recorded in February (Yiaga Africa 2020).

Furthermore, the regulations/legislation that birthed the preventive measures of governments (federal and state) declared Covid-19 a dangerous infectious disease and consequently allowed the governments to assume emergency powers, which, in the absence of parliamentary oversight and marginalization of parliaments in their formulation, impacted fundamental rights of people. For example, section 10 of the Ekiti State Coronavirus (Prevention of Infectious) Regulations, 2020, which provides that “no person is entitled to compensation for any loss or damage arising from any bona fide action or omission by a [an] authorised official under these regulations” (Ekiti State Government 2020, 6), is inimical to human rights. This is because it allows for impunity, as it means that the state government and its officials, acting in respect of the Ekiti State Coronavirus (Prevention of Infectious) Regulations, can impair human rights of people without any sanction or repercussion.

However, right to judicial redress for violation of human rights and to compensation theretofore is a fundamental human right recognised by both the 1999 Constitution (as amended) of Nigeria (under section 36, on right to fair hearing), and international human rights instruments, including the International Covenant on Civil and Political Rights (ICCPR), particularly article 4 (2) relating to non-derogation by states in time of public emergency from article 6 (on right to life), article 7 (on freedom from torture/inhuman treatment) and article 2(3a) (UN 1976, 3-5). Specifically, the ICCPR, to which Nigeria is a signatory, in article 2(3a), obligates State Party to the Covenant to ensure that “any person whose rights or freedoms as herein recognised are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity” (UN 1976a, 3).



Thus, denying people right to compensation, as in the case of the Ekiti State Coronavirus (Prevention of Infectious) Regulations 2020, undermines the right to judicial redress, and is, on the one hand, an affront to human rights and freedoms, and on the other hand, an assault on one of the bedrocks of democracy. Also, the Lagos State Infectious Diseases (Emergency Prevention) Regulations, 2020, which stipulates fines and/or imprisonment for offences committed against the state's counter-Covid-19 regulations (Lagos State Government 2020, 12), fails to specify the number of days for which offenders can be detained and the amount to be paid as fines, thereby leaving room for abuse of power by the implementers of the regulations.

In addition, some of the preventive measures of governments (federal and state) impacted socioeconomic rights, as they limited people's access to jobs. It is important to note that though socioeconomic rights are non-justiciable rights in Nigeria, and as such the government cannot be held accountable for any breach, they are universally recognised rights that should be given some attention. In particular, governments' (federal and state) policies of lockdowns (total/partial), restriction of movement and overnight curfews failed to take into cognisance the fact that Nigeria has a large informal sector, about 65% of the economy (Melinda, Jonelis and Cangul 2016, 13), whose employees' subsistence is dependent on incomes from mostly small-scale businesses. Hence, the measures led to a situation where, according to the World Bank Rapid Response Phone Surveys of households and firms in 41 sub-Saharan countries, including Nigeria, "almost 1 in 3 household businesses in the country closed at the outset of the pandemic" (Paci 2021). The closure of businesses meant job and income losses, and invariably reduction in consumption for workers, especially in the informal sector of the economy. The National Bureau of Statistics (NBS) alluded to this when it, for example, notes that 76.8% and 68% of Nigerian households experienced moderate or severe food insecurity in June and August 2020 respectively due to the movement restrictions introduced to curb the spread of the coronavirus (Abass 2020).

The consequences of the movement restrictions were compounded by the emergency economic measures (i.e. palliative measures) introduced by the governments (federal and state) to cushion the economic effects of the pandemic, but which were riddled with inadequacies. For example, the food distribution policy of both the federal and several state governments was defective, as the number of targeted beneficiaries was far less than the total number of poor and vulnerable. While the Lagos state government, for instance, introduced a food distribution programme for 200,000 households (Okon 2020), where each household is assumed to comprise at least five persons, making a million beneficiaries in all, over 50% of its estimated 23.3



million population was below the poverty line of \$1 a day as of 2014 (Lagos Bureau of Statistics 2014, 24). Given that there is no evidence to suggest that Lagos state has witnessed economic improvement as to reduce the poverty level, it means the food distribution measure for 200,000 households excluded the majority of the poor and vulnerable in the state.

Likewise, the federal government's conditional cash transfer of \$52 (20,000 naira) to the poor on the National Social Register (NSR) of Poor and Vulnerable Households was grossly defective. Whereas 11,045,537 Nigerians (from 2.6 million households) were on the National Social Register as at March 31st 2020 (National Social Safety Nets Coordinating Office [NASSCO] 2020), with a presidential directive to increase it to 3.6 million households (Sobowale 2020), not less than 40.1% (i.e. 82.9 million Nigerians, excluding Borno state) of the total population of the country is officially considered poor by national standards (National Bureau of Statistics 2020, 6). This implies that the cash transfer policy excluded a significant proportion (over 70 million) of the country's poor. It is apt to argue, however, that the shortcomings of the palliative measures are not unconnected to the historical problem of bad governance in Nigeria, reflected in the inability of successive governments to fully utilise the country's enormous oil and economic wealth to benefit the people, thereby rendering many poor and vulnerable.

Furthermore, implementations of some of the preventive measures of governments (federal and state) to counter Covid-19 pandemic by government officials and security personnel resulted in the impairment of fundamental rights of people in Nigeria. This is in view of cases of brutality, extortion and assault on civilians by security officials (police, soldiers, and personnel of the Nigeria Security and Civil Defence Corps) and some non-security officials enforcing the government's measures of movement restrictions, curfews, social distancing, and compulsory use of face mask in public. Though not a new phenomenon, as the police and security agencies in Nigeria are known for highhandedness and corruption, which is partly attributable to poverty, low wages and poor working conditions, the implementation of the movement restrictions made this more obvious. Between March and April 2020, for example, the BBC News, citing Nigeria's National Human Rights Commission (NHRC), reported that 18 people were killed in different parts of the country by security personnel enforcing the government's lockdown measures (BBC 2020). The report also indicated that more than 100 complaints of police brutality across 24 states of Nigeria's 36 states were filed with the NHRC during the same period (BBC 2020). Also, the ban on inter-state movement afforded the police and other security personnel, deployed to enforce the measure, the opportunity to extort motorists, as people who had the need to travel were extorted at the interstate borders and on some roads. In

an instance, a police officer was caught on camera extorting \$110 (about N42,707) from a motorist in Lagos state (BBC 2020), while several security officers were observed extorting a little over \$1 (N500) from motorists at various checkpoints or barricades on Lagos-Benin interstate roads (Egbas 2020).

Besides, non-security government officials were also culpable of maltreating people who contravened the lockdown measures. A clear case of this was an assault on a woman by officials of Ifo Local Government Area of Ogun state, southwest Nigeria, in June, 2020 (Folarin 2020). In a video that went viral all over the country, an official of the local government was caught on camera beating a woman, while others deflated the tyres of her vehicle because she had violated the lockdown measures and refused to give a N15,000 (about \$38) bribe (SRTV Reports 2020). Although the relevant authorities, including the police, responded by arresting the culpable officers/officials and encouraged members of the public to report violations of human rights, the highhandedness of the officers/officials was a gross violation of the right of their victims to fair and humane treatment, contrary to provisions of the 1999 Constitution (as amended) and international human rights instruments, particularly articles 9(1) and 10(1) of the ICCPR. Article 10(1) of the ICCPR, for example, clearly states that, "All persons...shall be treated with humanity and with respect for the inherent dignity of the human person" (UN 1976a, 6-7).

Aside from the direct impact, governments' lockdown measures also had some indirect impact on fundamental rights, particularly the rights of women and girls to freedom from all forms of violence, including unwanted or forced sex (i.e. rape) and other forms of sexual abuse, recognised by international human rights instruments to which Nigeria is a signatory, such as the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. This is in respect of widespread rape and sexual abuse of women and girls, mostly by male relatives or companions, during the Covid-19 lockdowns. According to the Ministry of Women Affairs and Social Development, no less than 3,600 cases of rape were recorded during the lockdown (Aborisade 2020). The upsurge necessitated outcries, including protest marches by civil society groups, demanding urgent action from the government (Aljazeera 2020a).

However, though several factors could explain the upsurge in rape, the failure of the government (federal and state) to take cognisance of the fact that many Nigerians live in crowded residences and neighbourhoods, with high tendency to crimes (Agbola 1997), including rape and other forms of sexual violence, before introducing the lockdown measures was no doubt a contributory factor. This makes the Nigerian government culpable, as its lockdown measures inadvertently encouraged violence against women, contrary to its obligation under the Protocol to the African Charter on Human and Peoples'

Rights on the Rights of Women in Africa, which requires signatory States to adopt measures (legislative, administrative, social and economic) that prevent, punish and eradicate all forms of violence against women (AU 2003, 6). It may be argued that apart from other structural/systemic problems, the impact the emergency measures have had on fundamental rights in Nigeria was because the legislatures (federal and state) neither participated in the formulation of the measures nor were available, due to the lockdown and movement restrictions, to provide requisite oversight and ensure accountability.

## **State responses to Covid-19 and the impact on human rights in Kenya**

Kenya, unlike Nigeria, operates a two-tiered governance structure consisting of a national government and 47 county governments. The country recorded its first Covid-19 case on March 12th 2020. Like Nigeria, Covid-19 was imported into Kenya. The index case was a person that returned to Nairobi from the US via London on March 5th 2020 (Aluga 2020). By the end of the month, the number of infections had increased to 60, and 3 deaths were recorded (Aluga 2020), while by 7.18pm CEST, July 26th 2022, the cases had risen to 337,339 infections and 5,670 deaths (WHO 2022). As in the case of Nigeria, and more specifically in line with the fourth schedule (parts 1 and 2) of the Constitution of Kenya, which, though in varying degrees, places issues relating to health on both the national and county governments, the Kenyan governments (national and county) responded with a number of measures to contain the spread of the disease. Hence, like in Nigeria, preparation for Covid-19 in Kenya started before the index case, and was also multi-sectoral in nature. This includes actions taken in February 2020 by Kenya's Ministry of Health, such as sensitisation of the public on Covid-19 and its respiratory symptoms; the need to maintain good hygiene and avoid non-essential travel to countries already affected by the virus (Aluga 2020).

In addition, on February 28th 2020, the central government introduced an Executive Order No. 2, which established the National Emergency Response Committee (NERC) to activate and coordinate the national response (Aluga 2020). Consequently, as the crisis of Covid-19 unfolded in the country, with the index case on March 12th and subsequent increases in the number of cases, the national response was activated. This, like in Nigeria, centred on preventive/containment, including non-pharmaceutical, and socioeconomic measures, derived from and backed by extant and new legislations/guidelines, including the Constitution of the Republic of Kenya; Executive Order No. 2 of 2020, Legal Notice 36 of 2020; Public Health Rules 2020, and Public Order Act.

### *Counter-Covid-19 measures in Kenya*

The preventive measures introduced by the central/national government in Kenya to contain the spread of Covid-19 include night curfew (7pm to 5am), except for persons on essential services; movement restriction in Nairobi Metropolitan Area, Kilifi, Mombasa and Kwale Counties (Kimani 2020); social distancing of 1.5 metres in public gatherings, including in bars and supermarkets, and fumigation of local markets and provision of clean water and soap for regular washing of hands in markets (Aluga 2020). Also, the national government directed regular collection of garbage and cleanliness of markets by County Governments; introduced partial lockdowns, as workers were encouraged where possible to work from home, and industries and factories were mandated to use minimum workforce on 24 hours shifting basis (Aluga 2020). Similarly, entry of non-Kenyans and foreigners without residence permit was prohibited; compulsory 14 days quarantine for all travellers into the country was introduced (Aluga 2020), and 50% maximum seating capacity in public and private vehicles and compulsory use of face mask were mandated by the government (Kimani 2020).

In addition, the national government introduced a number of emergency socioeconomic measures designed to mitigate the economic effect of the pandemic on individuals and businesses. The measures include tax relief of 100% for individuals with a gross income of up to Ksh 24,000 (\$221); reduction of resident corporate tax and individual income tax (for income in excess of Ksh 47,059 (about \$433.58) monthly) from 30% to 25%; reduction in Value Added Tax by 2% (from 16% to 14%); and cash transfer to orphans, elderly and other vulnerable people (Deloitte 2020). Moreover, the central government ordered the recruitment of additional health workers, including from outside of Kenya, to provide additional support for the fight against the virus. Hence, a number of Cuban doctors were recruited (Munyao 2020). The central government equally directed an 80% cut in the salaries of the President and Deputy President of the country and 30% in that of cabinet (Deloitte 2020), as a way of increasing the funds available to government for the fight against the pandemic. Compared to Nigeria, which failed to introduce tax relief for any category of individuals, the tax reliefs of the Kenyan government were commendable. Similarly, like in Nigeria, the second tier of government in Kenya introduced measures to complement efforts of the central government. These include Mombasa County, which, among other things, provided a 150-bed field hospital, and Machakos, which introduced special allowance, ranging from Ksh 20,000 to Ksh 5,000 (\$184 - \$46) for different categories of health workers involved in the fight against Covid-19 in the county (Kiruga 2020). The implementation of these measures, however, inadvertently impacted the people, particularly with respect to fundamental rights.

### *Human rights Impact of emergency Covid-19 measures in Kenya*

Like in Nigeria, the human rights impact of counter-Covid-19 measures in Kenya is extensive. In the first place, the inability of the Kenyan authorities to prevent an importation of the virus into the country, despite being aware of its existence, arising from delayed closure of borders and failure to ensure early monitoring of travellers into the country was, as in the case of Nigeria, a serious negligence that caused many Kenyans their lives (especially those who died of the virus) and livelihoods. Like in Nigeria, the negligence was due to late adoption of policies to prevent importation of the virus, including ensuring timely screening and monitoring of travellers into the country. Though the situation was not peculiar to only Kenya (and Nigeria), as most governments were unable to prevent the spread of the virus into their countries, the negligence compromised the fundamental rights of Kenyans to adequate security, including against diseases, contrary to the African Charter on Human and Peoples' Rights, of which Kenya is a signatory, which, in article 6, states that every individual in the State Party has the right to the security of his person (AU 1986, 3).

Similarly, the preventive measures introduced by the government to contain the spread of Covid-19 impacted a broad range of social and economic rights of Kenyans. Like in some countries such as Belgium (Popelier 2020), where preventive measures were introduced, the lockdown, night curfew, and other movement restriction measures of government impacted access and ability of Kenyans to work and to secure employment, leading to and exacerbating the issue of job and income losses, with implications for people's standard of living. According to reports, the preventive measures had, by June 2020, resulted in job losses of over a million people (Wafula 2020), redundancy for some workers and reduction in incomes and revenues of workers and businesses (Kenya National Bureau of Statistics 2020). Likewise, the counter-Covid-19 policy of the Kenyan government on reduction of the carrying capacity of public and private vehicles to 50% led to an increase in the cost of transportation by 51.7% in May 2020 (Kenya National Bureau of Statistics 2020, 1). This, the Kenyan National Bureau of Statistics revealed, affected people's ability to pay bills, including house rent, with 30.5% households being unable to pay rent at the agreed date with landlords (Kenya National Bureau of Statistics 2020, 1).

Moreover, the economic measures introduced by the government to mitigate the effects of the pandemic failed, due to being inadequate, as access to them was limited to a small fraction of the poor and vulnerable people in the country. The tax reliefs, including the 100% tax relief for individuals with a gross income of up to Ksh 24,000 (\$221), were measures that were not

beneficial to all Kenyans, except those who pay taxes. This is because those outside the targeted income frames, particularly workers in the informal sector including daily wage labourers who do not pay taxes, could not benefit. Also, the cash transfer programme to the poor and vulnerable, including the elderly and orphans, which was a continuation of an existing policy for over a million people in the country (Jerving 2020), was inadequate, as it excluded poor and vulnerable people who were not part of the existing scheme. Besides, the amount (Ksh 10 billion) allocated for the cash transfer was not enough to cater for all the poor people, as the country has 36.1% of its population, estimated at 47.8 million in 2015 (World Population Review 2020), officially designated as living below the national poverty lines (World Bank 2020).

In addition, the government's Covid-19 food distribution programme, which allowed only parents to pick up food items from the distribution centres, marginalised child-headed families, numbering about 13,000 in Nairobi alone, as they stayed away from the distribution centres because of fear and stigma (Abramian 2020). The implication of the shortcomings of these emergency measures (movement restriction and palliatives) is that most Kenyans, particularly the poor and vulnerable, suffered, as they experienced job and income losses, and invariably had difficulties in accessing quality food and other necessities of life. While the intended goal of the emergency measures was good, the fact that they impacted access to job and income, and invariably standard of living of the people, particularly the poor and vulnerable contradicted the obligations of the Kenyan State to its people under international human rights instruments. These include the International Covenant on Economic, Social and Cultural Rights (ICESCR), particularly articles 6(1), 11(1) and 11(2), relating to rights to work; to adequate standard of living, including food, clothing and housing, and to freedom from hunger, respectively (UN 1976b, 2-4), as well as article 43(1-3) of the Constitution of Kenya, relating to citizens' right to food, housing and social security. It is pertinent to note that denial/violation of socioeconomic rights in Kenya, as in Nigeria and most African countries, predates the Covid-19 emergency, as conditions and capacity to enforce the rights are largely non-existent. However, the issue became heightened and compounded by the movement restrictions.

Furthermore, as in the case of Nigeria, implementation of movement restrictions by the police in Kenya resulted in the violation of the rights to life and to fair and humane treatment. Like in Nigeria, police highhandedness in Kenya is not new, but rather common. Efforts to manage the Covid-19 pandemic, however, further brought this to the fore. This is in respect of reported cases of police indiscriminate arrest, brutality and extortion of bribes from those accused of violating the lockdown, social distancing or failing to wear



face masks (Gathara 2020). Reports by Kenya's Independent Policing Oversight Authority (IPOA), a police watchdog, revealed that police highhandedness while enforcing the government measures had resulted in a number of casualties, including deaths of innocent civilians (Human Rights Watch 2020; Fisayo-Bambi 2020). The Human Rights Watch, for example, notes that in different parts of the country, including downtown Nairobi, Embakasi area of eastern Nairobi, and Busia and Kakamega counties, police arrested people on the streets indiscriminately, whipped and kicked them while enforcing the counter-Covid-19 measures (Human Rights Watch 2020).

Apart from maltreatment, several casualties, including 15 deaths and 31 cases of injuries, as a result of police brutality while enforcing the curfew, were reported between March and June 2020, triggering protest by some Kenyans who demanded an end to it, and justice for the victims (Aljazeera 2020b). The police actions were gross violations of the fundamental rights to life of those killed; a threat to right to life of the injured; and a violation of the right to fair and humane treatment of those maltreated and brutalised, contrary to the provisions in the Constitution of Kenya, including articles 26, 28 and 29(c), relating to rights to life, to dignity of human person, and to freedom from any form of violence from either public or private sources, and numerous international human rights instruments to which Kenya is a signatory, including the ICCPR, ICESCR, and the African Charter on Human and Peoples' Rights.

Also, contrary to its human rights obligations under international human rights instruments, such as the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, the government's Covid-19 restriction measures inadvertently contributed to the increase in violation of the fundamental rights of women and girls to freedom from all forms of violence, including rape. Like in Nigeria, rape and violence against women and girls became rampant in Kenya during the lockdown (Gitau 2020), due to the fact that the restriction measures, coupled with poverty and overcrowded nature of many communities, were implemented without due cognisance of the risks they pose to women and girls. Although violence against women increases during crises, including epidemics (WHO 2020d; UN Women 2020), the extent of the infraction in Kenya during the period of movement restriction was alarming. Over 150,000 cases (about 40% increase from 2019) of teenage pregnancies were reported to have occurred (Yusuf 2020), with Machakos County alone accounting for 4,000 cases, mostly from rape, in three months<sup>2</sup>, and 5,000 rape victims, with children below 18 years constituting 70% of the victims, were officially treated (NTV News 2020).

2 Although the data was released by the Children's Department in Machakos County, authorities of the county refuted the figures, claiming they might be exaggerated (Yusuf 2020; Maema 2020).



While the perpetrators of the crime were mostly close family members and partners, incidences of violence against women by government security personnel also occurred. These included the rape of a female patient in a Covid-19 isolation centre by a prison warden who was guarding the facility (Malalo 2020). Though Kenyan government made efforts to address the problem, including presidential directives to the National Crime Research Centre to investigate the issue, and to the police to prosecute perpetrators (Bhalla 2020), the fact that the measures could, though inadvertently, provide opportunities for the perpetration of the crime of rape to the alarming level that it assumed, runs contrary to the essence and primary responsibility of the Kenyan State to its people, both under the Kenyan Constitution and international human rights instruments, which is to ensure the security, including bodily (physically), mentally and materially, of persons under its jurisdiction. More specifically, the infraction runs contrary to the intent of article 4(2b) of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, which requires signatory States, including Kenya, to adopt measures (legislative, administrative, social and economic) that prevent, punish and eradicate all forms of violence against women (AU 2003). Moreover, as earlier pointed out that the conditions and capacity to enforce socioeconomic rights are largely non-existent in Kenya, like most African countries, the government should, then, have been more careful and circumspect in introducing emergency measures that provide avenues for violations/denial of those rights.

## Conclusion

This paper has drawn attention to the human rights impacts of the counter-Covid-19 measures in both Nigeria and Kenya. It has highlighted how some of the preventive/containment measures in the two countries have directly and indirectly impacted fundamental rights and the freedom of people. The emergency Covid-19 measures of the two countries are however similar; essentially geared towards preventing and containing the spread of the coronavirus disease, and mitigating the economic effects on the people. The measures were also almost similar to what almost all the countries affected by the Covid-19 crisis adopted. However, the impacts of the measures, in relation to access to and enjoyment of fundamental rights in both Kenya and Nigeria are diverse. The implementation of the restriction measures, for example, inadvertently contributed to the increase in incidences of rape and sexual abuse of women and girls, and engendered increase in cases of

police brutality, extortion and harassment of civilians. This underscores the fact that the emergency measures were formulated and implemented without due cognisance of their human rights implications.

Arguably, violation/denial of fundamental rights in the two countries, like most African countries, predates Covid-19. Lack of access to quality food and shelter, and adequate standard of living are, for example, social problems that are historically common as a result of structural and systemic challenges being faced by these countries. This suggests that the emergency measures merely exacerbated the problems, including making historically disadvantaged groups more vulnerable. This, notwithstanding, shows the failure of the Nigerian and Kenyan governments to fulfil their obligation under international law to their people, which is to ensure, promote and protect human rights and fundamental freedoms. As signatories to core and several international human rights instruments, including the United Nations Charter, the Universal Declaration of Human Rights, the ICCPR and ICESCR, and the African Charter on Human and Peoples' Rights, which place legal obligations on States in respects of human rights, both Nigeria and Kenya should have introduced and implemented counter-Covid-19 measures that foster and respect human rights. Besides, it is not unexpected that emergency measures would impact fundamental rights and liberties, which makes "legislative control over the acts and actions of emergency authorities important in safeguarding the rule of law and democracy" (Griglio 2020, 52). Thus, Nigeria and Kenya lacked in their response to Covid-19.

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## ABSTRACT

This article analyses the intersection of response to Covid-19 and human rights in Nigeria and Kenya, as both countries illustrate two Covid-19 endemic and rapidly responding states to the Covid-19 pandemic. However, in Nigeria and Kenya, response to Covid-19 has to be understood in relation to their respective legal and policy frameworks and policy enforcement mechanisms. The paper notes that cases of police brutality, extortion and assault on civilians during Covid-19 pandemic raise the issue of insecurity and the whole question of human rights. The paper demonstrates that governments' emergency measures have serious implications for fundamental rights in Nigeria and Kenya, particularly those of perceived violators of the measures, the poor and vulnerable people, and women and girls.

## KEYWORDS:

Covid-19. Counter-Covid-19 measures. Human Rights. Nigeria. Kenya.

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# AFRICAN REGIONAL AND INTERNATIONAL COORDINATION: HOW COVID-19 ADVANCED INTEGRATION TRENDS AND SOUTH-SOUTH COOPERATION

Camila Castro Kowalski<sup>1</sup>  
Amabilly Bonacina<sup>2</sup>



## Introduction

COVID-19 was first reported in Africa in February 2020 and, as in the rest of the world, had an overwhelming impact. Projecting the gravity of the situation, the Africa Centres for Disease Control and Prevention (Africa CDC) alongside the African Union (AU) and most heads of states had started to prepare the continent since mid-January. In general, African countries sought to act before the situation was out of control, adopting strict measures.

While the early adoption of a cautious approach prevented the importation of new coronavirus cases into the continent, it had an impact on the lives of many Africans, particularly informal workers who relied on travel and commerce for a living. On a larger scale, the pandemic's disruption of global markets impacted many African states that rely on external trade, at a time when foreign direct investment (FDI) in the continent reached its lowest level since the 1990s, with a flow 30% lower than during the 2008-2009 crisis (UNCTAD 2021). These economic difficulties, however, came at a time when state expenditure was most necessary, as the pandemic reinforced the need for investment in healthcare, infrastructure (including supply networks) and security (border control).

<sup>1</sup> Post-graduate Programme in Political Science, Universidade Federal do Rio Grande do Sul. Porto Alegre, Brazil. Email: camila.kowalski@ufrgs.br. ORCID: <https://orcid.org/0000-0001-8296-4513>.

<sup>2</sup> Department of Political Science, Faculté des Arts et des Sciences, Université de Montréal. Montréal, Canada. Email: amabilly.bonacina@umontreal.ca. ORCID: <https://orcid.org/0000-0001-9517-9303>.

In this challenging economic and sanitary scenario, African states had to deal with a highly competitive market for medical supplies, from personal protective equipment (PPE) to reagents and vaccines. Furthermore, the very diverse situation within Africa, with some countries having advanced medical research and others lacking even basic human resources, meant that a common strategy towards COVID-19 had to include some sort of mutual support, allowing states to share technologies and public health strategies. These obstacles encouraged a united response to the pandemic on the continent. Adopting a common plan, at least in some core aspects, made it easier not only to optimise resource allocation, but also to avoid political friction. A common African position was also stronger when dealing with external partners, donors, and even sellers of disputed goods.

Considering these circumstances, this paper analyses Africa's readiness to confront the pandemic of COVID-19 and the role of South-South Cooperation (SSC) in this crisis. Our article presents the findings of a previous stage of a research project about COVID-19 effects in Africa. We analysed primary sources, including government documents, legislation, and speeches, as well as newspaper reports on African countries' responses to COVID-19. The data was collected throughout 2020 by the Brazilian Centre for African Studies (CEBRAFRICA) team. Through a qualitative analysis we compare information from this database with previous academic research on African regional organisations and SSC, thus examining the trends of regional and international coordination by African actors.

Our main argument is that by acting together, African countries could overcome regional asymmetries and collectively plan guidelines that could improve future crises responses. African countries were innovative and developed good practices to address the present crisis, which shows that they can, in the long term, build a robust integrated continental emergence healthcare system. Our data also shows that beyond the confluence of African responses, the high quality of foreign relations with partners such as China and Cuba improved the ability of African states to deliver a better response and get faster access to vital supplies.

Although Tanzania, Burundi and Madagascar had their own internal agenda to deal with COVID-19, when we observe the 54 African states, these three become exceptions. And even within the continent, each region has its own internal dynamics and restraints; overall, they are vastly trying to cope with many similar challenges. Historically, African states, despite their singularity, have found common objectives and projects to push forward, which is testified by the existence of continent-wide initiatives, such as the African Group at the United Nations, which dates to 1958, the Organisation of African Unity, established in 1963, and the AU itself.

This paper is divided into three sections. The first section discusses the challenge that COVID-19 posed for African states in terms of public health policies. The second section demonstrates that the first policies implemented during the COVID-19 crisis followed a pattern of coordinated response. The AU and African Regional Economic Communities (RECs) played a critical role in preparing a response to the pandemic. In the final section, we examine how the challenges posed by COVID-19 have affected broader aspects of African states' foreign policy, particularly how SSC regained its appeal and how the AU and Africa CDC developed policies to ensure that Africa had a saying in global negotiations.

## Health challenges and the creation of the Africa CDC

The precariousness of healthcare systems in African post-independence states has been a historic problem. Inheriting a colonial structure, which largely overlooked the needs of the local population, post-independence African states would have to invest large sums to build infrastructure, educate healthcare professionals and create a network able to reach all of their territories. However, this necessary investment was seriously compromised, at first, due to civil wars, interstate wars, and patrimonial regimes; and in the 1980s and 1990s by the austere economic policies adopted.

Despite the modernising ideology of the African liberation movements, the continent was still, in the 1980s, largely dependent on the export of raw materials and import of industrialised goods (Amin 1995). World Bank specialists linked the slow pace of African development to the misuse of state institutions, as well as to corruption. They advised on restricting the size of the state and encouraging private enterprise. Although many African countries contested this view – and even produced their own document, the Lagos Plan of Action, arguing that external shocks, such as deteriorating terms of trade for primary products and growing debt were the main reason for Africa's underdevelopment –, the International Monetary Fund and World Bank prevailed in making Africans commit to structural adjustment policies.

During the 1990s, African states worked on a very limited budget for social and economic investment, prioritising external commitments instead. The 1980s and 1990s are largely considered “lost decades” for the African continent, as their economies were seriously contracted. This led to stagnation in various aspects, including healthcare. By 1999, Africans were considerably poorer than they had been 25 years before: while in 1975, Sub-Saharan Africa's regional GDP per capita stood at 17.6% of the world per capita GDP, it dropped to 10.5% in 1999 (Arrighi 2002).

While in 1972 African countries invested on average 6.2% of their GDP in healthcare, in 1982 it was about 5.3% and in 1995 only 1.6% (Anaemene 2020), putting their health infrastructure in jeopardy. Indexes such as life expectancy at birth, as well as infant mortality rate went through a phase of no improvement. By the beginning of the 21<sup>st</sup> century, infectious and parasitic diseases accounted for more than 40% of deaths in the African region, with malaria accounting for 7.6% of deaths and HIV/AIDS, 12.4% (WHO 2020a). Immunisation coverage was low among 1-year-olds. Less than 70% of births in Northern Africa and only 42.4% in Sub-Saharan Africa were attended by skilled health personnel, which led to a high maternal mortality ratio. The number of new HIV infections was the highest in the world and 32.5% of children under five years old were stunted (WHO 2020c, 65).

According to data from the World Health Organisation (WHO), in the early 2000s African countries employed only 3% of the world's healthcare workforce and accounted for less than 1% of world health expenditure, but had to deal with 24% of the global burden of diseases (WHO 2006). Domestic government health expenditure stood at only 1.59% of gross domestic products in Africa in the beginning of the century (WHO 2021b). External resources were becoming increasingly important in meeting the continent's needs. In 1995, nine African countries relied on external resources for more than 15% of their total health expenditure. This number had risen to 19 African countries by the year 2000. To meet the minimum healthcare needs of its population, the African continent became heavily reliant on international assistance. In 2009, Africa received 40% of all global health aid (Anaemene 2020).

One of the consequences of this scenario was the increase of new actors in the sector, as international health assistance is often not directed to support national healthcare systems but is channelled to NGOs and international organisations. In 2008, there were more than 40 bilateral donors, 26 UN agencies, 20 global funds and other 90 active initiatives providing health services in Africa (McColl 2008, cited in Anaemene 2020). This situation has led to a fragmented system of health assistance. Instead of joining forces to achieve more ambitious goals, these different actors are limited by their own structures. Also, without proper communication and coordination, redundancy was likely to happen. A fragmented architecture also harmed transparency and accountability efforts (Anaemene 2020).

Another issue with external aid is that it is typically directed to specific projects rather than improving national healthcare systems. This contributes to the development of dysfunctional systems, with poor policy management and investment prioritisation. Countries that lack a strong national health institution are forced to rely on external resources to provide healthcare. Long-

term strategies and planning are hampered because donors rarely commit to long-term projects. Furthermore, donations are frequently misdirected toward sectors that are important to donors rather than the country's true needs. As a result, African states are forced to accept policies that they did not design and do not necessarily want (Patterson 2018; Anaemene 2020).

By the end of the 20<sup>th</sup> century, the African continent was mired in stagnation, marginalisation, and reliance. To overcome these challenges, African leaders decided to revive the concept of Pan-Africanism, popular in the 1950s and 1960s. Continental integration through a stronger organisation was the strategy agreed upon in order to bolster autonomous economic growth, peace and an improvement in standards of living (Mathews 2011). In October 2001, in Abuja, Nigeria, the New Partnership for Africa's Development (NEPAD) was adopted, and in July 2002 in Durban, South Africa, the African Union (AU) was established.

The AU was intended to act on various fronts related to development, including healthcare – an area in critical need for investment and planning. Acknowledging that individual states lacked the budget for adequate healthcare expenditure, and that external donors that had the means to invest often couldn't address bigger-picture issues, the AU focused on advising local governments and foreign partners towards more efficient action, often encouraging that they joined forces. Member states agreed on a document, the African Health Strategy (AHS), which recommended efforts towards the most urgent health issues as well as towards longer-term regional goals. It was an eight-year plan (2007-2015) designed to serve as a continental guideline. Unlike national governments, which often didn't have the means to press donors into investing in certain areas, the AU, as a representative of 54 (currently 55) member states, could be more appealing.

The AHS contributed to the continent's significant progress in dealing with epidemics such as HIV and malaria – issues that require constant engagement and investment, as well as coordinated action in various areas of public service. Between 2007 and 2015, access to HIV treatments increased from only 10% coverage among people living with HIV to 51% and new infections declined (WHO 2020b). In Sub-Saharan Africa, between 2000 and 2015, the estimated number of malaria cases dropped by 42% and the mortality rate declined by 66% (African Union 2016). By 2015, the impact of infectious and parasitic diseases as a cause of death in Africa had been reduced to 31,6% (WHO 2020a). Although AIDS remains among the leading causes of death in regions such as Southern Africa, throughout the continent deaths due to HIV/AIDS halved between 2000 and 2015, from 12,4% to 6,7%, respectively (WHO 2020a).

Another aspect of the AU's role as a game changer in the health sector was that of coordination above national boundaries. This became clear during the 2014 Ebola epidemic, which amounted to more than 28,000 cases and over 11,000 deaths from March 2014 to June 2016 – a strikingly high number, compared to the cumulative sum of past episodes from a period of 32 years (1976-2012), which had 2,232 infected people and 1,503 deaths (Wapmuk, Jaji, and Wapmuk 2015). It was the first time that Ebola cases were imported via air travel, reaching Nigeria, Senegal, Spain, Italy, Germany and the United States of America.

The outbreak showed how ill prepared the affected countries were for such a crisis: although it started in Southern Guinea in December 2013, it went unreported for three months, which contributed to its rapid spread (Wapmuk, Jaji, and Wapmuk 2015). There was also inadequate control of rural-urban connections; as well as a lack of trained workers familiar with Ebola, which resulted in many of them contracting the disease (Patterson 2018). In this scenario, the AU launched the African Union Support to the Ebola Outbreak in West Africa (ASEOWA), in August 2014, to help contain the spread. Due to AU's ability in recruiting doctors and nurses through ASEOWA, the majority of foreign medical teams working on the ground were African professionals (WHO 2021a), followed by Cubans and Chinese.

The Ebola virus spread quickly during the 2014-2016 outbreak, and the fact that, unlike previous outbreaks, it reached major cities and even other countries drew public attention to the virus. As other consequences, particularly economic ones, became apparent, it became clear that Ebola and other potential health threats needed to be addressed as serious issues. AU member states urged the institution in September 2014 to expedite the establishment of the Africa CDC, including the enhancement of early warning systems to address all health emergencies in a timely and effective manner (African Union 2014).

This technical institution was officially launched in 2017, in support of the public health systems of African countries, improving prevention, detection and response to public health challenges (Musabayana 2016). At the regional level, the Africa CDC works through the Regional Collaborating Centres (RCC), which have laboratories that compose the Regional Integrated Surveillance and Laboratory Network (Nkengasong et al. 2017).

In 2016, a second edition of the African Health Strategy was launched, aiming at a longer, 14-year period. The AHS 2016-2030 contained updates and placed the health strategy within the Agenda 2063, a continental strategic framework to seek sustainable and inclusive development. The 2016 guideline included lessons learned from the Ebola epidemic and stressed the importance of improving the coordination of disaster response. It also



highlighted the need to reconstruct and reinforce health security in all African countries, once that the consequences of health emergencies are local, national, regional and continental (African Union 2016).

## **A continentally coordinated response**

Decisions made at the provincial, national, and regional levels were critical to stopping the spread of Ebola by 2015. After declaring a state of emergency, the governments of Sierra Leone and Liberia, for example, were forced to order the closure of schools and markets (Mark 2014). This prior experience, not only with the ability to enforce such public policies, but also with the outcomes that they demonstrated for the epidemiological situation, put Africa ahead of other continents when the COVID-19 pandemic began, as similar actions were required.

Transportation was another area that required constant coordination for both Ebola and COVID-19. The Ebola epidemic taught Africans that controlling entry points had a significant impact on preventing the spread of viruses, both in terms of passengers and cargo. They noted that this effort was most effective when coordinated not only with neighbours, but also with other states that frequently exchanged with the most Ebola-affected countries. Regional organisations such as the Economic Community of West African States (ECOWAS), but also the AU, had to develop new protocols for regional interstate travel and put them before member states, who then had to quickly reach an agreement. Learning from this previous experience, when the new coronavirus started circulating in early 2020, Africans could rapidly detect the first cases among travellers and effectively reduce new imported cases to a minimum from an early stage.

Africa CDC started to prepare the continent for COVID-19 in mid-January, by activating its Emergency Operations Centre and the Incident Management System (Mo Ibrahim Foundation 2020). Even though the African continent is today better prepared for health crises, with substantial progress since the Ebola outbreak, most sub-Saharan countries have had their health systems operating at maximum capacity and the threat of a new disease would be a challenge (Kapata et al. 2020).

The African collective response can be divided into three major axes: prevention, detection, and surveillance. COVID-19 has a “multiplex impact” and thus requires a “multiplex” response: on healthcare systems, due to the average duration of treatment for each patient at hospitals, as well as the supplies demanded, including oxygen, ventilators, and protective

equipment; in the economic sector, due to operating hour restrictions and the exposure of workers to infections, particularly informal workers and supply chains; and on socio-cultural activities, because of school suspensions and interdiction of large gatherings.

### *Prevention, detection, and surveillance*

One of the first major preventive measures for the crisis was the establishment of the Africa Task Force for Novel Coronavirus (AFTCOR)<sup>3</sup>, by the Africa CDC, alongside with WHO, AU Commission and national governments. The capacity to detect and contain diseases such as the new coronavirus was seen by the director of the Africa CDC, Dr. Nkengasong, as closely related to the capacity of African states to achieve their developmental goals, and should have, thus, elevated status of priority. The lack of adequate infrastructure to test for the new coronavirus affected laboratories' capacities, especially in small countries that had no technology to process PCR tests; in larger countries it was the lack of access to reagents which threatened the testing capacity (Instituto de Higiene e Medicina Tropical 2020).

Member states were committed to developing COVID-19 strategic plans, which were crucial in accelerating each country's response process. It also inhibited neglect and inaction, which in the case of African countries and COVID-19 turned out to be a very rare phenomenon. Most African states formed a multidisciplinary ministerial committee in charge of planning containment measures for the new virus, and the RECs were, since January, on alert regarding the disease (West African Health Organisation 2020; East African Community Secretariat 2020a; SADC 2020a) – even before the WHO declared the COVID-19 outbreak a Public Health Emergency of International Concern.

Community transmission in Africa was confirmed in March 2020, shortly after the WHO declared COVID-19 a pandemic. While the closure of educational facilities was a measure aimed at curbing the spread of the new coronavirus internally, additional measures were taken to prevent the importation of cases into each country's territories. Except for Benin, Zambia and Ethiopia, whose airports remained open to commercial routes, all other African countries restricted arrivals and departures to repatriation flights, humanitarian aid, medical transportation, and freight services. The observation of the timing of international commercial flights suspension indicates that there was high-level coordination in the region, as opposed

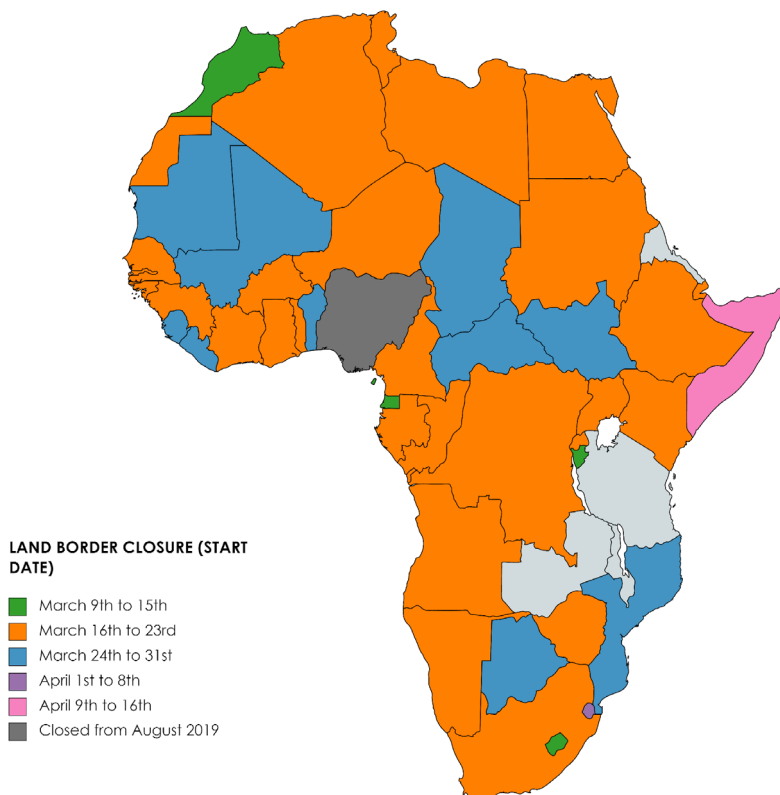
<sup>3</sup> Other initiatives were developed by Africa CDC and African Union, but they are not our focus in this paper.

to individual country-specific measures. The restriction of air travel was less related to the confirmation of COVID-19 cases or deaths than it was to adopting the same timeframe as neighbours or regional commercial partners (Pereira and Kowalski 2020b; 2020a).

Additionally, land borders were also closed to passenger transit: only goods were allowed to circulate, and, in some countries, truck drivers were asked to take a COVID-19 test in order to be allowed to cross the border. In more than half of Africa's countries'<sup>4</sup> domestic displacements were also restricted following the same logic, that is, maintaining the flow of goods but interrupting the transit of people. It is important to note that many Africans rely on informal sales to make a living – with workers travelling from rural areas to cities, or from one country to another to sell agricultural or textile products. These informal workers were greatly affected by travel restrictions and pressured governments to revert them. Despite the political cost, internal traffic restrictions and land border closure were maintained for most of the first semester of 2020 (Pereira and Kowalski 2020b; 2020a). Also, in the case of land border closures, there is a clear sign of coordinated action.

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4 We found such measures in at least 23 countries: Algeria, Angola, Benin, Botswana, Burkina Faso, Cape Verde, Chad, Comoros, Congo (Brazzaville), Côte d'Ivoire, Gabon, Ghana, Equatorial Guinea, Eswatini, Ethiopia, Kenya, Mauritania, Mozambique, Niger, Nigeria, Rwanda, Sao Tome and Principe, and Senegal.

**Figure 1 – Timing of Land Borders Closures**

**SOURCE:** Map created with mapchart.net with data gathered from Pereira and Kowalski (2020a; 2020b).

### *Challenges and additional measures*

Three major challenges in terms of COVID-19 response emerged in the earlier days of the pandemic in Africa: (i) delays of supply trucks at the borders due to the newly imposed restrictions; (ii) raising enough funds to implement stricter sanitary surveillance and prevention; and (iii) access to highly disputed supplies (such as PPE and test kits) in the international market. These issues were addressed both by the AU and by RECs.

Regarding the first one, in April, the Africa CDC arranged a meeting with the International Civil Aviation Organisation in order to make sure that

the urgent actions to contain the spread of COVID-19 wouldn't affect the supply chain of drugs, medical equipment and food (African Union 2020). Regionally, SADC and EAC member states agreed on guidelines for cross-border transit (SADC 2020b; East African Community Secretariat 2020b) and gradually larger agreements, for example between two or three regional organisations, were also signed, such as the COMESA-EAC-SADC Task Force.

The second major challenge was financing the implementation of the recommendations and preventive measures, especially laboratory capacity, purchasing test kits, training, and deploying almost one million health workers, and mitigating socio-economic impacts. The AU acted early on to address this issue, launching the Africa COVID-19 Response Fund (Kalondo and Manlan 2020). Regional banks, such as South Africa's Standard Bank, the Commercial Bank of Ethiopia, and the Kenyan division of Ecobank, as well as member states, contributed to the Fund. Moreover, Africa CDC has also received support from AU, WAHO, and external donors (Kapata et al. 2020).

Last, securing the supply of protective equipment was of particular concern among member states. Tests and lab resources were urgent, both to reduce the number of imported cases and to create public policies coherent with the actual situation of each country. Africa CDC and AU introduced in April the Partnership to Accelerate COVID-19 testing (PACT) to boost testing capacity and assure at least 10 million tests to help improve policies and guidelines (Africa CDC 2020b). Additionally, the AU launched in June the Africa Medical Supplies Platform (AMSP), in partnership with Afreximbank and United Nations Economic Commission for Africa (ECA). This non-profit platform enables AU Member States to purchase certified medical equipment and vaccines in a cost-effective and transparent way, by allowing volume aggregation (AMSP 2021).

## **The role of South-South Cooperation**

South-South cooperation (SSC) is defined as cooperation guided by the principle of mutual benefit. Even in asymmetric relationships, it is possible to cooperate in a win-win environment in which partners can dialogue and gain more control over resource deployment, fostering a relationship of autonomy and political equality (Mello e Souza 2014). SSC is highly connected to the idea of development – not necessarily economic development, but the idea of expanding social welfare. In the mid-1950s and the beginning of the 1960s, the Bandung Conference and the Non-Aligned Movement were formed by states which had been marginalised of financial and scientific

progress, and which used these fora to claim for autonomy and development. They formed the Third World, a concept which has lost much of its popularity after the end of the Cold War, although the existence of a “geopolitical South” (Visentini 2015) is still very much alive.

COVID-19 pandemic has demonstrated, once again, how even when dealing with the same challenge, inequalities between countries lead to very different outcomes. During 2020, most African states struggled to acquire medical equipment. This was not only due to the lack of resources, but also because, in the scramble to access such products, Africans were frequently pushed to the back of the line, while more powerful states had priority. In October 2021, less than 15% of Africans had been vaccinated, while most North Americans and Western Europeans were receiving a third dose of COVID vaccines. Throughout 2020 and 2021, the WHO and the Africa CDC attempted to emphasise the importance of reconsidering international cooperation in order to have a better chance of fighting this crisis. In this sense, SSC has emerged as a means of advancing collective and urgent agendas.

External partners, traditionally engaged in Africa, have played an important role in supporting the continent during the COVID-19 pandemic. Western donors tended to focus on financing projects rather than sending direct support, with few exceptions (Pereira and Kowalski 2020b; 2020a). On the other hand, non-Western donors focused on deliveries of equipment, test kits, PPE, vaccines and/or the contribution of medical practitioners.

While it is difficult to compare these approaches, direct delivery of items has a faster impact in terms of COVID-19 response in a scenario of product shortage and urgent demand. At times during the pandemic, having the resources to purchase the most contentious materials did not guarantee that the country would have access to them. Learning from history, the lack of access to HIV antiretroviral drugs from the mid-1990s to the mid-2000s is estimated to have killed 12 million Africans (Nkengasong et al. 2020). Likewise, in the first months of the last major Ebola epidemic, in 2014, “many health workers died as a result of inadequate protective gear while caring for patients; ironically, a major material deficiency was the lack of rubber gloves – this in a region that had one of the largest exporters of rubber in the world” (Chaple and Mercer 2017, 143). After COVID presented similar procurement challenges, African regional organisations, such as the Africa CDC, advocated for the necessity to secure some level of self-sufficiency in terms of pharmaceutical products, considering their strategic role (Africa CDC 2020a).

Currently, 99% of vaccines used in Africa are imported, most of them through international procurement mechanisms (Irwin 2021). This has not always been the case. Some African states, such as South Africa, had the

capacity to manufacture vaccines in the past, but abandoned these programs in the mid-1990s (Makhoana 2013) due to the use of patents to protect products, structural adjustment programs (which compromised state budgets) and dependence on donors and international organisations, who do not necessarily buy from local producers. The African market remains highly influenced by the segmentation induced by the donor policies and multinational companies (AVMI, UNIDO, and WHO 2017). However, the empowerment of the African Union during the COVID-19 pandemic, covered in the first part of this article, and South-South cooperation, could change this game. The Africa CDC has set the goal of locally manufacturing 60% of the vaccines used in Africa within 20 years (African Union and Africa CDC 2022).

This section will look at two partners with a long history of working with African states on healthcare and SSC, as well as how they responded to Africa's request for assistance during the pandemic: China and Cuba. These two countries have had cooperation programmes with African countries since the 1960s, but scholars have had difficulty interpreting them. There is a tendency to interpret South-South programmes using the same theoretical framework as North-South aid, which leads to inconsistencies. For instance, China's cooperation with Africa was initially interpreted as a means for receiving diplomatic support against Taiwan. When its one-China policy became widely accepted and, still, cooperation continued, new theoretical interpretations had to be found and some scholars pushed the idea that the Asian country maintained cooperation with Africa in order to guarantee a supply of raw materials. However, there is an indication that China-Africa relationship surpasses the achievement of one-off objectives and tends to be maintained – and expanded – in the long term (Visentini 2011; Gazibo and Mbabia 2012).

The same applies to Cuba's cooperation with Africa. Despite many scholars regarding Cuba's presence in Africa because of its relationship with the former Soviet Union, Cuba actually maintained, and in some cases even expanded, its presence on the continent after the end of the Cold War. SSC is better explained in this context as a means of forming coalitions and facilitating collective action for change in the International System. Instead of being guided by economic pursuits (in the case of Africa, by the preservation of commercial strongholds and privileged areas of political influence), the South-South logic is guided by lessening interstate asymmetries (which constitutes a subversion of the current functioning of the International System). For this reason, SSC is less connected to specific or privileged geography (as opposed to "Francophone" Africa, the Commonwealth of Nations, or the Community of Portuguese Language Countries) and more related to common political projects.



That is not to say that South-South Cooperation is uninterested cooperation. In their international activities, all states are guided by national interests. While North-South cooperation lacks political will to change the status quo (the existence of a geopolitical “North” and a geopolitical “South”), SSC is actively attempting to transform the international system to break the North-South divisions. Again, this transformation is not about “winners” and “losers”, nor is it about a specific state overcoming underdevelopment (as the case of South Korea, to cite one). It attempts to shift from “individual” logic to “collective”, or common logic. This is done not as a noble or “solidary” act, but because it is understood that the North-South disparity can only be overcome by sharing technology, knowledge, and, in some cases, resources (capital).

Bringing this idea to our subject matter, healthcare is a sector historically crossed by a North-South divide. Structural adjustment programs, largely pushed to low-and middle-income countries by Western lenders, have had a crippling effect on social policies, including healthcare and education, in the developing world. While North-South aid programs can be generous in this area, the lack of involvement by recipient institutions has led to a perpetuation of dependency (when not directly a dependency on donor countries’ aid agencies, at least a dependency on NGOs or international organisations). On the other hand, SSC in this area usually involves a smaller budget, but more technology transfer, in the sense that public officers and healthcare professionals exchange their successful experiences with local authorities.

Pharmaceutical know-how and manufacturing have been a more visible source of North-South conflict. Patents, and intellectual property rights in general, have been a source of contention since the Uruguay Round of talks in 1994. By the end of the 20<sup>th</sup> century, the 15 largest pharmaceutical companies in terms of global prescription drug sales came from only five countries: the United Kingdom, the United States, Germany, Switzerland, and France (Turshen 2001). In terms of vaccines, in mid-2008, five major firms accounted for more than 80% of global revenue (WHO, UNICEF, and World Bank 2009). South-South Cooperation in the pharmaceutical sector could thus challenge this highly concentrated market by multiplying the actors capable of not only manufacturing products, but also of developing their own patents, thus breaking a path of dependency, and weakening the institutions that benefit from the status quo.

## ***Cuba***

From the first days after the Revolution, Cuba has sought to aid national liberation movements and anti-imperialist groups around the world. This has led to the Caribbean island to be highly involved in African politics in

the 1960s and 1970s, when revolutionary anti-colonialist movements were in full swing (González 2020). Cuba was the only economically underdeveloped country to carry out a foreign policy towards Africa comparable to that of the superpowers (Pereira 2016). In fact, until recently, Cuba played a larger role in Africa than China did. Cuban support was not only military or diplomatic, but also a hands-on approach which included the education of professionals in strategic fields, including medical and pharmaceutical work. From as early as 1962, the first Cuban medical brigade arrived in Algeria.

Despite the economic challenges of the 1990s, Cuba maintained its programs for cooperation in health in Africa. It also maintained scholarship programs at local medical schools – only from South Africa, more than 3,000 doctors have graduated in Cuba. Additionally, this was the moment when, after the rise of the Cuban biotechnology industry a decade earlier, Havana was signing technology transfer deals for pharmaceuticals with many partners. Cuba had, in 2009, more SSC programs in biotechnology for health than India, South Africa, Brazil, Egypt and even China. In Africa, it established technology transfer deals with Algeria (Saïdal Groupe) and South Africa (Biovac) for the Hepatitis B vaccine (WHO, PAHO, and European Commission 2015).

During the Ebola Epidemic of 2014, when the WHO issued a call for medical collaboration, Cuban authorities responded immediately by sending 256 health professionals. “This was the largest single group of specialised collaborators who went to work in the affected region. Many more were needed, but except for Cuba’s, the international response was low and slow” (Chaple and Mercer 2017, 144). Aside from the specialists working directly with Ebola, there were 32 Cuban medical brigades active in Africa in 2014, with 4,048 professionals (González 2020).

In 2020, the same situation happened: aside from around 4,000 Cuban medical professionals working in Africa, when COVID-19 struck the continent, specialists were sent to 11 African countries in 2020, as well as to Gabon and Mozambique in 2021. Cuba has also offered a technology transfer deal to enable manufacturing of its “Soberana 2” vaccine in Ghana (Ghana FDA 2021).

## *China*

China-Africa long-term cooperation agreements in healthcare dates back to 1963, when the first Chinese doctors arrived in Algeria. Chinese Medical Teams have been highly valued by African governments since then and medical cooperation has greatly increased, with more than a thousand active physicians in the continent (Li 2011; Brautigam 2009).

During the Ebola outbreak in 2014 in West Africa, China played an important role to halt the disease by sending money, medical supplies (PPE, sterilisation equipment and drugs), and around 1,000 doctors, some of whom were already working on the continent (Cui 2019). Focusing on long-term development and empowerment, China also invested in public health facilities and in training local health staff (by 2015 they had trained more than 10,000 professionals). At the second Ministerial Forum of China-Africa Health Development held in October 2015, “China pledged to send 1500 medical workers (...), and it encouraged ten of its large pharmaceutical and medical equipment enterprises to cooperate with various African counterparts” (Cui 2019, 167), including through technology transfer.

Since then, health has been considered a priority in terms of China-Africa relations. In the 2018 Beijing Summit and 7<sup>th</sup> Ministerial Conference of the Forum on China-Africa Cooperation (FOCAC)<sup>5</sup> China has committed to scale up medical assistance to African countries and promised to build a facility for the Africa CDC (Ministry of Foreign Affairs of the People’s Republic of China 2018). This relates to China’s new approach in terms of medical cooperation with Africa. Despite the historical presence of Chinese doctors on the continent, and despite its infrastructure investments in the early years of the 21<sup>st</sup> century, China recognized that it could make a stronger impact on Africa’s healthcare system by supporting regional organisations, especially in terms of access to basic drugs and medical supplies (Alcorn 2015).

China’s aid to Africa in terms of the COVID-19 pandemic was focused on supplying the most urgent and disputed resources at different moments of the pandemic. It delivered supplies, including PPE, ventilators, thermal screening gates, test kits and reagents during the first half of 2020 (Pereira and Kowalski 2020b). In the first semester of 2021, China sent several donations of its anti-COVID-19 vaccines: around 4.9 million doses had been delivered by April 2021 (Development Reimagined 2021). Also, Beijing didn’t interrupt any of its agreed-upon medical missions to African states. On the contrary, they sent new teams of specialists, including professionals who had been on the front line in Wuhan. During the pandemic, China and Africa increased high-level health exchanges, with Chinese specialists with experience in the COVID-19 crisis counselling at least seven African countries and opening health centres in Africa throughout 2020 (Pereira and Kowalski 2020a; Xinhua 2020).

5 The Forum on China-Africa Cooperation (FOCAC) was created in 2000. It is a triennial forum, which involves a high-level conference, where Action Plans and Declarations are prepared, as well as a follow-up mechanism to assure the implementation of the Plans.

## Conclusion

This paper reviewed the major challenges that the COVID-19 crisis has imposed on African countries, especially during its first wave in 2020. As argued, through collective measures, regional institutions such as the AU and Africa CDC were able to coordinate the pandemic response since before it reached the continent. The data showed a synchronised adoption of public policies, which reinforces the hypothesis that African countries were seeking to act concertedly. Also, it is important to have in mind that the Africa CDC didn't intend to set universal measures, nor to compel members into taking a specific approach towards the new virus. Its main goal was to serve as a coordinating body from member-state level up to a regional, regional-adjacent, and international level. That is, its objective was to serve as a reference, supporting each state with accurate information, expertise, supplies, etc.

Secondly, we note that self-sufficiency turned into an even more important issue to African leaders after it became clear that the currently installed pharmaceutical capacity would not be able to supply all interested parties on a global scale, leading Western countries to pressure companies to care for them first. This reopened a discussion about Africa developing its own production capabilities for drugs and vaccines. Stimulating local pharmaceutical production would generate a spillover effect, creating employment for higher-qualified professionals and avoiding "brain drain". It would also contribute to most African countries' goals of industrialising.

While each individual African country acting separately had little bargain capacity to push for more ambitious technology transfer deals in terms of pharmaceuticals, the strengthening of African continental institutions after COVID-19, especially the renewed key role of Africa CDC, has enabled the signing of longer-term projects, which could be the cornerstone for guaranteeing the manufacturing of strategic pharmaceuticals within Africa (and thus avoiding dependency) in the future. For decades, Africans have been struggling to ensure a steady supply of vaccines for its population, as industrialised countries have become uninterested in producing cheaper immunisers. As it turns out, COVID-19 could set the process of local procurement for these products. By summoning its historical SSC with China and Cuba, African leaders have pushed for technology transfer deals regarding the new coronavirus vaccines, which could be later enlarged to encompass other pharmaceuticals.

In the long-term, Africa should focus on expanding its infrastructure with the goal of decreasing its reliance on external aid, avoiding fragmented action and setting its own priorities. Through Pan-African institutions, and acting as a united front, Africa can step up and set its own

development path. Also, it should focus on relations that transfer technologies and improve local people's skills. In the context of the COVID-19 pandemic, the geopolitical axis of South-South Cooperation demonstrated the potential to contribute to Africa's autonomy.

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**ABSTRACT**

Africa is one of the world's forerunners in terms of political integration. Already in the 1960s, the Organisation of African Unity had 32 states united under a common charter. Moreover, through joint projects with Latin American and Asian partners, African states have joined some of the primary experiences of South-South Cooperation, particularly in the areas of healthcare and infrastructure. Taking this historical context into account, this paper examines how the highly competitive reality of the COVID-19 pandemic has impacted the continent. We argue that the constraints imposed by the new coronavirus outbreak have strengthened the African Union's role in advancing collective action and encouraged self-sufficiency. Furthermore, we analyse how South-South Cooperation offered a platform for immediate response when access to disputed medical supplies in the world market was difficult. We conclude that the COVID-19 crisis has contributed to consolidating African regional integration in the long-term, as well as its coordination with partner emerging countries, with consequences for the African Union's priorities in terms of foreign affairs in the future.

**KEYWORDS:**

African Union. Africa CDC. COVID-19. Public Health. Pan-Africanism. South-South cooperation. African Regional Economic Communities.

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