Imperialism & African Social Formations

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In the last Issue of 2004, reviewing 30 years of this journal, an assessment was made of the key dimensions of the new situation facing Africa and the world, and on that basis a ‘new agenda’ was put forward to highlight priority areas for research and activism. These key areas were:

**New Imperialism:** The processes of globalised capitalism, still leaving Africa steeped in patterns of ‘primitive accumulation’, and the radical restructuring strategies of global US militarist hegemony, which seek from Africa only oil and other resources, and military collaboration.

**New class formations:** Modified patterns of reproduction of labour, consistent with primitive accumulation, which blur old ‘peasant’ and ‘proletarian’ class categories, and limit polarisation of some classes, while reinforcing the salience of ‘class’ in social analysis.

**States and conflict:** Reassessment of the African ‘state’ in this era of new imperialism and of new social formations, in particular emphasising the ‘political economy’ of war, violence and state failure.

**New patterns of African resistance:** Contemporary popular struggles and the potential for ‘solidarity’ – and the appropriate stance of a radical, metropolitan-based journal like ROAPE.

Each of these subjects represents both an area of study and investigation, and one the Review would like to prioritise, but some are also phrased as propositions which deserve continuing debate.

For instance, how far are generalisations about persistent primitive accumulation or multiplicity of livelihoods across classes valid, and under what circumstances?

Or, politically, should ‘resistance’ be geared to the economic challenge of globalising capitalism or military dominance, and are there any contradictions between them, and between Europe and the US, that provide leeway that can be exploited?

Although few of the articles were explicitly written in response to that agenda or indeed any theme that characterises the Issue, contributions do in fact continue debates around the agenda we outlined in No. 102. It will be instructive to bring out some of the actual ‘contributions’ they make to that set of concerns. And as we shall see, some of the contributors have something to say about not just one of the themes.
New Imperialism

Contributions by Dansereau and Larmer explore one of the few sectors where the international capital stake in Africa is being extended – the mining industry. But as they both stress, the enhanced international corporate stake is not coming about so much through new investment but the take-over of existing assets through outright privatisation or ‘public-private partnerships’, often of previously ‘nationalised’ mines, as part of the liberalisation prescriptions of international financial institutions.

Class & Relations of Production

Both of these studies also show how in Zimbabwe and Zambia the privatisation process is accompanied with the relaxation of labour relations and worsening conditions for workers. They also confirm that employment in mining is still characterised by migrant patterns and the payment of wages insufficient to guarantee reproduction of labour. McCulloch’s case study of the struggle of miners in asbestos offers another example of the treatment of labour in such industries.

In any discussion of relations of production and reproduction, it is appropriate to highlight the massive intellectual debt that is owed to Claude Meillassoux, whose passing is marked in the Tribute in later pages. After all, he more than anyone taught us that African social and economic realities, and the interaction of its social formations with imperialism, could be analysed in terms of ‘relations of production’. He was a Contributing Editor of ROAPE, and an active one, from the outset, and a contributor to the inaugural Issue 30 years ago, but more fundamentally he, and his close colleagues among ‘marxist economic anthropologists’ in France, made a decisive impact on the generation of ‘radical’ African and Africanist scholars emerging in the 1960s in the English-speaking world. Characteristically, his article in No. 1, ‘Development or Exploitation: Is the Sahel Famine Good Business?’ was an embodiment of scholarly and humanitarian concern, providing one of the first expressions in English of the seminal work he and other collaborators made in recognising that famine is enmeshed in processes of emerging capitalism in its interaction with African social forms. As the Tribute makes clear, this understanding of the social embeddedness of the environment is now standard among the analysts and practitioners still engaged with this kind of emergency a generation later. However, despite this, it is remarkable that the simple-minded Malthusian explanation of ‘over-population’ as the cause of famine – and conflict – is still so readily accepted unquestioningly by political leaders in and outside the continent.

Another specific contribution that he made to this kind of analysis was a study of poverty and malnutrition in South Africa, an in-depth and now little known report published in English (Meillassoux, 1982). In this and other work he takes further the seminal analysis of the essential nature of apartheid in terms of the articulation of two modes of production, made by the South African scholar, Harold Wolpe, whose work was reviewed at length in ROAPE 102. Claude deepens the theoretical framework while simultaneously detailing the human costs.

State & Conflict

The vicious fighting that has engulfed much of the Democratic Republic of the Congo (DRC) since 1998 has exacted a toll of death (3.8 million) and destruction perhaps greater than in any other African country, and today the most intense
continuing violent confrontations, unchecked by the peace agreement and the largest UN peace-keeping force in the world (13,113), are to be found in the east and north-east of the country, including Kivu province. Van Acker’s analysis is a timely reminder that such conflicts do not simply emerge from inherent ethnic rivalries nor even from the warlords’ ambitions and greed. It brings out the complex but profound reshaping of property relations and kinship and social capital as a result of changes in arrangements for access to land, through land tenure policy and market encroachment – a perspective in the best Meillassoux tradition. This is an explanation of the roots of violent conflict in terms of ‘grievance’ rather than ‘greed’, and may serve to alert analysis to the potency of the oft-neglected factor of land in conflicts such as Somalia, Darfur and Sierra Leone, and the risks of policies that enact privatised land tenure. This insight also helps to set the Briefings on Namibia and Zimbabwe in context.

In a second study of conflict, in Sierra Leone, Riddell points to the obscene irony of the IFI’s taking on the role, as they are doing in several ‘post-conflict’ situations, of promoting recovery and rehabilitation, when they are institutions which previously backed state policies that impoverished the young people in marginal rural areas, factors which fed the conflict in the first instance. As in so many African countries – Liberia, Chad, Djibouti, DRC, Algeria, Eritrea, and now Sudan and Somalia – there is an urgent need for critical debate about the strategies and means for such recovery, and one not dominated by such external interests, if the fragile peace in such places is to be sustained.

**Resistance & Solidarity**

The studies on mining also touch on this theme as they show how privatisation has generated debate and organised campaigning, not least by trades unions in Zambia. Similar anti-privatisation (particularly of services such as water) have also been a feature of new popular protest in South Africa – and in many other parts of the world, notably in Latin American countries – and they have become a focus for international solidarity through networks such as the World (and now African) Social Forums.

Seddon & Zeilig’s article would thus place such protests within an emerging third stage of post-independence protest in Africa. Their piece was, in fact, explicitly prompted by our ‘new agenda’ and had had to be held over from No. 102. It provides a useful survey of a wide range of popular protests during the last three decades, and also attempts a periodisation of them in terms of the international and continental context that spawned them.

**Bibliographic Note**

This article considers the relationship between working class struggle and popular protest in Africa over the last 40 years. We argue that the form and content of class relations which developed in the period of nationalist struggle and early ‘national development’ have been fundamentally restructured by the process of globalisation. From the late 1970s, a great wave of widespread popular protest and resistance was noted around the world, including Africa (Parfitt & Riley, 1994; Walton and Seddon, 1994). The strikes, marches, demonstrations and riots that characterised this wave of protest and resistance (often termed ‘bread riots’ or ‘IMF riots’) usually involved a variety of social groups and categories and did not always take place under a working class or trade union banner or with working class leadership – if this term is used in its narrow sense. A broader array of popular forces did, however, challenge not only the immediate austerity measures introduced as part of structural adjustment and ‘economic reform’, but also the legitimacy of the reforms themselves and even, sometimes, the governments that introduced them. They also frequently identified the international financial institutions and agencies that led this concerted effort to further enmesh ‘the developing world’ and the ordinary people who live there, into the uneven process of capitalist globalisation in the interests of major transnational corporations and the states that gain most from their operations.

Protest from the late 1980s and into the 1990s involved far greater political orchestration and direction (Dwyer and Seddon, 2002; Dwyer and Zeilig, 2002; Zeilig & Seddon, 2002) and was increasingly aimed at governments and even regimes, as much as at economic policies. The charge that national governments had broken the implicit social contract to safeguard not only the material welfare of the people, but also their political rights, led to growing demands for democracy and political change. This local dynamic coincided with the increasing deployment by international agencies and major capitalist states of a discourse of ‘democratisation’ and of ‘good governance’ as prerequisites for economic and social development. This apparent new ‘concern’ for democracy in the developing world, on the part of institutions and states that had previously accommodated dictators and autocrats, was, however, abandoned where local regimes and political processes threatened their interests, in which case more direct forms of intervention better characterised as a new ‘colonial’ imperialism were initiated.

The ‘new world order’, pronounced in the early 1990s but increasingly manifest through the decade, was widely seen in Africa, Asia and Latin America as a triumphalist US-dominated imperialism. This provoked a ‘third’ wave of protest and dissent – this time with a much greater degree of international organisation. On the
one hand, a social movement with a distinctive ‘anti-capitalist’ politics and perspective emerged, increasingly articulate, coordinated and global, first in the countries of North America (at Seattle) and Europe (Genoa etc.), but then spreading to Latin America (Porto Allegre), Asia and Africa (Callinicos, 2003; Cliffe, Bujra and Szeftel, 2004). On the other hand, an oppositional movement of a darker and more threatening kind appeared, based on deep-seated angers and frustrations, prepared to use violence to achieve its objectives. In the Middle East, and throughout the so-called Muslim world (including parts of Africa), a network of radical Islamist groups and movements, associated in many cases (but not always) with al-Qa’ida (originally established to provide support for Arabs fighting with the mujahidin in Afghanistan), emerged to directly challenge both local regimes and the interests of the imperialist powers, notably the USA (Ali, 2002). Alongside these developments has come a resurgence of armed struggle by leftist and populist movements in South Asia (India, Bangladesh and Nepal) deploying the rhetoric and strategy of Maoism in their efforts to overthrow local regimes and resist imperialism. Strikingly similar indigenous movements, albeit with different political ideologies and often drawing on ethnic and indigenista affiliations, developed elsewhere in Asia and in Latin America during the 1990s. The variety and complexity of these different – and yet comparable and often inter-linked – ‘anti-systemic’ movements (as Wallerstein (1989) calls them) worldwide is enormous and requires more analysis.

The focus here, however, is on Africa. In line with the reformulation of ROAPE’s priorities (Editorial, 102), we reassert the salience of class analysis and renew an analytical concern with working class and popular protest that has for too long been marginalised. Whilst aware of the dangers of Africa-wide generalisation, we believe a broad picture of its political and economic transformation is both possible and necessary. We agree with Gavin Williams (2004) when he argues that there is no substitute for the careful inter-disciplinary study of specific African realities, but believe complementary efforts at comparison, synthesis and generalisation are in order. In effect a critique of the ways in which protest, resistance and class struggle in Africa have been theorised, our argument will be underpinned by the conception of successive ‘waves’ of popular protest since the 1970s, as an integral part of the process of global capitalist re-structuring. In our analysis, we situate ongoing popular democratic struggles at the centre of Africa’s political and economic trajectory over the last forty years. We ask a connected set of questions about these struggles by ordinary people – workers, peasants and the ‘middle classes’ – for more power. First, given the transformation of Africa’s political economy through ‘global re-adjustment’, how widespread are these waves of popular protest and what is their social composition? Also, what is the relevance of the postmodernist critique for the contemporary analysis of popular struggles? Finally, what is the relationship between these waves of protest in Africa and the emergent anti-globalisation movement. Our conclusions indicate a need for those on the left to distance themselves from the 1990s ‘miserabilism’ (frequently described as ‘African pessimism’) that had African studies in a postmodern stranglehold.

Global Re-structuring & ‘New’ Patterns of Class Struggle

Decolonisation had been a ‘bargaining process with co-operative African elites ... and ... the careerist heirs to independence preoccupied themselves with an ‘Africanization’ of the administration’ (First, 1970:57-8). The ‘socialist project’, much-heralded by those on the left, fell away as ‘African socialism’ was implemented as a
framework for the development of state capitalism at best, and as a means to personal and ‘crony’ enrichment at worst. Leys’ *Underdevelopment in Kenya* (1975) initiated a debate about the possibility of indigenous private capitalist development in Africa, based on the Kenyan case, which was immediately taken up by other commentators (Kitching, 1977; Swainson, 1977) and later extended to Ghana (Kennedy, 1977), Nigeria (Osoba, 1978) and Tanzania (von Freyhold, 1977). Most analysts concluded that a ‘real’ national bourgeoisie had not emerged anywhere in Africa, and that, consequently, ‘real’ capitalist development had not taken place. Some disagreed; for example, Kennedy argued that ‘a local industrial capitalist class has emerged in Ghana over the last 30 years’ (1977:37), while Warren argued more generally that ‘the illusion of underdevelopment’ had obscured real progress (1973, 1980). Others pointed out – pertinently from our perspective – that Leys’ analysis had generally neglected the struggles of ‘oppressed classes’ (Lamb, 1975). Yet others observed more generally that ‘while analyses of the relationships between national and international capital are in abundant supply’, ‘detailed analyses of the nature and focus of existing class struggles are few and far between’ (Phillips, 1977:20). The search for an elusive national bourgeoisie continued to be a focus of academic debate into the 1980s (Beckman, 1980, 1981; Bernstein and Campbell, 1985; Sender and Smith, 1986).

If ‘neo-Marxists’ were dubious regarding capitalist development in Africa, there were others, whom one might call ‘neo-classical Marxists’, who argued that capitalist development had in fact begun to unfold in the preceding decades of the century, demonstrated by the emergence of a working class, a process of capitalist exploitation, and the development of the productive forces (Warren, 1973, 1980). A ‘fundamental structural change has occurred, involving the development of a labour market, a ‘free’ wage labour force, and a new, capitalist mode of appropriation of surplus labour’ (Sender and Smith, 1986:35). Imperialism had proved the ‘pioneer of capitalism’ in Africa, and it was demonstrably possible – particularly if the false ideology of ‘African socialism’ were abandoned – for the conditions for capital accumulation to emerge, if the state were to intervene to strengthen the national economy. State capitalism would do, for the time being, while a national bourgeoisie constituted itself and a national working class gained ground and muscle (Sender and Smith, 1986).

Generally missing from these debates was serious consideration of the relationship between the social forces representing the interests of capital (whether international or national) and those – which we call the popular classes – that opposed and resisted the actual pattern of development in Africa (whether capitalist, socialist or other). By the 1970s, class relations in African states were undergoing major transformation in the context of global re-structuring. The project of global adjustment pre-empted the state in Africa, Asia and Latin America from playing a developmental role and subjected it to reform that would facilitate foreign capital investment and easier access to raw materials and markets. This project was implemented, often with the collusion of sections of the ruling elites, but sometimes against their will. African social structures, already profoundly affected by conflict and ‘complex political emergencies’ exacerbated or provoked by structural adjustment, were also, from the mid-1980s onwards, increasingly devastated by the spread of HIV/AIDS (one effect of structural adjustment was to devastate already rudimentary health provision) and the often perverse effects of pervasive NGO-isation.
Popular Forces & ‘the Working Class’

The nature of ‘the African working class’ and its capacity for progressive collective action has long been debated on the left – key issues were whether bonds of solidarity and consciousness within the working class as a whole were limited by the existence of an ‘aristocracy of labour’ or conversely by archaic links to the rural economy and society? Ruth First argued that African patterns of development had created a hybrid class (the peasantariat), founded on a linked rural and urban identity (1983). In fact, it is indeed the case that a combination of rural and urban in the formation of the working class has characterised the process of ‘proletarianisation’ in most parts of Africa in the 19th and 20th century – from migrant labour in the mines in southern Africa from the 1900s, to labour in oil extraction and processing in the Niger Delta from the 1970s (Iliffe, 1983).

Let us consider the composition of those ‘popular forces’ to which we allude in our discussion of class struggle in contemporary Africa. They may include not only the urban and rural working classes (consisting of those who have little or no control or ownership of the means of production and only their labour to sell, whether in the formal or the informal sector) but also other categories, including on the one hand those whom Marx refers to as ‘paupers’ and on the other small peasants and tenant farmers, ‘independent’ craftsmen and artisans, small retailers and petty commodity producers, and members of the ‘new petty bourgeoisie’ (sometimes called ‘the new middle classes’) generally including the lower echelons of the public sector). Not only do these various social categories constitute, in effect, the relative surplus population which may be characterised as a reserve army of labour, they often share a consciousness of their interdependency and common vulnerability.

The ‘informalisation’ of the African political economy, noted from the 1970s, has been exacerbated by the dismantling of corporatist states on the grounds that they were overgrown and ineffective. Restructuring the state required the retrenchments of the 1980s and 1990s. Barchiesi (1996) observed how in Nigeria those in employment were initially forced to enter the informal economy to supplement their salaries, whilst widespread unemployment among former public sector workers led to the collapse of previously solid class identities forged in the context of state corporatism. Harrison concludes that:

One can see the decline of corporatism and the increasing informalisation of the urban economy not as a sign of the decay of the urban working class, but rather the reformulation of its political identities into a realm of fiscal austerity and speculation (2002:114).

The heterogeneity of classes has never been the reason for their political decay, rather a feature of their normal condition in the context of capitalism as it evolves. As Lenin (1920 [1969]: 558) argued in 1920:

Capitalism would not be capitalism if the proletariat pur sang were not surrounded by a large number of exceedingly motley types intermediate between the proletarian and the semi-proletarian (who earns his livelihood in part by the sale of his labour power), between the semi-proletarian and the small peasant (and petty artisan, handicraft worker, and small master in general), between the small peasant and the middle peasant, and so on, and if the proletariat itself were not divided … according to territorial origin, trade, sometimes according to religion …

Aborisade sees an inclusive process at work, with which we concur:
others have come to realise that the lot of the workers determines their own lot and that indeed they have a common interest. When workers are not paid or are poorly paid the poor peasant farmers and the poor petty traders (mainly women) know from their own experiences that their sales suffer. In an age of increasing unemployment, there are several dependants on the worker, and they have come to appreciate that their interests and that of the worker (who sustains their survival) are the same (2002:96).

These relationships perpetuate cultural diversity within class formations. This is most salient where a dual consciousness exists among people who have maintained a relationship and social rules from their rural world. In this situation as Harrison argues, ‘there is a real political economy of hybridization: the real import of culture within the workplace can only be understood within this defining context’ (2002:113). The hybridity of the African working class has received a recent postmodernist gloss, in which ethnicity and culture are seen as more determinant of social behaviour than alleged class membership (Bhabha, 1995). The rise of ‘identity politics’ in this postmodern formulation as Harrison goes on to argue, is based on misinterpretation of a phenomenal effect of the dominating strategy of structural adjustment.

In fact, the ways in which these different ‘exceedingly motley types’ relate to ‘the working class’ cannot be identified and understood, except in the dynamic ‘course of events’ – that is, in their historical context. If we are to understand and to explain the process of class formation (and transformation) in the context of capitalist development (such as it is in Africa), we need to look to the wider arena of popular struggle as manifested in protest and resistance.

Theory & Resistance in Sub-Saharan Africa

Class analysis, and the study of popular resistance, is recognised as having fallen on hard times (Cliffe, Bujra, and Szefet 2004). It became almost de rigeur for academics (even many leftists) to maintain that African political movements could not be ‘fitted’ into the narrow constraints of class, particularly when that concept appeared part of an alien narrative. In its place some instead privileged – as more real or ‘authentic’ – the supposedly indigenous and subjective (the ‘emic’). Emphasising the crucial role of language and discourse and the complex inter-play of identities, they often claim ethnic, gender, youth or religious identities to be more ‘valid’ categories for analysis than ‘etic’ categories such as class (Mbembe, 1991, 2001; Bayart, 1991, 1993). As part of a broader epistemological challenge not only to Marxism but also to other modernist traditions, post-structuralism and postmodernism have swamped African studies with an emphasis on identity, indeterminacy, complexity and performance (for example Werbner, 1996; Wordy, 1998; Mbembe, 1991; Manor, 1991). The ‘deconstruction’ of such concepts as nation, class and state, in favour of discourse, language and symbolism, means that exploitation, class formation and struggle cease to be analytical constructs, let alone objective realities.

By the early 1990s, it looked to many as though the postmodernists had triumphed. In a foundational text Manor (1991:2) summarises the main criticism of the ‘old’ theories:

With their teleological biases, they tend to begin their studies with the script already half-written. The old paradigms were ideologies as much as they were modes of analysis. They tended towards monopolistic claims of truth for their own world-view. We make no such claim and this means that our map of the discipline of politics looks rather different to theirs.
Manor’s collection, *Rethinking Third World Politics* (1991) eschews any commitment to a stand-point for political analysis, let alone any commitment to political change. Indeed the contributors seem to revel in political inertia:

*We are not interested here in influencing the countries that we are studying. We do not even intend these studies to advance the cause of democracy in the Third World, even though we all wish it well* (2001:2).

By contrast they aim to explore what they term the fictive elements of power, its ‘theatrical and imaginary dimensions’ (1991:5). Many of such theorists display deep cynicism for concepts such as ‘progress’ and ‘rationality’ and with earlier confidence in the project of ‘development’ (Hutchful, 1991). Manor’s subjectified world, emphasising performance rather than politics, livelihoods rather than economics and social difference rather than class, is entirely compatible with the growing obsession of Africanists with ‘civil society’, conceived as providing ‘a space’ where new identities, unfettered by economic forces, gather and play. Of course, the ‘spaces’ opened up were never neutral and the social forms given precedence were never innocent of political significance. Even the NGOs that burgeoned under the new dispensation – ostensibly ‘charities’ with benevolent aims, driven neither by the profit motive nor by political ideology – operated within a determined political and economic context. By 1990 Wood commented that ‘civil society is now in danger of becoming an alibi for capitalism’ (p. 60).

Eschewing large-scale comparison, these theorists privilege detailed case studies which allow the researcher to delve into the localised complexity of social formations, and through anthropological and cultural enquiry to expose the symbolic and linguistic significance of social practice. There is strength in this focus on the grass roots, which at first sight offers a valuable counter to larger-scale, structuralist studies which postmodernists regard with scepticism. Bayart (1991, 1993) is an important representative of these trends. Labelling the old structuralist categories as a ‘paradigm of the yoke’ for their representation of Africa as eternal victim to extraneous forces, Bayart dispenses with the conceptual language that supports them: class, imperialism, the state. For example:

*The social groups involved in the invention of politics in Africa ... have their own historicity, which should prevent them from being assimilated too hastily into categories evolving from Western experiences of inequality, even when they do qualify for the category of ‘social class’. Thus the working class in sub-Saharan Africa is run through with divisions from traditional societies, especially the cleavages between elders and juniors or between nobles and inferiors* (Bayart, 1991:57-8).

Bayart’s most substantial work is on the state in Africa (1993), where we find an extraordinary general image of people in African societies constituting a distinct species:

*homo africanus is trapped in a web of social relations, which are simultaneously sensory and affective, that s/he prefers to ‘eat’ rather than to produce. In conclusion, analysis of African ... societies must no longer ignore the multiple procedures whereby states are individually created, and through which the state is a link between fear and hope, suffering and joy, life and death* (Bayart, 1991:68).

Postmodernist studies describe important cultural processes, and reveal the complexity and intricacy of locally constructed relations and social forms. Bayart, for example, focused on the ‘criminalisation of the state’ (1999) and by uncovering the
nature of criminal networks he exposed real forces that undermine the nation state in Africa. Despite his scepticism regarding structuralist analysis, Bayart acknowledges the role of external forces, even if he tends to underplay them in favour of some essentialist notion of ‘the African condition’:

the process of criminalisation … has become the dominant trait of a sub-continent in which the state has literally imploded under the combined effects of economic crisis, neo-liberal programs of structural adjustment and the loss of legitimacy of political institutions (1999:19).

In Harrison’s powerful and penetrating critique of the application of postmodernism to Africa’s political economy, ‘this suggests a tension between the post-structural method and the recognition of a political economy with some ‘systemic’ traits’ (2002:108). Williams’ (2004) recent insistence that the left draw on a number of analytical perspectives to enrich the study of Africa’s political economy suggests compatibility rather than tension. We remain doubtful.

How does this relate to the subject of resistance, activism and struggle? The cynicism expressed by the post-modernists towards political change extends to political activism and particularly the concept of ‘liberation’. In the post-modernist conception and in the ‘post-colony’ (a construct that resists specificity but seems to be applied particularly to Africa), power no longer denotes coercion and oppression, resistance and struggle; it becomes a fluid, pervasive yet contingent force derived from the interplay of different discourses. There is a reluctance to engage with narratives of struggle and liberation, condemning them as both ‘truthful and false’. In a situation where the old categories (and certainties) are dissolved, the responsibility of the social researcher is to delve behind the appearance of things to discover their ‘sorcery’. Mbembe (2002) explores the concept of the post-colony:

… the usual categories of political economy are unable to highlight its complexities. In this kind of power formation, reality is each time erased, recreated, and duplicated. It is this power of proliferation (and its ability to obliterate the distinctions between truth and falsehood, the visible and the occult) that turns domination and subjection into a magical song, at that point where the originally arbitrariness produces terror and hilarity.

The transformation of ‘domination and subjection’ into a ‘magical song’ does little to clarify the arguments. However we see that Mbembe is arguing for a diffuse and Foucauldian conception of power, constantly broken down and reformed – ‘erased, recreated, and duplicated’ – through the infinite discourse of the postcolonial ‘magical song’. In such an amorphous world, it would be hard to identify any inherent progress or purpose in social struggle, only power relations that obliterate distinctions between the ‘visible and the occult’. ‘Terror and hilarity’ may be generated/experienced by oppressor and oppressed alike, in a process where ‘irony’ moved into the centre of political discourse. For Mbembe, writing about Cameroon,

official discourse made use of the necessary means to maintain the fiction of a society devoid of conflict … the unity of all people, among whom no divisions could be allowed to exist (1991:167).

In as much as ‘Cameroon’ had a comprehensible political economy, it was a ‘chaotic plurality’ where there was no purposeful liberation or resistance. What some might have identified as an attempt at political coercion and the establishment of a hegemonic political ideology by a ruling elite in the face of resistance, is presented as
no more than a ‘game’ whose ‘ordinary arbitrariness’ was lampooned by an ironic crowd. As Mbembe (1991:175) explains:

In the post-colonial historical trajectory, the authoritarian mode can no longer be interpreted solely in terms of ‘control’, ‘surveillance’ and the ‘politics of coercion’. [Instead] ... an intimate tyranny links together the dominant and the dominated. If subjection is increased it is also because the subjects themselves have internalised the part of the system they blame, to such a degree that they end up reproducing it as if it was their own.

This is a prime example of ‘blaming the victims’ while at the same time denying their status as victims. The dominated are presented as accomplices in their own oppression through the identification (by the analyst, it has to be said) of their acceptance of ‘the banality of power’ – those ‘grotesque and obscene elements’ that are part, according to Mbembe (1991:166), of all systems of power. The ironic reversal of state rhetoric is an example of this ‘banality’. In Cameroon, ‘under the pretext of declaring party slogans, in reality the people sing about the brusque erection of the “enormous” and “rigid” presidential phallus, of how it stays in this position, of its contact with “vaginal liquids”’ (1991:167). The emphasis of Mbembe’s analysis is on the performance of a theatrical event that involved the repetition of subordination, leaving the people to ‘protest its loyalty and confirm the existence of an undoubted institution’ (1991:176). Meanwhile, a popular upheaval in Cameroon that almost brought the government down (Konings, 2002) exposes the limitations to Mbembe’s reduction of resistance to a game.

In our view, Marx’s dictum that ‘men make their own history, but they do not make it just as they please, they do not make it under circumstances chosen by themselves’ remains pertinent, and means that while there are certain ‘structural’ conditions that shape the cultural and social forms in society they are not necessarily the determining ones at any particular point in time. Some scepticism towards Marxism – and particularly its African varieties – is justifiable, given a tendency to force diverse and heterogeneous political forms and processes into a rigid and over-determined analysis in which class relations were simply ‘read off’ from the inherent structural contradictions of particular modes of production. However the reaction to these theoretical shortcomings has been equally flawed, and the supplanting of Marx by Foucault has resolved none of the real political dilemmas of contemporary Africa. Meanwhile, as these debates were taking place, extraordinary protests – ‘magical songs’ – were erupting across the continent.

The First Wave: Global Adjustment & Political Transition

The first ‘wave’ of popular struggles occurred in the period from the second half of the 1970s into the 1980s, when most paths of ‘autonomous national development’ adopted by African regimes were undermined, the global economic crisis deepened and mounting debts drove governments to seek external flows of capital, usually under more stringent conditions of lending. The austerity policies that followed economic liberalisation fell disproportionately on the ‘popular classes’. During this period loans turned into debts and, as the process of global adjustment and restructuring required by the international capitalist crisis proceeded, more and more African states found their options severely restricted and their macro-economic policies shaped by the conditions imposed by the IFIs, the bilateral lending agencies and the private banks. With the election of the free market governments of Thatcher and Reagan, policies that gave increasing priority to market forces and the private
sector were formulated with the IMF and World Bank as the central players. As the World Bank reported at the time,  

*Africa needs not just less government – [but] government that concentrates its efforts less on direct intervention and more on enabling others to be productive* (cited in Sandbrook, 1993:2).

The popular classes, particularly in urban areas, were severely affected by this adjustment but they did not just suffer quietly, or as ‘victims’ of the crisis; on the contrary, they struggled, resisted, and protested (Seddon and Walton, 1994). The household economy had always been a crucial aspect of the political economy of African countries; the impact of ‘adjustment and austerity’ was to further emphasise the importance of family networks. Some have argued that the reaction of the popular classes in this first wave of resistance was ‘defensive’, only geared towards survival (Saul and Leys, 1999); others have deemed these struggles populist and even utopian; whilst others have seen them as more ‘offensive’ – demanding policy change and challenging those interests that they identified as behind them (Seddon and Walton, 1994).

Starting in Egypt in 1977, when the government’s decision to raise food and petrol prices as part of a programme of financial stringency under the auspices of the IMF provoked fierce rioting in major cities across the country, the wave of popular protest also involved four out of the five countries of the Arab Maghreb Union – Morocco, Mauritania, Algeria and Tunisia – drawing in virtually all of north Africa. Throughout the same period a wave of popular protest against similar austerity measures was noted across the sub-continent; this resistance was often characterised as ‘bread riots’. It was experienced not just in Africa, but across many countries in the developed world subject to economic constraint. In all of the African countries where it took place, popular protest had a political impact – frequently producing a reversal of cuts in subsidies and a far greater awareness of the political limits to rapid structural adjustment. In some cases it resulted in political change (as in Sudan in 1985, when the regime of President Numeiry was overthrown as a direct result of mounting popular unrest), or a brief phase of greater political openness (as in Algeria, for example, between 1989 and 1992). The ‘focus’ of these protests was often the international financial agencies (particularly the IMF), but governments which adopted the austerity policies and big corporations (foreign and national) that benefited from ‘liberalisation’ were also targets. Some have thereby argued that these struggles were a precursor to the contemporary phenomenon of ‘the anti-globalisation movement’ (Dwyer and Zeilig, 2002); others are more sceptical, seeing them as merely localised expressions of anger and outrage.

The strength and effectiveness of the first wave of struggle was based on wide coalitions of the popular classes, though the working class in a narrow sense was usually centrally involved through the trade union movement. The impact of unrest depended on the participation of the wider ‘African crowd’, including the lumpen-proletariat of the shanty towns, unemployed youth, elements of the new petty bourgeoisie and university students (see also Gwisai, 2002). Generally ‘spontaneous’ and directed predominantly towards current economic reforms and austerity measures, they also contained elements of a critique of regime legitimacy and deployed notions of social justice (Zeilig and Seddon, 2002). Given their limited degree of political organisation, these movements generally had a restricted political effect, but in some cases, they took on the character of a political opposition, challenging policies and changing the prevailing political configuration. In most
cases they served to redefine the terrain of class struggle and to provide the basis for the emergence at a later stage of political movements aimed at changing governments rather than just policies.

It is essential not to romanticise these popular protest movements, but it appears misleading and patronising to characterise them, as some on the left have done, simply as ‘desperate IMF riots’, taking place in ‘wretched Third World cities … where organization and democratic traditions of struggle are simply lacking’ (Bond and Mayakiso, 1996:6). It is also unhelpful and unrealistic to divide, as inherently distinct and effectively antagonistic, ‘workers struggles’ and ‘populist forms of socio-political movement’ (Petras and Engbarth, 1988). As Seddon (2002:24) has argued:

_Eurocentric preconceptions as to what ‘should be’ … the progressive forms of class struggle in Africa … must be set aside to enable us to consider the actual history of capitalist development and class formation in Africa, both of which have been the result of popular struggle as well of changes in the material conditions within which these struggles took place._

Much the same point was made by von Freyhold in an important pioneering essay in this journal (1987).

**The Second Wave: Political Transition in the 1990s**

Until 1989, East and West were bound up in the Cold War, played out to horrifying effect in Africa (Harman, 1990); after 1989, the rapid collapse of ‘actually existing socialism’ in eastern Europe and the subsequent disintegration of the Soviet Union allowed global capitalism and the First World (dominated by the USA) to emerge triumphant in the African geopolitical arena. Following the collapse of East European regimes, the long-standing (and no doubt fearful) president of Gabon, Omar Bongo is reported to have exclaimed that ‘the winds from the East are shaking the coconut trees.’ (cited in Wiseman, 1996: 70). Some on the left proclaimed a new faith in the market after the collapse of ‘Marxism-Leninism’. Frank (1989) asserted that these events resulted in ‘enormous strides in the … economic and political direction’ of the Third World (cited in Harman 1990: 79). Harris, who had argued in 1987 that The End of the Third World was nigh, saw in further globalisation the prospect – beyond the development of global capitalism – of an international socialism. Harris provides us with an unadulterated celebration of neo-liberalism in _The Return of Cosmopolitan Capitalism_ (2003).

In the 1990s, however, a second wave of popular protest swept through Africa, more explicitly political and with more far-reaching aims and objectives (Walton and Seddon, 1994) – and again associated with powerful forces from outside. The deployment of a discourse of ‘democracy’ and ‘good governance’ by the international lending agencies and the major capitalist states, coincided with what was undoubtedly also a movement inside Africa for ‘democracy’ and legitimate government. Although there was little doubt about the scale or impact of emerging endogenous movements for political change, there were questions about their authenticity and effectiveness.

Sudan had provided an early example of the political power of orchestrated popular protest with the 1985 overthrow of President Numeiry and the establishment of a multi-party system, which lasted until 1989 when a military coup d’etat brought al-Bashir to power. In Algeria the Front de Liberation Nationale (FLN) regime, which
had brutally repressed mass protests the previous year, undertook a dramatic political liberalisation in 1989. This allowed the formation of many new parties, including Islamist groupings like the Islamic Salvation Front (FIS), and proposed municipal and national elections over the subsequent two years. Mass demonstrations at the time of the Gulf crisis and the first US-led intervention in Iraq (in 1990-91) involved huge support for the Islamists, who called not only for solidarity with their Iraqi brethren but also for the establishment of an Islamic state in Algeria. In 1990, the FIS dominated the municipal elections and towards the end of 1991 appeared poised to gain electoral success in the national elections on the basis of a massive growth of popular support. The FLN government, unprepared to accept the popular will, imposed a state of emergency, and banned the FIS.

Elsewhere in the Maghreb, in Tunisia and Morocco, there were also mass demonstrations in support of the Iraqi people and against US and Western imperialism during 1990 and 1991. Many of those demonstrating were also calling for political liberalisation at home. In Egypt, massive support for the Iraqi people and against Western imperialism during 1990 and 1991 encouraged the further expansion of support for militant Islamist groups, already prepared to act violently (e.g. the assassination of President Sadat in 1981), but now boosted by the rising tide of Islamism throughout the Middle East. Even in Mauritania, growing pressure led Colonel Ould Taya, head of the military central council since 1984, to allow the legal formation of political parties. The rising tide of protest against repressive regimes in north Africa, which the Islamist movements were increasingly able to orchestrate and channel into legal political opposition, represented the pent-up frustration and anger of the popular classes. But the ‘window’ of opportunity for the legitimate expression of popular concerns was brief indeed. In Tunisia, the response of the regime was to tighten security and increase repression; in Morocco, where the formal multi-party system already provided the illusion of a ‘bourgeois democracy’, heavier repression of the Islamist opposition, and the cooption of most ‘moderate’ opposition leaders into the government, which remained strongly controlled by the king. In Egypt, the government clamped down heavily on the Islamists and on popular politics.

In sub-Saharan Africa there had been approximately twenty annual recorded incidents of political unrest in the 1980s; in 1991 alone 86 major protest movements had taken place across 30 countries (Zeilig and Seddon, 2002:16). By 1992 many African governments had been forced to introduce political reforms and in 1993 fourteen countries held democratic elections. In a four-year period, from 1990-4, a total of thirty-five regimes had been swept away by a combination of street demonstrations, mass strikes and other forms of protest, and by presidential and legislative elections that were often the first held for a generation. The speed with which these changes took place surprised many commentators:

> Compared with the recent experiences of Poland and Brazil ... African regime transitions seemed frantically hurried (Bratton, 1997:5).

In many cases the combination of local political unrest and the pressure from external agencies explains the dramatic speed and scope of regime change. A few examples from sub-Saharan Africa describe what was going on behind these statistics.

In Ivory Coast, severely affected by falls in the international price of cocoa and coffee, violent unrest between March and May 1990 threatened the government’s austerity programme agreed with the World Bank and IMF and designed to fill a £236 million gap in the budget. Shaken by three weeks of protests and strikes by workers in all
sectors, the regime was forced to delay tax increases and cuts to public sector salaries. The army was brought in to suppress the protests whilst the President rejected growing demands for a multi-party state. When salary reductions and tax increases were imposed, together with price cuts aimed at softening the blow, demonstrations continued, and businesses resisted the proposed price reductions. Soldiers used tear gas to disperse more than 1,000 people protesting in the centre of Abidjan in support of a group of women who had staged a sit-down protest on Abidjan’s main street. Doctors voted for an indefinite strike and withdrew emergency cover in protest at mass arrests of demonstrators. Public protest and political pressure (which came from France as well as from within) forced a review of government policy, and in April the austerity measures were suspended. In May, lower ranks in the army started a series of demonstrations, culminating in their taking temporary control of the main airport, in support of demands for better pay and conditions (Seddon, 2002).

In Ghana, growing opposition to the Rawlings regime began in the 1980s. Increasing pressure for the restoration of multi-party democracy was generated by concern on the left regarding the government’s economic reform programme and its subordination to IMF aid conditionality, combined with pressure on the right from more traditional conservative forces opposed to the ‘Rawlings’ experiment’ (Riley and Parfitt 1994). In August 1990, the Movement for Freedom and Justice (MFJ) was founded. Support came from various quarters, including the TUC as well as professional and church groups. The pressure for democratisation from within the country was complemented by pressure from the US and other Western states, and by the World Bank. In 1992, parliamentary and presidential elections were held in Ghana, and Rawlings was voted back into the Presidency, but only until 2001, when he was defeated.

In Zimbabwe, students spearheaded the resistance. In 1989 a student leaflet denounced the Investment Code

> as a further entrenchment of capitalism in Zimbabwe ... an acquiescence to the IMF and World Bank sponsored programmes ... and incompatible with the doctrine of socialism (cited in Tengenende, 1994:389-92).

The Students’ Union condemned the suppression of a strike by doctors:

> The use of force which was exercised on doctors while they were airing their clear, legitimate grievances is really an authoritarian and neo-fascist tendency and hence it has to be condemned.

The university was closed in October 1989, following the arrest of Student Union leaders. Morgan Tsvangirai, General Secretary of the opposition party (ZCTU), denounced the closure in strong terms and was detained for over four weeks (Gwisai, 2002). When in 1991, the ZCTU organised a May Day event under the theme, ‘Liberalisation or Liberation’, workers paraded with banners denouncing the SAP: ‘Employers liberated, workers sacrificed, Are we going to make 1991 the Year of the World Bank Storm?’ Meanwhile, the Ministry of Labour distributed its own leaflets telling workers to ‘Suffer Now and Benefit later’ (cited in Tengenende, 1994:427). Mutambara argues that students were the first group to stand up against Mugabe – even before the trade unions – but that students and workers combined in popular protest: ‘the labour movement was progressive, but they took longer to give up on Robert Mugabe. In fact the labour unions continued to endorse the party in elections’ (interview, 7 July 2003).
Popular struggle in South Africa was always explicitly political and directed at the structure of the state itself, ever since the late 1940s when the Nationalists came to power, whilst the labour movement and particularly the free trade unions had always provided a core of opposition. Throughout the 1980s and early 1990s, the rising tide of opposition to the apartheid regime grew to the point where the white ruling class was obliged to concede major ground. There is no space here to detail the culmination of that long struggle, but we would argue that, distinctive though the political dynamics of South Africa may be, they have also been in phase with wider movements across Africa as a whole.

In short, during the 1990s in most parts of Africa, profound changes have taken place as long-standing repressive regimes have been effectively challenged and overthrown or replaced. The outcome has not always been a strengthening of the formal structures of democracy, but the changes have almost always been associated with a broadening and deepening of popular involvement in the political process. This is acknowledged by Saul and Leys, who despite writing despairingly of ‘the tragedy of Africa’, recognise that, in addition to the ‘thousands of activist groups’ that constitute a vibrant civil society in Africa today, ‘there are also resistances directed more broadly and self-consciously against the kind of parasitic governments that attempt to ride the African crisis to their own advantage’ (1999:25). It can be argued that the second part of the decade saw a deepening and widening of democracy, if not within the formal institutions of party politics then in the informal arenas of urban politics, in the slums and shanty towns, in the workplace, in the schools and colleges, and in the public spaces and streets of the major cities (Saul and Leys, 1999).

Although Saul has become less sceptical about these waves of popular protest and political opposition (2003), he still continues to highlight some of the undoubted weaknesses of these movements. While accepting that the waves of protest prized open space for civil society to operate, he sees the developments as benefiting essentially the ‘middle classes’ – and the neo-liberal agenda – rather than ‘popular interests’; they achieve ‘liberal democracy’ rather than genuine ‘popular democracy’. He is disparaging of the ‘democratic transition’; suggesting that, in most cases, it has done ‘little more than … stabilise property-threatening situations by a momentary re-circulation of elites’ (Leys and Saul, 1999:26). We would argue that a distinction be made between those sections of the ‘middle classes’/‘new petty bourgeoisie’ who joined and played a role in the leadership of these popular movements, and the property-owning classes and political elites. The involvement of different class fractions and elements in African popular movements has also given rise to serious misgivings about the extent of their ‘progressiveness’ among leftist commentators. Another concern is where ethnicity or religious ideology (Muslim or Christian) is an important mobilising force.

For example, the ‘great turn’ towards militant Islam in the 1990s constituted a major development in northern Africa as the popular classes discovered an ‘authentic’ voice in which to express their profound disillusionment with capitalist development and with the corrupt and authoritarian regimes which presided over such ‘development’. The possibility that these Islamist movements were also themselves corrupted by populist authoritarianism and might aim to establish even more oppressive and sectarian regimes greatly pre-occupied the left. Mesmerised all too often by the terrorist violence of the most extreme militant Islamists, the very considerable variation between the different Islamist and Islamic groups and movements, and the extent of popular support for the broader-based, more ‘moderate’ groups, has all too often been missed, and the possibility of accommoda-
tion, complementarity and even fusion of popular working class movements and Islamic revolutionary traditions (Hodgson, 1980) underestimated.

In the 1990s much left commentary on African political economy drew attention to the undoubted set backs experienced in many parts of the continent; yet there are also many places where popular protest and working class struggles have evolved into more organised and effective political opposition, with significant political consequences. Although there is justification for scepticism regarding the real meaning of the rapid move towards multi-partyism in Africa or its longer term impact, greater political openness has generally enlarged the space for civil society and renewed the challenge to develop genuinely popular democratic politics.

Of course, there are real constraints on democratic advance under conditions of ‘structural adjustment’ and ‘globalisation’. Abrahamsen (2000) offers a penetrating critique of the shallow rhetoric of ‘good governance’ by the international community. She rightly identifies the way in which popular resistance, although directed frequently against the policies of the IMF and World Bank, can be appropriated by them in its drive for neo-liberalism. The imperialist powers and their agents only fear popular mobilisation and protest if it cannot be contained and/or diverted to threaten particularly corrupt or ‘intransigent’ governments that refuse to implement programmes of economic liberalisation or challenge the ‘new world order’ (e.g. Iraq, North Korea, Iran, Cuba). Only when they demand real alternatives and broad-based democratic development are popular protest and political resistance threatening. Local governments can usually be relied on to suppress such radical movements of their own accord, supported where necessary by their Western patrons.

Abrahamsen correctly identifies the liberalisation of African economies as a crucial constraint on the strengthening of democracy, rather than as a pre-requisite for it (2000:135-6). Nevertheless, the liberalisation she describes has had a contradictory effect. While ‘democracy’ weakened the capacity of states to control oppositional political movements, economic liberalism directly generated the resistance that has given rise to many of the ‘democratic transitions’. Among activists (students and trade unionists) it created what many have criticised as ‘bread and butter’ unionism, but which has the capacity to extend beyond immediate issues and take up broader political matters.

‘A Third Wave’? Protest & Resistance in the 21st Century

Global dissent framed explicitly as ‘anti-capitalism’ is a very recent phenomenon, even though it has its roots in earlier waves of protests across the world against the restructuring of the world economy. Increasingly, popular protest and dissent is not merely national and ‘international’ (in the sense of occurring in many places simultaneously across the world) but transnational and potentially global. As the process of ‘globalisation’ continues to dissolve and break apart the flimsy structures of national capitalism in favour of global capital and its agents and parasites, the popular classes have resisted this process.

Popular protest against illegitimate and undemocratic regimes, and against anti-social policies, continues to take place. Whilst ‘bread riots’ and forms of protest reminiscent of the ‘first wave’ (of the 1970s and 80s) continue to erupt, there is still unfinished business as regards the replacement of illegitimate regimes in many countries. The establishment of more representative governments is still likely to represent the immediate objective of popular movements in Africa, Asia and Latin
America, as it did in the ‘second wave’ of the 1990s. But there is now emerging a cluster of movements and groupings which are explicitly – ideologically and politically – linked to similar movements of protest elsewhere in the world and which draw strength and vitality from international links to form the beginnings of a truly global movement of dissent against the dominant form of global capitalism – specifically US and more generally ‘Western’ imperialism.

This is happening in many parts of Africa. In North Africa, popular movements of opposition now largely identify with one or other of various Islamist tendencies – some of them (takfirists and salafists) taking extreme positions both with regard to local regimes and to the ‘globalisation’ project of ‘Western imperialism’ (which is characterised as a new form of ‘crusaderism’, mixing aggressive religious interventionism, ‘Western’ cultural values and unrestrained capitalism) but all of them espousing an ‘alternative’ and ‘authentic’ path of development compatible with local values and objectives. Many of the Islamist groups and networks operate internationally and at least one, Al Qa’ida, operates globally – representing itself, rightly or wrongly, as the vehicle for an alternative ‘new world order’.

Perhaps the most novel developments in political protest on the continent are taking place in South Africa. Although largely in the form of urban community-based protest movements, over the last few years a new generation has emerged in the struggle against the government’s essentially neo-liberal agenda. In Johannesburg, relatively disparate ‘actions’ have fallen under the organising umbrella of the Anti-Privatisation Forum. Most notable of these is the Soweto Electricity Crisis Committee that has campaigned successfully against disconnections by the electricity supplier, Eskom, that were occurring at a rate of 20,000 per month in 2001 (Ngwane, 2003). Actions include marches, meetings and sit-ins as well as the ‘illegal’ reconnection of electricity by militants of the SECC. The Anti-Eviction Campaign in Cape Town tells a similar story. Activists have fought against evictions by forcibly ‘reoccupying’ the homes of evicted families, after they were ‘right-sized’ into smaller dwellings.

A new generation of activists and militants has emerged together with these ‘new social movements’, many of them identifying explicitly with the ‘anti-capitalist’ movement in the north and elsewhere in the south. Nevertheless vital questions remain over the organising capacity of the ‘working class’ in South Africa. Desai and Pithouse (2003:25) make a familiar argument:

> in a context where full-time employment is part of the everyday life of just one third of the African labour force, and with unemployment estimated as high as 45% … the forms of solidarity that had once translated insertion in waged employment into popular expectations for citizenship and democracy are facing a slow and dramatic decline.

Some activists of the Anti-Eviction Campaign eschew ‘leadership’ and advocate direct democracy. Ngwane (2003:14) summarises the main objections:

> My concern is … that the ideology of no leadership means, by default, the principle of ‘self-selection’ and thus encourages a lack of accountability. There is also the danger of some social movements ‘drowning in their own militancy’ because of the failure or the refusal to develop long-term political projects in favour of immediate short-term militant actions.

These debates reflect both the realities of South Africa’s political transition since the end of apartheid in 1994 and also, crucially, linkages being made with the language and debates of ‘the anti-capitalism movement’ internationally. The counter conference and popular demonstrations explicitly identifying with global movements
which was organised around the United Nations World Summit on Sustainable Development (2002) could be seen as southern Africa’s Seattle. However, the extent to which these new South African ‘social movements’ express an opening for the renewal of social protest across the African continent is debatable. So far they have been extremely ephemeral, and they have failed to evolve into a serious and systematic political opposition. This is partially explained by the low level of trade union activity in South Africa (strike levels have been very low), whilst the ideological confusion and divisions within the left have prevented groups who animate these ‘movements’ from engaging critically with the ANC and COSATU. And in South Africa, as elsewhere across the continent, there are contending traditions of resistance and protest, notably those which make use of religious commitment and community to engage in organised and orchestrated violent action, sometimes explicitly subversive and terrorist, which have demonstrated their vitality/virulence over the last decade.

One of the most positive developments in the last two years has been the emergence of the Zimbabwe Social Forum. In 2004 the event was not simply an NGO jamboree, but included many activists who made direct links between their struggles and the international anti-globalisation movement. Sessions were held on AIDS, debt, youth politics and local government. A publication produced after the event – *Zim Forum Speaks* (2004) – makes these connections clear:

> The ZSF was able to claim space for deeper solidarity and push the Zimbabwean civic movement towards a more definite struggle against social, economic and political injustice.
> The active participation by more than a thousand activists visibly enriched the motivation and confidence among those groups.

Perhaps Sachikonye (2004) is mistaken to see anti-globalisation on the continent limited to just a few NGOs and other groups.

**Conclusion**

Though a ‘third wave’ of popular protest is yet clearly to emerge in Africa, the future success of social protest as the basis for far-reaching progressive social, economic and political change will depend on serious re-engagement by activists and political movements in Africa in both analysis and action at the grass roots. This will encompass both the practical and strategic needs of ordinary people and exploration with them/by them of new forms of active engagement in the determination of their own futures, as well as with the debates and discussions of the ‘anti-capitalist movement’ in its other manifestations. South Africa has demonstrated some of the ways that this dual engagement is possible.

In acknowledging the political significance of popular protest against particularly oppressive forms of capital accumulation in Africa, it is vital to recognise the reality not only of an African ‘working class’ – as an evolving and heterogeneous configuration of fractions and strata – but also the reality of class struggle, which has involved, over the last 25 years (Patel, 2002), a permanently fluctuating configuration of different elements of the popular classes combined on occasion with elements of the ‘middle classes’, including students, public sector workers and members of the petty bourgeoisie working in the informal economy. This constantly ‘shifting constellation’ of popular forces has often relied on the organisational capacity and political hegemony of the more ‘classical’ African working class, that has itself been
transformed along with the political economy of Africa but is by no means ‘defeated’ or rendered obsolete. In such a context, there is a synergy between ‘economic’ and ‘political’ struggles, and between ‘working class’ and ‘popular’ struggles.

Although questions remain about the pattern of resistance and the nature of working class struggles in Africa, we have a sense that the debates that preoccupied so many people in the 1980s and 1990s – about a new diffuse post-colonial identity that had displaced class, resistance and liberation – have finally been shown to be somewhat beside the point. As Callinicos writes, this is ‘less because of some decisive theoretical refutation of postmodernism (the most damaging philosophical critiques were produced during its heyday and seemed to have little effect on its influence) than because the world-wide rebellion against capitalist globalisation has changed the intellectual agenda’ (2003:13). Those who would promote that ‘world-wide rebellion’ can learn from the experience of protest and resistance in Africa, just as the African movements draw on experiences elsewhere across the world.

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Where Did All the Land Go? Enclosure & Social Struggle in Kivu (D.R.Congo)

Frank Van Acker

Kivu’s traditional patrimonial system revolved around the distribution of access rights to communally held land in return for rents that were redistributed through the system. The social capital embedded in this institutional framework was a public good. The introduction of a ‘modern’ land law in 1973 destroyed the social cohesion of that patrimonial system; it sanctioned efforts to capitalise and appropriate the full value of these rents. At the time of the law’s introduction, market mechanisms for factor markets including land, were not developed, so they had to be simulated. The core of this simulation consisted of exchanging social capital, built up in networks that involved political power-holders and state administrators, for assets. The social capital embedded in these networks was a ‘club good’ rather than a public good; both are non-rival in nature, but with a club good, unlike public goods, exclusion is workable. Its effect was therefore marginalisation and dispossession of those not belonging to the ‘club’, and the erosion of the existing social capital tied up in the traditional institutional framework by breaking the patterns of reciprocity and assurance featured in it. This evolution has contributed to a change of social structure and a crisis of legitimacy that increased social tensions and the potential for conflict. The customary leadership was able to cling to their positions by mobilising their clientele on an ethnic platform, conveniently using the issue of nationality: ‘foreigners’, especially the Banyarwanda and Banyamulenge, were accused of having unrightfully appropriated customary land and of having subverted the customary order.

Karl Marx once wrote that history always repeats itself, the first time as tragedy, the second time as farce. Zaïre in 1978 appeared an apt illustration of this aphorism, except the sequence was inverted; farce preceded tragedy (Young, 1978).

Two presidents and three decades of turmoil and intermittent hostilities later, these words could have been spoken yesterday. The war in eastern Congo has cost the lives of an estimated 3 of the 20 million civilians between 1998 and 2001, deaths more attributable to lack of food, clean water, medicine and shelter than to combat itself. In some districts around 75 per cent of children have died or will die before their second birthday (IRC, 2001; Washington Post, 30 April 2001).

Over a distance of 500 km, the Congolese provinces of North and South Kivu stretch along the borders of the Democratic Republic of Congo with the republics of Uganda,
Rwanda, and Burundi. These provinces consist of highlands and volcanoes to the East, and lowlands to the West, mirroring the conditions of the crowded and fertile highlands of Rwanda as well as those of the underpopulated Congo basin. For more than a decade now, the Kivu has been a notorious hotbed of problems and conflicts, where rebellious armies and peasant militia hold sway almost unhindered. This kind of turmoil is not new; as early as the 1920s, conflicts regularly erupted. Clearly, the particular location and history of the provinces are pertinent in looking for an explanation. The colonial history of the region is one of resettlement: Rwandan and Burundian peasants supplied labour to the large coffee and tea estates and cattle ranches in the Kivu highlands. After Congolese independence in 1960, the nature of the problem changed but not the predicament itself; peasants of neighbouring countries continued to flock to Kivu to escape the crowded conditions of their own homelands. Consequently, the biggest post-independence bone of contention in the Kivu is that of nationality which exploded with particular force in the run-up to the 1994 presidential elections in Zaire. In various political seesaw movements, nationality was granted to these immigrants and then repealed according to political convenience. Underlying this controversy, is the bigger and deeper issue of access to land.

This paper is not an attempt to unweave the complex tapestry of causes that led to Kivu’s current conflict. Nor is it an effort to situate Kivu’s erupting tensions in the regional political dynamics of the last decade. Regularly, the war is presented as the local extension of a wider regional and exogenous conflict, itself occasioned and conditioned by the aftermath of the 1994 Rwandan genocide. Such analysis has often eclipsed the endogenous elements of the conflict. It obscured somewhat the fact that Congo and Kivu had a tumultuous history long before the 1994 genocide and concealed these pre-1994 regional dynamics. Although the genocide undeniably was a watershed in many ways, the episode itself was embedded in the various political dynamics of the region. Indisputably, the evolution of Kivu’s pre-colonial frame of reference through the colonial and post-colonial history of Congo/Zaire has been equally significant in shaping Kivu’s volatile social context. Traditional patron-client ties, personalised connections, and state-sponsored extortion were mechanisms that ejected peasant families from their land into an economic void; this, apart from some mining activities, provided few livelihood opportunities for a growing population.

The paper aims to present an argument that brings forward those endogenous elements by way of a historic narrative: a reconstruction of the effects that the evolution of Congo’s political economy had on Kivu’s institutional framework. Considering that capital (economic as well as social) is an emanation of social relations, this paper’s argument marks out the reproduction of inequalities through the trajectory of changes in capital (composition and volume) over time. Specifically, the focus will be on land as the integrative factor of Kivu’s institutional framework. The commoditisation of land continued the historic process of land alienation inaugurated by the colonial state to serve the interests of rural capitalists: how did it contribute to a process of local struggle embedded in traditions of peasant uprising?

**Land & Social Structure**

A land tenure system consists of a set of institutions that structure the social organisation of space. In Kivu, as in many other places in Africa, its evolution is characterised by three elements. First, land is held in common by a group circumscribed by the boundaries of ethnicity, clan, or lineage. Second, no property
rights can be assigned beyond a simple use right (usus), thereby disabling the alienation of parts of the collective domain, even in cases where a family farmed a plot of land for generations. Third, land relations are the means to realise a system of dependent integration: land relations and social hierarchy mirror each other. To achieve the construction of social hierarchy and hence power relations, use rights (usus) do not entail full benefit rights (fructus) because of the appropriation of land rents as tribute. Tributes are redistributed upwards in an elaborate system of dependency that configures the collective management of economic uncertainty. In this worldview, clan or ethnic boundaries are ‘soft’: immigrants can obtain access to land as long as they also acquire the status of client which is tantamount to assimilation. Land is therefore a common good: actors cannot be excluded yet it is rival in use; a household cannot cultivate a plot already used by another. To understand the particularities in Kivu better, necessitates a closer look at the economic and political dimensions of the concept of kalinzi. I will then investigate the nature of social capital tied up in this particular system.

The best way to describe the contract of kalinzi is as a ‘structuring structure’ (Mugangu, 1997). Rather than a contract that legally establishes a property relation between an individual and a parcel of land, it is an institution that legitimises the whole social organisation by absorbing all persons within a given area into a network of dependent relations. This implies a tight social pyramid; at the top is the Mwami (plural: Bami) or king, followed in hierarchical order by the Barhambo (which could be described as lords), the Bashamuka (landed powers with responsibility for a hill), the Bagula (wise ‘pater familias’ with property), and the Bashizi (subjects without any political authority (Muheme, 1996).² In economic terms, the securing of a kalinzi requires an initial payment (called muganda) and an annual rent to be paid to the particular patron, in products (called isoko) as well as labour (burhabale). Table 1 gives an indication of the distribution of annual tenure rents in a specific locale in 1994 over the different levels of the customary hierarchy.

Annual payments may run as high as one fourth of the initial payment; however, several decades ago when land was abundant in highland Kivu, the kalinzi was free (Munzihirwa, 1978; Fairhead, 1991). This is consistent with the treatment of tribute as an economic rent that reflects the value of the land. With sufficient land for open access, there will be no rent or tribute.

Specific to the system of kalinzi, rents are paid as tribute by those working the land and recycled through the system (cf. Table 1). The basic principle is to avoid accumulation at the producer’s level beyond the needs for simple reproduction, but rather to redistribute the surplus to sustain the network of dependent relations. The

<table>
<thead>
<tr>
<th>Hierarchy</th>
<th>In</th>
<th>Out</th>
<th>Difference</th>
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<th>%</th>
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<tbody>
<tr>
<td>Mwami</td>
<td>12</td>
<td>0</td>
<td>12</td>
<td>9.16</td>
<td></td>
</tr>
<tr>
<td>Noblemen</td>
<td>63</td>
<td>12</td>
<td>51</td>
<td>38.93</td>
<td></td>
</tr>
<tr>
<td>Underlords</td>
<td>87</td>
<td>63</td>
<td>24</td>
<td>18.32</td>
<td></td>
</tr>
<tr>
<td>Intermediary</td>
<td>110</td>
<td>87</td>
<td>23</td>
<td>17.56</td>
<td></td>
</tr>
<tr>
<td>Large farmers</td>
<td>131</td>
<td>110</td>
<td>21</td>
<td>16.03</td>
<td></td>
</tr>
<tr>
<td>Peasants</td>
<td>0</td>
<td>131</td>
<td>-131</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

Source: Tsongo, 1994:100
result is a complex structure of rights where nobody has complete property rights, but few – if any – have no rights at all. For a peasant family, the system trades social integration and hence security for loyalty and tribute to the mwami who receives power in exchange for granting non-alienable use rights over the customary domain. Nevertheless, the system was not feudal in the sense of social immobility; it allowed social mobility in return for the expansion of the collective domain. By clearing virgin land or forest, a man could extend the collective domain while gaining use rights to the cleared land. To the extent that use right were further divisible, they allowed him to exact tribute, propelling him higher into the hierarchy as the head of a new lineage (mugula). Also, immigrants could obtain access to land as long as they also acquired the status of client. This underscores the basic nature of land as a common good; no social actor can be refused the right to access and use land, as long as they respect the principle that ensures social integration.

Since land is the integrative focus of social relations, this aspect of non-excludability also defines the social capital set in these patrimonial relations. Social capital can be described as the level of generalised trust and adherence to norms of reciprocity, embedded in the way institutions shape and constrain social interaction. Anyone can become a client, and therefore anyone can benefit from the patterns of reciprocity locked in these patrimonial networks: tribute and expansion of the collective domain versus integration, security, and social mobility. How much tribute and security to give or receive depends on the position in the hierarchy. On the other hand, the reciprocity embedded in the kalinzi is non-rival. Security, which can mean many different things such as freedom from physical attack and sorcery, access to the royal food stocks in case of famine and other measures to cope with adversity, a fair hearing in a customary court etc., can be extended to many social actors simultaneously. In general therefore, the social capital embedded in the system could be defined as a public good.

In Table 2, all elements have been pulled together in a summary using the terminology developed by Ostrom (1994). Collective-choice rules determine three sets of rules: boundary rules that define which social actors have access; authority rules that define the conditions of access (where and when, using which tools, to extract what and how much of it); enforcement rules that define how compliance shall

<table>
<thead>
<tr>
<th>Table 2: Rules Governing Customary Land Use Rights in Kivu</th>
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<tbody>
<tr>
<td><strong>Boundary</strong></td>
</tr>
<tr>
<td>Access for all via kalinzi</td>
</tr>
<tr>
<td>Access increasingly ethnically defined</td>
</tr>
<tr>
<td><strong>Authority: assignment</strong></td>
</tr>
<tr>
<td>Hereditary use rights on specific plot; Kalinzi for hereditary use rights renegotiated (tribute) or withdrawn for sale of land; free pasture rights replaced by bwasa</td>
</tr>
<tr>
<td><strong>Authority: technology</strong></td>
</tr>
<tr>
<td>Actors free to choose</td>
</tr>
<tr>
<td>Actors free to choose</td>
</tr>
<tr>
<td><strong>Authority: appropriation</strong></td>
</tr>
<tr>
<td>No limits set</td>
</tr>
<tr>
<td>No limits set</td>
</tr>
<tr>
<td><strong>Enforcement</strong></td>
</tr>
<tr>
<td>Customary structures and court</td>
</tr>
<tr>
<td>Legitimacy conflict: continuity of customary set-up not sanctioned by principle defined by land law of 1973</td>
</tr>
</tbody>
</table>

*Source: Ostrom, 1994.*
be monitored and enforced. These rules govern the distribution of land use rights. The table presents the situation before as well as after 1973, a watershed year.

‘Enclosure’ & the Rival Nature of Land
The traditional system hinged on the premise that land reserves were sufficient to extend the collective domain in step with population growth. A number of factors undercut this customary logic.

Population Growth & Migration
The rival nature of the common resource became more pronounced with population growth. The Kivu held a unique position regarding population growth: looking westward, its highlands were among the most densely populated parts of Congo/Zaire; looking east they constituted the less populated part of a region where population pressure habitually exceeds 450 persons/km² (Adisa, 1996). On top of an already high natural growth rate of 3.1 per cent in the Kivu itself, this occasioned the influx of large numbers of Rwandan and Burundian immigrants (World Bank, 1994). During the colonial era, the immigration flux was actively encouraged by policy measures. The independence of Congo did not put a stop to it. Large numbers of Rwandans and Burundians continued to migrate to Congo (Zaire), either to escape the economic conditions of their homelands, or to escape the many waves of political violence and persecution. The effects were pronounced: in the late 1980s in the DRC as a whole, 13.4 per cent of the population lived in areas with a density higher than 100 inhabitants/km², as against 49 per cent in the Kivu provinces (De Saint-Moulin, 1995). The latter figure certainly underestimates the actual population density in the highlands: it includes the sparsely populated western lowland parts of Kivu, and large uninhabited areas in highland Kivu (national parks and forest reserves). To wit, in 1983 the ‘collectivity’ of Kabare in South Kivu had a population density of 535 persons/km². Within it the ‘groupement’ of Ikonde, with a stunning 600 persons/km², had the highest density of (then) Zaire (Dupriez, 1987).

Politics & the Commons
Limiting the accessibility of land took place in two distinct steps. In a first instance, the Belgian colonial administration established limits and pushed back the extent of customary land. It confiscated land to establish national parks and anti-erosion forests. It also introduced a system of land registration and private ownership to establish a diversified plantation agriculture that was basically cash crop and export-oriented. To achieve this, it introduced a dual system of property rights by declaring all vacant land, that is all land not actually occupied on a customary basis, property of the colonial state. This particular system recognised, within bounds, the legitimacy of the locally evolved land tenure system, but also defined a limit to the further expansion of customary lands through ‘declarations of vacancy’. It therefore subverted the very principle of the social cohesion in place, the customary right to land; non-occupied land was not simply vacant but rather the basis for collective security and social mobility. Essentially, this colonial intervention introduced a normative duality in the social meaning of land: in the villages, land possession defined a social relation; on plantations, land possession ascribed alienable property rights. The ‘Comite National du Kivu’, a chartered company created in 1928 to convert ‘vacant lands’ into protected parks and plantations, was a necessary tool for implementing the white settlement scheme. By 1935 more than 200,000 ha had been
expropriated and turned into state domain, frequently on the basis of false statements of vacancy by customary chiefs (Fairhead, 1989). To add insult to injury, the colonial authorities proceeded to carve out autonomous *chefferies* for transplanted Banyarwanda chiefs in areas normally under Hunde jurisdiction, such as Masisi and Rutshuru (Lemarchand, 1998).

A new land law soon superseded these events. In 1973, Mobutu introduced a law which declared all land property of the state, whether vacant or occupied, no matter the type of occupation. Under this law, land could only be extracted from state possession through an administrative procedure that involved registration and cadastration. The 1973 law provided a powerful instrument to transform Kivu’s social structure. It discarded customary law in land transactions as a legitimate source of land rights, without according any legal status to lands thus occupied. Hence, it institutionalised uncertainty by throwing out the notion of diffuse property rights, and introduced the conditions for the formation of a class of landless people. Also, the law created the possibility to turn economic assets into political ones that could be used to reward loyal clients of the state, and vice versa – to transform social connections into economic assets.

The customary lands could now be expropriated by administrative procedure, as well as the de facto nationalised concessions previously awarded by the colonial authorities to colonial planters. In terms of rent, the ‘enclosure’ limited the dissipation of rents by limiting open access to ‘frontier land’. This helped *proteges* to shield their capital reserves from Zaire’s long-winding economic downturn and galloping hyperinflation; land in highland Kivu appeared as an attractive investment with a potential for later speculation (Tsongo, 1994). Also, when there was a promise of democratic elections in the late 1980s, politicians awoke to the need to establish a rural presence in order to rally voters.

**The Emergence of a New Economic Class**

The liberalisation of gold mining in 1982 in Kivu’s hinterlands had a definite effect on the social structure; it created a class of people that depended on the market for their subsistence needs. Numerous youngsters were prepared to test their luck, so that a migrant commerce developed between mining areas and the border towns where gold and other goods transited to international markets. The population of Uvira in South Kivu for example had one of the highest growth rates of Zaire: 124 per cent between 1970 and 1984 as against 19 per cent for neighbouring Bukavu in the same period (Bruneau, 1995). The proximity of Kivu to densely populated urban centres in Rwanda and Burundi emphasised these effects. Commodity markets were no novelty in 1982. Yet, the expansion of a market for food crops, besides the one for cash crops (coffee, tea), improved the terms of trade of the peasants. Products commanded higher prices, while the subsistence nature of the inputs (family labour, simple technology, absence of capital) kept the production costs low. From 1994 to 1996, the Rwandan refugee camps created a similar effect. In essence, the difference reflected the increasing premium (factor price) of land.

**Emergence & Capture of Quasi- rents**

The effect of quasi-rents contributed to the momentum driving the dispossession of Kivu’s peasants. A change in opportunity costs induces a short-term scarcity in the supply of an inelastic production factor, such as land which in turn creates quasi-
rents which are only available in the short term. Any extra gain will eventually be bid away by the market since the total quantity of land would still be supplied whatever the price. Quasi-rents are comparable to a ‘bubble’ in a modern market, e.g. Japan’s real estate market in the early nineties. In Kivu, the interest of new social actors to grow crops for the urban and export markets created quasi-rents. Peasants aim to minimise uncertainty rather than maximise yields; this means maximising labour rather than land productivity, and sustaining food security rather than maximising income.

The opportunity costs mirrored the income differential which a given unit of land could have yielded in an alternative farming system, the difference between ‘subsistence’ and ‘modern’ farming systems. The value of a piece of land would reflect a productivity differential per unit of land as measured by income, between ‘modern’ cultivation and ‘customary’ occupation, assuming that the producers of the land under customary occupation engage in subsistence. Or else the opportunity costs mirrored the income differential which a given unit of land could have yielded in an alternative use within a given farming system – market vs. food crops; for example, the potential income lost cultivating a bulky slow-maturing crop with low added value such as cassava close to a rapidly expanding urban market, instead of a fast-maturing product with high added value such as green leaf vegetables. Shifting land from the customary to the modern domain created the opportunity to appropriate these quasi-rents.

All three factors (social, political, and economic) strengthened a particular train of events: the rival nature of land became more pronounced and its value increased due to the increasing population density, the enclosure of ‘frontier land’, and the emergence of new markets for cash and food crops. To maintain the customary fiscal logic of social redistribution, tributes (rents) increased to reflect the higher intrinsic value of land. This necessitated the re-negotiation of customary contracts; new and old social actors appropriated the full value of these rents using the 1973 land law.

The new situation was characterised on the demand side by a land-hungry modern class looking to exploit market opportunities, protect their wealth from inflation, or satisfy political needs; on the supply side, by an existing pool of land largely under customary occupation. In principle, all rural land was public and could be privatised by an administrative procedure. In practice, all land was either in the customary domain under hereditary social contracts, or assigned under colonial law as a plantation or forest reserve. These modes heavily limited the benefit and transaction rights associated to them.

In implementing the 1973 law, it was more practical to revoke the legitimacy of former colonial allocations by nationalising the plantations, than it was to refute the socially embedded legitimacy of customary allocations. North pointed out that informal norms have a high degree of continuity: antecedent institutions operate to reduce uncertainty in a period of transition (North, 1990). However, the interplay that ‘funneled’ land informally from the customary to the ‘modern’ domain and then endorsed the transfer by state administrative procedures (e.g. registration), allowed interested actors to obtain land freed from customary encumbrances. The process also allowed the appropriation of quasi-rents. At the centre of these dynamics were
the chiefs; they combined their role as traditional custodians of the customary domain with important positions in the administration and party hierarchy and could use both grounds to claim authority and secure compliance.

The Dynamics of Alienation of Land

Social Capital & the Transformation of Social Structure

In a context where the markets for labour and capital were far from perfect and the transformation of the property structure could not be powered from private domestic savings or rural credit, the introduction of the new land law created a necessary but insufficient condition to create a factor market for land, in a context where the factor markets for labour and capital were far from perfect. The transformation of the property structure could not be powered from private domestic savings or rural credit. The social system had inhibited peasants and plantation labourers to accumulate a surplus, and rural credit was not available. Foreign investments were not going to fill the gap created by Zaire’s history of opportunist nationalisations. Hence, the dynamics of a factor market for land could only be simulated by converting social capital directly or indirectly into property rights. Kivu’s institutional transformation mediated access to land directly in function of non-capitalist social relations, and indirectly by creating unequal opportunities to exercise market power.

To analyse these dynamics, I will rely on Bourdieu’s appreciation of the forms of capital and his concerns with the mechanisms of accumulation, conversion, and reproduction of inequalities (Bourdieu, 1986). The central idea of social capital theory is that the nature and quality of social relations have a definite effect on economic perspectives. Coleman defines social capital as ‘… any aspect of informal social organization that constitutes a productive resource for one or more actors’ (Coleman, 1994); social capital can function at the micro-level (individual or household) as a productive asset in a particular income function, and at an aggregate level as a social resource with an independent impact on all incomes.

This vision recognises the features of social structure, and the potential of agency to navigate that structure. Bourdieu was among the first to analyse the importance of social connections as a crucial and separate influence on individual incomes. Contacts in social networks allowed mobilising resources, information, and solidarity transfers. This can be portrayed as the involvement in networks throughout which access to assets and opportunities is spread out. Social capital consists of all actual or potential resources linked to possession of a durable network of more or less institutionalised relationships of mutual acquaintance or recognition. It is a personal asset that provides tangible benefits to those better connected. For Bourdieu, in a fast-developing dynamic, the power over classificatory schemes and systems is at stake in the struggle over the meaning of the social world; they are the basis of the representation of groups and therefore of their mobilisation and demobilisation (Bourdieu, 1984). I have argued that these classificatory schemes in Kivu were the ‘structuring structure’ of the kalinzi, and the modern land law which enables alienation of all land through state-sanctioned administrative procedures.
Given that the institutional set-up determines the utility of the various forms of capital, previously amassed social capital endowments determine the social outcome. The normative shift under the 1973 law disqualified the patron-client type reciprocity of the customary networks. Rather, it introduced a new principle of stratification and elite-formation that stressed alliances of state patronage. The land market was to be established by administrative procedures of registration and cadastration of public land; hence, gaining access to land required access to the state and its administrative procedures. Closeness to the state, a fortiori closeness to president Mobutu, created the conditions that allowed economic prominence.

Social Capital: Public or Club Good?
The various networks described can be considered as ‘exclusive clubs’, and the norms of reciprocity or social capital embedded in them as a club good. The characteristics of a club good are its non-rival nature and the possibility of exclusion. The mutual favours (reciprocity) extended over the network of state patronage are generally non-rival. An army commander can extend selective protection, a judge can ensure the favourable outcome of litigation, or an extension worker can impose forced labour on villagers to cultivate the fields of a friend. Rendering these services to one person does not subtract from the consumption opportunities of another. However, some favours extended may be rival: a piece of land sold to one party cannot be sold to another.

An exclusive club is a voluntary but restricted group that derives mutual benefits from sharing goods characterised by excludable benefits. The logic of the whole system revolved around the exclusion and plundering of the peasants, to whose detriment the new land law was used to simulate the conditions of a factor market for land. If tolerated to hang on to their land, they were only just allowed the necessary means for bare reproduction. As Dupriez writes:

> the example of customary feudalism … has been emulated by state institutions, entrepreneurs and agro-commercial firms and certain churches. Anyone who holds the least bit of power seizes the right to demand free labor and impose taxes, penalties, and tribute … The state administrators are the worst (and) any state representative in the rural areas plays the role of ‘bad cop’… Of all this, nothing returns to the peasants (and) the whole system that weighs on him follows the logic of plunder (Dupriez, 1987).

The quote highlights the peasants’ exclusion from access to goods and services provided by the state, but also more fundamentally, from protection from arbitrariness. The arbitrary taxation of peasants in terms of cash, produce, or labour adds up to the creation of value to sustain social exchange in these networks. In general, the conditions of the collapse of the Zairian economy and the non-payment of wages led to a predatory state; any public service took on the aspect of a private sale that benefited the officeholder. If the good or service was public and/or non-rival, introducing exclusion and rivalry in its delivery made it trafficable. For example, only the schoolchildren that contributed to the teacher’s salary benefited from education. Even the lowliest of administrators acquired some social ‘currency’ by looting the surplus of the peasants and coercing them into providing free labour; this could skillfully be exchanged throughout state patronage networks to obtain another product or service. The benefits of club membership were double: the
possibility to obtain and exchange social currency; to realise economies of scale in obtaining publicly provided goods or services by lowering the transaction costs involved.

Two ‘Clubs’: the Large & Small Acquéreurs
The analysis distinguishes between two types of exclusive clubs: a predatory politico-commercial class and a ‘sub-bourgeoisie’. The boundaries between these and the degree of exclusiveness are sharply drawn by the competence of authorities to decide on land registration requests. Above 100 ha, the (political) decision required authorisation by the president or competent minister. Inclusion into this ‘club’ required access to the inner circle of state power. This group benefited from the distribution of nationalised plantations, and from politically influenced procedures of reclassification of forest reserves and other types of state land. Under 100 ha, which concerned mostly cases of registration of village land, the procedure remained in the hands of the local administration (Mugangu, 1997). To this ‘club’ belonged an amalgam of new Congolese entrepreneurs, administrators and state employees of all kinds, and the traditional chiefs, with the power to call forth the repressive power of the state as a criterion for inclusion. Social capital built up in these broader circles of state patronage was used to acquire positions that allowed influencing the decision process on land allocations, or accumulating the necessary cash to purchase land. Who were the ‘players’ in these clubs?

The Large ‘Acquéreurs’
The ‘exclusive’ type of club revolved around the pinnacle of the Zairean state. The term best used to describe its ‘members’ would be acquéreur (literally, acquirer). Initially, it was an administrative term for a politically connected individual who acquired ownership of a foreign business in the nationalisation process of 1973. Public usage rapidly transformed acquéreur into a synonym for a member of the ruling clique and degenerated into a soubriquet children yelled whenever a Mercedes drove by. In Young’s words, ‘in the metamorphosis from évoluté to acquéreur, social respect was transformed into class conflict’ (Young & Turner, 1985). From the very beginning, Mobutu based his political strategy on a network of patronage maintained by a high rate of pay-outs. The zairization and the land law of 1973 show that he managed to do so by constantly converting economic assets into a stock of political resources for distribution against political loyalty.

In North Kivu, migrants of Rwandan descent that obtained the Zairian nationality under the 1972 law on nationality (later repealed) were Mobutu’s staunchest political allies at the time. These Banyarwanda consequently became the main political beneficiaries of the zairization. In North Kivu’s fertile highland areas of Masisi and Rutshuru, they acquired more than 90 per cent of the colonial plantations and some of the biggest ranches. The biggest of all, the Osso ranch, went to Bisengimana Rwema, Mobutu’s chief of staff at that time (Mararo, 1997). Clearly, these circumstances created the necessary momentum to foment the intense ethnic conflicts of 1993 in Masisi and Rutshuru, well before the Rwandan genocide.

Overall, this process of direct state patronage contained the seeds of its own undoing: clients had to be regularly stripped of their privileges to prevent their political ascendance from culminating in a direct leadership challenge, while new ones filled the void. This costly ‘recycling’ of the patronage network presented a conundrum: how to continue asserting authority amidst declining resources. For example, from
1958-1993 the population of Zaire soared from 15 to 42 million inhabitants, while
the production per capita shrank 65 per cent from $377 in 1957 to $117 in 1993. Estimates are that between 1988 and 1993, the GIP per capita contracted by 11.7 per cent annually (Devey, 1997).

The New Local Bourgeoisie

Obviously, access to these high spheres of patronage was hard to come by. In
addition, the number of nationalised plantations to hand out was evidently finite. Finally, these lands had been out of the customary realm since colonial times. Hence, the more important process for this analysis is the one in which communally held land was steadily privatised. The beneficiaries were not members of the predatory politico-commercial class, but of a new economic class unconnected to the high political authorities, relatively uneducated, consisting of lower-level civil servants, military, and traders who amassed capital through commercial activities. Far from the capital, in Kivu for instance, this class was sometimes strong enough to replace the state as the provider of infrastructure. In the case of Kivu, they maintained strong connections with the much closer capitals of Congo’s eastern neighbours.

From a survey of Luhoto (North Kivu) in the early nineties, the state administration were awarding an average concession of 12 ha whereas concessions that were pried loose via the customary authorities averaged a mere 1.88 ha (Tsongo, 1994). The dynamics of this process necessitated close cooperation between modern administrative and customary authorities. The administrative authority sanctioned to deal with the land allocations under the provisions of the 1973 laws was clearly defined, but in practice powerless; it was limited to a few city-based upper echelons and needed the intervention of other administrative authorities with a wider reach. Specifically the paramount role and reach of the customary land custodians – the chief or Mwami – needs to be highlighted.

The mwami was in a unique position to mediate interaction over the boundaries of the normative duality introduced in 1973, occupying a cardinal role in both networks of customary and state patronage. Mobutu underlined this paramount importance of the chiefs by allowing judicial, administrative, and political power to be united in their persons. The colonial system gave the Bami the authority of president of the customary courts; Mobutu integrated these positions in the judicial set-up of the modern Zairian state. As chef de collectivité, the chiefs became an official element in the administrative chain of command from the capital to the rural areas; they also became presidents of Mobutu’s single party in these very collectives. As administrative heads of the collectives they could officially declare vacant any village land they pleased, then preside over the hearings on ensuing land allocation disputes in the customary courts.

As mentioned, land is the most important exception to the non-rival nature of goods and services traded in the ‘clubs’. Land is a ‘positional’ good; to acquire it, queues of interested purchasers will form. All of these interested purchasers will be forced to invest social ‘currency’ for lobbying (e.g. currying favour with the Bami); ultimately, this will not affect the outcome but simply their rank in the queue. Being so solicited and centrally placed, the Bami were in an excellent position to capture the lion’s share of rents.
Transition & the Utility of Social Capital: the Role of the Bami

To create opportunities for administrative authorities to establish titles on customary land, the Bami had to uproot the integrity of the customary land allocation system. This meant weakening the customary land use rights of farmers in general, and privatising marshlands and forests that resorted under the customary authorities.

Weakening of the customary land use rights of farmers implied either offering more uncertain land contracts to new applications for land use, or disputing former appropriations and invoking a ‘right of return’ (droit de reprise). The chiefs could achieve the latter in different ways, all of which could bring the user to stand accused of illegal occupation of the land under article 207 of the 1973 land law. First, by questioning the initial amount paid for the kalinzi: the right to land use under a contract of kalinzi is established in the presence of a number of traditional witnesses (Baganda). Given the hereditary nature of this right, quite often the witnesses to this initial transaction – especially in long-established areas which are also often the most productive – are deceased. In case the repeal of a kalinzi is brought to court in the absence of these witnesses, the judge may act on the basis of what could be called ‘deep conviction’ (intime conviction). A second way of disputing former appropriations is to cast doubt on the allegiance of the particular user by questioning the regularity or amount of rents paid. Any failure to pay the isoko or burhabale would amount to ‘customary treason’, allowing the customary authorities to seize the land.

Finally, the chef could use his authority to deliver (false) statements of vacancy. In these cases the population was unaware of any administrative steps, until the end of a 2-year expiration period when the title would be legally ‘unassailable’ in court. Land could be declared vacant and registered without the knowledge of the occupants, and nothing would happen until two years later when the new owners would move to occupy their ‘property’. The conflict that took place in Katana (Kabare, South Kivu) in 1989 is but one example of the pattern of interaction of different agents and practices (Mapatano, 1995). The Mwami-Kazi (wife of the defunct Mwami) registered under her name several hectares of land belonging to villagers, denying them the contract of kalinzi awarded in the past, simply acting as if their lands were vacant. The Youth Mutuality of Kabaguzi opposed these practices, only to see its members imprisoned with the complicity of the Zonal Commissioner of Kabare (the highest administrative officer in the Zone). These lands were then sold to different planters, who were finally unable to exploit the land because of the threat of violence from the villagers.

A second way to uproot the integrity of the customary land allocation system consisted of privatising marshland and gallery forests. On these lands (forested hillsides, swampy valley-bottoms) tradition barred establishment of hereditary use rights. These ‘commons proper’ fulfilled special functions: specific rights such as pasture or firewood collection were traditionally attached to the attribution of a kalinzi on the top of a hill. Also, at the discretion of the chief these lands could be given to villagers under a customary contract of Obuhashe. This is a kind of public service in which marshland is made available at no cost for the duration of a single season. Obuhashe could be used to temporarily accommodate newcomers or villagers who had suffered a particular spell of bad fortune. The pressure to take these areas out of the commons increased in step with their potential market value, itself basically determined by the extent of improvement or drainage.
To realise the fiscal potential of these areas depended on the successful dissociation of the customary use rights from the contract of *kalinzi*, to attribute them preferably by a contract of *bwasa* or sell them. *Bwasa* is a short term contract of land rent, usually for the time of one particular season that comes unattached with any of the patriarchal strings typical for a *kalinzi* arrangement. Payment is based on the assumed fertility of the soil, topped up by a share of the surplus (*ntumulo*) (Masson, 1966; Muheme, 1996). Given its short-term nature, the rents levied could follow much more closely the market value of the land. The method used by the *chef* to initialise the privatisation was simply to declare these lands vacant. Here an example from South Kivu may convey the essence of the institutional shift: farmers voluntarily drained 100 ha of marshland in N’kombo (collectivity of Kaziba, zone of Kabare, South Kivu), which took three years (1986-1989). After the lapse of the expiration period of two years, during which the farmers had started exploiting the land, it turned out that the *Mwami* Na’kaziba had sold the lands to the multinational Pharmakina to grow tobacco (Mapatano, 1995).

Predictably, the result of all this was a transformed landscape of rural production relations. The rents inherent in a system that separates use rights from benefit rights no longer lubricated the cohesion of the system of dependent integration; rather, rents were extracted and appropriated by divesting the peasants. New social actors came on the scene: a newly created class of Congolese rural capitalists besides the agricultural multinationals, the traditional landlords (*Barhambo* and *Bashamuka*), and the peasants. Table 3 presents these effects on the basis of a sample survey in North Kivu. Certainly, it is but a snapshot of one particular small location, and hence does not allow jumping to general conclusions. In the absence of data given Zaire’s notoriously bad (or absent) statistics, it does however provide an illustration of the dynamics occasioned by the introduction of the new land law.

The table shows how in this particular location, 66 per cent of the land (114.7 ha) remained under the control of ‘traditional holders’, while the rest came under control of the ‘new’ social actors. A relatively small amount of land (1.8 ha) came into the hands of what could be considered ‘modern capitalist entrepreneurs’, compared to the 48 ha (27 per cent) acquired by various state personnel. Overall, in the traditional sector (*mwami*, landlords, peasants) the land controlled exceeds land used by approximately 10 ha. This matches the shortfall of 10 ha of ‘land controlled’ vs. ‘land used’ in the modern sector. So a triple dynamics appears: (1) the traditional sector divests land (59 ha) in favour of the modern sector, particularly state administrators (48 ha); (2) within the modern sector patterns of inequality, dependency, and patronage have been replicated between ‘owners’ and ‘users’, notably state

<table>
<thead>
<tr>
<th>Table 3: Use vs. Control of Land Groupement</th>
<th>Luhotu, Baswagha (North Kivu) 1991</th>
</tr>
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<tbody>
<tr>
<td>Land controlled (ha)</td>
<td>Land used (ha)</td>
</tr>
<tr>
<td><em>Mwami</em></td>
<td>52.60</td>
</tr>
<tr>
<td>Landlords</td>
<td>54.75</td>
</tr>
<tr>
<td>Peasants</td>
<td>7.40</td>
</tr>
<tr>
<td>State administrators &amp; military officers</td>
<td>48.00</td>
</tr>
<tr>
<td>Entrepreneurs</td>
<td>1.79</td>
</tr>
<tr>
<td>Employees of large companies</td>
<td>9.10</td>
</tr>
<tr>
<td>Total</td>
<td>173.64</td>
</tr>
</tbody>
</table>

Source: Based on Tsongo (1984), tables 31 & 32.
administrators and small-scale entrepreneurs; and (3) the ‘surplus’ of land in the
traditional sector plugs the shortfall of the land needed in the modern sector; given
the previously described mechanisms, this can only be a measure of the degree of
further pauperisation of peasants.

The Effects on Social Structure
I have argued that changing patterns of inequality and the dispossession of rural
producers are a function of the commodification of land; i.e. the introduction of a
factor market for land, and with it the emergence of new participants in Kivu’s local
economy. Certainly, besides suffering land losses, the universal predatory nature of
the state visibly impoverished small rural producers and contributed to the
increasing inequality. In Mobutu’s Zaire, resources were earmarked first for the
urban population. Rural infrastructure deteriorated to an unprecedented extent. The
road network was so bad that in many areas crops were left to rot at collection
depots. The breakdown in state services did not mean a corresponding decrease in
state exactions. Economic policies depressed the price of foodstuffs as well as cash
crops, burdening rural producers and favouring urban populations, middlemen,
and state marketing organs. Coercion was applied through hectarage quotas for
specified crops, taxation of rural producers either directly, through fines, or through
the many illegal extortions imposed by government agents.

To enable the factor market for land and new actors associated with it to emerge,
access to state resources was a prerequisite to deconstruct the use rights granted to
peasants in the customary collective domain. I will now link these elements to a
number of effects that conditioned the eruption of conflicts. The analysis looks
separately at the effects on land, risk management and the labour market, and the
effects on social capital. A new, or rather latent, element emerged: ethnicity.

Effects of Land, Risk Management & the Labour Market
Tracts of underutilised and extensively used land in the ‘modern’ agricultural sector
existed alongside a subsistence agricultural sector under duress. The stress
indicators were the degradation of food security and the expansion of a labour pool
that could not be integrated economically into the agricultural sector, or socially into
customary society.

The movement from subsistence to a ‘modern’ entrepreneurial agriculture free from
customary encumbrances apparently signaled an intensification of agriculture, with
farming systems that employ yield-enhancing inputs and technologies and profit
from scale economies of production. The same intensification could be expected with
subsistence agriculture as the population density increased. However the picture is
mixed: Mobutu cronies transformed many of the declassified forest reserves into
ranches. In North Kivu for example, the Hunde customary authorities (with the
complicity of the Provincial Land Services) sold the vast forest reserves of Rwamikeri
and Nyarunaba to Banyarwanda, who converted them into ranches (Mararo,
1997:528). In addition, plantation areas remained underused. A land use study
surveyed 10,273 ha of plantation land in highland Bushi (a part of South Kivu) in
1984: only 7,813 ha were used for plantation purposes. The unused area was partly
reserved for the labourers to cultivate their own crops. Hence, while labourers no
longer had to pay tribute, most labourers, especially women and children were
hardly paid at all; the tribute was merely displaced in the form of labour produced on
the plantation proper. In this sense, the new corporate actors maintained the customary separation of use and benefit rights; consequently, they failed to create the conditions for an effective factor market for labour, and with it the seeds for struggle and emancipation of a workers class.

Also, the institutional transition – in combination with the population growth – induced structural changes in the traditional agricultural system. The land pressure reduced and fragmented holdings and pushed cultivation into marshes and steep slopes; these were previously held in pasture and woodland and were often used on the basis of short term contracts such as bwasa. Historically, farmers in the Kivu highlands settled along the upper contours of hillsides where soils were more fertile and cultivation was simpler than on the steeper slopes and marshy valleys. These changes eroded traditional coping mechanisms, such as crop diversification according to agro-climatic zones and the integration of livestock husbandry and agriculture. Land with the most secure tenure status, close to the homestead, was increasingly reserved for cash crops (mostly bananas). Food crops were relegated to the farther fields with a more uncertain status. This evolution contributed to a shift in cropping patterns from nutritious leguminæ to the protein-deficient cassava that was easier to cultivate and market. Food security was increasingly at risk in the late eighties. The crisis of the rural areas reached new thresholds, with an outright famine in 1989. Pottier documented how increased vulnerability during such severe shocks further enhanced inequality and the concentration of land and other assets in North Kivu (Pottier & Fairhead, 1991).

The increasing land pressure added damage to the customary arrangements that entitled every male heir to a part of the kalinzi or lineage land. Access to land was the means to social integration, so failure to gain access to land constituted more than just that. It signified failure to become a fully integrated member of society. At the level of the family, there are reports that the intensified economic strife led to strong inter-generational competition within the same household. There have been some instances – for example in Walungu – in which sons tried to poison their fathers to gain access to land (Van Acker & Vlassenroot, 2001).

Considering the deficient factor market for agricultural labour, options for the new class of landless young men (baginzi) were limited: cultivate marketable food crops on bwasa land, or ‘vote with the feet’ and sell their labour elsewhere. The increased mobility of young men was an answer to a distorted social situation. A whole economy developed around this migration of young men, which allowed them to gain access to some token symbols of modernity. One option was for them to work as migrant agricultural labourers. Quite a few worked in the lowland plantations of Walikale. They were paid in kind, and traded these goods along the route on their way back to highland Kivu (Van Acker, 1999). The other option was Zaire’s large grey economy of gold digging, smuggling, and poaching. Vwakyanakazi documented the formation of villages of illicit gold miners in Kivu that had their own authority structure independent of the government. With the liberalisation of gold mining in 1982 in Kivu’s hinterlands and the great number that tested their luck, a migrant commerce developed between these areas and the border towns. This trade dealt with the marketing of gold and necessary inputs in the remote digging areas (food, implements), but also with the symbols necessary to become a zappeur – a successful modern young man wearing trendy clothes and lacqué shoes, stylish haircuts, drink and prostitutes.
The Effects on Social Capital

The benefits of the 1973 land law relative to the costs of managing the type of exclusion it engineered, proved too unfavorable for society. To forestall potential conflict along the newly emerging lines of ‘haves’ and ‘have-nots’, politicians skillfully managed ethnic identity as a rallying point. The end product was a situation in which mutual assurance was ethnically defined. The social capital embedded in the traditional customary networks gradually evolved from a public good into a club good, non-rival but exclusive.

The failure to integrate in the system of *kalinzi* must be put in broader terms. Traditionally, also immigrants could obtain land and be socially integrated. The increasing sharpness of the processes that led to the rival nature of land use, hardened the social boundaries: ethnicity became a criterion to judge previous land allocations. The explosiveness of social conditions was especially acute in those areas where the disparities were ethnically tainted. Ethnic conflict first erupted in 1993 in the zone of Masisi (North Kivu), where 512 families (of which 503 of Rwandan descent) controlled 58 per cent of the land (Laurent & Tsongo, 1996). The timing of this first conflict was not haphazard. With the promise of the first multi-party elections since the early sixties, politicians and traditional chiefs alike skillfully manipulated the factor of ethnic identity, and mobilised the popular vote on the issue of land and nationality. In the Ruzizi plains (South Kivu) for example, the struggle for control over land had evolved into an intensive conflict between the ethnic Tutsi population (*Banyamulenge*), which migrated from Rwanda a century before, and the local *Babembe*. The Zairian Speaker of Parliament (Anzuluni Bembe), a Babembe, also faced elections. He rallied his constituency by linking the local conflict to the national dispute over the nationality of migrants. With the backing of the district commissioner, he mobilised the Babembe to start an armed campaign. An increasing number of young Banyamulenge, looking for support to Kigali, received military and political training from the RPA, and became the initial thrust of the anti-Mobutu rebellion.

The traditional chiefs rallied to the same cause; an ethnic vote on land and nationality would reinforce their position at the centre of customary networks that were now more rigidly defined. The breakdown of the traditional framework and its replacement by something much more unstable had pronounced effects: on social and economic exchange, and on the capacities to sustain the credible commitment to solve collective action problems. In terms of assurance (the security of expectations about one another’s intentions and actions that lies at the centre of strategies of cooperation), the effect was not only to anchor that security much more tightly to an ethnic scaffold. The rapid folding of traditional values and networks affected the cost and effectiveness of enforcement of the newly emerging opportunities for market-exchange. It undermined the very prospect for more complex economic transactions to materialise. State sanction and collusion eroded internalised traditional norms. The state was itself totally unwilling and at any rate, even had it wanted to, utterly incompetent to enforce the new rules of exchange it promulgated. Various economic actors had to take recourse to self-styled coercion, which opened further the potential niche for unemployed youth as undertakers and handymen of violence. People engaging in illicit mining for example, protected themselves and their operations with private militias against government soldiers and officials.

The outcome is known. By the end of 2000, according to one study in North Kivu, the majority of the people lived on the equivalent of $0.20 a day (Asrames, 2001). An estimated 1 million people are currently displaced in the Kivu provinces. Collective
consciousness fashioned as ethnic nationalism, supplanted what might otherwise have gained currency as the political emancipation of a dispossessed peasant class. Unemployed young men found their way into armed ethnic peasant militia, initially organised by politicians tapping into the local history of Mai Mai and Simba resistance, and ethnic retributions followed. With similar political evolutions taking place at the same time in Rwanda and Burundi, the region-wide conflict that erupted gave a chance for the diverse local antagonisms to be attached to wider economic interests. At that point, it becomes impossible to disentangle the endogenous and exogenous elements that shape Kivu’s social conflict. The chiefs went in hiding or exile out of fear of foreign (or foreign-sponsored) armies and militias that are only too aware of the pivotal role of customary leadership in mobilising the rural population. Game parks and other types of land and forest reserves are being converted to farmland to accommodate the land hunger of the population (Gorilla Conservation News, 1997). The customary fiscal logic has been replaced by looting: marauding armies or militia confiscate not only the rents of peasants but also their assets, pushing them in a downward spiral of poverty. The private ownership of land has become meaningless, since it depends on the recognition of a larger legitimising order that is now completely absent.

Conclusion

A land-hungry colonial regime initiated a factor market for land. Its logic was pursued to the outer limits by the Mobutist elite: a scarce commodity was allocated amongst various claimants leading to the unequal exercise of market power.

The traditional system was on the threshold of profound change. Market transition would have implied a push in the direction of a fuller set of property rights on customary lands, certainly in the sense of a larger share of the benefit rights. To enable peasants to add capital would have signified a decreasing ratio of tribute over income per unit of land, to allow more private appropriation of the surplus to facilitate savings and investments. This is counter to the customary logic of social appropriation of the peasants’ surplus and its redistribution. It is interesting to note that a market-based transformation was indeed nascent in Kivu in the late 1960s. Unfortunately, alternative scenarios never had a chance to emerge. The impoverishment of the peasants fed the rest of the social system that depended on the redistribution of their rents. The customary leaders, themselves acquiring wealth in the process, became a pivotal group in supplying land to the state agents, military officers, and businessmen that were institutionally armed by the 1973 land law. The institutional transition nullified the utility of the social capital that peasants built up in the customary patrimonial system, affecting the amount of social ‘currency’ they had to trade for land. Whether those groups that profited from the gradual dispossession of peasants were themselves able to hang on to their wealth in the turmoil of the last decade, is another question altogether.

Amid increasing social tensions, blatantly ignoring the rights of their own subjects, the customary leadership clung to their positions by joining the political bandwagon and mobilising their clientele on an ethnic platform, conveniently using the issue of nationality. ‘Foreigners’, especially the Banyarwanda, were accused of the unrightful appropriation of customary land and subversion of the customary order. This was correct to the extent that some immigrants had acquired land directly via social relations that involved the pinnacle of the Zairian state, the exclusive ‘club’ of
acquereurs, allowing them to thumb their noses at the clientelist subordination of the customary system. The accusation was false insofar as the chiefs sold land to immigrants themselves.

The Zairian state failed to endorse social mobility via the market. To allow a wisp of social mobility that left the roots of the crisis intact, it became an opportunist organiser of violence. The exogenous elements of conflict were so readily ‘importable’ and applicable, because of a long history of social deterioration squarely situated in the crisis of the Zairian state.

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Endnotes

1. For a good overview of humanitarian consequences, see for example: International Crisis Group, 20 December 2000; Save the Children, Oxfam and Christian Aid, August 2001

2. The description presented in the text is an anthropological simplification that omits several sidebranches. In addition, this particular case is relevant for the Bushi only, a particular part of South Kivu. Other ethnic groups in highland Kivu have other names (e.g. vusoki with the Banande); the basic structure however is identical. For this text, it is sufficient as a model to relate the hierarchical nature of the social structure.

3. The kings had a special granary, called *rutindamapfa* in Rwanda, which was used in case of famine.

4. Additional public expropriations checked further expansion, especially the extension of the ‘Parc National de Kahuzi-Biega’ from 600 to 6000 km², in 1975.

5. Administratively, a province is divided into zones. Each zone consist of a number of collectivities, themselves divided in groupements and again in villages.

6. Personal communication; a similar development occurred with the establishment of the 34 camps for more than 1 million Rwandan refugees in Kivu in 1994. If farmers could raise capacity to meet the vastly increased demand from the camps without extra costs for labour or capital, their terms of trade improved markedly.

7. Borocz and Rona-Tas introduced the term ‘simulated transformation’ for the analysis of change in the former communist block of Eastern Europe; J. Borocz, A. Rona-Tas, 1995.

8. The distinction between public, private, club and other goods is the collective cost of defining private rights to benefits, which is determined by the degree of rivalry of consumption and the cost of excluding others from consumption. For public goods characterised by low rivalry of consumption and high costs of exclusion, individuals’ incentives for cooperation are based on the credible threat of enforcement by the state. For club goods, characterised by low rivalry of consumption, the collective costs of defining private rights are not prohibitive; a limited collective – the club – defines itself as the holder of property rights, normative-voluntary incentives support cooperation in transactions, and transactions are personal and not quid pro quo.

9. In South Kivu there were just two branches of the land management office. Basically they were mostly grounded because of lack of vehicles or fuel.

10. This authority was – contrary to tradition – first accorded by the colonial authorities in 1937: B.J. Mapantano, 1994-1995.

11. Interview with magistrate, Bukavu.

12. If this seems far-fetched, suffice it to recount how the size of the Park (PNKB) was multiplied
by a factor 10 in 1975, yet the population only became aware of this extension by the early 1980s.

13. Most of the plantations paid the women and girls in kind, meaning a combination of some salt, palm oil, and firewood for a day’s work. The plantation of Kinaplant in Bulonge for example, paid no more than 2½ glasses of salt per person per day; Dupriez, 1987, p.63.

14. In a survey conducted in Bukavu in 1987/88, the clandestine market for game meat was estimated to turn over about 400 tons per year, nearly all of it from the Parc National de Kahuzi Biega (Schaeffer).

15. An example is the Association des maraîchers, an association of local farmers which produced up to 300 tonnes of fresh vegetables per month. This was exported nationally to the big mining centres in the Congo, and internationally to the Central African Republic and Tchad (personal communication from a former member of the association).

16. For an enlightening analysis of the recycling and redistribution of wealth in the circumstances that characterised Kivu over these past years, see: K. Vlassenroot & T. Raeymaekers, 2004.

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Reaction & Resistance to Neo-liberalism in Zambia

Miles Larmer

This paper explores the current Zambian discourse around neo-liberal economic policies, in particular its expression in a trade union-led campaign against the privatisation of the Zambian National Commercial Bank (ZNCB). It locates the origin of these protests in the impact of economic liberalisation programmes implemented by the ruling Movement for Multi-Party Democracy (MMD) since 1991. The paper studies the privatisation of the economically strategic copper mining industry and, taking as a case study the mining town of Luanshya, explores the linkages between a secretive and corrupt privatisation process, and its human consequences for mineworkers, their families and communities. It finds that the International Financial Institutions (IFIs) sought to implement privatisation regardless of legal requirements, social consequences, and the future sustainability of the mining industry. It surveys the development of opposition to privatisation amongst civil society organisations, particularly trade unions, and seeks to identify emerging Zambian alternatives to neo-liberalism, including new models of popular control of strategic economic resources, and a renewed authoritarian nationalism that feeds on popular resentment of the effects of neo-liberal policies.

Selling the Zambia National Commercial Bank

In December 2002, trade unionists, civil society organisations and opposition political parties held a demonstration in Lusaka against the proposed privatisation of the Zambia National Commercial Bank (ZNCB), and two other state-owned companies. Initiated by the Zambia Union of Financial and Allied Workers (ZUFIAW), which represents ZNCB employees, the march was only granted a police permit after ZUFIAW members threatened strike action. By the time it took place, however, the demonstration had been transformed into a victory parade: days earlier, the National Assembly had voted against privatising ZNCB, reversing the declared policy of President Mwanawasa’s MMD government. Senior government figures subsequently confirmed that they had cancelled plans to sell all three companies (Sunday Post, 25 January 2003).

In March 2003, however, government ministers announced that the ‘commercialisation’ of ZNCB would take place. This would involve the sale of 49 per cent of shares to a South African commercial bank; de facto control of the bank would be transferred to the private partner, which would run it according to commercial criteria (in late
2004, plans to sell ZNCB to South Africa’s ABSA bank were close to completion, with civil society organisations and opposition political parties continuing to argue against it (The Post, 4, 29 September 2004; 13 October 2004). The reason for the government’s volte face was clear: the International Monetary Fund (IMF) had explicitly stated that retaining the ZNCB and the other companies in state ownership would be a direct breach of Zambia’s Poverty Reduction Strategy Programme (PRSP). Under the PRSP, Zambia, as a Highly Indebted Poor Country (HIPC), is due to qualify for relief of about half its US$6.8 billion debt. This relief, the IMF made clear, was now under threat (The Post, 19 December 2002).

The International Financial Institutions (IFIs) and donors’ claim, that the HIPC/PRSP process is based on local participation and on an anti-poverty approach, is challenged by evidence presented below. This demonstrates the limited capacity of the Zambian state to reflect popular opinion when this conflicts with donor priorities, and the continued willingness of the IFIs to disregard democratic accountability. As The Post editorial put it:

What type of good governance do these institutions actually believe if they can’t even respect the right of our members of parliament to make such decisions? (Ibid.).

Increasing public awareness of this has created a popular debate over privatisation that encompasses issues including the nature of neo-liberal economics, the workings of the global economy, and the position of Zambia within it. This marks a significant break from what has been a generally secretive process of economic policy-making in Zambia since Independence that, notwithstanding the claims of successive governments to be seeking national economic independence, has in fact been, and continues to be, decisively shaped by, and designed to serve the interests of, foreign private and state economic interests.

Neo-liberalism in the 1990s

In the public debate over privatisation, material evidence is provided by Zambia’s own experience of IMF-influenced structural adjustment policies. These were first implemented in the early 1980s by the one-party regime of Kenneth Kaunda’s United National Independence Party (UNIP). The resulting cuts in state funding of health, education, and food fuelled the rising discontent which led to the establishment of multi-party democracy in 1991, and the electoral defeat of UNIP by the MMD. Despite this, the MMD Government, led by the former Chairman General of the Zambia Congress of Trade Unions (ZCTU) Frederick Chiluba (previously a leading critic of IMF-influenced policies), implemented one of the most radical programmes of economic liberalisation in sub-Saharan Africa. Exchange controls were removed, major cuts were made to public expenditure, and more than 250 parastatals, representing 85 per cent of the Zambian economy, were privatised.

The result has been a massive contraction in the economy and a marked decline in employment and living standards. Economic opening has not, as was forecast, resulted in significant private Zambian or foreign investment. State companies, established to provide essential goods in a closed economy, were unable to compete against the products of multinational corporations that now had unrestricted access to Zambian markets. Most have now either closed or dramatically reduced output, and formal sector employment has halved as a consequence. Workers retrenched from such companies have frequently not received the terminal benefits to which they are legally entitled.
The agricultural sector, always comparatively weak, has further declined. Poor infrastructure and a lack of support and extension services have severely restricted the growth of cash crop production. In most years, Zambia depends for essential food supplies on imports and, frequently, supplementary food aid (2004 was an exception to this rule). Dramatic reductions in real terms spending on education (from 1992-96, an average 2.5 per cent of GDP was spent on education, and average real spending per student fell from $118 in 1983 to $50 in 1996) have substantially reduced access to, and the quality of, primary and secondary schooling. The introduction of increased user fees for health, water and sanitation services, insisted upon by donors as the price of ongoing financial support, has substantially and adversely affected the quality of Zambian life. Life expectancy has fallen to the mid-1930s, fuelled by the rapid spread of HIV/AIDS (roughly one in five Zambians is HIV positive). Zambia has slid to 143 of 161 countries in the Human Development Index (Saturday Post, 24 August 2002).

Although economic liberalisation has not benefited the vast majority of Zambians, those with access to capital have taken the opportunity to further enrich themselves through the privatisation process. Zambian businessmen, many of whom accumulated their initial wealth through links to state capitalism in the 1970s and 1980s, have used the same links to acquire smaller parastatals through the opaque processes of the Zambia Privatisation Agency (ZPA). Examples of the sale of such companies to prominent political figures (for example, the sale of state farms to former Ministers of Finance Ronald Penza and Emmanuel Kasonde) have been highlighted in the independent press, and in a major international study of the privatisation process (see note 1). The revenue from some major privatisations, such as the $14.8m paid for the Zambia Sugar Company, has not been accounted for (see note 1). Legislative loopholes enabled a minority of Government-appointed ZPA Board representatives to hold meetings at short notice, and make decisions without the knowledge of other board members (Transparency International, 2002).

Whilst most observers acknowledge that some job losses and company closures were inevitable, most Zambian critics believe this was significantly worsened by the implementation of the privatisation process, and the influence of the IFIs on this. Joyce Nondo, the ZUFIAW General Secretary who initiated the December 2002 demonstration, expresses the labour movement’s perspective on what went wrong:

... we are told IMF, World Bank, were pushing ... over 200 plus institutions [into] private hands, and our expectation was that implementation was going to be done properly. For example, there’s going to be [a] study of each and every institution. What does this institution do for the country, how do we privatise it, what will be the effects of privatisation? ... Also you are supposed to analyse the people who are buying it. Are they capable, what is their track record? You know, we expected so much to be done, but what did we see? Everything was done in a hurry. There was asset stripping, and there was selling of institutions at a very low price to dubious people; and the workers who were laid off were not paid, they were just thrown into the streets. As I’m talking now a lot of them have not been paid. You can imagine yourself, having worked for 30 years in an institution, and going away with nothing. What are you doing, you’re creating poverty ... the country has gone backwards, in terms of poverty, in terms of unemployment, and so on and so forth. And there’s no person who’s interested in saying, privatisation has worked ... It’s not the policy of privatisation itself, it’s correct, there’s nothing wrong with it, but it’s the way it was done, and the way it’s being done. That’s not the way we expect it to be done, and we blame the IMF and World Bank for having put conditionalities and making the Government rush, into
sitting these things. They are actually to blame, partly to blame. They are taking advantage of this weak Government, which is looking for money (interview, 13 March 2003).

Thus, whilst the IMF seeks to promote privatisation as a solution to the corrupt manipulation of state-owned resources in the past, Zambian critics see the flawed form of privatisation imposed by the IFIs as primarily responsible for the parlous state of the contemporary Zambian economy.

The Privatisation of Zambia Consolidated Copper Mines

It is impossible to overstate the historical dominance of copper mining in the Zambian economy. For fifty years, international copper sales provided the majority of domestic product (60-70 per cent during the 1960s) and government revenue (90-95 per cent in the same period). Although the subsequent decline of the international copper price undermined the industry’s profitability, it continued to be the only substantial source of foreign exchange earnings apart from donor funding, vital for an economy perpetually dependent on imports. The decline and stagnation of the copper price, over which the Zambian state has no influence, has been the most important factor in the country’s economic decline, and its resultant dependency on Western donors and IFIs. Whilst development advisors have for 40 years stressed the need for economic diversification away from the mining industry, most of their recommendations have sought to utilise mining revenue for this purpose, tending in practice to reinforce its centrality.

The sale of Zambia Consolidated Copper Mines (ZCCM) (begun in 1997 and completed in 2000), the vast mining conglomerate in which the state held a 60.7 per cent share, was therefore crucial to the overall success of the privatisation process. The privatisation of ZCCM was shaped at every stage by Zambia’s dependent relationship with the IFIs and international mine capital. At decisive points in the process, the World Bank and IMF intervened to influence the future ownership of Zambia’s primary economic resource. Not coincidentally, mine privatisation breached the requirements of Zambia’s Privatisation Act for transparency in bidding processes and awards, consultation with stakeholders, and due regard for social and environmental impact. This contributed to the failure of the sale to realise significant revenue, which was to have been used to clear part of Zambia’s vast debt.

In the early 1990s, whilst the privatisation of other state-owned companies proceeded, debate took place regarding the appropriate way to privatise the then profitable copper mines. No Zambian company had the resources to consider purchase of one or all of the mines. The Anglo American Corporation (AAC), the South Africa-based international mining conglomerate, had been one of the two sole owners of the Zambian copper mines from the 1920s until partial nationalisation in 1969. AAC retained a 27.3 per cent share in ZCCM throughout the 1980s and 1990s, and played an important (though under-researched) role in mediating relations between Zambia and its international creditors during that time. It was thus well placed to bid for some or all of the mines, and to shape the overall privatisation process. AAC retained a written veto on the sale of ZCCM assets, and was the obvious buyer should ZCCM be sold as a single unit. The government was, however, reluctant to place the key asset of Zambia’s economy in the hands of a single international corporation, and sought external advice on alternative approaches.

Two reports by external development advisers, funded by the World Bank, recommended the unbundling of ZCCM into smaller companies, and their sale
through a competitive bidding process. A rump ZCCM would retain minority shares in each resultant company, and the government would keep a minority share in ZCCM. The government, the donors, and AAC approved this recommendation, and ten packages were advertised for sale by the ZPA in February 1997. AAC’s initial reluctance regarding unbundling was overcome by a written guarantee that they would acquire Konkola Deep, the as-yet undeveloped mine project that was the jewel in ZCCM’s crown. Whilst this enabled the process to proceed, it also removed the most valuable asset from competitive bidding, substantially reducing potential revenue.

The bidding process took place during a period of increasing political difficulties for the Chiluba administration. The MMD had won the 1996 elections, having excluded Kaunda’s candidacy for the Presidency through dubious constitutional manipulation; widespread vote buying and the intimidation of opposition candidates marked the poll. In 1997, a coup attempt was followed by the detention of Kaunda and other political opponents. In this increasingly authoritarian atmosphere, the Privatisation Act’s requirements for transparent processes and civil society consultation were never likely to be met. In June 1997, with bidding underway, Chiluba appointed a Privatisation Negotiation Team (PNT) headed by Francis Kaunda (no relation to the former president), Chairman and Chief Executive of ZCCM in the 1980s. Francis Kaunda had been a UNIP loyalist (and a member of the ruling party’s Central Committee), and was for that reason removed from his ZCCM position as soon as the MMD came to power in 1991. He had, however, retained strong personal links with senior officials in international mining concerns, and quickly brought these to bear in his new role. His enduring friendship with senior AAC Executives is described in his recent book about the privatisation process (Kaunda, 2002). A single bid for the largest package, including the Nkana and Nchanga mines, by the ‘Kafue’ consortium of four major international mining companies, was initially accepted by the ZPA. However, negotiations between them and Francis Kaunda’s team became drawn out, as the international copper price fell. A final bid by the Kafue Consortium was rejected by the PNT in 1998, throwing the privatisation process into confusion.

The World Bank was certainly concerned at the resultant delay in the privatisation. A 1998 donor Consultative Group meeting was cancelled, not for human rights concerns as was officially stated, but because of failure to complete the sale of ZCCM (see note 1, p. 173); $238m of pledged balance of payments support was withheld for the same reason, at a time when the copper mines were making increasing losses that were being borne by the state. The AAC now sought to use the government’s parlous economic position to acquire additional mine assets at an advantageous price. As the Afronet/CBE/RAID report makes clear,

… it was not until the company, from this position of strength, had negotiated and signed a memorandum of understanding with the Government over the purchase of Nkana, Nchanga and Konkola on 24 November 1998, that the donor community indicated that it would consider the approval and release of funds (Ibid.).

Following this agreement, the IMF agreed in principle to a new phase of its Enhanced Structural Adjustment Facility (ESAF), with subsequent payments dependent on ongoing progress in the sale of ZCCM.

During 1999-2000, AAC benefited from donor/IFI pressure on the Government, eventually purchasing Nchanga and Nkana mines for $18m (the Kafue Consortium had offered $131m, albeit for a somewhat different package of assets, two years
before) (Kaunda, 2002:84). AAC was able to secure substantial additional concessions to Zambia’s already liberalised tax regime, including a 20-year tax holiday on the remittance of profits and dividends. It also succeeded in shifting the costs of compensating 3,000 Nchanga workers made redundant on the eve of sale (which was finally completed in March 2000) to the rump ZCCM-Investment Holdings and the government; AAC’s advantageous terms helped make its competitors unprofitable. Notwithstanding these concessions, AAC pulled out from Zambia in January 2002, leaving the long-term future of the mining industry in doubt.

International influence over the Zambian economy could have been used to raise important questions as to whether the mine privatisation process was likely to benefit Zambia. In fact, in the context of increasing losses, every action of the IFIs was designed to place the mines in the private sector as rapidly as possible, regardless of the consequences for income generation, living standards, and the future sustainability of the mining sector.

**Luanshya Before & After Privatisation**

The consequences of this approach can be seen in the current parlous state of the town of Luanshya in the Copperbelt, its vast mine plant mostly lying idle and rusting, standing in poignant contrast to its prominent status in the Zambian historiography of urban social relations, nationalist politics and militant unionism (Larmer, 2004). Luanshya’s Roan Antelope mine, developed by the American Roan Selection Trust, began production in 1931, and grew rapidly in the post-war boom, achieving a stabilised workforce of around 7,000 by the mid-1950s. From Independence in 1964, the new UNIP government supported the gradual advancement of Africans into jobs previously reserved for white mineworkers, but failed to fulfil miners’ expectations of ‘equal pay for equal work’ with expatriates. Kaunda sought to increase state control over the economy with the 51 per cent nationalisation of the mines in 1969 (later increased to 60.7 per cent). However, despite attempts to influence pricing and supply via the Intergovernmental Council of Copper Exporting Countries (CIPEC), formed in 1967 by five major African and Latin American copper producing countries, the Zambian Government failed to achieve influence over the copper price.

After Independence, mineworkers continued to utilise industrial action to further their interests; in response, strikes were made illegal and efforts were made to put the Mineworkers’ Union of Zambia (MUZ) under UNIP control. As the copper price collapsed in the 1970s, the economic basis of the post-colonial state broke down. UNIP borrowed extensively to subsidise unprofitable state companies. From the early 1980s, loan conditionalities led to the increasing definition of economic policy by the World Bank and IMF. The World Bank advised on the creation of the ZCCM in 1982. As ZCCM’s foreign exchange income was siphoned off to fund the one-party state, the consequent lack of reinvestment made the copper mines increasingly inefficient and unproductive (Aron, 1992). Mijere’s interviews with Luanshya miners found that 98 per cent of them associated the increased hardships of workers with nationalisation (Mijere, 1985). From 1985, financial difficulties and donor pressure led to the imposition of fees for health and education services, and the reduction of subsidies to essential goods. A wave of strikes and rioting in 1981, and the subsequent detention of leaders of MUZ and the ZCTU (including Chiluba) led to the emergence of the labour movement as the de facto opposition to UNIP (Woldring, 1984).
In 1989, Chiluba became the first prominent national leader to publicly support a return to multi-party democracy. The MMD emerged as a coalition of business, church, former political and union leaders, and having won the return to multi-party elections as a pressure group, transformed itself into a political party with Chiluba as its presidential candidate. In mine towns like Luanshya, the union movement provided vital logistical support and organisation for the MMD. Many MUZ branch officials adopted local MMD leadership positions, and ZCTU structures were effectively converted into MMD party structures during a campaign that led to an overwhelming electoral victory for the MMD and Chiluba in October 1991.

Whilst the labour movement had been central to the creation of the new government, it achieved little practical influence over MMD policy. With the fall of Stalinist regimes in Eastern Europe, the increasing dominance of neo-liberal orthodoxy dovetailed with a genuine desire amongst many Zambians to reduce the capacity and cost of an authoritarian and corrupt form of state capitalism. Most Luanshya miners initially supported ZCCM privatisation, believing MMD promises that it would end the draining of its profits by the state, enable new investment, and lead to new jobs and improved wages and conditions.³

Luanshya’s mine complex was the first major ZCCM asset to be sold. Under the established bidding process, the ZPA had negotiated with the Canadian-based First Quantum mining group, and it was expected that they would acquire the Luanshya assets. With the entry of Francis Kaunda’s PNT, however, First Quantum’s preferred bid was suddenly replaced with that of Gokhul Binani’s London-based group of companies, disregarding the tendering and consultation processes required by the Privatisation Act. Kaunda’s book is unusually reticent on his longstanding friendship with the Binani family, which had been engaged in international metal trading for decades (interview, 2004). In July 1997, Binani was awarded the Luanshya concession for $30 million, establishing the new Roan Antelope Mining Company of Zambia (RAMCoZ).

Gokhul Binani initially impressed local MUZ officials when he visited the mine for the first time. There were promises of investment of $69 million, and the construction of new plant. Luanshya miner Anton Kaluba:

> Mr Binani, the time he had came in, as a pioneer of buying the first mine here in Zambia, he showed a good name for the first six months or so… we thought we were going to have better life. But then … later on we discovered that, this man was no more or less like a conman (interview, 16 December 2002).

The mine was being asset-stripped; existing machinery was dismantled and removed, and the smelter furnace was allowed to break down. Binani had taken on many of the costs of the loss-making ZCCM, initially agreeing to employ all 6,240 employees, and taking on responsibility for company amenities such as health centres (AAC subsequently shifted such costs to the government). Binani was however either unable or unwilling to cover these costs, and sought in private negotiations with the government to reduce them; in practice, these and other bills to creditors went unpaid. RAMCoZ also breached its agreement with the MUZ to pay ‘terminal benefits’ to retiring and retrenched workers. By 1998, it was clear that these were not being paid. When the Union raised this issue with RAMCoZ management, MUZ Branch Chairman Cameron Pwele was dismissed.⁴ His sacking prompted an eight-day strike, violently repressed by security forces, in which two people died. The strike achieved Pwele’s reinstatement, but not the payment of terminal benefits.
Binani appears to have believed it could behave with impunity in breaching its agreement with MUZ and its creditors because of its close relationship with Chiluba. It is widely acknowledged, and a former senior RAMCoZ Executive confirms, that the MMD received regular payments from the new owners, in de facto exchange for evading its responsibilities (interview, 2003). In 1998 the Copperbelt Energy Company, owed millions of dollars in unpaid bills, drastically reduced electricity supply to RAMCoZ, making normal operations impossible. Other contractors gradually withdrew services, and in October 2000, receivers were sent in to recover Binani’s debts (Kachingwe, 2003). Chiluba now publicly turned on Binani, successfully ridiculing him as an Indian with no expertise in mining, in so doing deflecting from the collusion of the State in Binani’s purchase of RAMCoZ, and its subsequent modus operandi. Under the receivers, mine operations initially continued, but in March 2001 the lack of power supply led to flooding, and the suspension of normal mining operations.

The government receiver now took responsibility for the payment of terminal benefits, and the salaries of the 2,500 employees who were retained to maintain essential mine services. The government, however, struggled to locate funds for these purposes; in 2002, employees went without pay for seven months. Two days before Christmas that year, 500 miners and their families marched in pouring rain to the office of the Luanshya District Administrator, confronting armed riot police and demanding the payment of their back salaries. A series of court cases, interspersed with violent strikes and demonstrations, finally secured the payment of benefits to some retrenched miners, a process completed in 2003.

Zambians today commonly describe Luanshya as a ghost town, but a ghost town is normally deserted by its population. The people of Luanshya, the miners, their families, and those indirectly dependent on the mine’s activities for their livelihoods, mostly remain in town, farming nearby plots for their basic subsistence, and standing around the potholed streets. In a town that owes its existence solely to the mine, the legacy of Binani’s disastrous administration of RAMCoZ manifests itself in every aspect of life. Most town centre shops have closed down, with trade taking place from unhygienic pavement stalls and run-down markets. Transport services are virtually non-existent. The municipal council, which derived most of its income either directly or indirectly from the mine, is penniless and unable to provide the most basic services appropriate in a town the size of Luanshya. Its own workers have gone unpaid for long periods.

Many miners’ houses now lack electricity, water, and sanitation services. Their families are unable to eat more than once a day; their children, excluded from school because of the inability of their parents to pay school fees, have the physical appearance of the residents of a refugee camp. Luanshya’s hospital and clinics are unable to buy drugs and other supplies, and local MUZ officials report that since the mine closed, there has been a tripling in the daily number of deaths in the mine townships. Crime rates, unsurprisingly, have soared. Many of those still working in Luanshya are employed to guard the mine, to prevent the looting of scrap metal by impoverished ex-miners. The government has recently deployed its owned armed paramilitary police to guard the mine in an attempt to prevent such petty theft. The fact that those who asset stripped the mine and destroyed the livelihoods of thousands of mineworkers have meanwhile gone unpunished, is an irony not lost on the people of Luanshya.
Thirty-five million dollars of Binani funds, ostensibly to purchase the mine and to pay terminal benefits, were widely believed to have been paid into a ZCCM account in Belgium; these then disappeared, and their whereabouts remains unknown. It is widely suspected that Chiluba and/or other members of his administration salted these funds away in offshore bank accounts. Pwele (who was in 1999 stripped of his MUZ membership and subsequently retrenched by RAMCoZ), elected the Member of Parliament for Roan in 2001, campaigns for this money to be tracked down. He was also concerned about the announcement in March 2003 that J&W Investments, a company based in Switzerland, had signed a contract with the government to take over RAMCoZ. As the then Minister of Finance Emmanuel Kasonde proudly announced, one of the reasons the J&W bid had succeeded was because of its financial backing by Lakshmi Mittal, the international financier and businessman. Mittal is believed to have provided a substantial part of the funds for the original Binani bid, and Pwele fears that Mittal has effectively been given the Luanshya mine to prevent a major law suit over the closure of RAMCoZ (interview, 2002/2003). Production has recently restarted, but only one-third of the mine workforce is being re-employed.

Pwele and other former MUZ officials are critical not only of Binani and the MMD, but also of the complicity of the MUZ leadership in the privatisation process. MUZ head office officials insist that, given the threat to the very survival of the mining industry in the late 1990s, they had no alternative but to accept the accelerated privatisation process. Senior MUZ officials did attend meetings where information about potential buyers was shared, but the prior consultation supposedly guaranteed by the Privatisation Act did not take place. Some branch officials in post in the late 1990s point to the exclusion of the union from the tendering and negotiation process, arguing that if they had been present, some concessions granted would not have been made (i.e. Ngulube interview, 2003). They describe the corruption of ZCCM officials (for example, Binani executives giving boxes of expensive suits to Ministry of Mines officials), and insist that MUZ did complain about this (interview, Evelyn Musonda, 2002).

Many MUZ members remain suspicious that union officials were themselves recipients of graft linked to the privatisation process, in particular in the sale of ZCCM’s vast housing stock. Chiluba won significant electoral support amongst miners in 1996 by announcing that all ZCCM’s 40,000 houses would be sold to sitting tenants, the vast majority of whom were miners. Major irregularities are known to have taken place in this process, with prominent ZCCM Board members and Executives, and top MUZ officials, acquiring one or more high cost houses at bargain prices.

The national MUZ leadership has been unable to visit Luanshya for fear of physical attack by discontented members. In January 2003, the local MUZ office was partly gutted by in an arson attack assumed to have been committed by angry miners. Elsewhere, thousands of discontented MUZ members are subscribing to splinter unions; once one of Africa’s most powerful unions, MUZ is now apparently in terminal decline. Cameron Pwele believes the MUZ leadership secretly agreed that Luanshya miners could be dismissed without being paid their terminal benefits, and blames the union’s weakness on its close relationship with the MMD, a legacy of the pro-democracy movement of 1991:

*I differed with them [MUZ leaders] because, they became a Government. They were supporting MMD. And they left the workers in the dark. They stopped thinking about the*
workers, because they thought they were Government, and they could do anything. Anyone who could speak on behalf of the workers became an enemy (interview, 2003).

The Union Movement under the MMD
In late 1991, shortly after the MMD came to power, President Chiluba wrote to the general secretaries of all Zambian unions, requesting their assistance in addressing the legacy of economic problems inherited from UNIP in stark terms:

It is therefore my sincere hope that you will all summon courage as leaders of our people to convince the workers to die a little so that prosperity is not overburdened with a crippling debt and an economy shattered beyond redemption. You have always risen to the occasion and I have no doubt that you will respond to this challenge with all the promptness and commitment.

There is now increasing acknowledgement that the union movement was weakened by its close relationship with the MMD and Chiluba in the 1990s. Leonard Hikaumba, President of the ZCTU:

I think the first few years of MMD in power, you know we had given them the benefit of the doubt. Most of the people in Government came from our movement, including the President. They had made an appeal in 1991. They wanted people to sacrifice, and we agreed, all of us. In most of the campaigns, the question was asked ‘Are you ready to sacrifice?’; we said ‘yes’ … And that sacrifice, in order to give chance to the Government was also perceived as a weakness on our side, because even on things that we could have fought against in the previous administration, we allowed them to go … [Now] … we said, ‘Look, for how long are we going to sacrifice?’ (interview, 10 March 2003).

Privatisation, and the implementation of civil service ‘reform’, has reduced union membership from a peak of 358,000 in 1990, to less than 240,000. Having placed its hopes in the Chiluba administration, and lacking any ideological base from which to scrutinise the MMD’s policies of economic liberalisation, the union movement’s disarray, particularly over appropriate policy towards privatisation, culminated in a split in the ZCTU in 1994, with four major unions including MUZ and ZUFIAW breaking away; three of these rejoined in 1999. In the context of increasing popular disillusionment with the MMD, the union movement has gradually recovered some of its former autonomy and militancy, albeit with a greatly reduced influence. This is reflected by an increasing number of public sector strikes challenging deteriorating pay and conditions, and the non-payment of terminal benefits to retrenched workers. The ZCTU has, meanwhile, become increasingly critical of structural adjustment policies, producing an important survey of their impact in Zambia in 2001 (Mpuku and Muneku, 2001).

The Fall of Chiluba
The rising level of industrial action took place alongside an increasing wave of opposition to Chiluba and the MMD. Under UNIP, unions and the churches were the only sections of civil society that successfully resisted their total incorporation into the one-party state. Although the MMD has displayed authoritarian tendencies, multi-party democracy has provided the space within which credible and politically active civil society organisations, and the independent media, have grown in reach and influence (www.post.co.zm). These have played an increasingly important role in deepening democracy, challenging corruption, and providing a powerful critique
of neo-liberalism and its practical impact. Chiluba’s attempt to set aside his government’s own democratic reforms in order to stand for a third term in office was successfully resisted in 2001 by a combination of civic groups combined in the Oasis Forum, and mass actions by students and the wider urban population. Chiluba stood aside, but helped engineer the election victory of his chosen successor Levy Mwanawasa that December. Mwanawasa received 29 per cent of the vote in a poll condemned by international observers as rigged (EU, 2001). The many opposition parties newly represented in Parliament did not initially offer any substantive alternative to the MMD’s policies.

Mwanawasa deflected attention from his dubious accession to office by riding the wave of popular desire to see those responsible for earlier MMD corruption brought to justice. In July 2002, Mwanawasa capitalised on a major illegal demonstration calling for Chiluba to be put on trial, by successfully appealing to Parliament for the removal of his immunity from prosecution. A series of legal challenges culminated in the Supreme Court’s confirmation of this decision in February 2003, and Chiluba’s subsequent arrest. He was initially charged with 96 counts of theft by public servant, totalling $40m (The Post, 6 August 2003). Other investigations promised to provide insights into corruption in ZCCM during privatisation: former ZCCM Chief Executive Edward Shamutete and General Manager Urbano Mutati have been questioned about the loss of $102m through the sale of cobalt at uncompetitive low prices (The Post, 21 March 2003). A commission of inquiry was launched into the sale of ZCCM houses.

Whilst the removal of Chiluba’s immunity, an unprecedented event in sub-Saharan Africa, has rightly been heralded as a significant blow for democratic accountability, there are concerns that the charges against him will not expose the wider nature of corruption in the 1990s. First, Mwanawasa’s own election benefited from the MMD’s illegal use of state resources, such as the purchase of 100 vehicles used during the campaign. Funds were ‘borrowed’ from the ZNCB in dubious circumstance to support the election campaign. Opposition leaders have pursued an ongoing case against Mwanawasa’s election in the Supreme Court. Second, the large number of charges originally brought against Chiluba has now been reduced to six test cases involving the theft of $500,000 of public funds (The Post, 12 October 2004). The major corruption scandals of his administration, such as the theft of cobalt, and the disappearance of $6 million provided by Canada for relief maize in 1998, are now unlikely to be addressed in court. Whilst there are reasonable fears that the scale and complexity of the case against Chiluba would have meant a perpetual delay in bringing about justice, the result is that there will be no legal examination of the complicity of multinational companies in corruption.

The New Unionism

The trade union movement, significantly weaker than in the past, is nevertheless revitalising itself under a younger leadership less tied to the MMD. ZCTU President Leonard Hikaumba was 38 years old when elected in 2002, and unlike his predecessors, brings to the position his experience as a student leader, which led to his expulsion from the University of Zambia in 1985. Hikaumba was president of the large Civil Servants’ Union of Zambia (CSUZ) during the rising wave of public sector pay disputes of the late 1990s, in which unions found themselves in direct conflict with the MMD’s implementation of IFI-designated cuts in government expenditure and state employment. These culminated in a significant victory in June 2001, when public sector workers won an 80 per cent pay increase after a two-month strike (The
Post, 12 October 2004). Having been elected on an explicitly militant platform, Hikaumba has been comparatively confrontational towards the government, providing direct Congress support to the ZNCB privatisation protest (unthinkable under his predecessor). He sees the IFIs as key to the current privatisation debate:

*I think the driving force behind this is the IMF and World Bank. When we look at the Government’s role, we find that for these institutions, they [the Government] are the people who were convinced by the IMF, that if we are to continue getting assistance, then these companies must be privatised* (interview, 2003).

Joyce Nonde questions the motivations of the IFIs in the following terms:

*… these people also want to have a hand, to be in control of countries, to be powerful. I’m sure they knew we were making mistakes … But they wanted to take advantage of that, so that we continue to be perpetual beggars … They sell these companies, most of them have been bought by foreign investors, and we have seen…where most of the managers and owners are from abroad … you tell the country to liberalise everything, foreign exchange and so on. I make money today, I change it into forex and send it out of the country. That doesn’t mean you are there to help the country, so they have their own agenda* (Ibid.).

Nonde’s personal experience of PRSP ‘participation’ challenges donor claims that they are locally owned:

*I did attend PRSP meetings. You go there, you have your own ideas. There come the Government officials with an already documented paper, and that we know, has an input of IMF and World Bank. And you know, as you are discussing, this guy has already made up his mind, of what should be written there … Ministry of Finance people. And you can see that this one person is one-track minded, this paper has to be sold, OK? And in fact, at one point I stopped going there, because I felt it was a waste of time. These things, they can say consultation, they bring you together, but they’ve already made up their minds on the way they want to move … you find that things don’t work, because they are imposing certain ideas on you, they’re not letting you come up with what you want* (Ibid.).

Nevertheless, neither Nonde nor Hikaumba support continued state ownership of parastatals. Both point to the ZNCB’s constant manipulation whilst in state ownership; the MMD’s drainage of ZNCB to fund its 2001 election campaign is widely acknowledged. Nonde, in seeking alternatives to both corrupt state ownership and sale to foreign private capital, is exploring concepts of popular control through the distribution of shares to ZNCB workers and customers, and seeking to learn from alternative forms of non-profit management of strategic national assets in other countries. Hikaumba stresses the importance of strengthening regional trade union linkages through the Southern Africa Trade Union Coordinating Conference (SATUCC) and internationally through the International Confederation of Free Trade Unions (ICFTU), in order to share experiences of privatisation and potential alternatives to it, within the context of globalisation (interview, Hikaumba, 2003).

**Mwanawasa’s Neo-nationalism**

The MMD Government, seeking to both satisfy its international creditors and disarm popular discontent, is also following international trends. The phrase ‘public-private partnership’ has been used to describe its proposed ‘commercialisation’ of the ZNCB, which, as Nonde stresses, would mean the closure of ZNCB’s unique network of
rural branches with the consequent loss of jobs and services, and the introduction of
the minimum balance requirements that already exclude the vast majority of
Zambians from opening accounts with commercial banks (interview, Nonde, 2003).

Such proposals nevertheless resemble models of semi-privatisation attempted by
UNIP in the late 1980s. One of the most notable features of Mwanawasa’s
administration has been an increasing tendency to reflect Kaunda’s nationalist mode
of governance, stylistically and in more substantive ways. Whilst anti-Western
rhetoric was not absent in the 1990s (Chiluba attacked Western interference when
donors highlighted human rights violations), there has been a significant shift under
Mwanawasa, evidenced not only in government statements, but also in some policy
changes, such as a ban on the use of foreign currencies in Zambian shops and
businesses. In 2002, the revelation that US and Canadian food aid was genetically
modified (GM), prompted an extensive public debate regarding the danger of GM
grain inter-breeding with local maize varieties, adversely affecting exports to
European markets. Following an investigation, the government rejected the food aid
(Zambia was the only southern African country to do so), requesting that the WFP
instead donate non-GM food. Whilst many prominent Zambians insisted that GM
maize was less dangerous in the short-term than the threat of starvation, popular
support for the government decision reflected anger about Zambia’s apparent
inability to decide its own policies (The Post, 12 August 2002).

Mwanawasa has subsequently sought to raise his own nationalist credentials by
associating himself with Kaunda and his legacy. Whereas Chiluba harassed Kaunda,
Mwanawasa has hailed him as an elder statesman, publicly consulted him on policy,
and presented him with the country’s highest award in January 2003. The state-
controlled media has echoed this in its hagiographic approach to Kaunda. This also
reflects Kaunda’s renewed popularity amongst many Zambians, particularly a
younger generation with little memory of his administration. Given the widespread
discontent with the Chiluba administration, nostalgia for his predecessor, and a
selective memory of his achievements, is unsurprising. In this context, Mwanawasa
has increasingly followed in Kaunda’s footsteps. He has used the power of moral
exhortation on Zambians to grow more food, appearing on television to insist that all
government ministers should run their own farms. He has repeatedly decried
political plurality for its detrimental effects on ‘development’, represented (as it was
under UNIP) as an unproblematic technical issue, and calling for national unity to
achieve it. In 2003, Mwanawasa undermined Zambia’s first genuinely multi-party
Parliament through the appointment, against their parties’ wishes, of nine opposition
MPs as government ministers, justifying this as the most effective utilisation of
human resources. He pays lip service to consultation with civil society, but has
alienated its goodwill by creating a government-dominated Constitutional Reform
Commission, which is being boycotted by most civil society organisations. In 2004, a
civil society organisation critical of the CRC process was de-registered by the
authorities without consultation.

This neo-nationalism is also expressed in recent statements regarding the privatisa-
tion of ZNCB. Following his Government’s forced reversal of privatisation,
Mwanawasa criticised those calling for privatisation ‘for the sake of it’. Proposals for
the commercialisation of ZNCB have been presented as alternatives to privatisation
that will meet the needs of all Zambians. Whilst this is not a substantive break from
neo-liberal policies, Mwanawasa’s populist attempt to shift the blame for their
consequences from his administration to external agencies reflects a rising level of
popular discontent with the enduring dominance of Zambia’s economy by foreign
capital. This is partly influenced by the regional prominence of Zimbabwean President Robert Mugabe’s anti-Western, anti-imperialist rhetoric. Of course, Mwanawasa’s administration does not approach that of Mugabe in its violence or repression. Nevertheless, whilst much of civil society is critical of the abuse of human rights in Zimbabwe, Mugabe’s vilification of international interference, and his condemnation of Western double standards on free elections and human rights, resonate with the anger of many Zambians at the impotence and dependency of their country on Western capital and aid, and the comprehensive failure of neo-liberal policies. Whilst it survives, Mugabe’s regime provides an undeniable example of an alternative to neo-liberalism. 13

Meanwhile, Mwanawasa’s administration is in increasing conflict with the IMF, which in June 2003 suspended a $100m ‘poverty-reduction credit’ after the government unexpectedly declared a $125m budget deficit (BBC, 21 July 2003). The government now finds itself squeezed between IMF strictures on spending, and pressure from increasingly confident public sector unions demanding further salary increases. A strike by civil servants in August-September 2003, prompted by the Government’s reneging on its collective agreement, a decision reversed after the IFIs pointed out that they were not included in the annual budget they had approved. As Finance Minister N’gandu Magande explained, ‘We are running the country but the budget is controlled by donors’ (The Post, 18 July 2003). The strike was declared illegal, and union representatives were harassed by the police. Whilst the strike was unsuccessful, the dispute was an important element in disrupting the Government’s financial management, and its consequent failure to reach the HIPC completion point by December 2003 – it now hopes to reach completion in early 2005. The budget announced in January 2004 imposed a salary freeze on public sector workers, as part of efforts to remain within HIPC spending limits. This prompted a major demonstration and a public sector general strike, to my knowledge the first ever called by the trade union movement, in February (The Post, 19 February 2004).

**Neo-liberalism & its Zambian Discontents**

Whilst civil society organisations are increasingly critical of the impact of neo-liberalism, most opposition parties have not sought to reflect this. In contrast, the increasing popularity and profile of Michael Sata’s Popular Front (PF) party, particularly amongst former MMD supporters on the Copperbelt, is based on Sata’s populist attacks on IMF-influenced economic policies and his call for a return to limited national economic protectionism. Sata, who served in Kaunda’s last government, and who was a key member of Chiluba’s administration in the 1990s, has reinvented himself as an advocate of poor workers; he was a prominent presence on the anti-privatisation demonstration.

Such populist, nationalist discourses also find purchase amongst prominent unionists, who express a preference for the sale of national assets to Zambian rather than foreign capitalists. Hikaumba, who advocates the protection of, and the provision of incentives for, local investors, insists:

*We feel that, whatever class to which these people might belong, definitely they will have an interest in the development of Zambia, because Zambia’s their country, and they’ve no other country they can go to* (interview, Hikaumba, 2003).

In fact, Zambian businessmen overwhelmingly use the liberal foreign exchange rules to invest most of their capital in overseas stock markets, and their record of taking
over privatised companies is no better than their international counterparts. Nevertheless, the enduring belief that Zambian capitalists will tend to act morally and with regard to the national interest, has not been eroded, and indeed has been reinforced by the popular understanding of neo-liberalism. It is likely that such nationalist tendencies will continue to feed on popular discontent with IFIs and the hypocrisy of Western policies on aid, trade, and human rights.

Conclusion

Zambian civil society organisations, in their search for alternatives to neo-liberalism, are in many respects at a crossroads. Much of their analysis reflects that of the anti-globalisation/anti-capitalist movement, and their understanding of the complementary relationship between IFIs and multi-national capitalism, rooted as it is in Zambians’ own devastating experience of implemented neo-liberalism in the 1990s, is frequently acute and profound. Their most progressive representatives are seeking to strengthen grassroots participation in developing alternative social and economic policies based on the experience of rural and urban Zambians, and expressing these in more active campaigns. At the same time as increasing their own legitimacy by strengthening communication with their constituencies, some are seeking to break out of a comparatively isolated national analysis (reinforced by limited access to electronic communication), to learn from the experiences of those facing similar issues in southern Africa and the wider world. Zambian activists are discussing the feasibility of an Anti-Privatisation Forum modelled on those in South Africa and Zimbabwe, and helped organise the first Southern African Social Forum held in Lusaka in December 2003 (Larmer, 2004).

However, the enduring legacy of nationalism, and Kaunda’s essentially moral world view, cast a long shadow across the Zambian polity. Chiluba’s corruption is commonly explained by judgements about his personality, rather than in the context of the vast unaccountable power of the Zambian Presidency. Corruption is similarly understood as a problem that can be solved by the election of politicians who have the nation’s interest at heart, and by the identification and attraction of ‘good investors’ (interview, Nonde, 2003). In fact, the acquisition of wealth through semi-legal or illegal avenues and company-state linkages has been at the heart of capital accumulation in Zambia since Independence (and, given the dubious legality of the treaties signed by Chiefs with the British South Africa Company in the 1890s, well before that). The exploitation by senior UNIP officials of parastatal management positions in the 1970s and 1980s, was succeeded in the 1990s by the utilisation of the privatisation process for the dubious acquisition of individual companies, and the payment of bribes for preferential treatment by prospective Zambian and international purchasers of particular assets. This does not demonstrate a peculiarly African or Zambian propensity for graft, but rather the peripheral position of Zambia in the international economic order. Throughout this period, the consequent priority of the Zambian ruling class has been to enable the continued outflow of wealth in the form of copper and loan payments to international markets. The colonial legacy of a mono-economy dependent on international markets over which Zambia lacks any control, and highly limited indigenous private capital formation, means that state-based accumulation is a result, rather than a cause, of Zambia’s economic marginalisation and the severe poverty of most of its people.

Privatisation, particularly of ZCCM, highlights the central role played by an effective alliance of donors and those sections of multinational capital that have an interest in the Zambian economy. As this paper has sought to demonstrate, the disastrous social
and economic outcomes of the implementation of extreme neo-liberalism in the last decade have been decisively shaped by this alliance. ‘Aid’ (most of which funds donor repayments, rather than social assistance) has been withheld at decisive moments to weaken the bargaining power of the Zambian state, to undermine the legal right of civil society organisations to influence the privatisation process, and to enable new investors to flout their social obligations.

Given the severely limited influence of the Zambian state over this process, and the overwhelming evidence of foreign influence over the national economy, it is unsurprising that Zambians tend towards essentially nationalist explanations for their suffering, and for nationalist solutions to alleviate it. Thus, a limited recent tendency towards state economic intervention, and the protection of Zambian investors from foreign competition, finds support amongst trade unionists like Hikaumba who are otherwise critical of those in power. Yet the implementation of such nationalist policies in the past not only failed to address the fundamental problems arising from Zambia’s position in the world economy, and inequality within Zambia; they also provided a populist justification for increasing state control over individuals and collective expressions of popular opinion. As I have argued, such authoritarian tendencies, uncannily reminiscent of the one-party state era, have already manifested themselves in Mwanawasa’s administration (The Post, 11 September 2003). It is to be hoped that the unprecedented dialogue underway within Zambian civil society in general, and the labour movement in particular, over potential alternatives to neo-liberalism, can avoid such nationalist pitfalls, and begin to challenge the underlying basis of national and international political and economic power that is the ultimate cause of their grievances.

Miles Larmer, University of Pretoria; e-mail: miles.larmer@up.ac.za. This paper draws on material collected whilst the author was a Ph.D. Research Student at the University of Sheffield. It draws on material collected during research visits to Zambia in September to October 2001 and August 2002 to March 2003, particularly on interviews carried out with present and former officials of the Zambia Congress of Trade Unions (ZCTU), Mineworkers’ Union of Zambia (MUZ), and other unions. I am grateful to the Beit Fund and the University of Sheffield for their generous financial support of these visits.

Endnotes


2. This is a finding of the Afronet/RAID/CBE report. I am indebted to RAID’s Patricia Feeney for additional information on this subject; the conclusions drawn are my own.

3. Interviews with former MUZ officials and mineworkers, including Evelyn Musonda, Cameron Pwele and Anton Kaluba, 2002-2003.


5. Discussions with George Mulenga, MUZ Organising Secretary, December 2002.


9. This point is made by Austin Muneku, ZCTU Director of Research, various discussions 2001 and 2002.


12. See for example, The Post, 10 May 2003, Mwanawasa meeting with World Bank Country Director Paul Schafer.

13. Sympathetic and supportive views of Mugabe and Zanu-PF were found in numerous discussions during recent visits to Zambia.

**Bibliographic Note**


Sudan: A Flawed Peace Process Leading to a Flawed Peace

John Young

Peace is more than the cessation of military hostilities, more than simple political stability. Peace is the presence of justice and peace building entails addressing factors and forces that stand as impediments to the realisation of all human rights.1

The hopes and aspirations of the Sudanese people hang on the Inter-Governmental Authority on Development (IGAD)2 peace process and there are increasing doubts whether it can deliver lasting peace, much less democracy and justice. It is too early to give up on the process, but not too late to analyse and critique it, in the hope that this will encourage debate and stimulate the Sudanese to take control of the process from self-proclaimed leaders and an ‘international community’ which has not encouraged broad participation. This is all the more important because there is every indication that the flaws discussed below will be repeated in trying to resolve the conflict in Darfur.

The following points are articulated in the pages that follow: (1) most Sudanese in both the north and south have been denied access to the IGAD peace process; (2) this process has been dominated by a handful of Western states led by the US which have injected their own interests into the process; (3) democracy and justice do not figure highly among their concerns; (4) the peace protocols that have been signed do not adequately address fundamental issues of power sharing, equity, and human rights; (5) the security agreements reached thus far, and the instruments they establish, lack accountability, transparency and professionalism; and (6) given the weaknesses of the peace process, the belligerents are indicating by their actions, if not their words, that they are not discounting the possibility of returning to war.

Let us begin with an assessment of the importance given to democracy, human rights, transparency, and popular participation in the IGAD peace process. From its inception, this process has been narrowly focused, exclusionary and lacking transparency. This approach was held to be both the best means to reach a peace agreement, and consistent with peace making efforts elsewhere in the world. Based on a comparative study of international experience one analyst concluded that the dominant approach to peace building used by multilateral organisations and governments is ‘top down, externally guided, supply-driven, elitist and interventionist;’3 an apt description of the Sudanese case. Progress in the IGAD peace process appears to confirm the validity of this approach, however, as argued here, the use of
undemocratic means raises doubts as to whether the resulting peace will prove sustainable. The contention here is that while a democratic transformation of Sudan will not in and of itself guarantee peace, a peace process that is not underpinned by democratic values will assuredly fail.

Second, the growing domination of the IGAD peace process by the United States and its close allies is examined. While the engagement of the US was critical to putting the peace process on track at a time when it appeared on the verge of collapse, it reinforced the undemocratic approach initiated by the region. Moreover, while US engagement is a necessary component of the peace process, American interests reach beyond Sudan are not necessarily consistent with the objectives of a sustainable peace and democracy.

After considering the weaknesses in the IGAD peace process, three outcomes will be examined in the latter half of the analysis: first, the various protocols and agreements reached thus far; second, the on-the-ground experience of the various internationally directed security instruments established as a result of the peace process, and lastly, the responses of the Government of Sudan (GoS) and the Sudan People’s Liberation Movement/Army (SPLM/A) to the emerging political and military environment. The exclusivist narrow approach of the peace process is reflected in the protocols, which concentrate power in the hands of the two belligerents and their leaders, deny the rights of others, and give little consideration to human rights. The security instruments established are informed by the same approaches and values and this can be seen in their narrow mandates, secrecy, and opposition to popular accountability. Lastly, it should be clear that a peace process not informed by democratic values, and increasingly subject to considerations other than peace and democracy, will produce a flawed peace, a peace in which the key actors – the GoS and the SPLM/A – are seriously entertaining the possibility of a breakdown in the peace process and a return to hostilities, rather than directing all their energies to peace, reconstruction, reconciliation and good governance.

Whither Democracy in the Peace Process

A thorough examination of IGAD’s peace process cannot be considered in this paper. Instead, the paper focuses on the latter stage, beginning with the Machakos Protocol of July 2002, and pays particular attention to the extent that considerations of democracy, human rights, popular participation, and transparency informed the process. It is readily seen that democracy has never been a major concern of either the IGAD mediators or their international backers. But unlike IGAD and its supporters who maintain this approach was necessary to reach an agreement, it is argued that the failure to base the peace process on a commitment to democratic process, democratic values and inclusivity poses the biggest threat to the long-term viability of peace in southern Sudan. Moreover, should the same approach be applied in western Sudan – as appears to be the case – it can be predicted that it will suffer from the same flaws.

By way of background, suffice to say that IGAD became engaged in the Sudan peace process after the breakdown of internal efforts at reconciliation, the withdrawal of Nigeria from peace-making endeavours, and the failure of other initiatives by the international community. IGAD provided a forum and a Declaration of Principles, which the GoS and SPLM/A eventually endorsed, that focused on the critical issues of state and religion and self-determination. Crucially also, the IGAD process gained international legitimacy. Worthy as these achievements were, the belligerent parties moved to serious negotiations only when military pressure was employed. Of
particular importance was the support Ethiopia, Eritrea and Uganda gave to the SPLM/A in the mid-1990s. Such support flowed directly from the perceived threat posed to the sovereignty of these states by the GoS’s aggressive and expansionist Islamist foreign policy. However, that pressure lifted when the Islamist threat declined in the late 1990s, while Eritrea and Ethiopia began a two year war in mid-1998. With Eritrea and Ethiopia thus engaged, it became vital for them to gain the support, or at least neutrality, of Sudan, their shared neighbour. This reduced the pressure on Sudan, and without it the peace process came to a virtual halt.

After an extended stalemate, a ‘Troika’ made up of the US, Britain, and Norway stepped into the void. The basic approach of the IGAD process remained the same. It was positive, because it engaged countries from the region, and focused on the separation of state and religion and on self-determination; the principal concerns both of the GoS and the SPLM/A. It was negative, because it reinforced a process that was exclusionary, lacked transparency, and gave short shrift to issues of social inequality and human rights. The rationale for this elitist approach is (1) the negotiations are too complicated to bring in other parties; (2) the more parties that are involved the more difficult it would be to maintain the desired level of secrecy; (3) the GoS and SPLM/A do not want other parties at the negotiation table, because it would lead to further division of resources and power. When it appeared that that these arguments did not carry sufficient weight, IGAD and the Troika promised that other interested parties would be brought into the process after a comprehensive peace agreement was reached.

This means that additional parties could be tacked on to the process to provide the necessary legitimacy, when they are no longer in a position to influence the outcome of the peace agreement. The result has been to ensure that the parties that gained power through the gun – the GoS and SPLM/A – have the blessing of the international community to reach an agreement, while the Sudanese people and their democratic organisations are reduced to endorsing a done deal. Until very recently, it was widely argued that the Somali approach of bringing a multitude of parties to the negotiation table would be daunting, if not chaotic. Nevertheless, the recent success of the Somali peace process challenges this contention and is further reason to question the exclusivist approach of IGAD.

This approach was reinforced by maintaining a high level of secrecy surrounding the negotiations. IGAD mediators ensured that journalists were given the most cursory overview of the negotiations, and other interested parties were kept physically away from the negotiating teams in Naivasha, Kenya. The GoS and SPLM/A had a shared interest in keeping civil society groups at bay, at least until the final stages of the talks. The Troika endorsed these efforts and further marginalised the IGAD Partners’ Forum (IPF), a group of European countries which had backed IGAD’s efforts financially and politically over the years. IGAD’s member states, especially Ethiopia and Eritrea, which drove the process in its early days, faded from the scene. Kenya, however, the most obliging partner of Western interests in the region, was given precedence by the US led Troika.

It is hardly surprising that the GoS and SPLM/A would not favour bringing other interested parties into the negotiations, since they systematically excluded democratic participation within their own respective domains. Even key military and political associates of the GoS, such as the South Sudan Defence Force (SSDF), and the Asmara-based National Democratic Alliance (NDA) allied to the SPLM/A, were excluded. Not surprisingly, these groups are now re-appraising their commitment to
the peace process. Moreover, the exclusion of major northern political parties, in particular the National Islamic Front, recalls the making and subsequent failure of the Addis Ababa Agreement of 1972, which ended Sudan’s first civil war and paved the way for the second. It could not be expected that the IGAD countries, all of which practice exclusionary politics, would make a stand on this critical issue. More difficult to accept is why countries like the US, Britain and Norway, that flaunt their concern for democracy world-wide, would endorse this approach.

Probably the biggest threat posed to the hopes for peace and stability in Sudan is the refusal of IGAD to respond positively to the demand of the rebels in Darfur for their voice to be heard in Naivasha. The Sudan Liberation Movement/Army (SLM/A), the dominant rebel group in Darfur, purposely timed its insurrection as a direct response to the denial of a place for itself at the Naivasha peace talks. It has explicitly stated a fear that power and resources would be divided between the GoS and SPLM/A at the expense of the rest of the country. IGAD and the Troika also rejected demands by the SSDF, NDA, the Justice and Equality Movement (JEM), and other groups for a place at the peace talks.

Corresponding to the absence of wider participation in the peace process is IGAD’s approach to human rights. Again one would not expect the GoS and SPLM/A to give priority to such concerns. Likewise with the IGAD countries, all of which have poor records in this respect. However, it is hard to understand the attitude of Western countries that preach the gospel of human rights to the world, bewail abuses in Darfur, and pay for the IGAD Sudan Secretariat which is conducting the negotiations. They cannot have failed to notice that while the belligerents have negotiated a series of protocols on power sharing, wealth-sharing, border territories, the status of Khartoum, self-determination, state and religion, security issues, etc., there is no separate protocol on human rights.

The only attempt to address human rights were the pro forma statements in the protocol on power sharing. This, in the face of human rights’ abuse on an enormous scale by both sides during the course of the twenty-one year long war. While human rights abuses in the South appear to have declined since the signing of the Machakos Accord on 20 July 2002 and the placement of international monitors on the ground, in territories under the control of the GoS and SPLM/A such abuses have continued without interruption throughout the period of negotiations. It seems IGAD’s mediators fear human rights are a minefield that would complicate negotiations, and reached a tacit understanding to avoid the subject. This was made easier by the absence of civil society organisations from the negotiations. As a result, the possibility of ordinary Sudanese to bring human rights abuses to light and to hold guilty parties accountable has not been considered. Indeed, there is no public debate underway on what many consider the most critical component of the peace process. IGAD’s handover of a monopoly of power to the GoS and SPLM/A will not create an environment conducive to the protection of human rights in any part of the country.

It should come as no surprise that, apart from agreements on power and wealth-sharing, the gross social inequalities that abound in the country, and the inequitable power relations they reflect, have not been addressed. IGAD, the Troika, the GoS and, most surprisingly, the SPLM/A given its commitment to a New Sudan, have failed to make the link between the pursuit of peace and the redress of economic and social inequities in the country. There has been a minimal effort to consider the development needs of the so-called ‘marginal territories’ of South Blue Nile, Nuba Mountains, and Abyei, but social inequities hardly stop in these areas, and may be...
even worse in the West and East of Sudan. Indeed, the political and economic marginalisation of the latter areas has been evident for years, and is now expressing itself in growing insurrections. Nor has there been any consideration of the disparity between the long favoured riverine region and the rest of the country.

Likewise, there has been no appreciation of class divisions in Sudan, which have widened in recent years due to the dismantling of the country’s social safety net in the pursuit of a liberal economy. A recent study identified the early years of NIF rule as unique in Sudan’s post-colonial history for deepening poverty and growing inequality. Prostitution, begging, and extremes of poverty have increased exponentially in recent years, ignored by the GoS. This is to be expected of the GoS, whose core support comes from the elite of northern riverine tribes long politically and economically dominant in Sudan. But it shows the ideological vacuum of the SPLM/A which, in the scramble for the spoils of power, seems to have lost its commitment to build a ‘New Sudan’ free of inequities. It also shows the shallow approach to the peace process of the Troika countries and their endorsement of economic liberalism that, in the case of Sudan has led to an enormous growth in poverty and social tensions.

US engagement in Sudan: The countries of IGAD took an interest in the Sudan peace process when their own security was threatened by the civil war and the aggressive Islamist foreign policy of the GoS. When that threat receded, or, when more significant security threats emerged (as was the case with the Ethio-Eritrean war), then their interest in the peace process declined. The US and its allies stepped into the void for a number of reasons that will be considered below, but like the countries of the region, their own security concerns increasingly came to the fore.

The US injected life into the peace process when it was on the verge of collapse. Its interests were not confined to achieving a sustainable peace, and even less to bringing about Sudan’s democratic transformation. They included a response to domestic interests, the religious affiliation of President Bush and, increasingly, its own security concerns. The Congressional Black Caucus, human rights activists, a petroleum industry upset by its exclusion from potentially lucrative oil discoveries in Sudan, and the Christian Right, all pressed for intensified engagement in Sudan under both the Clinton and Bush administrations. But it was the latter that put Sudan on its agenda, and it must be assumed that the interests of the petroleum industry and the Christian Right, carried the decisive weight. The Christian Right has long sympathised with the SPLM/A, believing simplistically that Sudan’s civil war pitted Arab Moslems against African Christians. President Bush himself drew inspiration from religious groups in his home town of Midland, Texas and his close friendship with prominent evangelists Billy and Franklin Graham, all of whom pressed for a deepening US engagement in Sudan and its peace process. Support for the peace process also seemed the best approach for American oil companies to re-enter a territory they had unceremoniously been forced to leave two decades ago, and to gain the GoS the international legitimacy that would justify the US Congress revoking its trade and investment embargo against Sudan.

The first and most significant indication of a growing US interest was Bush’s appointment of Senator John Danforth, an ordained Episcopal minister, as his special peace envoy. The fact that this crucial appointment was made five days before the events of 9/11 have led some to believe that American interest in Sudan cannot be attributed to security concerns. However, 9/11 had the effect of intensifying an already growing American security interest in Sudan. US concerns began with
Khartoum’s pursuit of an aggressive Islamist foreign policy, which was foremost directed against countries in the region, many of whom were America’s allies. The US was also alarmed at Sudan’s ties with international Islamist terrorist organisations, and its support for Iraq during the first Gulf War. Apprehension reached its height in the wake of Sudanese Government alleged complicity in the attempted assassination of Egyptian President Hosni Mubarak in Addis Ababa in June 1995. In response, Clinton supported the efforts of Egypt and Ethiopia to gain UN support for an embargo against Sudan, and in 1997 issued a Presidential Executive Order imposing unilateral sanctions against the country. The US also provided US$20 million worth of military equipment to Eritrea, Ethiopia, and Uganda to defend themselves against Sudanese Islamist aggression. Tension increased further when the US accused Sudan – almost certainly erroneously – of manufacturing chemical weapons, and on the basis of evidence that has never been produced, bombed a pharmaceutical plant in Khartoum in August 1998.

There is thus good reason to accept the widely held perception in the region that US policy under Clinton favoured overthrowing the Islamist regime in Khartoum, and the motives driving this policy were based more on security than humanitarian concerns. But since US foreign policy is invariably dressed in high moral garb, the American engagement in Sudan was given a humanitarian rationale. Simultaneously, the US developed close ties with the GoS in the field of intelligence in order to gain information on Islamist groups, particularly Al Qaida led by Osama bin Laden who had lived in Sudan for five years as a guest of the Islamist government. By all accounts, the GoS met the expectations of the US in the supply of intelligence information.

Gaining intelligence information, defeating Islamist terrorism, ensuring the security of its allies in the region, on the one hand and, on the other, a growing perception that America’s own security was linked to the outcome of conflicts like that in Sudan, all led the US to play a leading role in the Sudan peace process. The more US interests and prestige were at stake in the process, the more important it became to ensure the continuing viability of the two parties – the SPLM/A and the GoS – whether or not that was in the interests of the Sudanese people, or would produce a sustainable peace. Effectively this put the US in the curious position of providing critical support to the Islamist government in Khartoum, at a time when it was leading an international crusade against political Islam. As American engagement in Sudan intensified, the participation of countries from the region, apart from Kenya, in the peace process declined, and broader geopolitical and security issues came to the fore.

There is reason to believe that Sudan’s petroleum reserves figured in US Government calculations, given the desire of American oil companies to regain a position in that country, Washington’s standing policy designed to diversify energy supplies, and the Bush Administration’s perception that links energy supplies with the security of the United States. Moreover, the fact that there are strong links between Bush and other key members of his government with the oil industry means that concerns over oil straddle domestic political concerns and national security interests. While American domestic considerations figured before 9/11, there is little doubt that security interests in Sudan predominated after that pivotal date.

Nonetheless, because of its involvement in Iraq, the US has not taken an overwhelmingly dominant position in the Sudan peace process. Instead it has worked through the auspices of IGAD, and has allowed itself to be influenced by its
Troika partners. As a result, in marked contrast to US engagement in Somalia, Afghanistan and Iraq, Washington has faced little international opposition to its policies in Sudan. Indeed, not only have the GoS and SPLM/A both welcomed American engagement in the peace process, but so have the other major groups in Sudan and the countries of the region.

While a measured US interest in Sudan has ensured a more balanced approach to the peace process, it has not generated support for dealing with the social and political inequities that caused the civil war in the south and Darfur. US support for democracy in Sudan has been ritualistic, and takes the form of support for the so-called Washington consensus restricted to multi-partyism and an open economy. At no time has the US shown sympathy, much less support, for a democratic transformation in Sudan. In fact, past American involvement in Sudan includes extended support for the military dictatorship of Jafar Nimeiri and his Islamist allies (including the party of Hassan Al-Turabi), and a contentious relationship with the elected government of Sadig Al-Mahdi; few tears were shed in Washington when the latter government was overthrown by the military in 1989.

Having considered the commitment of IGAD mediators and the Troika to democracy in the peace process, and made clear the vital role the US has played in the latter and crucial stages of that process, and how its growing interests in security both shaped that process and reduced the significance of concerns of democracy and justice, it is now necessary to examine the outcomes of the peace process. Two outcomes will be considered below: (1) the protocols produced by the IGAD negotiations, (2) the security regime and security instruments established. The objective is to examine the protocols with respect to the key concerns of this paper, namely their commitment to a sustainable peace, democratic governance and social equity. Our discussion will end with an examination of how the GoS and SPLM/A are positioning themselves in the wake of a peace process whose outcome is at best tenuous, where they, not the Sudanese people, will hold virtually all power.

Protocols & Agreements: Statism vs. Liberation

Under the Power Sharing Protocol, the President of Sudan will be from the regime’s National Congress Party (NCP) currently Omar Al-Bashir, and the first vice-president will be the leader of the SPLM, that is, of course, Dr. John Garang. The same Dr. John Garang will head the government of the South and in addition, will be commander-in-chief of the SPLA, the principal army in southern Sudan throughout the interim period. Some critics see this as a formula designed by the GoS to let Garang and his supporters grab the lion’s share of power and thus precipitate tribal conflict in the South. The GoS argues that giving power to Garang will bolster his authority and reduce the threat of fragmentation, and also make clear to Southerners that real, and not symbolic, power has passed to them. Whatever may be the case, the result is the same: a rhetorical commitment to democracy and empowerment of the masses when, in fact, precisely the opposite is being institutionalised.

Further evidence of the trend towards centralised power can be seen in the distribution of seats in the National Assembly: the National Congress Party will get 52% of the seats, SPLM 28%, other northern parties 14%, and other southern parties 6%. The ‘other northern parties’ won more than 75% of the votes in the last democratic election of 1986, when the NCP (then the National Islamic Front) won 15% of the vote, and the other 10% was distributed among a number of small parties, mostly from the south. The SPLM did not participate in the elections. There is reason to believe that
the historically dominant parties of the north – the Umma Party and Democratic Unionist Party (DUP) – have lost support, and regional-based parties may have gained strength. But there is absolutely no reason to assume that the NCP and the SPLM come anywhere near representing 80% of the Sudanese people.

According to the Power Sharing Protocol, the Interim National Constitution and the National Constitution can be changed with a vote of 75% of the two chambers of Parliament. With 80% of the seats in those chambers, the SPLM and the GoS have the power to make such changes as they wish. With respect to southern Sudan, the SPLM is to be granted 70% of the seats in the Transitional Assembly, and the Protocol further stipulates that the Constitution of Southern Sudan can be changed with a two-thirds vote of that Assembly. The SPLM is given a stranglehold over both the southern regional administration and the constitution that underpins that administration.

According to the Protocol, ‘The President shall be elected in national elections, the timing of which shall be subject to the agreement of the two parties.’ In other words, there is only a vague commitment to democratic elections, the decision will be made by the GoS and SPLM/A alone, and there is no clear statement about when elections will be held. The unstated SPLM/A preference is not to hold national elections during the entire interim period of six years, while the NCP recognised that this position is indefensible and advocated holding elections during the first year of a signed peace agreement. The NCP took this position because it is the best prepared organisationally and financially to contest such elections. Moreover, it knew its proposal would in any case be opposed by the SPLM/A, which would accordingly suffer embarrassment. The proposal did cause the SPLM/A embarrassment, but the GoS may have overestimated the desire of the international community for elections.

There have been remarkably few statements by the US on the need for national elections, presumably because once the Americans jumped into bed with the NCP and the SPLM/A, they became concerned with the survival of their bedfellows. Elections could threaten both signatories of the peace agreement, and might bring parties into the government that are not committed to the peace process. Once more, the majority northern population who have never given their support to the NCP, and large sections of the South who may well support the SPLM/A when it comes to self-determination, but may not otherwise support this movement, have their rights circumscribed in order to reach a peace agreement which, in any case is deeply flawed.

The SPLM/A vision of a New Sudan in which state and religion are separated, and followers of all religions enjoy political rights, attracted widespread support among Moslems in all parts of the country. From its inception, the NCP’s legitimacy has been based on its commitment to Islam and the implementation of sharia, or more accurately, its own version of sharia. Clearly the two conflicting visions of Sudan are not easy to compromise, nor should they, because the former is consistent with democratic values, while the latter entails a rejection of these values. The compromise reached by the diplomats of IGAD stipulates that state and religion would be separated in the South, and citizens there would be permitted to practice, or not practice religion, as they see fit. On the other hand, the imposition of sharia in the North deprives Moslems in that region of the basic right to practise the religion of their choice according to their wishes, not as dictated by the NCP. The Troika states, which espouse separation of religion and state in their own countries, have endorsed the forceful implementation of sharia on Moslems in northern Sudan. Either due to a
desire for a quick agreement, or the simplistic characterisation of Southerners – of whom only a minority are Christians – as the only victims of the war, the backers of the peace process have denied the Moslem majority of northern Sudan the basic right to decide whether they want the version of Islam which has been imposed on them. Ironically, while the United States professes to be leading a war against authoritarian Islamism, it is denying the right of moderate Moslems in Sudan – possibly a majority – to be rid of a *sharia* imposed on them by a government that came to power not through democratic elections, but by overthrowing a democratically elected government.

Finally, the same cavalier attitude can be seen with respect to broader concerns of human rights. Various rights are ritualistically acknowledged in the Power Sharing Protocol, and it was agreed to establish a Human Rights Commission. Such formulae typically appear in all modern constitutions, irrespective of whether the state respects them or not. The failure of the Protocol to consider how the rights it so readily grants can be implemented. No details are provided on the mandate of the Human Rights Commission, when it is to be established, who is to serve on it, and whether there will be any role for civil society.

It is not the intention here to carry out a critique of the Wealth Sharing Protocol, only to comment on the extent to which it speaks to issues of democracy, transparency and social equity. The prevailing practice of the GoS in keeping secret essential information regarding oil revenues has been reinforced in the Protocol. An academic analyst bewails what is meant by NGO oversight and concludes: ‘The parties act as if it were not the case that every single African country, except Botswana, has completely mismanaged natural resource wealth.’ While the 1997 Khartoum Peace Agreement concluded with southern opponents of the SPLM/A granted the regional states possessing oil 40% of the resulting revenue, the IGAD agreement grants them only 2%. In tribally conscious southern Sudan it is noted that Riek Macher negotiated the first agreement which would have benefited his fellow Nuers, since most of the oil recovered thus far has been in their homeland, while John Garang, a Dinka, negotiated the second agreement. It can be argued that the GoS had no intention of carrying out the Khartoum Agreement. Nevertheless, the Wealth Sharing Protocol is striking both in its lack of concern for tribal sensitivities, and for what it says about federalism and the access of southern states to revenues. There is no doubt that the division of the oil windfall between two factions has angered other communities in the country, notably but not exclusively in the West, which feel marginalised and entitled to a share of the wealth.

Much SPLM/A capital and many lives were expended to establish a military presence in the border territories of the Nuba Mountains, South Blue Nile, and Abyei. Critical to the SPLM/A’s appeal to the people of these territories was its commitment to hold a referendum to determine their future status. In the case of the Nuba Mountains and South Blue Nile, the SPLM/A was not able to negotiate for a vote on self-determination. Moreover, during the first stage of the interim period until elections are held, both the governor and the legislators in these regions will come exclusively from the NCP and the SPLM. SPLM and NCP appointees will each hold the position of governor for eighteen months and the legislature will be made up of representatives of the NCP and SPLM – 55% for the former and 45% for the latter. After the first three years (although this period is not clearly stated) both the governorship and legislature will be elected. Provision is also made for these ‘marginalised territories’ to receive a increased share of national revenues. Continuing insecurity in South Blue Nile and lack of trust between the belligerents
has not been overcome by two years of intensive negotiations, and the people of this region have had no opportunity to debate their future.

Reaching an agreement on power sharing and the division of responsibilities no doubt is a considerable achievement. However, many Sudanese see it differently. In the first instance, it sanctions regimes in the North and South that do not hold power as a result of democratic elections. In the second instance, it empowers small groups from the North and South at the expense of marginalised groups elsewhere in the country. The decision by IGAD to divided a major natural resource (oil) between the two parties permitted to participate in the peace talks has cause anger in other parts of the country which feel as marginalised as the South. Indeed, as noted, the SLA has drawn attention to this iniquity which influenced its decision to launch an insurrection in western Sudan. In the East, disgruntled groups like the Beja Congress vow to continue their struggle and to make an alliance with the SLA. There is a real danger that the legacy of the Naivasha protocols will not be a sustainable peace, but the cause of deepening and widening conflict in Sudan.

Security regime during the pre-interim period: A crucial indicator of success of the IGAD peace process to date, as well as a harbinger for the future, is the security regime that has been established in the south in the wake of the Machakos Protocol. This is the product of efforts by both IGAD and the US special envoy for peace, Senator John Danforth. A Cessation of Hostilities Agreement was reached by the GoS and SPLM/A, and Danforth’s proposals led to the establishment of mechanisms to monitor security in the Nuba Mountains, and to ensure civilians elsewhere in the war-affected areas were not harmed by armed groups. The agreement led to the formation of the following bodies: the Verification Monitoring Team (VMT), the Joint Military Commission (JMC) for the Nuba Mountains, and the Civilian Protection Monitoring Team (CPMT). These are to remain in effect until the advent of a final peace agreement, a comprehensive ceasefire agreement, and the official commencement of the interim period. The security regime during the interim period is covered by the IGAD negotiated Security Arrangements Agreement. Thus an examination of these four agreements and the instruments that the first three gave rise to, speaks strongly to the objectives and values of those leading the peace process, as well as providing insight into the future direction of that process.

Not surprisingly, such an examination reinforces many of the conclusions drawn above. That is, the security regime established lacks transparency, does not engage the Sudanese people, is captive to the interests of the GoS and SPLM/A and, most significantly, human rights have been interpreted very narrowly. Expediency, the lack of experience of the monitors, and the desire to protect well paid jobs has won out over a committed effort to provide a secure environment for southern Sudanese and the opportunity for them to rebuild their homeland. As a result, while conditions have improved since these various security agreements came into effect and international monitors took up positions in southern Sudan, the change is of a quantitative and not qualitative character, and many people, particularly the inhabitants of Upper Nile and South Blue Nile, still live under conditions of great insecurity.

That fact that violence continues in Upper Nile is not surprising for a number of reasons. First, most of the SSDF components are made up of Nuers based in Upper Nile. The Nuers are among the most aggressive of the southern tribes and the most easily aroused against the Dinkas, who are held to dominate the SPLM/A. Lastly,
and perhaps most significantly, Upper Nile encompasses the oil fields, which have become critical to the survival of the regime in Khartoum, and have been a bone of violent contention since they came on-stream.

Asset stripping in Upper Nile has not stopped as a result of the Civilian Protection and Cessation of Hostilities Agreement. Theft of cattle figures prominently in the reports of CPMT, and there is little indication that investigation of these thefts have constrained the behaviour of the armed groups that carried them out. A history of cattle raiding, a regime of lawlessness, and the breakdown of traditional tribal values as a result of the war, to some extent explain this thievery. Theft of cattle, the principal source of wealth in Upper Nile, has long been a critical means for weakening enemies, and it is sanctioned both by the GoS and the SPLM/A. In addition, the GoS relies to a considerable extent on this practise to support its militia allies.

The question that must be raised is how effective has this security regime been in responding to the continuing crisis in Upper Nile? To begin with virtually none of the CPMT monitors and the international staff of VMT had been in Sudan before taking up their positions, and few of them even began to appreciate the problem. Even less do they have a understanding of human rights principles and laws and their application, and there were given no instruction in these subjects. People with knowledge of the security problems in southern Sudan are either kept out of these organisations or marginalised within them, and this in turn encourages a narrow military perspective on what – in the case of CPMT – ought to be a strong focus on human rights. Having been assigned a virtually impossible task – monitoring human rights abuses in Sudan by people who know little about human rights and less about Sudan – the leadership has retreated into a world that focuses on logistics, control, procedures, mobility and attempting to create the appearance of competence in the face of its absence. This is best achieved by maintaining a distance from Sudanese civil society, international NGOs, the UN agencies, other monitoring agencies and the media. The inability of the managers to comprehend, much less carry out, their existing mandates means they interpret their mission as narrowly as possible. The best examples of this are CPMT’s failure to deploy in Darfur despite numerous opportunities, and its weak presence in eastern Sudan. Managers either did not understand the issues at stake or clearly did not want to risk the wrath of the GoS in the former case, or the SPLM/A in the latter.

Like the protocols, the Security Arrangements Agreement suffers from a failure to recognise the existence of parties other than the GoS and the SPLM/A. Against all evidence to the contrary, the agreement states there are only two military forces on the ground in southern Sudan. From the inception of the conflict in 1983 (and arguably 1976 when Anyanya II first launched attacks against the GoS), the SPLM/A has never achieved undisputed control in the South. Besides Anyanya II, there has been a plethora of tribal militias opposed to the SPLM/A, particularly in Equatoria. Furthermore, in addition to the breakaway groups of Riek Macher and Lam Akol, there are also the South Sudan Liberation Movement in eastern Upper Nile, the large grouping of the South Sudan Defence Forces, numerous village based militias, and an almost indeterminate number of other factions, some of which emerged as a result of local conditions, and others created by the GoS (see Young, 2003). The SPLM/A has never controlled large areas of southern Sudan. For its part, without the support of its powerful southern allies, the GoS army would only control a small territory in the south, largely restricted to key towns.
It is commonly argued that the other groups are ‘controlled’ either by the GoS or the SPLM/A. Under the Security Arrangements Agreement, it is assumed that the third largest armed group in the South – the SSDF – operates completely at the behest of the GoS army, and it is not even referred to by name in that document or in the Civilian Protection and Cessation of Hostilities Agreements. That disparate southern groups, particularly the Nuer who make up the majority of the SSDF, could be completely controlled by any other force is a joke to anyone familiar with these highly independent people. The ‘alliance’ between the GoS and the SSDF is officially based on the Khartoum Peace Agreement of 1997, but this agreement has been disowned by the government. As far as the SSDF is concerned, the continuing relationship between the two groups that have little in common (for example, the GoS naturally supports the unity of Sudan, while the SSDF has consistently favoured separation) is now based on three factors: (1) a sense of humiliation at being denied recognition; (2) tribal enmity, much of it directed against the Dinka and John Garang; (3) the receipt of material benefits and the sanctioning of asset stripping of civilians deemed to support the SPLM/A. None of these factors gives reason to expect a stable or enduring relationship between the GoS and the SSDF, much less to build the Security Arrangements Agreement around such a premise, as IGAD and the Troika have done.

The major ally of the SPLM/A are the factions that make up the NDA. But again the notion that the SPLM/A controls, or even consistently exerts a dominant influence over the NDA, is erroneous. These northern groups gravitated to an alliance of convenience with the SPLM/A because of their shared opposition to the National Congress government. This coming together has never been anything more than a tactical alliance without any hope of achieving a shared longterm vision. Indeed, how could it be otherwise? The only group with any proven electoral constituency in the NDA is the DUP, which has more factions than can be counted, has a religious core around Osman Al-Mirghani, is committed to parliamentary politics, and is irrevocably opposed to southern separation. Meanwhile, the SPLM/A professes secularism, is opposed to the post-independence dominance of sectarian parties like the DUP, and Garang’s words not withstanding, the SPLM/A’s constituency supports a separate southern Sudan. Not surprisingly, the NDA has never functioned with any political coherence. As a military organisation it is overwhelmingly dominated by the SPLA, with the other groups largely reduced to providing a fig leaf of legitimacy. The only thing that has given the NDA credibility is the consistent support it has received from the Eritrean government, but that has been a mixed blessing since it has meant the organisation has sometimes been a hostage to the security interests of Asmara.

The notion that the GoS and SPLM/A have reliable allies they control and have the authority to represent in the IGAD negotiations seems a clumsy attempt to justify the exclusion of groups that have every right to speak on their own behalf in negotiations that effect their interests. As with almost every component of the negotiations, the IGAD mediators and the Troika have chosen the undemocratic option of giving exclusive authority to two groups that have no democratic legitimacy – the GoS and the SPLM/A – to represent the interests of other groups, some of which – like the DUP – can actually claim democratic legitimacy. IGAD and the Troika have also established a security regime whose performance is weak, lacks experienced personnel, stresses narrow mandates, opposes transparency, and resists popular accountability. Against this background it is not surprising that while talking the language of peace, distrust between the belligerents is as high now as it was when negotiations commenced.
Talking peace and preparing for its breakdown: Neither the GoS or the SPLM/A entered the IGAD peace process willingly, nor have they been prepared to accept far-reaching compromises. Since neither party ‘won’ the war, neither is in a position to dictate the peace. Not only was neither party prepared to negotiate from a position of weakness, but the instability of conditions in Sudan, and broadly in the Horn of Africa, led each of them to conclude that if they could hang on a little longer their fortunes would change. Experience has largely reinforced this assessment, and it has underpinned their approach to negotiations. While appearing amenable to influence by outside forces, notably Ethiopia, Eritrea and Uganda in the mid-1990s, and the US-led Troika in recent years, both the SPLM/A and the NCP have learned that outside influences and powers rise and decline, and neither expects anything different from those presently directing the IGAD peace process. Indeed, both parties have almost certainly deconstructed the rhetoric of the IGAD mediation team and the US-led Troika, and found – just as this analysis has – objectives at variance with those of a sustainable peace, and a less than a firm commitment to the peace process.

Maintaining hegemony in south and north Sudan respectively is the bottom line for the SPLM/A and the NCP. The IGAD mediators and the Troika have proved highly sympathetic to these objective. With the acceptance of the SPLM/A demands for a referendum on southern self-determination, the maintenance of its own standing army in the lead up to that vote, secularism in the South, and a 50% share of the oil wealth, it feels vindicated and reasonably secure. It is hard to imagine how Garang could have come out of the IGAD peace process with greater personal power. While formally committed to a New Sudan and the unity of the country, the SPLM/A can claim it is on the path to separation, a goal supported by the majority in the South.

For its part, the NCP gained a guarantee from IGAD that sharia would be institutionalised throughout northern Sudan. Although the imperative of political survival has long overtaken its ideological commitments, this party still needs the fig leaf of retaining sharia to bolster its claim of defending Islam and justify its existence, when challenged by its hard core fundamentalist wing and other religious-based parties in the North, notably that of Turabi. Those among the leadership of the NCP who see the South as an obstacle to the Islamist agenda and hold that it should be abandoned, can be told that the IGAD peace process guarantees the existence of sharia in the north and fends off the threat of SPLM/A secularism. For others who are concerned with the right to self-determination granted to the South, the NCP government can point to the support given by IGAD and the Troika for national unity, and the opportunities provided in the interim six year period to dampen southern support for independence. Given the expectation that international concern with Sudan will decline over the long interim period, some in the NCP will be encouraged by the prospect that southerners, once more, can be turned against themselves.

**Conclusion**

Under the direction of the US-led Troika, IGAD has managed a peace process that is unlikely to lead to sustainable peace, and even less likely to result in Sudan’s democratic transformation. By failing to address the power inequities that are at the core of Sudan’s multiple crises, and failing to appreciate that conflict resolution in the periphery requires transformation at the centre, it ensures that civil strife which already has spread from southern Sudan to the West will spread to other parts of the country. In restricting ourselves to a consideration of the South, the weaknesses of the peace process can be said to begin with a lack of a commitment to democratic values,
the failure to bring other political forces and civil society organisations into
the process, the absence of transparency of the process itself, the endorsement of power
sharing by two parties that have no democratic credentials, the weakness of the
security instruments in the lead up to the comprehensive peace agreement, and the
divergent objectives of the US, particularly with respect to security.

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Endnotes


2. IGAD is a regional body of countries made up of Eritrea, Ethiopia, Uganda, Kenya, Djibouti,
   and nominally Somalia.

3. Alejandro Bendana, Ibid. p. 4.


5. It is striking that the three major non-government parties in the north – Umma Party,
   Democratic Unionist Party, and the Popular National Congress – have all issued statements in
   the first half of 2004 with similar messages: first, they call for a democratic transformation of
   Sudan, a project they see as being absent in the IGAD peace process; second, they appeal for
   inclusivity in the peace process, by which they mean their participation, and lastly, they broadly
   endorse the peace process. See ‘Statement of the Democratic Unionist Party – Sudan Issues of
   Peace and the Interim’ (no date provided), ‘Towards a National Peace Agreement And A
   Program For Democratic Transformation’, National Umma Party (9 April 2004), and H.E.M.
   Adan, Deputy Secretary-General Popular National Congress Party, ‘Press Statement’ (28 January
   2004).


7. Protocol between the Government of Sudan (GOS) and the Sudan People’s Liberation
   Movement/Army (SPLM/A) on the Resolution of Conflict in Southern Kordofan/Nuba Mountains
   and South Blue Nile, Naivasha, Kenya (26 May 2004).

8. Protocol between the Government of Sudan and the Sudan People’s Liberation Movement/

   University of Khartoum, Institute of Development Studies and Research, Khartoum (August
   2003).

10. See, John Danforth, Special Envoy for Peace, ‘Report to the President of the United States on
    the Outlook for Peace in Sudan’ (26 April 2002).

11. Middle East Times, Cairo (10 September 1995).

12. Dick Cheney, US Vice President recommended in the Administration’s National Energy
    Report that, ‘the president make energy security a priority of our trade and foreign policy’.

13. Rita Abrahamsen, Disciplining Democracy: Development Discourse and Good Governance in Africa,

14. Protocol between the Government of Sudan (GOS) and the Sudan People’s Liberation
    Movement (SPLM) on Power Sharing, Naivasha, Kenya (Wednesday, 26 May 2004).

15. Ibid.
16 Agreement on Wealth Sharing During the Pre-Interim and the Interim Period, Government of the Republic of Sudan and the Sudan People’s Liberation Movement/Army, (Saturday 10 January 2004).


19. Protocol between the Government of Sudan (GOS) and the Sudan People’s Liberation Movement/Army (SPLM/A) on the Resolution of Conflict in Southern Kordofan/Nuba Mountains and South Blue Nile, Naivasha, Kenya (26 May 2004), and the Protocol between the Government of Sudan and the Sudan People’s Liberation Movement/Army on the Resolution of the Abyei Conflict, Naivasha, Kenya 26 May 2004).


21. For a more comprehensive analysis of the role of these security organs, see ‘Insecurity in South Sudan: A Challenge to the IGAD Peace Process’, www.iss.co.za.


23. See CPMT reports on www.cpmtsudan.org


26. Ibid.
Win-win or New Imperialism? Public-private Partnerships in Africa Mining

Suzanne Dansereau

One of the most significant elements of globalisation is the way in which the reshaping of the public-private divide is transforming the relationship between state and economy. In industrialised economies, there is a growing commodification and privatisation of public services, undertaken through the establishment of public private partnerships. State policy is becoming increasingly ‘market-driven’, managing national politics in such a way as to adapt to the pressures of transnational market forces (Leys, 2001). In developing economies, structural adjustment has removed the state as the principal agent of development, while private agencies are playing an increasingly public role as they engage in public service delivery. These include non-profit organisations (churches and NGOs) and for-profit caregiving and educational institutions (van Rooy & Robinson, 1998). In the political arena, the discourse over donor-defined democratisation has also meant a larger political role for a differentiated set of private agents, in the name of civil society participation, prompting Schmitz & Hutchful (1992) to call this a recipe for ‘free markets and free votes’.

In mining and the extractive sector, the World Bank is calling for the establishment of public-private partnerships between mining companies and the state, arguing that cooperation between business, civil society and government can only produce a win-win situation for all as it provides long-term benefits to the business sector while meeting the social objectives of civil society and the state by helping create stable social and financial environments (World Bank, 2002a).

Stability will be derived through the establishment of a new regulatory framework in which the state will work in closer collaboration with the mining industry to address growing criticism over the industry’s increased globalisation, and to enhance community participation as a means to address environmental and community issues in the search for sustainable development and poverty alleviation.

The following paper analyses these changes to state mining policy to determine if the voluntary partnership approach will bring about the anticipated ‘win-win’ situation. Can everyone truly win in the sense of bringing about industry returns, national and local development? Or does this new approach merely reduce state capacity, giving mining companies a freer reign to extract with little concern for the consequences – effectively becoming a new form of imperialism? To answer these questions, we examine changes to state mining policy advocated within the World Bank’s good
governance agenda, articulated around the objectives of sustainable development and poverty alleviation. It will be followed by an assessment of the evolution of state-industry relationship in Zimbabwe and South Africa as each embarked on a form of liberalisation aimed at attracting greater foreign investment. In Zimbabwe, it was undertaken as part of a structural adjustment programme. In South Africa, voluntary liberalisation was undertaken along with a strategy of black empowerment.

**Governance & the Mining Sector**

Mining in Africa has rarely had a glorious history. Several mining and other extractive companies have been criticised, both during and since colonialism, for their use of mercenaries, warlords and corruption to gain access to lucrative oil and mineral deposits, resulting in a well-documented history of intrigue and abuse in Africa and in other developing countries (Drohan, 2003; Moody, 1991 & 1992; Gjording, 1991; Hochschild, 1998; van Onselen, 1980; Cronje & Gillian, 1976). More recently, a growing illicit trade in natural resources, particularly diamonds, has been cited as contributing to conflicts in Sierra Leone and the Democratic Republic of the Congo (DRC) while making peace-building more difficult. Some NGOs and community groups even doubt that mining can contribute to sustainable development, referring to what is sometimes called a ‘resource curse’:

> developing countries with large mining sectors are found to have less resilient and diversified economies and are generally economically worse off than countries without large mining sectors (Ross, 2001 in Weitzner, 2002:9).

In response, several agencies have recently made efforts to clean up the industry’s reputation, by establishing a voluntary regulatory framework for mining activity that include codes of conduct, certification regimes and other measures aimed at enhancing corporate social responsibility. These are in addition to the already existing body of rights and duties to which corporations are informally bound, including a series of UN conventions and agreements, as well as the anti-corruption and anti-bribery measures and non-binding Principles of Corporate Governance of the OECD (International Peace Academy, 2002). One such effort is the Kimberley Process Certification Scheme, in effect since 2003, aimed at ending the illicit trade in diamonds through a process of certification of rough diamonds by the country of origin. The scheme recognises it does not completely eliminate the use of diamonds by rebel groups, and the certification process may be legitimising diamonds originating from the rebel groups themselves (Partnership Africa Canada, 2004).

Meanwhile, the World Bank’s role in mining has also come under increasing scrutiny, facing growing criticism for its support of the profitable oil, gas and mining sectors. Much of the criticism is directed at the non-sustainability of projects in poor countries, and their negative environmental and social impacts (SEEN, 2001). The World Bank’s response has been to apply its good governance agenda to the mining sector. Aimed at improving the capacity to govern, the World Bank governance policies emphasise the reform of public institutions to make the state more adept at managing its economic levers, as well as addressing problems of a lack of transparency and democracy, in the light of earlier failures of structural adjustment programmes (World Bank, 2002).

The World Bank’s adaptation of its governance agenda is aimed at reformulating state mining policy which is focused largely on the reduction of state intervention. This includes state-directed, large-scale, non-fuel mineral projects and state
enterprises with developmental rather than economic objectives. It also recom-
mended increasing resources to ministry support activities such as the geological
survey, the mining inspectorate and environmental protection all of which had
suffered from declining resources. The idea was to be better able to adapt to changing
market conditions and take advantage of the ‘renewed interest by international
mining companies in African mining’. Government is to focus instead on the ‘primary
objective’ of maximising tax revenues and obtaining a ‘fair share of the economic rent’
from mining rather than pursuing other economic or political objectives such as
ownership of resources or enhancement of employment (World Bank, 1992).

Mining’s contribution to development would be achieved instead through sustain-
able development and poverty reduction. Through privatisations and the reform of
regulatory and institutional functions, such as environmental protection, the state
would be able to attract foreign investment, thereby enhancing growth, state
revenues and employment, all of which contribute to poverty alleviation. Greater
institutional capacity could also contribute to regularizing informal mining, further
contributing to poverty alleviation (Onorato, Fox & Strongman, 1997). Thus, the
emphasis is on the support of the extraction and export of raw material, rather than
the development of an industry that could contribute to a national development
strategy or even create greater domestic value-added through local beneficiation and
manufacturing.

Industry sustainability will be achieved through greater consultation and the
establishment of public-private partnerships from which both state and industry
would benefit (World Bank, 2002a). The Bank’s director of mining, James Bond,
indicated that sustainability will accrue when there is community participation, done
via a partnership that includes local community groups along with the central state (J.
Bond in McMahon & Remy, 2001). The approach is similar to the United Nations
Development Programme (UNDP) efforts to encourage the ‘triple bottom line’ for
business in development in which they have reconciled environmental and social
contributions with financial profitability, and combined an operating licence from
government with a ‘social licence’ from the community (UNDP, 2004). This requires
greater participation and the empowerment of community groups who will play a
larger role at the local level. Because of their participation in the stakeholder process,
they will demand greater local benefits from mining activities, thereby contributing
to poverty alleviation and greater transparency of both state and industry.

These principles were reiterated in the run up to the World Summit for Sustainable
Development held in South Africa in 2000 as part of the Minerals and Sustainable
Development Project (MMSD), a project to reform state mineral policy in southern
Africa. The project was part of the consultation with governments and industry in the
World Mines Ministries Forum, established by the World Bank as part of the World
Business Council for Sustainable Development (WBCSD) (MMSD Southern Africa,
2002:1).

In light of the public criticism for its support of the extractive sector and the new
partnership approach, the World Bank engaged in a comprehensive stakeholder
assessment of its support to mining. It was undertaken with representation from
governments, non-governmental and indigenous people’s organisations, industry
and labour. A level of consensus was achieved around the Bank’s support of only
those projects that included poverty alleviation and sustainable development of
people in directly affected areas (World Bank, 2004). Yet the 300 organisations
grouped into the Halifax Initiative had demanded an end to World Bank support for
the sector, concluding that the Bank was still failing to protect communities affected by extractive projects, in contravention of international human rights (Halifax Initiative, 2004).

The next section examines the application of this new approach to mining’s contribution to development, put in place through a voluntary approach in which the state is expected to create conditions needed to enhance production and foreign direct investment. Industry is expected to pay a fair mining rent. The two, along with other stakeholders are expected to collaborate in sustainable development and poverty alleviation with a key role played by community groups in mining affected areas.

In Practice
Throughout the 1990s, global trends in private mining investment both increased in scale and favoured greater mobility as mining companies sought to mine only the most profitable deposits. Mining investment saw an increase in both exploration and extraction, largely due to increased world demand for metals, almost doubling between 1993 and 1996, from US$2,500 million to US$4,600 million (Selassie, 1999). The investment pattern also changed with greater exploration spending going to developing countries, in contrast to the pattern of the 1970s and 80s when 60 per cent and 80 per cent of investment respectively went to the so-called ‘safe’ mining countries of Australia, United States, Canada and South Africa (Maponga & Maxwell, 2001). Spending rose in Latin America from US$200 million in 1991 to US$1,770 million in 1997 (Kennedy, 1998), increasing its share of global exploration spending from 12 per cent in 1993 to 27 per cent in 1996. Africa’s share also rose from 5 per cent to 12 per cent, while Australia, Canada, and the US all fell (Selassie, 1999). Total foreign direct investment (FDI) into Africa also increased during the 1990s, continuing nonetheless to represent only about 1.2 per cent of global FDI (Maponga & Maxwell, 2001). By 1996, 60 per cent of the FDI into Africa was in the mineral extraction sector (Kennedy, 1998).

Increase in interest in African mining from the 1990s onward is explained by many as largely due to the liberalisation of mining regulations and privatisation of mining parastatals (McMahon & Remy, 2001; Maponga & Maxwell, 2001). In the words of the World Bank,

*the fundamental problems in most countries (of Africa) have been the lack of an attractive enabling environment for private sector mining investment.*

The World Bank has been instrumental in assisting mining sector reform so that it can attract new investment. High corporate tax rates, revenue-based rather than profit based taxes, restrictions on foreign ownership, dividend remittances and profit repatriation caused part of the disincentive during the 1980s (World Bank, 2002b). Changes in the 1990s were ushered in by a combination of structural adjustment programmes, aimed initially at reducing state fiscal deficit, and shifts in donor programming, including the provision of both loans and equity financing by the International Finance Corporation, as well as greater access to international equity capital market. This combination of carrot and stick resulted in incentives for both companies and African governments to reformulate the state mining policy. By the end of 1995, thirty-five African governments had radically revised their mining codes, redefining the rights and obligations of investors, enhancing the incentive framework, and deregulating and privatising the sector. These included reduced
taxation levels, liberalised import-tax exemptions for equipment and immigration laws for expatriate personnel while revamping geological data in an attempt to enhance foreign direct investment in mining (Abugre & Akabzaa, 1998). Implemented with the help of the World Bank, these new ‘codes operate as a set of standardised legal and fiscal frameworks intended to create a favourable investment environment’ but according to Campbell this is done at the expense of the state’s capacity to respond to the challenges of development (Campbell, 2004).

Ghana, often considered a model of World Bank reform, modified its mineral policy but has recently lamented the outcomes. Policies are aimed at attracting foreign direct investment in mining through tax incentives, the review of mining laws and adherence to governance principles. Key to this new model is the enhanced role to be played by the community in partnership with industry to bring benefits to communities affected by mining activity. According to the Minister of Mines, some companies were keen to support communities as a way of earning a ‘social licence’. Yet the state acts between industry and communities, distributing 10 per cent of royalty revenues collected from mining companies to communities via district assemblies and traditional rulers. The Minister admits that while the objective is to assist local communities to determine and implement their own development projects, the developmental impact of these funds has not been as expected (Bannerman, 2004).

Chad’s experience with its new oil sector is another example of the development challenges associated with these policies. Oil was discovered in 1973, but conflict prevented extraction until a peace accord in 1996, six years after the current government took control by force. Rebels remained active nonetheless in the region until suppressed by government in 1998. World Bank involvement has now made possible the largest private investment project on the African continent, exploited by Exxon-Mobil. Eighty per cent of revenues are earmarked for development, yet few development benefits have accrued. The government was awarded a $25 million bonus from the oil deal which it spent on arms and military hardware. One-time cash settlements were paid to farmers along the oil pipeline but little long term employment has been created. A steady flow of revenue needed for local development has not yet occurred but a regional development plan is being crafted – overseen by the state and civil society representatives. Yet members of the national monitoring board and local authorities are appointed by central government, and civil society organisations have only sprung up since 1999 and lack technical capacity and experience. They thus have no clout and have been inadequate to enable transparency nor any way of finding out how much money the government is receiving in oil revenues (Brottem, 2004).

In conflict zones, the transfer of state functions to private companies and deregulation of mining activity has gone much further. Mining companies are gaining access to vast mining concessions, returning to colonial practices. Meanwhile, in Sierra Leone the collection of diamond mining receipts and the enforcement of security was divested to a paramilitary force, Sunshine Broulle of Texas. In the Democratic Republic of Congo, a UN report stated that at least US$5 billion worth of state mining assets had been transferred to foreign companies including companies from Zimbabwe and Uganda (UN, 2001).

While Sierra Leone and the DRC are perhaps extreme examples of state withdrawal, heavily influenced by the presence of civil conflict, their lessons are nonetheless relevant, as are the poor development outcomes resulting from Ghana and Chad’s
adoption of the World Bank’s mining policy reform. Weakness of the current model of state mining policy is underlined by the Africa Initiative on Mining, Environment and Society (AIMES), a network of environmental and community groups. It argues that increased foreign direct investment in Africa’s extractive sector has not contributed to poverty reduction, environmental protection or respect for human rights in recipient countries. In fact, it has made all these conditions worse, including contributing to further social conflicts resulting from the denial of extractive sector wealth, destruction of sources of livelihood, dislocation and displacement. Current policy is contradictory to the interests and concerns of local communities and the development priorities of African national economies as the state’s capacity to protect citizen’s interests is diminishing. Instead the state is now protecting the increasingly powerful transnational corporations. The group is demanding the World Bank cease financing extractive industries until adequate and transparent mechanisms are established and damages to national economies, the communities and environment are addressed (AIMES, 2004).

Zimbabwe

In Zimbabwe, by the end of the 1980s, it was obvious that early independence strategies combining economic growth and increased social equity had not reached their objectives. Nor had mining policies based on the integration of the industry into a state-directed national development strategy been able to transform ownership in an industry dominated by world mining giants such as Anglo American and Rio Tinto. The government established institutions to intervene in the sector such as the Minerals Marketing Corporation and Mining Development Corporation. Yet in the face of falling international mineral prices, the industry – threatening closures – had been able to obtain state subsidies in the form of a gold support price and extensive loans (Dansereau, 2000).

Sluggish economic performance during the 1980s, coupled with the early intervention of the World Bank and the IMF, increased debt levels and pushed the government to adopt a structural adjustment programme in 1990. The new programme marked the end of the state as the principle agent of development, leaving the generation of economic growth in the hands of the private sector. Government now provided greater incentives to industry, including liberalisation of the financial sector, trade liberalisation, export promotion, economic deregulation, and investment promotion, with 100 per cent foreign ownership promoted in several sectors, including mining. Government retained minerals marketing but reduced the mining development corporation to the running of a few mines, largely to prevent their closure. In response to requests by the industry for access to additional foreign currency (Chamber of Mines of Zimbabwe, 1990), government responded with a special import retention scheme allowing exporters to retain 5 per cent of earnings. Structural adjustment included government cost cutting. It affected the Ministry of Mines and was keenly felt by the Mining Inspectorate, charged with implementing the Ministry’s regulatory responsibilities for mine health and safety. The result has been an increase in work-related deaths and accidents. Soon after the adoption of structural adjustment, the chief government mining engineer lamented the lack of resources resulting in the loss of skilled personnel due to low pay as well as cuts in travel and transport facilities. It became increasingly difficult to carry out routine mine inspections, resulting in an increase in accidental deaths from 39 in 1990 to 55 in 1991 (GoZ, Mines, 1991). In 1995, he reported that preventative routine inspections no
longer occurred except only after a serious accident or death (GoZ, Mines, 1997). Death statistics reflect these changes. Average death rates per year in mining demonstrate the improvements made to safety during the first independence decade falling from an average of 0.93 deaths per thousand workers per year between 1970-79, to 0.67 between 1980-89. They increased once again between 1990-1997 to 0.81, reflecting cutbacks to the inspectorate since 1990 (GoZ, Mines, 1991 & 1992). Similarly, both the Chief Government Mining Engineer and the Secretary for Mines reported the ministry’s difficulty in regulating ongoing illegal mining activities among small-scale producers and gold panners because of its significantly reduced budget.

Industry responded positively however, in contrast to their quasi-boycott of Zimbabwe during the 1980s, by increasing investment. Gross capital formation increased from $166 million in 1990 to $666 million in 1996 (constant 1990 prices) (GoZ, CSO, 2000a). Exploration prospecting applications increased from 43 in 1990 to 289 in 1998. The unit value index increased from a base of 100 in 1990 to 682.3 in 1998, with the volume of production increasing by 20 per cent between 1990 and 1998 (GoZ, CSO, 1999). The number of workers remained low between 1990 and 1993 but rose thereafter, peaking at 61,200 in 1998 (GoZ, CSO, 2000A). Industry growth peaked between 1996 and 1998, declining thereafter in response to growing economic problems precipitated by the 1997 massive currency crisis resulting in high inflation rates, rising wage demands and local costs. The number of workers fell to 42,000 and several marginal gold producers closed, resulting in a fall in gold output in 2000, further declining in 2002, reversing a trend which had seen gold output increasing steadily since 1980 (Chamber of Mines of Zimbabwe, 2002).

In spite of these problems, the Ministry of Mines attempted to remain in compliance with governance approaches in mining policy, announcing a new approach to the industry in 1998, aimed at creating an ‘enabling environment’ to assist the industry increase mineral production by 5 per cent a year (GoZ, Mines, Environment and Tourism, 1998). Developmental objectives would be achieved through incentives such as tax credits to encourage secondary manufacturing and the sustainable development of mining communities. A 1999 Ministry of Mines pamphlet, ‘The Client’s Charter’ outlines this new approach, committing itself to improving services, including the rapid provision of statistics in a ‘timely fashion’ (GoZ, Mines, Environment and Tourism, 1999). Yet even this reduced role is challenged by reductions in the ministry budget, pushing it to commercialise services in order to earn the funds needed to fulfil its regulatory responsibilities, and eventually to privatise.

Growing political conflict and economic crisis after the government’s February 2000 loss of the national constitutional referendum resulted in increased production problems for all sectors, including the mines. Government abandoned attempts to remain in compliance with governance criteria by legitimating land seizures, turning it into a fast track land reform programme, and imposing limits to the freedom of the press, of assembly and much more. The IMF suspended its lending and many donors withdrew, leaving only emergency assistance and programming around HIV/AIDS. This further contributed to foreign currency shortages and the emergence of a parallel currency market, sending the rate into a tailspin and producing even higher inflation. There has been a significant decline in GDP since the onset of the crisis and basic commodities became increasingly expensive and scarce, including fuel and electricity.
Mining companies, while complaining of increasing production costs, were granted further foreign currency concessions in August 2000, allowing gold producers the right to retain 20 per cent of foreign earnings. In spite of this, companies claim that payments are slow and erratic and shortages of inputs impede production, causing temporary shutdowns. Increasing costs and supply problems led to a production downturn yet these are offset by companies’ access to foreign currency and the growing differential between the value of local and foreign currencies. Nonetheless, fourteen mines are believed to have closed, with the retrenchment of a further 10,000 jobs. Mining’s contribution to GDP has fallen from 1.46 per cent in 1997 to 0.6 per cent in 2002; yet mining companies continue to invest. South Africa’s Impala Platinum Holdings announced an investment of US$30 million in a new platinum mine in response to high platinum prices. Platinum has now outstripped gold as the country’s principle mineral export earner (Mukeredzi, 2003). Rio Tinto announced an exploration investment of US$25 million and the opening of a new diamond mine in 2004. Wankie Colliery, in spite of difficulties in production and transport, has announced the development of three main underground mines in order to benefit from an undersupplied export market.

A spokesman for Mzi Khumalo's Metallon Resources, a South African black empowerment company, explains his continued investment in Zimbabwean mining is based on his profitable gold mining activity which he is seeking to increase. Corporate tax rates for gold mines have dropped from 25 per cent to 15 per cent in the past year, and a 3 per cent royalty for gold producers has been eliminated, wages are lower than in South Africa and now three quarters of all revenue is returned as hard currency, an increase over previous periods. What is more, a recent cabinet revamp – including a new minister of mines – and a suite of business-friendly policies, places Zimbabwe head and shoulders above a host of its neighbours as an investment destination’ (Bailey, 2004). UNCTAD recently reported a decline in foreign direct investment into Zimbabwe, with the exception of the still lucrative mining sector with several major projects underway (Chiriga, 2004).

In July 2003, the Minister of Mines announced the intention of embarking on a process of indigenisation of the industry, similar to the South African model of black empowerment. Yet the initial legislation requiring the 49 per cent sale of mining company shares to black Zimbabweans has been withdrawn by the Ministry of Mines. The Zimbabwe Chamber of Mines is pushing for a less ambitious process, undertaken over a longer period of time, aiming for the eventual purchase of 25 per cent share of ownership over 10 years. The Chamber considers this advisable as it is closer to the South African timetable and would not to scare away foreign investors who are rediscovering Zimbabwe as an important mine site given its rich deposits in platinum, gold, diamonds and other minerals, currently undergoing price rises (Robinson, 2004).

Clearly mining companies, the most important of which are foreign based, remain in Zimbabwe so long as they make a profit altering investment levels in response to the political and legislative environment. The Zimbabwean example demonstrates that while investments increased as government intervention decreased, they are also able to continue mining even if Zimbabwe does not comply with the World Bank’s governance criteria. What is important is that for mining companies, investment decisions are based on three crucial elements: the nature of deposits, financial mobility and the capacity to produce at a profit. By constrast, the agendas of good governance and sustainable development have little impact.
South Africa

South Africa’s mining industry is of strategic importance. It is home to the world’s largest reserves of several minerals including platinum and gold, is the leading supplier in several others (Cawood et al. 2001 and has a workforce of approximately 400,000. Because of its size, it has contributed to the development of a diverse secondary industrial sector, some of which is due to limits imposed on capital mobility during the sanctions years. Its crucial role in the country’s wealth creation has meant the depletion of high grade or shallow reserves, especially in gold, now threatening employment and export levels, and requiring a new strategy to maintain the level of wealth generation (Walker & Jourdan, 2003). The most obvious is in the area of mineral beneficiation which has been the source of new growth rather than simple extraction whose contribution to GDP has stagnated for the past 20 years (Jourdan, 1997).

Policy reform in South Africa has been shaped by neo-liberal strategies prevalent in the 1990s. The overall policy direction undertaken after 1994 changed from a socio-democratic approach – articulated in the Reconstruction and Development Programme (RDP) – to a neo-liberal economic adjustment programme – the Growth, Employment and Redistribution (GEAR) – in 1996 (Carmody, 2002). The new programme was said to be internally driven because of the country’s low debt level yet Patrick Bond claims the country ‘could not withstand the pressures of neoliberal economics’ after signing an IMF loan in December 1993, and facing a heavier debt load in October 1993, once it agreed to repay the inherited apartheid-era foreign debt of $25 billion. He characterises the nature of the current regime as a power sharing deal between a faction of black nationalist politicians and business cronies that facilitated an elite transition based on an alliance of state and capital (P. Bond, 2004).

The emphasis was on increasing value-added production, enhancing exports, trade liberalisation and attracting foreign investment. Between 1997 and 2004, the state engaged in the privatisation of state-owned assets of R34 billion (The Economist, 24 June 2004). In response to labour’s opposition to privatisation, the government then provided assurances that state enterprises such as Eskom, Transnet and Denel would remain state-owned with the private sector invited to finance and operate parts of the infrastructure through public-private partnerships, concessions and joint ventures that would include black empowerment enterprises (BEE) (Mail & Guardian, 18 June 2004). Industrial policy includes an ‘Integrated Manufacturing Strategy’ aimed at supporting industries engaged in the beneficiation of the country’s natural resources, especially those in which it has a comparative advantage, including the processing of mineral resources and energy (Walker & Jourdan, 2003). In its 1998 White Paper outlining its legislative agenda for mining policy reform, the government stipulated that mineral development would be achieved by creating a good investment climate, through ‘private enterprise and the free market mechanism’ (RSA, Dept. of Minerals & Energy, 2000A:3).

The 1998 White Paper was the product of government’s policy review, begun in 1995. In keeping with governance principles, it engaged in a consultative process, drawing in all major stakeholders. Four hundred people attended public workshops, followed by bilateral meetings involving different levels of government, investment analysts, foreign-owned mining companies and environmental interest groups. Public hearings were held to review the policy’s first draft and several hundred written submissions were received (RSA, Dept. of Mineral & Energy, 1998). The content of proposals was in line with the governance framework as they included
broadening participation by modifying the ownership of mineral rights. Greater participation and development would be enhanced by the inclusion of ‘formerly disadvantaged’ groups. It also proposed increasing service provision to the industry, regional cooperation, strengthening health and safety regulations, improving environmental management and industrial relations, the modification of the migrant labour system and the encouragement of regional cooperation. In 1996, the government passed the powerful Mine Health and Safety Act that increased the mining inspectorate’s powers, scope and technical capacity and its capacity to do research and training (RSA, Dept. Minerals & Energy, 2003). This was followed in 1998 by the adoption of the National Small-scale Mining Development Framework to encourage broader participation by assisting artisanal and junior companies while requiring they respect guidelines in the areas of environmental protection, workers’ health and safety, and the involvement of local communities (RSA, Dept. Minerals & Energy, 1998).

In October 2002, the government gazetted the most significant elements of its policy change, the Mineral and Petroleum Resources Development Act, and its attached Broad Based Socio-economic Empowerment Charter for the Mining Industry (RSA, Gazette 2002). The Act was imbedded in the language of environmental protection, participation and socio-economic development including the involvement, with government assistance, of communities who were to establish their own mining companies, rather than depend on royalties. Its most significant element was to assert state sovereignty over minerals as part of the national patrimony. It would do this by transferring control of mineral properties to the state from landowners, mostly large mining companies, in order to promote broader access to mineral resources thus contributing to economic growth, mineral and petroleum development, and increased employment. Not surprisingly, the Chamber of Mines, the powerful mining industry lobby bringing together 90 per cent of the country’s mine owners, opposed the move, charging the government with uncompensated expropriation. The government responded that this legislation merely brought South African mineral rights in line with other mining countries such as Canada and Australia.

The Empowerment Charter was the most contentious issue to emerge around the new legislation. It sought to overcome past prohibitions to black entrepreneurship in the mining industry by facilitating ownership by previously disadvantaged groups. Most problematic to the industry was the call for 51 per cent mining industry ownership to be transferred into the hands of the historically disadvantaged South Africans, over a 10 year period. This was made in a leaked version of government’s initial proposal, prompting the Chamber to object strenuously. The result was a dramatic drop in share values of South African mining companies on the Johannesburg stock exchange. Government then significantly reduced the requirement to 15 per cent ownership in 5 years, with a 26 per cent ownership transfer in 10 years (Davison, 2003). Less problematic were other measures aimed at the Africanisation of management-level jobs, and improved training and skills development with the creation of 5,000 new learnerships, the provision of scholarships, and investment in social development projects (RSA, Gov. Gazette, 2002 and Communique, Department of Minerals & Energy, 15 July 2003). Measures have also been introduced to create public-private partnerships in beneficiation through a parastatal, Mintek, and the creation of a 100 million Rand fund for jewellery makers.

The limits to consultative practices between state and industry became evident around the proposed Mineral and Petroleum Royalty Bill that included proposals for royalty payments and taxation rates. The government argued that royalties were needed as mining companies were extracting and taking away ‘our collective
patrimony’. Proposed rates fell within internationally competitive margins according to government and were set out in the 2004 Budget at 8 per cent on diamonds, 4 per cent on platinum and 3 per cent on gold, calculated as a percentage of sales (*Business Report*, 19 February 2004). However the Chamber of Mines is arguing for the imposition of royalties on net profits rather than on sales (Chamber of Mines of South Africa, 2003), claiming that government proposals will lead to investor jitters and affect empowerment transactions, employment and output levels (*Business Report*, 19 February 2004). Government agreed to delay the Bill for 5 years, citing taxation technicalities and promised instead to ‘develop a more holistic tax regime based on international best practice’ to come into effect in 2009 (treasury officials quoted in *Business Report*, 9 June 2004). In addition, the 3 per cent royalty on gold would likely be cut because of losses in the gold sector (*Business Report*, 27 March 2004). In spite of these technicalities, company pressure clearly impacted on government decisions to delay and review the Bill.

Public-private partnerships are also being proposed in the area of mineral beneficiation. Mintek, a parastatal engaged in research and development, is mandated to engage in joint ventures, especially with black empowerment companies around the creation of local value-added projects (Mintek, 2004). A major public-private initiative is the development of a budding local jewellery industry to be undertaken with the aid of a gold loan facility worth R100 million, into which government, the Jewellery Council of South Africa and jewellery makers would contribute. A similar project is planned for platinum.

Overall, industry did not react to these new policies by reducing activity. Production levels remained fairly consistent with a trend that began before 1994 with a gradual decline in output, mostly due to closures in the gold sector (Davison, 2003). Indeed, as in Zimbabwe, mining companies have been able to benefit from financial liberalisation, at least initially, when the Reserve Bank allowed the exchange rate to float downwards against foreign currencies, resulting in the rand’s drop in value (Cawood et al. 2001). However, industry also reacted to liberalisation – including the lifting of exchange control restrictions – by transferring their headquarters and stock market listings to London at the end of the 1990s. This coincided with corporate restructuring in which the older mining houses that dominated the South African industry are replaced by smaller, more focused, commodity specific mining companies. Mining houses have unbundled their holdings, shed their non-core and industrial interests, and globalised their reach through international mergers or acquisitions of foreign companies (Cawood et al. 2001). Companies such as Anglo-American, De Beers and BHP Billiton transferred their primary listings and corporate head offices out of South Africa. South African assets were being purchased at the same time by foreign resource companies, resulting in a globalised ownership structure of South African mining assets and a drop in local ownership from 22 per cent in 1975 to 5 per cent by 1999 (Cawood et al. 2001). This contributed to a surplus outflow in investment capital of R5 billion between 1994 and 2001 (COSATU, 2002). Carmody (2002) argues that mining houses were interested in globalising, first by using investment in Africa as a springboard to broader investment, and then by moving to London. This allowed them to unlock ‘shareholder value’ as it led to an increase in share value price in relation to assets, maintain assets in hard currency, gain access to cheaper capital while becoming more mobile. Anglo-American increased its profit by 24 per cent, the year they moved to London, 1999-2000.

Industry’s initial opposition to participation by BEE companies was significantly lessened once government extended the timelines and reduced the targets, thus
allowing time for restructuring to anticipate ownership regulation. Industry was also relieved that for the most part empowerment and transformation became defined as participation by new entrants via equity purchase, and not by ‘asset grabbing’ (Business Report, 27 June 2002). The empowerment process is also limited by the funds available to BEE companies. The Industrial Development Corporation, a parastatal, announced the availability of only R28 billion for empowerment transactions in all sectors and the recent suspension of the National Empowerment Fund may further delay the process. BEE companies are further limited by the higher cost of capital in South Africa as government increases interest rates to keep portfolio capital in the country (Carmody, 2002), though these have fallen recently. Nonetheless BEE companies are advancing steadily, doubling in 2003, compared to figures for 2002 prior to the passing of the Mining Charter, although they still represent only 3 per cent of the Johannesburg Stock Exchange market capitalisation (Mail and Guardian online, 2 April 2004).

This slow progress has led to criticism about the limits of transformation occurring as a result of empowerment policy, with labour groups lamenting that black empowerment is unduly narrow. They contrast this approach to the Freedom Charter which stated ‘all people shall share in the country’s wealth’. Their concern is that efforts are geared to supporting the emergence of a black capitalist class, sometimes called a black patriotic bourgeoisie, combined with Africanisation of skilled and management level employment, but with the omission of industry reorganisation away from its excessive reliance on low skill levels. Some companies are even opting instead for a cheap labour route by increasing contract and casual labour (SALB, 2002). Thus while certain empowerment deals involve company staff, thus broadening the beneficiaries, these are infrequent, while deals involving community and mass based organisations – a key component of sustainable development and poverty alleviation objectives articulated by both the World Bank and the state’s mining reforms – are rare indeed and beset by complex legal process.

Complaints are directed at the nature of BEE transactions as they usually involve the same people, many whom are close to government. Significant personalities are Saki Macazoma and Cyril Ramaphosa, both members of the ANC’s National Executive Committee, and Tokyo Sexwale, former premier of Gauteng Province. All three, along with others including Patric Motsepe, are sometimes referred to as the ‘BEE Gentlemen’. There are also concerns about the nature of transactions, as some small and medium sized companies are brought on board for the tendering process and dumped soon after the tenders are awarded, thus creating a discrepancy between the announcement and actual implementation of empowerment deals. Also many transactions are done through debt financing, such that some of the big names in BEE carry more debt than most African countries (Business Report, 17 July 2004). The fear is that the concentration of empowerment transactions into the hands of a few prominent people allows established companies involved in partnership with the new BEE companies to achieve a ‘comfort level’, but with little significant transformation.

It is evident that the South African state has more options at its disposal than either Chad or Zimbabwe, as evidenced by its new mining law, the greater capital at its disposal, and its relative success in regulation evidenced by a drop in work-related fatalities between 1994 and 2001 (RSA, 2003). It has been nonetheless compelled to make significant concessions to the mining industry, backing down on Charter targets and especially on royalty requirements. One critical future issue is the extent to which the state will withstand pressure to devalue the rand in the face of profit
losses by mining companies threatening large scale retrenchments, especially in the large, labour intensive gold mining sector that has already undergone significant decline. Another concern is the continued capacity to implement and maintain regulatory levels given the need to reduce government budgets. Yet in spite of the range of policy options available to the South African state and a mining policy articulated around good governance, sustainable development and community participation, the industry has been able to resist the state when its interests are threatened. It has benefited from overall economic liberalisation, transferring assets externally as it pursues globalisation strategies, but resisted redistributive social and industrial policy. Like in Zimbabwe, the immediate and narrow bottom line is what counts and companies have been able to utilise liberalisation policy to protect profitability, while resisting voluntary measures requiring community participation, sustainable development and poverty reduction.

Conclusion
So who wins? Clearly industry is a big winner. With the aid of the World Bank’s efforts to reform state/industry relations in the context of good governance, we saw the benefits derived from the move away from a state-led national strategy aimed at assuring mining’s contribution to industrial and manufacturing development. Instead the industry now benefits from enhanced state incentives to export and liberalised investment regulations. It has mainly benefited from the greater support to easing industry access to deposits, financial mobility and the capacity to produce at a profit. Especially useful is the transformation of many regulations into voluntary measures, and empowerment and participation interpreted mostly as elite participation through Black Economic Empowerment and public-private partnerships. In this way, local business people are drawn in as junior partners, forming the basis of a new economic class, but with little independence or desire to benefit national development. The mining industry’s continued operations in many countries experiencing political instability and even conflict, belies the importance of good governance to their decision to invest, in contrast to the decline in investment we saw in Zimbabwe resulting from increased government regulation during the 1980s.

On the other hand, we saw few benefits derived by the state. There were few direct benefits to state revenues, nor many indirect development outcomes in the form of enhanced employment. The capacity to regulate in Zimbabwe has been severely curtailed by cuts to government budgets, especially in health and safety. There are fears that the South African government might not be able to maintain spending levels for its own services, especially in the inspectorate. Neither country has been able to significantly regulate its informal mining activity, thus reducing employment outcomes and poverty alleviation. In both Zimbabwe and South Africa, companies resisted greater taxes and royalty payments to the national state.

Nor are there great benefits derived by affected communities. We did not see any significant participation and regulation provided by community groups through enhanced transparency of companies or governments. Nor did we see the establishment of partnerships with mining companies as a way of enhancing sustainable development and poverty alleviation. This is particularly disconcerting when we note that community empowerment and participation was meant to compensate for reduced state regulations.

Is this a new renewed imperialism? To the extent that mining companies can move around with less restraint than previously, making it easier to ‘high-grade’ (work
only the high grade deposits and move on), industrial policies are definitely more imperialist and less developmental. The conflict zones are the most illustrative of these trends, as mining companies are now returning to the age-old practice of exploiting vast unregulated mineral concessions with little state intervention. However, there are degrees of regulation. While state withdrawal is accentuated in conflict zones, some countries like Ghana and Zimbabwe have been able to impose some limits, and South Africa has fared somewhat better. Yet these are weakened by the requirements to replace state regulation by voluntary measures as well as engage in consultation and partnership with private sector companies required by the World Bank. These measures, situated within the language of governance, sustainable development and poverty alleviation provide an intellectual veneer to company operations without fundamentally affecting the way they do business.

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Sierra Leone: Urban-Elite Bias, Atrocity & Debt

Barry Riddell

Sierra Leone experienced the violent results of an undeclared civil war which lasted over a decade. The state had lost control of the country’s hinterland! Maiming, killing, and destruction dominated this part of West Africa, and the violence largely resulted from a set of programmes and policies of the country’s post-colonial government which produced pronounced and obscene elite-peasant disparities. With the termination of hostilities, the IMF and the World Bank have financially assisted the country’s recovery and rehabilitation through a set of programmes. These were dominated by the IMF’s Post-Conflict scheme and the jointly-administered (IMF/WB) Heavily Indebted Poor Countries (HIPC) initiative. This paper interrogates the documents of these International Financial Institutions (IFIs) and queries such data in two senses: a) has the nation’s development agenda been able to recover from the debt overhang, and b) are the fundamental causes of the country’s violent past addressed? The experience of Sierra Leone provides a window into the operations of the IFIs as they impose neoliberal globalisation in the third world.

The strife of the civil war, generated by the Revolutionary United Front (RUF) which lasted from 1991 to 2002, devastated Sierra Leone. The result was that an entire generation of people in the nation knew only death, maiming, and destruction. The civil strife led to the spread of disease; caused food shortages; eliminated social services; wiped out the national economic system; destroyed the lives and livelihoods of individuals, families, and villages; and ruined the country’s infrastructure. However, a formal peace was finally declared in January of 2002 and elections were held in the following May. Now, Sierra Leone has to rebuild itself, its economy, its people, its administration – everything has to be restored!

Previous research has investigated the war, its events, context, and causes (Abdullah, 1998; Abdullah and Muana, 1998; Bah, 2000; Bangura, 2000; Cline-Cole, 2003; Kandeh, 2002; Kpundeh, 1994; PAC, 2000a,b; Reno, 1995a,b, 1996, 1998b, 2000a; Richards, 1996; Riddell, 2005; Riley, 1996, 1997; Riley and Sesay, 1995; Sesay, 1995; Williams, 2001; Zack-Williams, 1992, 1997a,b, 1999, 2001; Zack-Williams and Riley, 1993). Their analyses have pointed to youth culture, foreign machinations, the lumpenproletariat, diamonds, economic decline, the collapsed state, corruption, poverty, misrule, patron-client relations, patrimonialism, the shadow state, kleptocracy, predation, privatisation, a security vacuum, the breakdown of the rule of law, ethnicity, social exclusion, foreign interference, greed, one-party rule,
political violence, and inequality acting both in concert and singly. All of these factors in the country’s political economy are vital to our understanding of the chaos and violence. However, they underlie the more structural factor, and the reason that the revolution lasted 11 years and involved millions of people – the exploitation of the countryside and the marked elite-peasant disparities.

The fundamental research question which provides the focus to the present analysis relates to two questions regarding the programmes and policies of the World Bank (WB) and International Monetary Fund (IMF) in the domestic hostility’s aftermath. First, it inquires whether these programmes have been effective in alleviating the country of the burden of debt servicing, which has removed funds from other elements of the national budget and which has devastated the country and retarded its path of development? Secondly, the investigation also inquires as to the effectiveness of these IFIs in addressing the basic causes underlying Sierra Leone’s recent decade of violence, chaos, and destruction.¹

The context is that the country is the poorest nation in the world. Sierra Leone ranks last on the United Nations Development Programme’s Human Development Index (and has for a number of years), has the lowest purchasing power parity (PPP) according to the World Development Report for 2004, and has the fourth lowest per capita income in the world of only US$140 per annum. Its infant (under 5) mortality rate is 316/1000 (World Bank, 2004). Life Expectancy at birth is only 39 years (Ibid., 2003); and debt servicing reached 58.2 per cent of export revenue in 2000.

The country was blessed with great riches when it attained independence from British colonialism in 1961 with its vibrant population and their unique cultures; the tropical monsoon environment; and vast mineral resources of diamonds, bauxite, iron, and rutile. However, one of Sierra Leone’s blessings – the rich diamond resource – was also its great curse.² The greatest difficulty resided in the resource’s ‘lootability’ (Le Billon, 2003; Francis, 2001). Most diamonds can be recovered from stream beds (present & historical) with a minimum of equipment and infrastructure. They have been a great source of revenue – for example, in the 1960s the export of two million carats provided much of the government budget – and they could be easily transported and sold for cash or arms by merchants, criminals, warlords, and rebels.³

The diamond resources provided the fuel for the civil conflict; however, they were not its fundamental cause. The resource brought wealth to some people, was used to bribe and organise, and paid for the military hardware which was vital to the RUF. But, the cause of the strife resided elsewhere - in the millions of rural peasants and their disquiet. These were citizens of Sierra Leone who lived in the countryside. They were not just neglected, uninvolved, or would catch up later in the nation’s development. They were actively exploited or ‘ripped off’, and had been for roughly a hundred years – first by colonialism and then by the policies, plans, and programmes of the government of independent Sierra Leone (Riddell, 2005). The result was that the people of the countryside lived in poverty; with little schooling or health care; disease was rampant, especially malaria and HIV/AIDS; jobs were few; and life expectancy was only about 30 years.

The ‘urban bias’ policies of the government of independent Sierra Leone, especially those of Siaka Stevens and his one-party All People’s Congress (APC) regime relegated most of the country’s rural citizens to the margins of betterment. The justification for these urban bias policies which favoured urban places (especially Freetown, the capital) in the minds of government personnel resided in several
complementary factors. These included: a) the policies would help create a national ‘growth centre or pole’ which would stimulate the entire country’s economic development and whose benefits would later ‘trickle down’ - although in the short-term it would result in having the nation’s infrastructure and services concentrated in the major city; b) by the fear of making life difficult for the urban masses, who might riot about the exacting circumstances, and then perhaps overthrow the government; c) because of the legacy of colonialism, which preferred urban places as the centres of control; d) because of the history of wealthy countries whose economic growth was led by urban and industrial foci, or e) due to self-favouritism for investment in the city where the majority of the clients and elite resided (or their property and/or business did, though some were based in rural locales, especially most paramount chiefs).

The result of such urban bias in government plans, programmes, and policies was that they tended to favour not only urban places, but during the years of independence came to benefit an elite in government, business, bureaucracy, and military. The outcome was a transfer of state resources, not to national development, but to fostering elite privilege. It was reflected in extreme peasant disquiet, and a marked disparity between urban and rural lives. The mainly urban elite lived in relatively better conditions, with their large homes, educational opportunities, health care facilities, higher income, foreign trips, employment opportunities, and big cars.

Further, the rural disquiet was exacerbated by a pervasive youth-elder conflict (Abdullah and Muana, 1998; Archibald and Richards, 2002; Peters and Richards, 1998; Richards, 2001a), whereby youths were dominated by more mature, experienced, and powerful leaders in rural, traditional societies. This found political, social, and economic expression, but this was exacerbated by the frequent ‘woman damage’ fines of the legal system of the country’s chiefdoms. The result was a mass of rural youth who felt abused, who saw no hope in the economic sphere which had few employment niches, whose cultural role was circumscribed, and who had little health care or schooling. This had been the case for years during colonial rule, but now it was caused by their fellow citizens and not the foreign power. The rural youth were joined in their disquiet by the thousands of unemployed and marginalised youth in urban places, most of whom had recently migrated from the countryside, and by thousands who were forcibly conscripted.

The cauldron of rural disquiet had been quietly boiling for over four generations, but it was diffused by the fact that this agitated mass was spread over thousands of chiefdoms, towns, and villages, and diffused over thousands of square kilometers. Then suddenly in the 1990s the RUF provided outlets for their vexation. There was a vent for their disquiet aimed at the government, the elite, and the elders; there were niches for youth (quasi-employment and often quasi-military rank); and there was a source of income in either looting or diamond mining.

Elsewhere in Africa the ability of the state to extract surplus from peasants had been gradually eroded and then eliminated by the structural adjustment programmes (SAPs) of the ‘Washington Consensus’ of the WB and IMF (Becker et al. 1994; Lofchie, 1997; Mkandawire, 2002; Riddell, 1997). This corrosion began in the 1980s with IMF loan programmes and attained prominence by the early 90s as the conditionalities of the SAPs of both the WB and IMF led to the incorporation of the third world into a globalised universe (Riddell, 2003a). However, in Sierra Leone the state was able to avoid the results of such programmes (or their impacts were ‘light’) because of the
riches provided by diamond revenue (there were exports of two million carats in 1980s). Besides, the IFIs programmmes of the 1980s were all terminated (Weeks, 1992:32).

Meanwhile, the government’s ‘urban bias’ policies, which were intended to stimulate development with the evolution of a national economic ‘growth pole’ to spur advancement, became a mechanism for the transfer of resources from rural peasants to the country’s elite. In this process, what was in the public sphere (i.e. part of the government’s budget) was converted into the private resource base of the elite of the country in a system of corruption, kleptocracy, \(^5\) patrimonial rule (Boas, 2001; Reno, 1995a), and patron-client relationships; this was the ‘heart of the matter’. The underlying resentment borne by the rural peasants was the reason that so many, especially the youth, sided with the RUF (Riddell, 2005).

Afterward, and as the chaos seemed to contract in its later years, the IFIs undertook major efforts in assisting the country on its path to recovery and resumed economic growth. These included the IMF’s Post-Conflict Programme as well as the joint IFI programme, the Heavily Indebted Poor Countries (HIPC) Initiative. In essence these provided necessary financial assistance and direction in the country’s recovery. However, there were major strings attached.

This concrete, empirical, case study of Sierra Leone’s experience (as well as investigating the country’s recovery process) provides a ‘window’ into the enigma which is the relationship between the programmes of the IFIs and the development experience of nations of the third world. The great ‘stumbling block’ in this quest has been the vast amount of rhetoric which surrounds such IFI intervention into poverty. The rhetoric talks of development, the removal of internal barriers to economic advance, and a globalising world where all components will benefit. However, the reality for poor nations is further poverty and destitution. The rhetoric-reality contrast is rendered most striking by the fact that such ‘bankspeak’ has a history which extends back over sixty years (Danaher, 1994).

This paper employs a combination of field experience, the documentation of the IFIs (including the programmes of the Sierra Leone government), African publications, the Sierra Leone web site, and the many books and journal which analyse violence in Sierra Leone in order to investigate the role of these IFIs in the restructuring of Sierra Leone following its decade of violent destruction. Vital to the paper’s thesis, is the explanation of how such a policy framework was eliminated elsewhere on the continent, but could continue in Sierra Leone because of the riches provided by the diamond resource.\(^6\) The following section provides an explanation of how a peasant sense of injustice and unfairness developed with their exploitation by the state. This peasant disquiet was exacerbated by certain perverse tools.

**Urban Bias Policies & Programmes**

Sierra Leone’s chaos and violence were a result of the policies, programmes, and plans of the post-colonial governments of the country, especially those of the All People’s Congress (APC) as led by Siaka Stevens and his chosen successor, Momoh.\(^7\) (Riddell, 2005). In fact, Stevens’ legacy of misrule stands beside the names of Foday Sankoh and Charles Taylor as the major villains in Sierra Leone’s violence and chaos. It’s no accident that Stevens departed in riches\(^8\) and his associates-clients lived in relative luxury. They had appropriated most government revenue to themselves and
created a ‘Shadow State’ (Reno, 1995a, 2000b). In effect, most of the financial resources of the state were removed, and the resulting national poverty and state of underdevelopment exacerbated this rural vexation. During the four decades of Sierra Leone’s independent existence the ‘growth pole’ developmental efforts of the government became translated into elite bias. The political and economic framework within which the Sierra Leone state operated provided the key for understanding rural disquiet. The country’s independent years were dominated by the APC party, and the period was characterised by corruption, the end of democracy, one-party rule, a patrimonial regime, massive disparities in living conditions, the emergence of a shadow state, and an economic decline in the national economy. In marked contrast, it was also a time of prosperity for the clients of the shadow state.

The programmes and policies which were fundamental in this peasant-elite transfer are illustrated by the following measures which form a necessary preface to understanding the peasant disquiet which was evident in the 1970s and 1980s, and which ‘boiled over’ in the civil war of the 1990s (Riddell, 1985a, b, c; 2003b). As most peasant land could not be alienated, government policies were implemented:

A monopoly produce marketing board (the SLPMB) which over its history paid farmers approximately 45% of world prices, while retaining the residual funds for operational expenses and a government budgetary surplus.

Currency overvaluation, which leads to relatively cheaper imports (mainly urban) and more expensive exports (mainly rural cash crops).9

Urban employment growth in bureaucracy or government parastatals.

Reduced urban rice prices which, in effect, ‘subsidise’ urban dwellers and lower the incomes of rural producers.

The taxing of international trade – so as to favour urban goods over rural cash crops.

Investment in commercial agricultural development schemes which provide subsidies and positions to favoured people/areas.

Urban industrial protection with tariffs, duties, and regulation.

Locating most social services and utilities (health care, education, clean water, electricity, and paved roads) in urban places.

The selling of import licences and foreign exchange allocations.

Individualising (from communal) land tenure and thus removing peasant access to land.

National spending with an urban bias.

Capital Flight – movement of money abroad by many, especially the elite.

Hosting of the meetings of the OAU in 1980 – with benefits (especially housing and cars) extended to this elite.

National Development Plan (1970s) – with its urban and elite bias.

Foreign aid projects, with the major benefits accruing to government clients because of state manipulation.

Minimum wage legislation, favouring urban workers.
The result of all of these measures was peasant disquiet. Most rural dwellers felt exploited; they viewed the state as the enemy to be avoided. Resources weren’t being withdrawn from the rural countryside for national development. Rather, they were being used to support the extravagant lifestyles of the country’s corrupt elite. Further, peasants were very aware of the distinction; after all communications and circular migration between urban and rural locations overcame the constant government rhetoric which defended and ‘explained’ their actions. This rural disquiet was exacerbated by the elder-youth division, accompanied by the intrusion of market forces (with local priorities being determined for peasant societies elsewhere), the lack of rural employment opportunities for youth, and by the collapse of the ‘moral economy’ which cemented rural society (Scott, 1976).

The cause of the civil war, the strife, the violence, the chaos, and the destruction reside in the rural-elite distinction. Its source was not in ethnic grievance. Nor did it reflect charismatic leadership from the RUF. Nor did these rebels ever pose as an alternative government. The perturbation reflected plunder of the countryside’s people and resources, and this fleecing had an historical legacy – in independence, especially throughout the 1970s and 1980s, their own government was exploiting peasants in a fashion similar to the colonial past. The country wasn’t led by a state whose goal was national betterment, economic development, and national cohesion. The elite leading this state in government, administration, armed forces, and business was self-serving; they took possession of what belonged to the nation-state as their own in effect, privatizing what was public. Sierra Leone’s government was preempted by a shadow state, in which private interests, corruption, and patron-client relations prevailed (Reno, 1995a).

### The Reshaping of Sierra Leone’s Landscape: Its Political Economy

The landscape of the country is the reflection of the interaction of people, along with their cultural base, and the natural environment, with its resource endowment. From 1896, when the British declared Sierra Leone to be a Colony (1807) and Protectorate, this interaction was strongly influenced and shaped by the colonial context within which it was set. During the years of British domination a structure of network and hierarchy was imposed by them (Riddell, 1970). In effect, the landscape was reshaped in order to serve the interests of the ‘mother’ country, with its focus on mineral resources and agricultural cash crops from the country’s rural hinterland. Then in 1961, Sierra Leone became an independent nation and its landscape was gradually remoulded by the plans, policies, and programmes of the new state and its leaders (Carney, 1962).

From the late 1970s, due to the rising cost of imports, especially oil, the country’s finances became so out of kilter (in deficit) that, like the other nations of tropical Africa, it became reliant on loans from the IFIs. This was first expressed in the 1967 intervention of the IMF (Weeks, 1992:32); however, the external influence through borrowing and loans became pronounced in Sierra Leone by the late 1970s. In fact, the country’s five-year development plan (1974/5-1978/9) had to be abandoned because of financial constraint (Riddell, 1985a). Debt servicing not only became a major budget item for Sierra Leone and for the nations of the region, but these loans from the IFIs came with a set of conditions attached to them (Riddell, 1992). These ‘conditionalities’ were economic in nature, later to be described as the Washington Consensus, impacting on people’s lives and the landscapes they inhabited (Fine et
al. 2001; Hoogvelt, 1987). These were expressed in poverty, a reduced role of the state, capital flight, unemployment, and economic depression.

However, within Sierra Leone such financial hardships were in large part offset by the revenue gained by the government through the taxation of diamond production. Because the country had access to this revenue, it could largely ignore the loans of the IFIs, with their neoliberal conditionalities attached – in fact, the three IMF programmes of the 1980s were all cancelled, and Sierra Leone was declared to be ineligible for IMF loans in 1988. In other words, the government of the country was able to continue to pursue the policies of the shadow state, especially its urban-elite bias policies. In effect, the state could continue to exploit the peasantry. The result was disquiet in the countryside where services were either poor or nonexistent, where jobs were few, where health was difficult, and where life expectancy was only about 30 years. This irritation was intensified for these peasants could see the rewards of their labour, not improving their conditions, but making the lives of the elite so much better. This is why so many young rural dwellers joined the RUF!

The country’s chaos lasted for over a decade, from 1991 to 2002. National recovery was focused upon rehabilitation, peace, and security. These were translated into the specific goals of resettling people, rehabilitating infrastructure, resuming economic growth, balancing the national budget, and normalising relations with external creditors (SL-LoI, 1999, 2000). As well as the IFI’s activities, there were at least 60 aid agencies and NGOs active in the country – at an enormous cost, with annual estimates of $16B for the UN agencies and $100m for the UK government (Baker and May, 2003:3).

Phase I in Restructuring: the IMF’s Post-conflict Programme

The violence that clouded Sierra Leone for over a decade began to decline at the turn of the millennium, and a formal peace was officially declared in January of 2002, with national elections held four months later. The rural citizens of Sierra Leone were faced with a lack of leadership in their quest for recovery. Certainly this direction wasn’t to be found in the country’s state which had exploited them for over four decades, and it wasn’t emanating from their ‘natural leaders’, the chiefs, for they represented the interests of the elders and the better-off of the chiefdom, not the young peasants.

Instead of this local leadership, Sierra Leone’s path to recovery during this period was assisted and directed by the IFIs. First, in the 1998-2000 period the IMF implemented their Post-Conflict programme (SL-LoI, 1999, 2000; IMF, 1998, 1999). Under such a programme, Sierra Leone was provided with US$50.7 million, a substantial sum to aid in their recovery. The funds were certainly vital, in that the country was trapped in a vicious cycle of conflict, low growth, and poverty. The funds were earmarked for the vast project of resettling people and rehabilitating the national infrastructure; as well, the country’s administrative and institutional capacity were to be rebuilt.

However, the funds represented a mixed blessing. Not only were they vital in breaking out of this circular and causative underdevelopment syndrome, but this post-conflict programme provided an avenue to enter directly into the HIPC initiative without having the usual necessary ‘track record’. But at the same time, the monies were not a helpful grant; they represented a loan which had to be repaid, and
the funds were loaned at commercial or non-concessional rates. The basic neoliberal agenda of assistance, with a debt burden, was evident in the initiative.

Meanwhile, the WB was also quite active in Sierra Leone’s recovery on two fronts. It has acted as an influential promoter of investment by others (WBA 2001) as the country began its initial phase of recovery under its Disarmament, Demobilization and Reintegration (DDR) Programme and as it moved toward the implementation of a formal HIPC. Secondly, the WB instituted several projects which were key components in the country’s recovery efforts. For example, over the 2000-4 period a total of US$238.62 million was loaned to the country for its HIV/AIDS crisis, economic recovery, administrative restructuring, social action, privatisation, institutional reform, and the rehabilitation of its education and health sectors (ten specific projects: WB, 2000a, b; 2001a, b; 2003a, b, c, d, e; 2004a).

However, the actions of the Bank and the Fund present an enigma. On the one hand, their financial support has been necessary for national recovery, and their solicitation efforts have been most helpful in increasing external assistance to the country. However, the monies are to be paid back (even if heavily reduced under the HIPC Initiative); they are loans and not gifts. The Bank would rightly defend itself by indicating that it is not fully an aid agency and that its hands are tied because it is an international bank which must remain solvent. However, Sierra Leone is poor and devastated – as is the entire third world – and their poverty cannot be divorced from the international system, which urgently needs an effective and financially sound development agency.

Phase II in Restructuring: the IFI’s HIPC Programme

The IMF’s post-conflict programme led directly into the HIPC Initiative jointly devised by the IMF and the WB (SL-LoI, 2002a, b: 2003; IMF, 2001a,b; 2002a, 2003a, b; IDA, 2001a; 2002a, b, 2003). The programme is intended to address the massive problem of ‘debt overhang’ in the poorest countries of the TW (Ames et al. 2002; Birdsall and Williamson, 2002; Booth, 2003; Craig and Porter, 2003; Culpeper & Serieux, 2001; Gautam, 2003; Gunter, 2002; Killick, 2004; Mutume, 2002; Serieux, 2001a,b; Waites, 2002), and can be viewed as a neoliberal response to the massive NGO effort, led by Jubilee2000, to eliminate the third world’s debt crisis.14 The Initiative is intended to provide relief from the heavy financial burden of servicing debt, with the released monies being directed toward poverty reduction and the provision of services. Its objectives are to assist countries to attain sustainable growth, reach a balanced national budget, and normalise creditor arrangements. The programme was intended to incorporate the voices of the poor, as well as to lead to further global integration (Craig and Porter, 2003). Each HIPC country is to develop a Poverty Reduction Strategy Paper (PRSP), which is to be a ‘national development plan’ addressing poverty, especially health care and education.

The third world countries’ financial difficulties largely resulted from the massive sums required annually to service their debts (current details of the HIPC Initiative can be found at their website). This meant that monies were removed from the national budget, especially from health care and education, in order to pay off the interest and principal of these past loans. This reimbursement was only the ‘tip of the iceberg’ for the opportunity cost of debt servicing reached into every aspect of national poverty, to the food that couldn’t be imported, the roads that were not repaired, the national security that disappeared, and the transport vehicles that weren’t maintained.15
The HIPC Initiative addressed problems associated with such debt, but it did not speak to the causes of that debt. In other words, the HIPC is but a temporary solution to the debt crisis in that it applies to today’s loans, but not to those to be amassed in the future – and for the country to experience development, or any change, does require funds. This money must come via foreign loans, as there is not a chance of such a poor nation saving sufficient capital to overcome its poverty. However, the HIPC Initiative is Sierra Leone’s best and only choice in defining its path into the future.

Sierra Leone’s HIPC was prefaced by an interim plan (I-HIPC) which provided a ‘road map’ for the more formal programme to follow (GSL, 2001; IDA, 2001b; SL-LoI, 2001; IMF, 2003b; IDA, 2003). This 2001 paper was followed in a few months by a full-scale HIPC to extend from September of 2001 to April of 2003 and the country was indicated to have reached the ‘decision’ point in March, 2002, at which time it formally entered into the programme and obtained interim debt relief from the WB/IMF (IDA, 2002a). However, because of the strife only a ‘transitional phase’ of the I-PRSP was implemented, with a focus upon demobilisation and reintegration of ex-combatants and child soldiers (Murphy, 2003; Zack-Williams, 2001).

An integral component following from it was to be a Poverty Reduction Strategy Paper (PRSP) which was to act as a plan or blueprint for the Sierra Leone government as it sought for recovery and eventual development. This PRSP was to be produced by the government of Sierra Leone, having consulted with a representative civil society in its preparation. As well, under the initiative Sierra Leone was made eligible for concessional loans from the IFIs (the WB’s International Development Association (IDA) facility and the IMF’s Poverty Reduction and Growth Facility (PRGF) programme).

However, the major objective of the HIPC, which was part of the new and evolving ‘post-Washington Consensus’ of the IFIs was to reduce the burden of debt servicing, making it ‘sustainable’, and to have the funds thereby released employed towards addressing poverty, providing services, and meeting the development agenda of the country. It was to be made much more effective than previous efforts by incorporating elements which enhanced its local influence – ‘consultation’ and ‘ownership’. However, although this document detailed the future development agenda of Sierra Leone, given the fact that the plan had to meet the approval of the IFIs, it was evident that the document was written in Washington by the IFIs or in Freetown by their local mission, and the origin was also indicated by the language, spelling, and punctuation of the instrument. The ‘bottom line’ is that the HIPC is surrounded by a rhetoric of consultation and local ownership; yet, the reality was that the document emanated from the IFIs (Mutume, 2002). As well there is a temporal delay in the Sierra Leone case, in that the document which was to be completed by June of 2003 has been delayed (currently expected in mid-2004 (IMF, 2003b 2004; IDA, 2003)).

In one sense, the preliminary HIPC document appears quite positive as it addressed the basic difficulties facing the country (security, extreme poverty, war recovery, health & education, debt overhang, relations with lenders, macroeconomic stability & growth, privatisation, inflation, and efficient administration). However, the scheme was underlined with a sense of unreality as it was founded upon an economic growth rate of 6-7 per cent (SL-LoI 2003). The fancifulness is furthered when it is considered that projections of the initiative were based on a quite unrealistic scenario that no further debt would be encumbered in the development quest.
The HIPC initiative will provide some US$600 million in debt relief to Sierra Leone, representing 80 per cent of the Net Present Value (NPV) of the country’s outstanding debt burden. The relief is, without doubt, substantial. As a recent IMF Survey (2003 supplement, 21) indicates:

*The Initiative has lowered the average ratio of debt service to exports for the 27 decision-point countries from 16 percent in 1998 to about 9.9 per cent in 2002.*

However, the Initiative is open to abundant critical comment. Most fundamental is that, despite a vocabulary of debt relief and recovery, the same neoliberal framework as occurred with SAPs in the past continues, and the global framework within which Sierra Leone’s development is framed remains unchanged. The rhetoric of ‘the post-Washington Consensus’ and ‘the Enhanced HIPC initiative’ mask the fact that the neoliberal framework remains and SAPs continue, but now they are surrounded with a soothing vocabulary which makes them sound quite enlightened.20 Basic to any discussion of the HIPC initiative is that despite the pleading of Jubilee2000 for debt removal, the HIPC programme does not eliminate future debt (except briefly when countries reach the ‘completion-point’). Rather, the intention of the programme is to reduce such debt to ‘sustainable’ levels, while also imposing a set of conditionalities quite similar to what was known as ‘the Washington Consensus’. The HIPC Initiatives thus can be viewed as being necessary, but not sufficient to remove poverty. The programmes help relieve the debt burden in the short term, but lead to no long term recovery.21

As well, the initiative did little to alter the ‘external’ or global constraints on development faced by Sierra Leone. Betterment and economic growth in the third world are related to trade advances and foreign aid. However, export markets for most third world products continue to remain blocked, competing goods from the First World remain heavily subsidised, the terms of trade facing TW commerce continue to turn against the Southern nations. In addition, there is a great fear that Northern nations will consider the HIPC initiative as a substitute for traditional bilateral aid, and thus reduce it accordingly. Further, the scheme did nothing to reduce third world susceptibility to ‘external shocks’, such as weather and global market prices. Besides, many of the so-called forgiven debts never would have been paid back, or they are currently available for purchase at much reduced rates in the world financial marketplace.22 Finally, the scheme talks about further debt reduction which countries will obtain at their ‘completion point’; however, after several years, this future bonus remains undefined and unclear.

The impact of the HIPC Initiative is highly contentious. In a positive sense, its supporters view such a programme as a positive venture, pointing out certain temporary flaws in its operation, and blaming its shortcomings on recipient countries and their failure to act correctly. Above all, major debt relief is provided and the financial constraint is relieved. On the other hand, the critics of these neoliberal debt relief programmes see them as mere window dressing. The focus on poverty and the suggestion of novelty are simply masking the fact that the HIPC Initiative is really the former ‘Washington Consensus’, but now with a bit of makeup to make it appear novel. The IFIs stresses macroeconomic theory in its neoliberal form, while the critics tend to comment based upon the empirical experience of poor third world nations.23

Despite the vast publicity given to the HIPC initiative, underdevelopment in the TW continues and poverty mounts. The financial support from the IFIs is a mixed blessing. On a positive note, the funds enhance the state structure of poor nations in
the programme, overcoming the problem of state weakness and allowing such countries to more ably deal with service provision. On the other hand though, HIPC recipients will employ the debt relief dividend to superficially address poverty and service provision for only the near future. However, as well as not addressing the issue of debt relief over time, the Initiative seemingly ignores many of the fundamental causes of third world poverty and underdevelopment, such as:

- transfer pricing of Multinational Corporations (MNCs)
- human capital migration (‘brain drain’)
- monetary export (‘capital flight’)
- tariff barriers
- subsidised competition and blocked markets (especially agriculture in Europe and US)
- terms-of-trade
- currency devaluation
- disease (especially HIV/AIDS)
- environment
- gender

Basically, many of these items (1-7) relate to what may be termed the ‘external’ setting of poor third world countries. All are vital in the quest for national economic growth and development, and until they are meaningfully addressed (i.e. just not with empty pious-sounding words\textsuperscript{24}) most of humanity will continue to reside in poverty. For example, a major component of third world exports is in terms of agricultural products, and yet these poor nations are unable to compete in a ‘level’ global trading system because of First World countries providing massive subsidies to their agricultural sectors. Until these constraints are addressed there can be no meaningful development and no economic advance in the third world.

Others have written about the devastating effects of adjustment programmes on disease and the environment, and the increased burden on females is evident (Riddell, 2003c and the references therein). However, a basic element disregarded by the HIPC Initiative and one which exacerbates the underdevelopment of the third world is the constant devaluation of the currency of poor countries. This has a profound effect on the greatly reduced purchasing power of consumers and is a vital, though unspoken, key to the understanding of third world poverty and underdevelopment. For example, Sierra Leone’s currency devaluation from US\$1.4 = 1.0 Leones in 1967 to US\$1.0 = 2562.0 Leones at the end of 2003 is an index of the marked decline in the purchasing power of the country’s citizens.\textsuperscript{25}

**Conclusion: The Lessons of the Case**

In this article, comment is based upon the empirical experience of Sierra Leone which is somewhat unique in the third world in terms of its history, the environmental setting the experience of Creole settlement, the resource base of diamonds, and its civil war. As well, its post-independence government has been highly corrupt, based upon a state in which patronage-client relations dominated. In the 1970s and 1980s this became a private shadow state of the president and his entourage (Reno, 1995a).

At the outset, the concerns of this analysis focused upon the HIPC Initiative and its ability to address the causes of poverty in this country specifically and in the third world in general, and to address the fundamental causes of Sierra Leone’s violence.
The initial concern is answered with a resounding NO. The debt burden of this poor country is huge (US$288m on June 2003; SL-LoI, 2004), the nation continues to import food, and most people live in extreme poverty. Secondly, the prognosis for Sierra Leone’s recovery from over a decade of chaos is a weak one because the fundamental causes of the country’s collapse remain. The major element of this resides in peasant disquiet, especially as it exists among the youth. The HIPC Initiative has simply not addressed these urban-rural and youth-elder concerns, and unemployment (especially among youth in the countryside), remains at crisis levels (IMF, 2004). The effect is exacerbated by with the paucity of social services, such as clean water, proper schooling, and meaningful health care. However, the many projects, bureaus, projects, and privatisations present yet further opportunities for a continuation of patronage politics. The problems of the past, extreme poverty and the constant threat of a return to violence, continue!

As well, the context of Sierra Leone’s setting is foreboding. The entire region of the western part of West Africa continues to experience rebels, warlords, and violence (PAC, 2003b). For example, rebel activity is intense in neighbouring countries. This is especially bothersome in not only the historical sense that the initial RUF activity in Sierra Leone was the result of a ‘spillover’ from Liberia, and that the Liberian leader, Charles Taylor, stimulated the violence in Sierra Leone with his guns-for-diamonds exchanges, but also several of the former RUF leaders are in unknown locations within the subregion, and tens of thousands of refugees escaping from violence in Liberia have entered Sierra Leone and add to local turmoil.

Also of concern is that within Sierra Leone there is the lack of a sense of national integration – a feeling or rational in which all of the people of Sierra Leone see themselves as citizens of the nation-state first, members of its several ethnic components second, and loyal to a chiefdom and settlement third. The sad fact of the history of Sierra Leone is that over the last half-century of independence, government has not acted as a leader in the quest for economic growth, betterment, and national cohesion. Rather, the leadership of the state has been seen as an avenue to personal wealth. Yet, such nation building is an integral aspect of development, as all citizens need to feel themselves part of the nation-state and act accordingly in order to attain betterment. Such is a necessary condition for development. When a sector of the population considers the leaders of the state too corrupt and inept they may ‘exit’ from the nation-state into the informal economy in the city or subsistence production in the countryside (Hyden, 1980). The face of the development coin is economic betterment, but the obverse of the same coin is the tying together of all of its citizens, as they work toward a national goal. The economic and the political cannot be separated!

Even after more than a decade of violence and chaos, corruption, predatory behaviour (Nafziger and Auvinen, 2003; Sandbrook, 2000), ethnic rivalry, and patronage politics continue to characterize the national government. For example, a recent article in the Guardian Weekly on Sierra Leone indicates: ‘Corruption is still stronger than the law in the country’ (anonymous, 2002). Reporting on the Sierra Leone People’s Party’s (SLPP) landslide victory in the 2002 elections, Kandeh (2003, abst.) writes:

The SLPP, however, can ill afford to bask in electoral triumph or ignore the festering problems of rampant official corruption and mass poverty that led to the armed conflict in the 1990s.
He further terms (2003, abst.) the SLPP as a ‘… patronage outfit, that is unresponsive to popular currents and mass aspirations.’ The problem of corruption is so evident that it was indicated in the recent correspondence between the Sierra Leone Government and the IMF (SL-LoI, 2004). Baker and May’s recent investigation (2003:10) led them to conclude that corruption and clientelism continue with the new government; they cite a speech by Clare Short, former UK International Development Secretary, in which she said: ‘Personal gain, or loyalty to family, tribe or party, is put before national interest.’ The so-called democratic elections of the past half-century and the numerous coups hardly provided clean, efficient, developmental states. Making the government even more inept in the national developmental quest was the fact that a major portion of the nation’s wealth is extracted by a business community which is largely non-Sierra Leonean (mainly from Lebanon or the Middle East) (PAC, 2003a). Also, the 12,000 UN troops are due to leave at the end of 2004, and the HIPC’s ‘completion point’ with further debt relief appears to be a distant goal. Meanwhile, peasant disquiet, poverty, patronage, corruption, youth displeasure, the lack of jobs, and inequality remain.

Urban bias has now become a historical relic. However, patronage continues in the shadow state, privatisation, and the numerous recovery/development organisations. One need only read the interviews in Peters and Richards (1998) or the investigation conducted in a rural area of the country by Archibald and Richards (2002). As Lewis suggests (1996:123) ‘… traditional politics will be resurrected under new auspices.’

This political difficulty (corruption and neo-patrimonialism) is not simply a complicating issue in the implementation of PRSPs, developed within a neoliberal economic framework by the IFIs (Abrahamsen, 2004). Their belief in the separateness of the economic and political spheres means that their programmes do not address the fundamental inseparability of these domains. In reality, however, the political defines how the economic operates. This is curious in that such cohesion is well known in the literature, and is even apparent from the media. Yet the HIPC Initiative is applied as if macroeconomics is the main factor in poverty alleviation, with politics of only an incidental concern; it certainly is a necessary condition, but it is hardly sufficient! For example in Sierra Leone the major economic engine of the country’s development -diamonds – is not controlled by the political system.

Barry Riddell, Department of Geography, Queen’s University, Kingston, Ontario, Canada; e-mail: riddellb@post.queensu.ca. Acknowledgements: The writer wishes to formally recognise the insights gained from the research represented by the literature cited below. Various component parts of this paper were presented to the annual meetings of the Canadian Association for the Study of International Development, the Review of African Political Economy, and the African Studies Association. The author wishes to thank the members of the respective panels for their thoughtful comments. In addition, the comments of Allen Howard on a preliminary draught were most helpful.’

Endnotes

1. It is recognised that IFIs are not the only actors, though they are the focus here. Others include the WTO, UN agencies, regional development banks, trade agreements, post-colonial links, and Multinational Corporations.
2. Such resources have had negative consequences throughout the African continent, acting both as a blessing by providing a revenue source, but also as a curse being associated with environmental destruction, corruption, rent-seeking, or civil strife (examples being the civil wars in Angola and Sudan and the destruction to the environment and livelihoods of Nigerian Niger delta region). Indications of the role of diamonds in Sierra Leone’s violence and chaos can be found in Campbell (2002), Francis (2001:123-146), Hirsch (2001), and Richards (2001b).

3. For example, Reno indicated that tax revenue provided by the export of alluvial diamonds provided over US$200m in 1968. By 1987 this had declined to US$0.1m (1998a:116). However, with the end of strife there has been the beginnings of a recovery with a legal export of $41m (out of an estimated export of $330m) (Sierra Leone website, current news, 28 August 2003).

4. For example, imagine the disquiet raised among the rural youth when the government employed the army in 1989 to remove illegal miners from the diamond areas (Reno 1998a:120) [read: Momoh’s (Stevens’ successor) APC government in effect removed the major job source for rural youth].

5. The country is permeated by corruption; however, great care must be used in its explanation. That Stevens had amassed an estimated $1.5bn when he retired from Sierra Leone politics is one suggestive index of his predatory rule (Griffiths, 2003). So to is the role of Lebanese entrepreneurs in society. So too are diamonds, poverty, the colonial legacy, and disparities in income within and between countries.

6. SAPs certainly had devastating effects. This could be seen in currency devaluation, privatisation, unemployment, trade liberalisation, the removal of state influence, and the ending of various subsidies (Riddell, 1992).

7. The one-party state began de facto for most of the 1970s. However, in a formal sense it began in 1978, and the transfer to Momoh was in 1985.

8. Reputed to be $1.5bn (Griffiths, 2003)


10. The essence of Griffiths’ argument (2003) is that the World Bank’s insistence on having a ‘free market’ allocate imported rice would lead to dire consequences. This is formally expressed in his Cabinet Paper (2003:207-12) and his concern was expressed as (194): ‘ … there will be food riots, people starving in the street, and a coup’. The empirical details differed, except for the coup, but an uprising certainly occurred.

11. This thesis of peasant disquiet is in marked contrast to the thesis posited by Mkandawire (2002) on the role and importance of urban places in African rebel movements. This is not to denigrate Mkandawire’s analysis, especially his depiction of neopatrimonialism. However, not all African rebellions have urban roots.

12. This was expressed in the two initial forms of British colonialism: Freetown and its peninsula = colony; the rural provinces = protectorate. It was also found in the social distinction of Krio-Upcountry.

13. The conflict being addressed by this IMF programme has unfortunately become increasingly common throughout the third world. In fact, the IMF programme now includes eleven countries and the WB’s encompasses 36 countries; poverty is a common element in all of them. The implicit message is that poverty begets, or conditions, violence. Lest this programme be viewed as a general path leading to HIPC debt relief for all countries in the programme, it should be noted that several conflict-affected counties have been denied debt relief due to previous debt and its lack of servicing.

14. To qualify for the HIPC Initiative, countries are expected to have a debt-to-export ratio exceeding 150% and a debt-to-fiscal revenue ratio greater than 250% (both in NPV terms).

15. This underlies all of the airplane, railroad, ferry and road disasters that are becoming common events throughout the third world. In poverty, maintenance suffers.
16. This was conditional on continuing peace, and that Sierra Leone continues to follow its IDA and PRGF programmes. However, because of difficulties (delays in disarmament, the elections, and problems in finance and administration) the original 'completion point' which was to be reached in December 2002 was pushed back to December 2003 (IDA, 2003; IMF, 2003b) and again to mid-2004 (IMF, 2004).

17. As the HIPC Fact sheet phrases it: ‘It aims to ensure that no poor country faces a debt burden it cannot manage.’

18. Based upon overall economic recovery and increased export revenue derived from diamonds, rutile, bauxite, and agricultural cash crops. Privatisation had begun much earlier, but with accompanying patronage (Nafziger and Auvinen, 2002).

19. There is a curious confusion in the HIPC documents. Although an IMF document (IMF, 2001b) indicates formal approval of the Initiative, a later document (IMF, 2003b; IDA, 2003) indicates that the necessary PRSP has yet to be prepared.


21. Also, many of the internal constraints to development are not eliminated – for one of many examples, abundant patronage opportunities remain in the 212 subprojects (worth US$10.7m) in the Sierra Leone Economic Recovery Social Fund.

22. As Denny wrote in the Guardian Weekly (23-29 January 2003:23) about the HIPC Initiative, saying that it was ‘ … an accountant’s approach based on how much money can be extracted from a country without it collapsing entirely.’

23. As in other forms of aid, there are great demands upon recipients for documentation, reports, statistical data, and trained personnel (Killick, 2004) – often beyond the capacity of third world nations.

24. There has been so much rhetoric in the past that the third world no longer believes what may be sincere efforts of the IFIs.

25. Data sources are from personal experience in 1967 and the most recent IMF report (2004:56). Ould-Mey (2003:47) compares the Leone’s value against the US dollar for the 1980-2001 period (1.05 to 1975.00) for a devaluation of 187,995% over the period. This not only has the consequence of causing a marked decline in government export earnings, but also has an effect on consumer items throughout the country, even on non-exportable items because of the ‘knock-on’ effect on prices.

26. Archibald & Richards (2002) present evidence from questionnaires conducted in rural central Sierra Leone that without improvements in the social factors (poverty, injustice, education, jobs, and youth empowerment) that war will return.

27. In a column in New Internationalist (351, November, 2002, p. 5), Oguine wrote: ‘Even as the world was praising Sierra Leone’s relatively free and fair elections that followed years of civil war … NGOs in the country were ringing alarm bells. What the outside world saw as a move towards democracy, Sierra Leonean democratic activists saw as a potential return to the past, where two insensitive and corrupt political parties held sway. They feared a return to mass discontent, widespread bitterness and civil conflict.’

28. During the electoral campaign, in an effort to obtain votes in the Northern Province, they did institute a rural development scheme in the North providing for micro-credit agriculture, thus indirectly addressing rural disquiet in small part.

29. Nor do they address the fact that the market in most parts of the third world is not only the result of the impersonal economic factors of supply and demand, but is also conditioned by social exchange such as reciprocity and redistribution.
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Newspaper Accounts


Websites

Information on Sierra Leone, including current news, important documents, items of special, interest, news & information archives, and much more, can be found at the country website: (www.sierra-leone.org).

The following documents are available at the Partnership Africa Canada website: (www.partnershipafricacanada.org).

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Commission (by Lansana Gberie); (2003b), Rebel Leaders Death Should Not Detract from Special Court’s Mission.

The Heavily Indebted Poor Countries (HIPC) Initiative maintains a website with current information: (www.worldbank.org/hipc/).

The following documents, including Letters of Intent from the Sierra Leone government, are available at the IMF-Sierra Leone website: (www.imf.org/external/SLE/index.htm).


Letters of Intent


IDA and IMF (IDA 2002a) (15 February 2002), ‘Sierra Leone Enhanced Heavily Indebted Poor Countries (HIPC) Initiative Decision Point Document’.


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Beating the Odds: The Quest for Justice by South African Asbestos Mining Communities

Jock McCulloch

In March 2003 a small community group, ‘The Concerned People Against Asbestos (CPA)’ based at Prieska in the Northern Cape, won a court case in a foreign country. That case may change the way in which multinational corporations behave in the developing world. Until now the hidden costs of mining in Southern Africa have been paid for by labour. The CPA’s victory may also help to end that injustice. It is usual to depict communities like Prieska as dis-empowered and impoverished. Despite its lack of resources the CPA was able to synchronise an elaborate game of small and big politics. The group’s victory suggests that such communities have levels of political and organisation skill which given the right alignments can be irresistible.

Asbestos is the most versatile of minerals. To the touch a piece of raw asbestos feels like rock yet it is possible to tease apart individual strands with one’s fingers and when placed under a microscope each fibre can be seen to consist of thousands of fine threads. Asbestos is resistant to heat and cold, and to acids and alkalies: it can be woven into cloth or mixed with cement. Its remarkable qualities, which accounts for its wide commercial appeal, also create serious risks for those who mine, manufacture, or use asbestos-based products. Asbestos causes three diseases, namely asbestosis, lung cancer and mesothelioma, which is an otherwise unknown cancer of the lining of the lung or the abdominal cavity. The first two diseases are dose related and are therefore confined to the workplace. By contrast mesothelioma can result from trivial exposure and the latency period between exposure and diagnosis, which can be as long as 40 years, makes its destruction of the human body seem inexorable. The disease is always fatal. At the beginning of the twentieth century asbestos was a curiosity. By 1950 it had become an essential ingredient in the commodities around which the post-war prosperity of OECD states was built. Twenty-five years later asbestos was such a feared carcinogen that private householders and public authorities were willing to spend fortunes removing asbestos insulation from homes and work places. The tide of litigation which began in the late 1970s has seen the major US asbestos companies take refuge in bankruptcy. Litigation soon followed in the UK, where a large number of claims are settled each year. In 1997 litigation by men and women who had mined asbestos in South Africa began in a London court.

South Africa is the only country to have mined all three commercial varieties of asbestos, namely crocidolite (blue), amosite (brown) and chrysotile (white). The mining of amphibole fibre began near Prieska in the northern Cape in 1893 and ended
just over a century later with the closure of the last mine, Merencor.4 The big mines were owned and operated by British firms the Cape Asbestos Company (later Cape PLC) and the Griqualand Exploration and Finance Company Limited (Gefco).5 The industry began slowly and with the exception of the First World War the market for fibre was unstable. The Great Depression led to a loss of demand from which the industry only recovered with the outbreak of World War Two. The post-war economic boom meant strong markets for asbestos and between 1950 and 1960 the value of South African output almost trebled.6 The shift to industrial mining saw the introduction of pneumatic drills which increased output but also created clouds of dust. By the early 1950s work conditions were so hazardous that miners were contracting asbestosis after less than six months employment.7 The Department of Mines made little attempt to improve conditions and the mines remained unsafe until they closed. Once asbestos was disturbed by mining large areas of the Northern Cape and what is now the Limpopo Provinces became contaminated. Tailings or waste from the mills was used to seal roads, footpaths, and school playgrounds and the residue of tailings can be seen today on the back roads of Kuruman. Tailings were also used by local communities to make house bricks while in the mid 1950s the Prieska town council used mill waste to surface the golf course.

Prieska is a small town on the southern bank of the Orange River which for over a century was the centre of asbestos mining in the northern Cape. Asbestos was first blended at Prieska in 1927 and from 1930 to 1957 a succession mills were built in the town to process ore from nearby mines. The mill was the town’s largest building and it was also the major employer. Everyone who lived at Prieska tells much the same story about the dust. Schalk Lubbe remembers that during the 1940s and 1950s dust was visible as it came out of the mill chimneys. In summer Lubbe and his family often slept outside to escape the heat and in the mornings their bedding would be saturated with fibre (Lubbe, 1999). The mill ceased production in 1964 but continued to act as a storage depot until 1972. The site is now waste ground which greets visitors who come into the town from the north across the Orange River. The withdrawal of mining from the mid-1980s had a major impact upon the local economy: in 1980 the unemployment rate at Prieska was thirty per cent, by 2000 it had almost doubled (Moodley, 2001). In addition to unemployed miners Cape Asbestos and Gefco left behind unreclaimed mine sites which continue to expose the people of the northern Cape to airborne fibre. The extent of asbestos related disease (ARD) in the mining areas is unknown. Poor transport and communications and an inadequate health service make estimating the disease burden difficult. The literature about mesothelioma on the asbestos fields goes back to the 1950s, but the latency period and the effects of environmental exposure creates problems in estimating disease rates (Reid, 1990). Even less is known about lung cancer and asbestosis.

The Concerned People Against Asbestos

On the 22 December 2001 an out of court settlement was reached in London between Cape PLC and 7,500 former asbestos miners and their families (Summary, 2001). The agreement, which came after more than four years of legal struggle, promised the plaintiffs £21 million in what was the first action of its kind to be brought before an British court. The claimants are South African, and their injuries were sustained in South Africa while they were employed by fully owned subsidiaries of a parent company registered in Britain. The plaintiffs were supported by the South African government which made representations to the Law Lords on their behalf. Cape agreed to pay £10 million by 30 June 2002 and a further £1 million each year for
another ten years. In return, the South African government and the Legal Services Commission in the UK, which had funded the case, promised that they would support no further claims against the company. The South African government also released Cape from any obligations to clean up polluted mine sites and the plaintiffs solicitors Leigh, Day & Co. agreed not to represent any other South African asbestos victims (Summary, 2001). They also agreed that upon receipt of the first £10 million to destroy all documents relating to the case. The agreement was contingent upon Cape obtaining the approval of its shareholders and creditors, a factor which eventually proved an obstacle. The Cape case, which may change the way that multinational companies (MNCs) behave outside of the European Union, had its origins in a small community group, ‘The Concerned People Against Asbestos’.

Members of the Prieska community who had worked on the mines began coming to the ANC’s Constituency office in early 1995. Most had symptoms of ARD and they wanted assistance in applying for compensation from the Medical Bureau for Occupational Disease (MBOD) (Skeffers, 2001). Like most people in the region, Cecil Skeffers who dealt with the claims, had seen the effects of asbestos at first hand. His father and father-in-law had worked for Cape and both have asbestosis. Skeffers approached the provincial government in Kimberley in the hope of speeding up the claims. The Deputy Director of Health, Dr. Kitsamy, had no idea there was a problem with asbestos but he offered to help. Skeffers then invited Dr. Kitsamy to a community meeting at Prieska. As a result more people with ADR came forward. There were so many that in early 1996 it was decided to form a group and the ‘Concerned People Against Asbestos’ (CPA) was born. The core members of the CPA were Cecil Skeffers, Obet Mahlo, Ishmael Nagdee, Linda Nells, and Santa Lubbe, all Prieska people who had a family connection with the mines. Initially their aims were limited to obtaining compensation through the MBOD for those with occupational disease.

The immediate problem facing the CPA was to arrange transport for those requiring a medical examination. Medical Bureau reviews were conducted 600 kilometres away in Johannesburg and transport was costly. Following lengthy negotiations the MBOD agreed to pay for the claimant’s transport. After four trips, in which ten people were sent at a time, it was found that most applicants had second degree disability and the numbers coming forward were rising. According to Obet Mahlo: ‘When the M.B.O.D. in Johannesburg realised that so many of our people were ill, they tried several times to stop the process’ (Mahlo, 2000). The Bureau said that too much money was being spent and that the Prieska community was exploiting the situation for profit. Claimants were frustrated by the attitude of state officers who had little understanding of local conditions. The compensation system was run from Gauteng and there were no local representatives from the Department of Health at Prieska or Kuruman to provide information. As the number of claimants continued to rise the CPA began networking in the northern Cape towns of Marydale, Griquastadt, Kuruman, Uppington and Danielskul. The CPA faced many challenges. According to Obet Mahlo (2000):

This community could never in the past express its grievances or exercise it’s democratic right to expression, choice of life, and real basic human values. The community had always had people who had decided for them, when and how their lives should be lived. This made it an enormous task for the Constituency Office to function in the Prieska Community.

Another problem was the acceptance of ARD as normal. From the 1920s it was common knowledge in the northern Cape that if a man or woman got water on the
lung they would soon die. What the communities had identified was a symptom of mesothelioma, the most lethal of the ARDs, which went undiagnosed until the late 1950s (Marchand, 1991). At Prieska most families were effected by the dust and ARD was unavoidable for those who worked on the mines. According to one community member:

Most women employed to crush the asbestos rocks were greatly harmed. It is customary for our mothers to carry their young on their backs therefore one can only imagine how many innocent infants were unwittingly exposed to this toxic substance. The consequences our people in that area were subjected to is unthinkable in today’s new Democratic South Africa (Mahlo, 2000).

Asbestos was mined in the northern Cape for a century and many families have suffered from ARD for generations. The CPA had to work hard to transform a phenomena previously seen as natural into a political problem to be resolved by collective action. The industry went into decline from the late 1980s and after the last mines closed and the last of the jobs had gone the issue of lung disease took on a different meaning. The first majority elections in 1994 also helped to change community expectations about health and the role of the state.

In November 1997 a meeting convened by Ms. S. Ramurath, from the Department of Environmental Affairs and attended by representatives from the Departments of Water Affairs, Health, Housing, Labour, and Minerals and Energy, was held at Prieska to discuss the ARD crisis (Minutes, 1997). Ms. Ramurath viewed the problem in terms of screening for ARD, environmental rehabilitation and compensation. The Department of Minerals and Energy representatives emphasised the need for information about the extent of the hazard and the rehabilitation of abandoned mines.

The CPA’s initial concern about workers compensation had widened. Ishmael Nagdee pointed out that the community saw the problem in terms of immediate hazards: there were houses contaminated with raw asbestos insulation and bricks made from asbestos waste; there was an environmental problem at Koegas where tailings were being washed into the river from which people downstream drew their water and there was a lingering risk of exposure for children whose parents had worked in the mines. The medical view from within the community was different again. Dr. Pieters, a Prieska physician, complained that there had been no proper consultation from the Department of Health about what was a health problem. People were ill and there was no adequate care. The matron at the Prieska Hospital pointed out that the hospital had no proper X-ray equipment and no beds for patients who had to be sent to Kimberly for treatment.

The CPA began collecting information about ARD but there was no data on the existing exposure levels in the towns. In 1998 the CAP invited Everite, the Swiss owned asbestos conglomerate and their environmental team, to do a study. The final report which was based on random sampling found that there was little airborne fibre at Prieska, a result that has never been replicated. At the time the readings were taken it was windy and it had rained the previous week (Skeffers, 2001). There is in fact ample evidence that disease rates in the region are very high. A subsequent study of 955 respondents in the Prieska district with either occupational or environmental exposure found much unreported disability. The researchers concluded that there were a large number of previously undiagnosed compensatable cases of ARD. A more recent estimate from the Northern Province suggests that almost all women who worked on the mines suffer from asbestosis (Davies, 2001).
In 1998 the CPA met with a consultant named Dr. Ahmon Randeree, a Canadian then working with the Health Department at Kimberly. Asbestos is a major industry in Canada and he immediately recognised the kinds of health problems which may exist in the region. Randeree advised the CPA that to establish the extent of the problem it was necessary to have 1,000 people X-rayed. As Johannesburg was too far away and the cost of examining a large number of people was too great it would best be done at the Kimberly Hospital. Randeree then made an appeal in the local press for doctors to volunteer. The Health Department paid for accommodation and travel and the X-rays were free. Randeree also gave the CPA the idea of taking their case to court. At that stage the community had not considered that possibility (Skeffers, 2001).

All the CPA’s work was voluntary and the group’s only material resources were the use of an office at the Prieska Hospital and access to a phone and fax. There was no national, let alone international, press coverage of the issue and The Diamonds Fields Gazette was the only newspaper to take an interest in what was happening at Prieska. In June 1998 the CPA invited Dr N. B. Pityana from the Human Rights Commission to the first community meeting. He said that someone should be held accountable for what he termed ‘the gross human rights abuses’ by the asbestos industry. That meeting was important in widening the circle of the CPA’s interests (Skeffers, 2001). The group had to decide whether its primary focus should be on the South African compensation system with which the CPA had begun, the legal system in South Africa or the more abstract principles suggested by Dr. Pityana which reached out beyond the national boundaries. The CPA needed to widen its constituency, and make new alliances, but it also had to retain control of the political process. It invited locals leaders from the ANC to community meetings but they did not understand the asbestos issue (Skeffers, 2001). The National Union of Mine Workers (NUM) then became involved. The union was large and powerful and was independent of government. Its support proved important in giving the CPA access to the national stage (Skeffers, 2001).

As the burden of disease became more visible it was increasingly clear that the problems left by the mining companies could not be resolved within the existing legislative frameworks. There were simply too many cases of disability for a new government facing a fiscal crisis over housing, health and education to resolve. For those who live with ARD there are medical costs and the loss of productive life. A recent study of the economic burden in the Northern Cape has found that every household in the Prieska community is affected and that the average monthly cost to a family of a single case of asbestosis is R400 (Moodley, 2001). The impact of mesothelioma is greater again with medical treatment costing around R71,000 per person (Moodley, 2001). The authors estimated if there are 5,000 ARD claimants in the region then the medical costs for those people over the next twenty years will be in excess of R357 million (Moodley, 2001). Secondly, many cases of ARD are due to environmental exposure and therefore are not covered by the MBOD. Exposure is an ongoing problem which pushed the CPA agenda into the field of environmental politics. The impact of ARD was reflected in the range of government departments with which the CPA had to deal; they included Health, Housing, Minerals and Energy, Roads, Environmental Development, Local Government, Justice, and the Premiers’ Office. Without a clear focus the CPA’s endeavours would soon have fractured between those different constituencies.
The Law

While visiting Canada Dr. Randeree met a lawyer named Richard Meeran, from the London firm Leigh, Day & Co. This legal firm was running a case on behalf of Natal factory workers and was sympathetic to taking on another involving the activities of a British company in South Africa. With the help of Action for Southern Africa (ACTSA) the CPA invited Meeran to Prieska. At that time the CPA had two aims: to reduce the risk of illness in the community and to get some compensation to those already affected. The core members of the CPA had a closed meeting with Meeran and selected five test cases with which to bring an action against Cape PLC in London (Skeffers, 2001). The case was funded by the British Legal Aid Board.

Under British law multinational corporations have been protected by two principles: the separation of corporate identity (the corporate veil) and forum non conveniens. Under the separation principle the parent company of a wholly-owned subsidiary is not held responsible for its misdeeds, except where it can be shown the independence of the subsidiary is a sham. As a result corporations can dictate the behaviour of subsidiaries yet claim protection from prosecution. That separation has fostered the double standards in regard to occupational health and safety which are the hallmark of MNCs (McCulloch & Tweedale, 2004). Adding to the protection afforded by the corporate veil is the principle of forum non conveniens which requires that cases should be tried in the country where they can be litigated most cost-effectively. The burden of proof is on the defendant to show that a particular forum is best. Among the factors influencing that decision are the location of witnesses and documents. The term ‘forum shopping’ is used in the US to describe disputes over a venue and US courts have generally opposed relocating hearings to the metropole. In the Bhopal tragedy, Union Carbide wanted the case heard in India while the plaintiffs wanted it heard in the US where damages would have been far higher. Union Carbide won (Chouchan, 1994). Given the barriers of forum non convenience and the corporate veil, Cape’s lawyers never imagined they could lose (Meeran, 2002).

Leigh, Day’s first forum case was that of Edward Connolly who had developed throat cancer as the result of his employment at RTZ’s Rossing uranium mine in Namibia. The Connolly case went on appeal to the House of Lords but was eventually lost on the statute of limitations, in December 1998. At the same time as the Connolly case, Leigh, Day was running a second action involving a chemical company which had transferred a hazardous technology from the UK to South Africa. From the 1980s, Thor Chemicals Holdings Ltd. made mercury-based compounds at a factory in Margate. It was a small firm and there was much criticism from the Health and Safety Executive about the elevated levels of mercury in the blood and urine of employees. Around 1986 Thor shifted its plant and key personnel to Cato Ridge, Natal where the same health problems soon arose. In February 1992 the deaths of three workers and the sickness of another resulted in a prosecution in the Pietermaritzburg Magistrates court and a fine of £3,000.

In 1995 Leigh, Day brought an action against Thor in the English High Court on behalf of twenty workers. They claimed that the plant was inherently flawed and that Thor had failed to protect its South African employees from a foreseeable hazard. Thor sought to stay the action on forum grounds and asked that the case be heard in South Africa. Leigh, Day argued that the case should be heard in UK because the technology and production system were imported into South Africa from the UK; the day-to-day supervision of the plant was directed from the UK and even the mercury levels were monitored from the UK. On the opening day of hearings the judge asked Leigh Day:
‘What are these South African claimants doing in my court?’ (Meeran, 2002). The first three days were devoted to the question of jurisdiction which was resolved in the plaintiffs favour. The men had suffered serious injuries: one man had been in a coma for three years and evidence of his condition clearly affected the judge. Thor lost on appeal and was forced to pay £1.5 million in damages (Meeran, 2002). Thor was the first successful forum non conviens in a UK court and it encouraged Leigh, Day to bring a second case against the company. That case was to go to trial in October 2000 but Thor settled on the first day of hearings. As part of the settlement Leigh, Day agreed not to take part in any further litigation against Thor nor to assist future plaintiffs in any way.10

The Connolly, Thor and Cape PLC cases overlapped in time and the gains made in Connolly and Thor fed into the Cape action. In part that was a matter of good luck, in part it was the result of good management. If Leigh, Day had started with Cape, which was far larger than Connolly or Thor, and lost that would have discouraged them from pursuing any such case in a UK court (Meeran, 2002).

In February 1997 a compensation claim began in the English High Court on behalf of three Cape Asbestos workers who had also lived near the Penge mine and two Prieska residents who had environmental exposure from nearby mills.11 Cape’s operations in South Africa were directed from London until 1948 when the company was re-structured: from then until 1979 Cape Asbestos operated in South Africa through wholly-owned subsidiaries (McCulloch, 2002). Cape closed its main UK factory at Barking in 1968 due to the known hazards of asbestos but continued to operate mines in South Africa until 1979. The plaintiffs claimed that the parent company, which exercised de facto control over the operations of its subsidiary, knew those operations were hazardous to employees or those who lived nearby and owed a duty of care to those people through the control it exercised over its subsidiaries. To succeed in court the claimants had to identify test cases of ARD caused at Cape mines, then prove that a duty of care was breached. In effect they had to pierce the corporate veil separating Cape Asbestos from its South African mines. But first the claimants had to establish their right to have the case heard in a British court. Cape argued for a stay on the grounds of forum. In January 1998, after an eight day hearing spread over six months their application was granted: but on appeal in July 1998 the Court of Appeal reversed that decision. The court found that the breaches of care had taken place in England (where decisions about occupational health and safety were made) rather than in South Africa.

For the next three years various courts adjudicated on the forum in which the case should be heard. Cape argued that it would be best run in South Africa where the witnesses, records, and claimants were domiciled. The claimants argued that they could not get justice in South Africa because legal aid for personal injury claims had been abolished and therefore they had no way of funding their case. There was, in addition, a lack of expertise in South Africa to run such a complex action. South African courts are conservative when it comes to awarding damages for pain and suffering, an area in which the poor would otherwise hope to make the largest claim for damages (Spoor, 2001). Cape PLC was so determined to avoid a British forum that it offered to fund the plaintiffs claims if the case was heard in South Africa (Meeran, 2002). Cape has no assets in South Africa and so it was in effect forum shopping in reverse.

In January 1999 Leigh, Day began a second action against Cape involving almost 2,000 claimants. The company applied to stay those claims on forum grounds arguing
that the larger group changed the basis of the existing claim and that the initial five cases should also be stayed; Judge Buckley then reversed the previous decision. The CPA and the National Union of Mineworkers wrote in protest to the Minister of Justice in South Africa pointing out that although Cape Asbestos had left behind thousands of injured and dying people, the company had never compensated any South African worker. ‘It took the English Courts only five minutes to consider all the difficult issues in our case. The English Courts are ignoring the pain of African workers and communities’, they wrote. The matter then went back to the House of Lords for final appeal with the South African government making a submission on behalf of the plaintiffs. The Law Lords handed down their decision in favour of the claimants on 20 July 2000. The main issues cited by the Lords were the lack of legal aid in South Africa, which would prevent the case being brought to trial and the lack of local expertise in bringing such group claims to court. The Lords decision dealt purely with where the case should be heard: they did not address the issue of whether the parent company, Cape, owed a duty of care to the claimants through the operation of its South African subsidiaries.

The decision came as a blow to Cape and its legal team. Having spent several million pounds defending a forum claim, Cape immediately sought an out of court settlement. A fear of bad publicity was certainly a factor in that decision for had the case gone to court, it would have revealed the most deplorable work practices at Cape mines (McCulloch, 2002). Furthermore, if the case had gone to court and the claimants had won it would have been for a sum far in excess of the £20 million offered by Cape (Meeran, 2002). Leigh, Day accepted the offer because of Cape’s uncertain financial future. A trial could well have bankrupted the company which was an outcome against the interests of both parties (Summary, 2002).

While the Cape case was being fought in London, the CPA continued to push the asbestos issue in South Africa. In November 1998 the National Asbestos Summit was held at Johannesburg. The Summit was attended by delegates from government, affected communities, labour, industry, and NGOs. There was also a large delegation from Zimbabwe’s mining industry anxious to preserve a South African market for their fibre. The hearings were wide ranging and covered community development and rehabilitation, health, compensation and the regulatory system. The Summit endorsed a review of existing compensation schemes and called for the establishment of a comprehensive health system. It succeeded in publicising the impact of asbestos mining on community health but it lead to no concrete outcomes. The environmental problems facing the CPA included hundreds of abandoned mines, the dump at Prieska, roads dressed with mill waste, raw insulation in the ceilings of domestic dwellings and house bricks made from tailings.

The CPA met with the head of environmental planning in the provincial government, Thabo Makweya in early 1999. The court case was running in London and the CPA decided that it was important to keep the issue on the national agenda. It was a risk as there was conflict in the community and many in Prieska opposed the move. The national stage was a new scene and it posed a challenge for a group with few resources. Some members of the CPA were worried that the project would be hijacked by the national political parties which would use the issue for their own advantage (Skeffers, 2001). To counter that problem the CPA got members onto the local executive committee of the ANC. By mid-1999 the CPA was fighting battles on three fronts: within the local community, on the national stage and internationally with the Cape case in London. The group was keen to maintain focus and circulate information and so the workload was divided into five portfolios; Obet Mahlo did
legal work and processed claims; Cecil Skeffers covered health; Linda Nells did social issues; Santa Lubbe was responsible for information and Ishmael Nagdee did networking.

In addition to fighting an asbestos company in a London court, the CPA faced local opposition. The National Party member Mr. P. W. Saaiman claimed that the CPA was running an ANC line and that the Everite report showed there was no risk to the community (Skeffers, 2001). He said the CPA was corrupt and was damaging the town and its economy. The group were also opposed by the commercial elite in the northern Cape who feared that the issue would discourage investment and tourism. The Industrial Development Corporation, together with Green Valley Nuts, were at that time promoting the development of a pistachio plantation at Prieska. In addition to the National Party, the CPA’s opponents included elements within the Departments of Housing, Minerals and Energy, Roads, Environmental Development, Local Government, and Justice – all of which saw the asbestos issue as a potential drain on their limited resources.

As a consequence of the growing national publicity, in mid-1999 a Johannesburg law firm Malcolm Lyons set up an office in Prieska to recruit clients for a second action against Cape. Lyons made promises and gave out soup and bread when they conducted interviews. As a result, some of the Leigh, Day claimants joined Lyons (Skeffers, 2001). The CPA knew that the community could not fight on two sides and that all claimants had to pull together. Leigh, Day was working with the national government and the NUM, Lyons was not. The CPA held a public meeting to explain the issue; most people supported Leigh, Day but a small number went with Lyons which created further tension.

While the Cape PLC case dragged on in London, the CPA used marches, vigils, and demonstrations as a means of generating publicity and maintaining community support. In November, as the judges were considering the issue of the forum, it sponsored an exhibition of photos at Kimberly by Hein du Plessis which attracted national publicity. With the support of local churches, on 4 November 1999, the CPA organised a march in Prieska. They invited the BBC and the South African press and the event received wide publicity. There was a major setback at the end of November when a British court rejected the case outright. The struggle had been going on for four years and it was difficult to keep community expectations under control. A group of community leaders wrote directly to the British Prime Minister, Tony Blair, appealing for justice. Thabo Mbeki was in Britain at that time and they hoped that he would talk to Blair about the issue. Again it was a risk as the CPA could have alienated the ANC government. At that point the CPA changed its tactics and began holding a series of street meetings. The meetings ensured that everyone talked and that they shared information over a shared quest for justice. The CPA also appealed to the churches in Prieska and they held regular prayer days which welded the community together. The CPA stopped talking to TV and newspaper reporters who, by running sensationalist stories, raised expectations which could not be met.

The CPA was careful in setting its agenda but its limited resources had been eroded by the protracted legal battle. The CPA paid no salaries and most of the key figures in the group were unemployed. Cape PLC knew that the structure was struggling and its lawyers offered Skeffers R100,000 to act on the company’s behalf; he declined (Skeffers, 2001). By January 2000 there was friction within the CPA structure. The workload was increasing and the opposition had far more money and expertise. To take some of the pressure off the group Obet Mahlo began working as a project officer.
with Leigh, Day and Cecil Skeffers took a job with the Department of Welfare. The CPA then set up a provincial structure with a representatives in each town (Skeffers, 2001). The group used faxes to keep local communities abreast of the legal battle and held a general meeting in early 2001.

The Settlements

In June 2002 Cape PLC failed to make the first payment to the Hendrik Afrika Trust set up for the victims. The company had promised to restructure its operations but only part of that process had been completed (Financial Times, 2002). The situation was complicated by Cape’s poor financial position, due in part to the massive costs it had incurred in defending the case. While the Cape settlement remained in limbo, a second case involving an asbestos company was begun in South Africa. In May 2002 the Nelspruit legal firm Ntuli, Noble and Spoor Inc. initiated an action against the South African corporate giant Gencor on behalf of miners who had worked for Gefco, a fully owned subsidiary. Gencor was set up in the early 1960s by Afrikaner capital with Anglo American holding around a thirty per cent stake. It became a massive organisation and for a long period controlled Gefco. In 1980 Gefco bought Cape’s mines which it operated until 1996. The Gencor case was the first action of its kind in South Africa for occupational disease contracted in the mining industry. It was funded by the British law firm Thompsons, which has extensive experience of representing British asbestos workers.

Ntuli, Noble and Spoor Inc. faced various legal and procedural problems in mounting a case against Gencor (Spoor, 2002). It had long been assumed that the existing legislation and most especially section 35 of the Compensation for Occupational Injuries and Diseases Act No 130 of 1993 (COIDA), previously the Workmens Compensation Act No 27 of 1956 (WCA), precluded employees from suing an employer for negligence resulting in occupational injury (Spoor, 2001). In general, South African workers have a right to compensation from state regulated and industry funded boards but no right to take common law action. The most important category of labour excluded from such benefits by COIDA are mine workers who instead can seek compensation under the Occupational Diseases in Mines and Works Act No 78 of 1973 (ODMWA). Spoor argued that the immunity provisions within COIDA did not prevent workers from suing employers for injury or disease due to negligence (Spoor, 2001).

Gencor claimed that it had never owned or controlled the Gefco or Msauli mines; that the period in which claims should have been lodged had passed, that some of the claimants were not yet sick and that in any case no South African court would grant payments of the kind demanded (Business Report, 2003). It was very much to the claimants advantage that once the question of the right to sue was established the case against Gencor was relatively simple. Ntuli, Noble and Spoor had obtained copies of Department of Mines dust counts from the 1970s and 1980s which showed that work conditions at Gefco mines were appalling. The Gencor case began at the moment when the Cape settlement had stalled. In July 2002 Leigh, Day reassured community representatives that the existing agreement offered its clients the best chance for a settlement. But it also acknowledged that taking Cape to court would be costly and involve the risk of losing (Meeran, 2002). Gencor had major assets and the best outcome for Leigh, Day’s clients was for the Gencor case to run without jeopardising the Cape settlement. By September 2002 Leigh, Day believed there was a better chance of a resolution if the two cases were cojoined. Many Cape claimants had worked for Cape before 1979 and for Gencor after 1981. For that reason and given
the problems of gaining a full settlement from Cape in September 2003 Leigh, Day agreed to co-join the actions. That decision had a precedent in the original Cape agreement which curiously contained reference to Gefco. In addition to the initial £21 million, Cape had offered the claimants an extra £1 million if they agreed not to bring further claims for compensation against Charter PLC, Gefco, the Transvaal Consolidated Land and Exploration Company Ltd, or the GASA group of companies.

After six years of legal argument in Britain and South Africa, on 13 March 2003 an agreement between thousands of South African workers and the two mining companies was signed. Cape PLC agreed to pay £7.5 million in compensation to 7,500 workers and Gencor agreed to set up a trust fund for its workers, worth R448 million (£37.5 million). In addition, Gencor agreed to pay £3.21 million to those Cape claimants who were also exposed at Gencor’s operations. Around R40 million was set aside for rehabilitation of mining sites under a scheme to be administered by the Department of Mineral and Energy Affairs. The Gencor trust is the largest settlement in South Africa’s history, and the first time black miners have received such compensation from their employers.

The Gencor agreement is 77 pages in length and was designed to both settle an existing claim and prevent the emergence of future claims. Gencor has walked away with a payout of R450 million out of a total of R18 billion in assets, which it no doubt sees as a victory. Among the numerous parties to the agreement are the law firms Ntuli, Noble and Spoor, and Thompson’s Solicitors in London, who funded the case. Also party to the agreement are the Asbestos Interest Group (Mary Moffat Mission), The Pomfret Claimants, and the mining houses Gefco, Msauli Asbes Beperk, African Chrysotile Asbestos Ltd, and Hanova Mining Holdings, and significantly the government of South Africa. The new Cape agreement reduced the size of the original settlement by two-thirds and involves a one-off payment. The 7,500 claimants are to receive £7.5 million from Cape PLC and £3.1 million from Gencor making a total of £10.6 million or just £1,413 each. There is no trust to cater for those who will become ill in the future and the new version stands in stark contrast to the original settlement which was centred on such a mechanism. After Cape’s failure to honour the original settlement, Leigh, Day insisted on a one-off payment simply because they felt that they could not trust Cape (Meeran, 2002). Consequently claimants will received very different benefits if they happen to fall under the Gencor or Cape settlements. In some instances, that will see individual members of the same family awarded different levels of benefits for the same disability. There is nothing to prevent those who in the future develop mesothelioma or lung cancer from suing Cape PLC.

The End Game

How should the settlements be judged? According to payouts of asbestos sufferers in US or UK courts or by their impacts upon the former mining communities of the Northern Cape and Limpopo Provinces? Should they be viewed in terms of the legal precedents they establish? The average payout for a single case of mesothelioma in Californian courts is around US$1 million. Payouts have also been achieved in British courts which make the Cape and Gencor settlements appear trivial. But that is not necessarily the way the settlements are viewed from within South Africa where the money will greatly benefit impoverished communities. In reaching that settlement Leigh, Day was faced with a choice of taking whatever money was available or risking Cape going into voluntary bankruptcy. In Richard Meeran’s words, if that had happened, ‘The banks would have taken all the money’ (Meeran, 2002). When the
Cape case began in London in 1997 the claimants chances of success were poor. Over the past thirty years asbestos companies in the UK (and the US) developed strategies for frustrating legitimate claims for compensation. Like its competitors, Cape PLC had money and ready access to legal and medical expertise. From 1948 a corporate veil separated Cape Asbestos from its South African subsidiaries and that veil appeared to offer an insurmountable barrier to plaintiffs. Cape PLC had no assets in South Africa and it knew that British courts would be reluctant to hear the case in Britain. The company also had time on its side for the longer the case was drawn out, the fewer plaintiffs would be left alive. That proved to be so and Cape was so successful in delaying proceedings that 776 claimants died before the final settlement. Cape probably assumed that no British government, even a Labour government, would have welcomed the subject of investment during the apartheid era being scrutinised at length in a London court. Finally, a loss by Cape PLC would have carried serious implications for British MNC.

Although the CPA had few natural allies and several determined opponents it also had some notable advantages. Work conditions on the mines were almost a parody of apartheid and once the issue of a forum was decided it would have been relatively easy to convince a court that Cape PLC was negligent. The CPA had the political imagination and flexibility to fight a case on the local, national and international stages: there was a high level of political skill in the community and its members and leadership had the endurance and persistence which were essential for survival under apartheid; it had the support of the NUM and the International Chemical, Energy and Mineworkers Federation, and NGOs such as One World Action, the World Development Movement and Amnesty International. A number of concerned individuals including the Canadian physician Dr. Randeree provided much needed expertise as did some officers in the Department of Health at Kimberly; the provision of legal funding in the UK and in particular the commitment of Leigh, Day in London were vital. The same was true of Ntuli, Noble & Spoor in South Africa. The South African government had good reason to support the claimants as otherwise it would have been left to pay the cost for rehabilitating the mines and providing medical care for former miners.

It was much to the CPA’s advantage that in the UK the story fell into two established contexts – the legacy of the anti-apartheid movement and the activities of the anti-asbestos lobby. A major part of Cape’s profits came from the low wages paid to black and coloured workers and from the absence of occupational health and safety measures. As the NGO, Action for Southern Africa (ACTSA), pointed out on numerous occasions, the case arose because a British company took advantage of apartheid. In conjunction with the South African Department of Justice, ACTSA made a submission directly to the High Court in support of the plaintiffs initial claim. Once the case had run into trouble, ACTSA wrote directly to Cape’s shareholders and sponsored a photographic exhibition of the mining communities. After Cape failed to make the first installment on the settlement in June 2002, ACTSA members protested at meetings of the Cape board. They also targeted Cape’s banks, the Royal Bank of Scotland and Barclay’s. Public opposition to asbestos in the OECD states had been running for over two decades when the Cape case was launched in London. As a result there was no need for the claimants to politicise the British press or the public about the dangers of asbestos. The British press soon took up the story and ran numerous pieces about the deplorable conditions on the mines.

The Cape/Gencor claimants won the right to run a class action in a British court for injuries sustained in South Africa and they also won a common law settlement in
South Africa against a mining company. The British financial press viewed the Cape judgment in terms of its impact on MNC and suggested that UK parent companies will have to review their exposure to claims in English courts. Such cases would be both expensive to defend and involve much bad publicity. In future, parent companies will either have to step back from the operations of their subsidiaries so that they enjoy a genuine autonomy or take a hands on approach to ensure that breaches do not occur. The second strategy would force British corporations to close the gap between their occupational health and safety practices at home and abroad. Within South Africa the Gencor case may have a rather different but equally profound impact. The day after the agreement was signed, Ntuli, Noble & Spoor announced that it would turn its attention to the plight of gold miners suffering from silicosis (Business Day, 2003) The only studies of occupational disease among migrant workers who have returned home are by Steen (1997) and Trapido (1998). Those studies suggest that in Botswana and the Eastern Cape there are large number of miners with undiagnosed disabilities. Richard Spoor estimates that the total payout for hitherto invisible occupational disease may be as high as R50 billion (Spoor, 2001). Any case against the major mining houses would likely involve the governments of neighbouring countries, such as Mozambique, which supplied migrant labour to South Africa. If that happens the occupational health and safety conventions in the region will change fundamentally.

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Endnotes

1. Unless otherwise indicated all archival materials cited are from the National Archives of South Africa, Pretoria. The CPA Papers are documents held at the Prieska offices of The Concerned People Against Asbestos. They consist of letters, memos and minutes covering the history of the group and in particular the battle for legal compensation in the UK.


3. During the 20th century South African produced all of the world’s amosite and all but three per cent of its crocidolite. Those fibres, which are known as amphiboles, are the most efficient at causing lung cancer and mesothelioma.


5. In 1970 Gefco became a fully owned South African company.

6. By 1960 production had reached almost 200,000 tons and the asbestos mines were employing 1,000 white and more than 20,000 black and coloured workers. See Annual Report, Department of Mines for the year ending 31 December 1960, Pretoria: Government Printing and Stationary Office, 1961 p.40.

7. At Cape Asbestos mines young men with no previous exposure were contracting asbestosis after less than twelve months employment. See ‘Report on Health Conditions at Asbestos Mines’, Dr. G. B. Peacock, Assistant Health Officer, Pietersburg, June 1952, NTS 2258 695/280, volume 1.


11. Simultaneous claims were also lodged on behalf of four Italian workers employed at Cape’s Turin factory run by a wholly owned Cape subsidiary Capaminanto: by virtue of Article 2, The Brussels Convention, the Italian claimants could not be prevented from bringing their claim to an English court. The case was settled out of court.


13. See ‘Opinions of The Lords on Appeal for Judgment in the cause Schalk Willem Burger Lubbe (Suing as Administrator of the Estate of Rachel Jacoba Lubbe) and 4 Others (Appellants) and Cape PLC (Respondent) and Related Appeals, 20 July 2000’, p.13.


25. One case of mesothelioma involving a young surgeon who had been exposed to asbestos while a medical student was recently settled in a London court for £1.5 million. See ‘Surgeon Dies from Hospital Exposure to Asbestos’ in The British Medical Journal, 320:1358 (20 May 2000).


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Land & Politics in Namibia

Henning Melber

Southern African societies still bear the lasting effects of their colonial history; in particular, the inherited structural legacies of an apartheid system. While this special brand of white minority rule was later called ‘separate development’, the euphemistic term actually describes in a rather appropriate way colonisation – the violent removal of people from their land. Today, gross inequalities in access to, and possession of land are a reflection of this earlier colonial expansion. 2004 marked a century since the genocide started in then ‘German South West Africa’ and is a reminder of the origins of Namibia’s skewed land distribution (cf. Melber, 2000). Whatever rationale for seeking solutions to this impasse are utilised, this memory cannot be tilted among the generations of victims.

In 2002, twelve years after Independence, the Party Congress of SWAPO of Namibia passed a resolution which urged government to expropriate 192 farms owned by absentee landlords. While this was within the legal and constitutional discretion governing the country, and reiterated the recommendations adopted soon after Independence by the National Land Conference of 1991, it was not implemented by those SWAPO cadres in government. It wasn’t until a newly-emerging political space in 2004 did the land issue also re-emerge as an ingredient to the open contestation over the succession to Namibia’s President Sam Nujoma. SWAPO’s President since its foundation and in office since Independence, he ultimately had to abandon the campaign for a fourth term beyond March 2005. His declared crown prince Hifikepunje Bhande, like himself a first generation activist, is the current Minister of Land, Resettlement and Rehabilitation. When he was declared Nujoma’s choice, Pohamba developed a hitherto unseen commitment to address the land issue. The following chronology of events between February and June 2004 is based on the local newspaper coverage.

In a special announcement televised at the end of February 2004, Namibia’s Prime Minister Theo Ben Gurirab confirmed the new policy approach as indicated shortly before by Minister Pohamba in Parliament: from now on Government would expropriate land. Zimbabwe’s Minister of Information, Jonathan Moyo, on an official visit in the country at the time, expressed his satisfaction about the historical moment he could witness. During early April, a team of six experts seconded from Zimbabwe visited Namibia to assist in the evaluation of seized land. In his May Day speech President Nujoma confirmed that expropriation of farms would not only target under-utilised land but also serve as a punitive measure. He warned ‘minority racist farmers’,

that steps will be taken and we can drive them out of this land .as an answer to the insult to my Government.

A letter of 10 May by Minister Pohamba – at a time when the internal competition for the nomination as the party candidate for the next term as President was in
full swing – was sent to some 15 farmers expressing ‘interest in acquiring their property’. The recipients were ‘cordially invited to make an offer to sell the property to the State and to enter into further negotiations in that regard’. Among the farms were those which were on record for recent labour related conflicts; but there was also a game ranch owned by a foreign national who had invested considerably in a luxurious farmhouse. Among his guests was Namibia’s Head of State who enjoys the occasional hunting safari; one wonders why this farm has been selected as a priority.

Since the expropriation letters were distributed, a minority group of racist hardliners among the white farmers embarked on a course of public confrontation. At a meeting in June they articulated openly arrogant and self-righteous defiance to government policy and blamed the commercial farmers’ union for its sell-out strategy. This added fuel to the flames and made the land issue the most controversial topic in public debate by mid-2004. The Parliamentary and Presidential elections held in November 2004 confirmed Nujoma’s confidante as his successor and next Head of State. He was nominated by SWAPO as candidate from three contesters by an extraordinary party congress held at the end of May 2004 after an intense period of internal struggles turning ugly and showing the full force of autocracy by the president. A new cabinet is appointed by Pohamba to take office on Namibia’s Independence Day, 21 March 2005. It remains to be seen what turn the land policy then might take. The first 15 years of Namibian Independence were characterised more by an absence of any coherent and consistent strategy; instead, there was a dominance of politics with and about the land issue.

This briefing looks behind and beyond the current rhetoric providing food for speculation about the government’s emerging land policy and revisits land as ‘contested territory’ (see Melber, 2002). The issue is viewed within the context of the post-colonial ideology under a former liberation movement, which now embraces a strategy of populist rhetoric to cover own policy failures. This affects the socio-economic policy within an increasingly narrow-minded nation-building discourse (see Melber, 2003a and 2003b). The land issue hence emerges as a tempting political tool for manipulation and social engineering, instead of addressing in the first place a long overdue material redistribution as an integral part of a coherent process to reduce the gross inequalities within a fundamentally non-egalitarian society.

Land appeals to a majority of Namibians for the simple reason that many of them are directly or indirectly affected.

Agriculture …provides a livelihood to more than two-thirds of all Namibians, either as communal farmers, or as labourers on commercial farms. Three-quarters of the poor in Namibia depend on agriculture for at least some of their household consumption needs. In spite of this, the sector’s contribution to GDP remains very limited, less than 8% (UNDP, 1998:44).

Some 44% of Namibia’s territory (exclusively within the area of the former ‘Police Zone’) is classified as freehold land composed of fenced ranches. It is private property of less than 5,000 (predominantly but no longer exclusively white) farmers; 43% (mainly in the Northern and Eastern parts) is communal land (the former ‘native reserves’). A considerable portion of the latter has in the meantime been fenced off, a practice largely tolerated by the authorities (sometimes with office bearers being an active part thereof) despite demands to the contrary articulated by the National Land Conference (cf. Werner, 2001:272). A reform process would also have to bear in mind, and carefully address, the per-
manent challenges posed by Namibia’s extreme ecological constraints to any sustainable effort to enhance land productivity. Namibia’s history of land use, exacerbated by the additional pressure on land since colonisation by European settlers, is ample illustration of the painful consequences of deliberate over-exploitation of natural resources.

Only about 8% of the territory is suitable for dry land cropping, with an average annual rainfall of 500mm or more. Two-thirds of the country is classified as semi-arid and around a quarter as arid. Sixty per cent of the commercial farmland (freehold agricultural land) receives on average less than 300mm rain annually.

In such an arid environment land ownership becomes much less of a crucial factor than in most countries (UNDP, 1998:46).

Giving back land to a previous tiller (or actually herder) does therefore not necessarily pay off when measured in terms of economic performance, and in some cases not even in terms of self-employment.

The main issue therefore is not land, but poverty – a view, shared from a different perspective for South Africa (Hendricks, 2000), where the degree of proletarisation is most advanced. Interesting enough, neither Namibia’s official Poverty Reduction Strategy, approved by Cabinet in 1998, nor the National Poverty Reduction Action Programme for 2001-2005 links land reform to poverty reduction:

In other words, the Namibian Government does not view land redistribution as one of the major instruments in reducing poverty. In fact, there is an inexplicably pessimistic view expressed in the Poverty Reduction Strategy, namely that the agricultural base was too weak to offer a sustainable basis for prosperity (Sachikonye, 2004:74)

When liberation movements took over political power towards the end of the twentieth century, a framework was created to address the inherited inequalities. The process of de-colonisation and transfer of political power, however, had been one of controlled change as a result of internally and externally negotiated settlements. The legitimate governments were required to honour a rule of the law based on the recognition of existing property relations. Landowners at Independence, therefore, were legally entitled to their farms and protected by common law – as painful as such endorsement of previous injustice in some cases might be. Namibia’s President Sam Nujoma (2001:419) paints a misleading picture when he suggests that as a result of an imperialist conspiracy Namibians were denied the opportunity to address the land issue differently. As a matter of fact, Namibians – as represented by the liberation movement SWAPO – were part of a deal: ‘land and property rights were never the subject of public debate’ and the ‘aspect of the Bill of Fundamental Human Rights that gave guarantees to existing property owners received surprisingly little attention’ during the deliberations of the Constituent Assembly prior to Independence (Cliffe et al. 1994:205, 214).

Such a limiting point of departure, although a constraint for social transformation, does nevertheless not prevent options to adopt reformist land policies aimed at creating more equality. Despite the obvious relevance of, and need to address the land issue as a priority on the agenda for change, those assuming political power paid little visible attention to exploring possible solutions. Instead, high ranking political office bearers and bureaucrats used their energy during the initial period of consolidating post-colonial power structures to secure their own farms, often through access to land provided by the state. Members of the new political elite were among the beneficiaries of drought relief through state financed drilling of boreholes on their private farms, thereby
adding revenue and aid funded value to their property (cf. Kössler/Melber, 2001).

In contrast to this eagerness of accessing and utilising land for own benefits, the majority of the population saw little to no progress in terms of creating access to land. Interestingly enough, Namibian lawmakers have been reluctant to introduce a land tax despite the fact that it is an obvious tool for at least reformist social transformation based on generated revenue. While the Agricultural (Commercial) Land Reform Act of 1995 provided the legal framework, it took almost another decade until taxes are likely to be finally introduced during the fiscal year 2004/2005 with the adoption of a Land Tax Bill.

Also painfully slow was the action with regard to the purchase of farmland for resettlement purposes. By the mid-1990s, the Namibian authorities had acquired only some 100,000 hectares of freehold land for redistribution – less than a handful of so-called commercial farms (Werner, 2001: 272). After a decade of Independence, the farmland bought by the Ministry of Lands, Resettlement and Rehabilitation amounted to 54 farms totalling 341,000 hectares (Werner, 2000:45-48). For many years, the Ministry did not even spend the annual budget allocated for the purchase of farms. The problem was not mainly the reluctance of commercial farmers to abandon their property within the ‘willing seller – willing buyer’ policy advocated. In contrast:

By 2001 the government has been offered 759 commercial farms. A total of 505 of these farms were turned down, leaving them for sale in the private sector. The government has shown interest in 254 farms since 1991, or about one farm in three put on sale, but only actually purchased 97 for land reform purposes, only about 13% of the farms sold in Namibia over this ten year period (Harring/Odendaal, 2002:52).

This study therefore concludes that the strategy formulated in the ‘White Paper of Resettlement Policy’ of 2001 has so far failed not really because of a lack of farms on the market. If the quality of the land on offer would not promote a meaningful re-distributive effect by resettling people, it would actually support the argument that Namibia’s climatic and environmental constraints do simply not allow to generate circumstances under which people would be enabled on a meaningful scale to make a decent living from the land.

To complicate matters further, reversing the historical injustices requires the decision when and under which circumstances change of land ownership became unacceptable. Conflicting claims by different regional-ethnic groups, which at some period of time had occupied the same territorial entity, creates a collision of interests too difficult to be amicably solved. On the other hand, land restitution is strictly speaking for the majority of the population a non-issue. Land was physically occupied and expropriated by the European settlers and the colonial state in the southern and central areas of Namibia declared as ‘Police Zone’. The majority of the population settled north of this Police Zone and was never moved. Colonial-capitalist patterns of exploitation were established there in different ways: the colonial administration relied on forms of an indirect rule. It rather sought to exploit the people by means of introducing a strictly regulated and systematic system of organised contract labour in collaboration with local headmen (cf. Melber, 2000). The Land Reform Conference sought to avoid the issue by stating:

given the complexities in redressing ancestral land claims, restitution of such claims in full is impossible (quoted from Werner 2001:266; my emphasis).

This vagueness allows widely differing interpretations and arbitrariness, thereby
creating manoeuvring space for those who are in control over and execution of the power of definition. Not surprisingly, since Namibian Independence a certain ambiguity by the post-colonial authorities especially towards the most marginalised indigenous minority groups prevailed (Daniels, 2003:57-63; Suzman, 2002, 2004). Werner (2002:56) suggests:

that the difficulties involved in disentangling competing claims of lost lands provided an ideal political opportunity to broaden the category of beneficiaries of land reform to include those who were never dispossessed in the historical sense.

Before joining the Namibian Economic Policy Research Unit (NEPRU) in the mid-1990s, Werner had been a Director in the Ministry of Lands, Resettlement and Rehabilitation and hence benefiting from first hand insights. As he points out, the formula chosen by the Land Conference allowed to bring in the main base of SWAPO in the Northern areas of former Ovamboland as primary beneficiaries of re-distributive measures. Hence the Land Conference ‘provided the political legitimacy to rule out any ethnically specific claims to land, no matter how justified they might have been’ (Ibid.) This explains why the government can currently refer to some 240,000 people waitlisted for resettlement, mainly from the densely populated Northern areas, in which direct evasion from land never took place under German and South African rule.

Unfortunately, the possession of land is associated with wealth – even if this might be the wrong conclusion (at least in its general form): aggregated data for Namibia suggest that the land utilised by the (hardly existing) ‘average commercial farmer’ (and his labourers) is not yielding the high monetary income one might expect:

\[
\text{If total value added by commercial agriculture (N$565 million in 1997) were evenly divided between the 6,337 farms, the average value added per farm would amount to about N$90,000, including wage bill to an average of six farm workers, return to capital employed, land rents and own labour (UNDP, 1998:45).}
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This does of course neither imply that there are no wealthy ranchers, nor question that commercial farmers are much better off than most of those in the communal areas, whose average annual income is estimated according to the same source at about N$3,000. The point is, however, that among commercial (white) farmers land ownership – even under ‘ordinary’ circumstances – is not taking for granted a guaranteed and secure existence. There is even speculation that with the introduction of the land tax commercial farming units will have to close down due to lack of economic sustainability. Farming in Namibia, as Sherbourne (2003) has shown, is increasingly ‘a rich man’s hobby’. As he suggests, it turns into a lifestyle choice for the urban rich prepared to subsidise their farms from other principal sources of income. A government policy trying to encourage black Namibians into commercial farming therefore has to rely on heavy subsidisation – just as it had been the case under the deliberate policy of settling farmers from South Africa’s poor white Afrikaans speaking underclass in the then ‘fifth province’ from the 1920s onward. In a striking analogy to this earlier period, land policy is therefore in the first place about pigmentation of the skin. Sherbourne (2004:1) hence answers his hypothetical question ‘Any Room for Economics?’ as follows:

\[
\text{While some have tried to argue that land reform is important to boost the country’s economy and reduce poverty, in their hearts most people know that the land question is about race: black Namibians should own more of Namibia’s commercial farmland. In reality everything else –}
\]
agricultural output, the treatment of farm workers, poverty reduction, environmental sustainability – is very much secondary.

Since an estimated 800,000 of some 1.8 million Namibians live on the communal lands, a meaningful land reform would have to address the issue as much there to achieve effective ways and means of reducing poverty among the rural population.

Given that some of the land north of the Red Line (i.e. outside of the previous ‘Police Zone’) is among the potentially most productive in Namibia, one could argue that the challenges to bring security of tenure, security of investment, equitable infrastructure and market participation to Namibia’s communal areas is just as important to the land issue in Namibia as acquiring and redistributing commercial farmland that was expropriated during the colonial period (Fuller, 2004:86).

The complexity of existing forms of land use and ownership goes far beyond the simple dichotomy of commercial and/or communal forms of land, and touches upon different aspects of fencing off communal lands as a land acquisition strategy in a process of further class diversification (see Twyman et al., 2001).

A pragmatic approach, confining the land issue to macro-economic and fiscal policies, would however ignore the socio-cultural aspects. Conquered people reclaim their history by regaining ownership over their ancestors’ lands. Such a desire has little in common with the economic rationality presented above. It is a legitimate matter of dignity, self-respect and spirituality, not measurable in bare economic terms. This was articulated in the Namibian context by the previous Deputy Speaker of the National Assembly, since September 2001 elected Bishop to the Evangelical Lutheran Rhenish Church in Namibia, as a powerful spiritual leader and representative of public morale in the following way:

Our grand parents died without seeing justice done to the land issue, our parents are dying in poverty with suffering engraved on their faces. They told us how they were living happily on their land, cultivating their crops and looking after their cattle. Together with their parents, they experienced the horror of their land being fenced around. (…) To remove the people from the land on which they have been living for generations, is to destroy and kill them, not only outside but also inside…The violation of the land rights are the violation of the soul of the people, but its restoration is the resurrection of the soul of the people and life in abundance (Kameeta, 2002:29, 30).

This theological mystification might provoke doubts among those sceptical about the glorification of a ‘noble savage’ type of Namibian historiography. Such an emotional dimension, rooted in issues of identity, however, simply illustrates the point that ‘people’s relationship to their environment is not only material, but also social and cultural’ (Salih, 1999:163).

This emotional dimension suits the aspirations and agendas of ideologically minded social engineers of the post-colonial elite. One of those is Uazuva Kaumbi. He heads the state-subsidised Pan African Centre of Namibia (PACON) and is the chairperson of the board of the state broadcasting enterprise (and hence a powerful player in shaping public discourse). He recently drew the categorical conclusion:

Speaking as an indigenous Namibian, I invite my white compatriots and their sympathisers to understand that the insurance policy for peace and stability is expensive. There are various options to choose from. Sacrifices must be made. The choice is theirs. The land is ours! (Kaumbi, 2004:94).
The most worrying part of this constellation – not really as complex as it might look when applying a class analysis approach – is that such calculated populism seems to work. It is evident that the land issue might be – as long as it remains unresolved for a large part of the population – a social factor to be easily activated by those competing for political power, material gains and seeking popular support. The task remains to seek an acceptable compromise under the given circumstances. There is no quick fix solution on how a reduction (not to mention elimination) of unacceptably skewed income inequalities could be achieved while maintaining social stability at the same time. On the other hand, relative social stability is only secured when there is a visible reduction of the extreme socio-economic disparities.

Popular pseudo-recipes might ease the pressure on government for a short time, but could just as well create more frustrations when new realities again do not meet expectations. At the same time, any successful efforts to ease poverty and create more social equality within post-colonial societies would reduce both the symbolic relevance of and the social frustration that is linked to the land issue. The challenge lies in dealing with an agrarian economy based on highly skewed distribution of land as well as weak and insecure property rights of the majority of rural people. It remains

a festering wound on the body politic of post-liberation Southern Africa that will be healed neither through neglect nor the palliative of de-racialising commercial agriculture. Radical surgery is required, but, as Zimbabwe demonstrates so clearly, this must not itself threaten the life of the patient (Cousins, 2003:308)

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The Ndungu Report: Land & Graft in Kenya
Roger Southall

The following summary of the Report of the Ndungu Commission on Illegal and Irregular allocation of public land provides an insight into a critical, recent episode in the struggles over ‘land’ and ‘graft’ in Kenya. To put it in the latest context, it is first worth noting that on the ‘graft’ front, the Commission can chalk up one partial victory in that its exposures have lead to the return of tracts of land to public action by politicians, including former President Moi. However, the limits of the larger fight against corruption was underlined when John Githong’o resigned his government position as Commissioner against Corruption. But the story the Ndungu Commission unfolded is also a chapter in another very broad issue in Kenya’s political economy – land.

One of the few African countries to enact individual tenure of indigenous land, along with redistribution of chunks of the former ‘white highlands’, Kenya is faced with landlessness on a large scale and with recurrent land disputes among individuals and between communities. Government has just set in train a National Land Policy Formulation Process to try and sort out these underlying problems, including those thrown up by the Commission.

According to Transparency International (TI), things in contemporary Kenya have recently got better: corruption has im-
proved from 'highly acute' to merely 'rampant'! Yet in commenting upon this, The Economist (18 December 2004) notes that Kenya remains one of the most corrupt countries in the world, and opines that following the example of former President Moi’s cronies, too many of the new ruling elite are out to get rich, rather than govern. Members of Parliament, in a country where the average annual income per head is a modest US $400 a year, have awarded themselves an annual salary and allowances of $169,625 and 'new patronage networks are replacing the old ones, as the well-connected appoint their chums and relatives to plum public posts.

To be sure, The Economist continues, Kenya is probably somewhat better off than it was under Moi, but President Kibaki’s economic and political reforms have stuttered, with progress towards a new constitution which would reduce the powers of the presidency and enhance democratic accountability presently on hold. Meanwhile, although the new government has promised an end to the culture of impunity for the powerful that developed under Moi, several ministers involved in corruption scandals both new and old are going unpunished. Whilst Moi’s Kenya African National Union (KANU) was roundly trounced in the general election of December 2002, the new government of the National Rainbow Coalition (NARC) includes powerful figures who – like Kibaki himself – formerly served under Moi and who jumped ship when it was clear that the latter’s craft was sinking, and landed squarely on their feet in the new cabinet. For all that the government has established various investigations into abuses committed by former KANU politicians who are still in office (having established, notably, hearings into the Goldenberg scandal of the early 1990s in which former Vice-President and current Minister of Education, George Saitoti, is heavily implicated), it is the decision to give Moi himself immunity from corruption charges, on the grounds that ultimately he opted to leave office peacefully, which seems more likely to set the key precedent (Brown, 2004:335).

Even if, as many observers suggest, the NARC government’s commitment to a cleansing of the Augean stables is likely to be more rhetorical than real, its eagerness to convince both the international investment and creditor community, as well as its own (increasingly skeptical) supporters, that it is doing something is likely to prove more than a little interesting. This is demonstrated by the recent release (December, 2004) of the Report of the Commission of Inquiry into the Illegal/Irregular Allocation of Public Land (Government Printer, Nairobi), chaired by Paul Ndungu, presented to Kibaki six months previously, in which, inter alia, details are given concerning illegal land awards made to both the Kenyatta and Moi families, as well as to a raft of former ministers, MPs, judges, civil servants and military officers, with recommendations that the large majority of such awards should be revoked. However, whilst it is such juicy findings which have gained the headlines, it is the chapter and verse which the Report gives concerning the systematic way in which established procedures, designed to protect the public interest, were perverted to serve private and political ends which may well prove to be its most long lasting value.

The present brief piece seeks merely to highlight some of the Ndungu Report’s findings. Such a review can only be preliminary, for at 244 pages with two annexures running to 976 (Appendix I) and 797 (Appendix II) pages, the prospect of analysing the mass of detailed evidence is as daunting as it could be illuminating. Nonetheless, even a cursory analysis serves to confirm earlier analyses that corruption and patronage have become thoroughly embedded in Kenya’s politics.
Land & Demography in Kenya

The Ndungu Commission, which was composed of 20 prominent citizens, lawyers and civil servants (drawn from ministries particularly concerned with the land issue) was appointed by President Kibaki in June 2003, and was charged with inquiring into the unlawful allocation of public lands, ascertaining the beneficiaries, identifying public officials involved in illegal allocations, and making recommendations for appropriate measures for the restoration of illegally allocated lands to their proper purpose, for prevention of future illegal allocations, and for appropriate criminal prosecutions. It was but one of a series of measures designed to tackle the issue of corruption and to realise the fruits of a newly democratic era. Yet it was perhaps one of the most emotive of the reform initiatives taken by the NARC government, for as noted by the Commission (p.xvii):

land retains a focal point in Kenya’s history. It was the basis upon which the struggle for independence was waged. It has traditionally dictated the pulse of our nationhood. It continues to command a pivotal position in the country’s social, economic, political and legal relations.

Fundamental to the present importance of the land issue is the rapid growth in population. At the turn of the previous century, the colonial administration could justify its allocation of lands to European settlers by arguing that, with an African population of just some 4 million, there was plenty of space for all. By independence, the total population had grown to 8.2 million, and with one of the highest population growth rates in the world (around 2.9% per annum), reached some 30.7 million by 2001, of whom only around 1% were non-African (‘Europeans’, ‘Indians’ and ‘Arabs’). Given the concentrations of population in the high rainfall areas of the Central Highlands and western Kenya (20% of Kenya’s population lives in the drier 80% of the land in the north and east), the pressure upon land (not to mention the remaining wildlife) is increasingly evident, not least because of the scarcity of formal employment and the dependence of the overwhelming majority of the population upon peasant agriculture (which contributes some 50% of total agricultural production). In this context, access to land becomes critical to popular well-being, and the illegal appropriation of public land a peculiarly visible crime that has come to excite huge passion, not least because, as the Commission Report asserts, the practice of illegal allocations of land increased dramatically during the late 1980s and throughout the 1990s:

Land was no longer allocated for development purposes but as political reward and for speculation purposes ‘land grabbing’ became part and parcel of official grand corruption through which land meant for public purposes ..has been acquired by individuals and corporations (p.8).

The Law Relating to the Allocation of Land

The Commission’s review of the land system as it developed under colonialism (based upon the Crown Lands Ordinance of 1915), stresses how the authority to allocate Crown lands (as distinct from lands reserved for African Customary Tenure) was vested in the Governor, and under him, the Commissioner of Lands. Under their prerogative, grants of agricultural leases (initially for 99, later for 999 years) were made to settlers, whilst commercial plots in townships and urban centres were initially allocated through a system of public auction while residential plots within municipalities were allocated through public tender. However, by the 1940s, the system of public auction – which had become dominated by wealthy cartels – had fallen out of favour, resulting in a change
whereby commercial plots would be allocated by means of direct grant by the Commissioner with the assistance of a local committee, a system which had already informally replaced the public tender system with regard to residential land.

The principles which decided such allocations included notions of the public interest, as well as the ability of selected allottees to pay for land (sold at 20% of its estimated value to encourage development) within 30 days and to carry out intended developments within a prescribed time limit. As the Committee notes, for all that such procedures may have worked to restrict African opportunities to purchase land in ‘white’ areas, they served to control the ‘mischief of land speculation’. However, in what is one of the
greatest ironies in the history of land allocation in Kenya, what appears to have succeeded in the colonial period (i.e. allocation by direct grant) is what later facilitated the massive illegal and irregular abandonment of public land by the Government after independence,

for it was to be the very officials and institutions charged with being the custodians of public land who were to become the facilitators of illegal allocations (pp.6-7). The colonial Doctrine of Public Trust, whereby Kenya’s rulers administer land in trust for the people of Kenya, dissolved under independence, and land was to become granted for political reasons, or simply subject to ‘outright plunder’ by ‘a few people at the great expense … of the public’ (pp.9-10).

What land has been involved? According to the Commission, all types. In Kenya, it explains, land is divided into the three categories of government land, trust land and private land. **Government land** comprises two sub-categories, unalienated (land which has not been leased or allocated) and alienated (land which has been leased to a private individual or body corporate, or which has been reserved for the use of a government department or corporation or institution, or which has been set aside for another public purpose). **Trust land** is held by County Councils on behalf of local communities, groups, families and individuals in accordance with applicable African Customary Law until it is registered under any land registration statutes, following which it is transformed into private land and becomes the sole property of the individual or group in favour of whom it is registered. Finally, **private land** is land which is registered in accordance with laws that provide for registration of title, and is registered in the name of an individual or a company, and may be created from either government land or trust land through registration after all legal procedures have been strictly followed (pp.44-45). According to these definitions, it is only government land which is public land, for trust land belongs to local communities. However, because trust land has long become victim to land grabbing, the Commission opted to regard all trust lands which had been illegally allocated as public land for its own investigative purposes (p. 46).

Under the law, it is only the President who has the right to allocate unalienated government lands, although he can delegate limited powers to the Commissioner of Lands. Yet even the President cannot exercise his powers without paying regard to the public interest. In practice, however, key responsibility falls upon the Commissioner of Lands and his officials, who under the Government Lands Act may cause township plots on unalienated land to be sold by auction (unless the President prescribes otherwise) for business or residential purposes (but only if it is not required for public purposes), whilst not even the President has the authority to allocate alienated government lands which have been set aside for a public purpose such
as nature conservation, forests, play areas or by-passes.

In any process of allocation, a formal offer of sale is made to an approved purchaser by the Commissioner for Lands. Such a letter of allotment is only made to the person to whom it is addressed, lapses after 30 days, and has various conditions attached, and as such cannot be legally transferred to another person. Meanwhile, trust land can only be removed from the communal ownership of local people through legally prescribed adjudication processes, whereby local communities are given ample notice and opportunity to claim their ownership in accordance with their customary law. However, despite all these legally strict safeguards, ‘it is in the allocation process that most of the corruption and fraudulent practices relating to land have occurred’ (p.54).

The Commission’s Findings

Upon the basis of detailed review of all laws relating to land, official reports concerning the land issue by government and non-government bodies, documents and records submitted by ministries and public bodies, and reports and memoranda by professional associations and members of the public, the Commission categorised its findings according to three broad types of public land: Urban, State Corporations’ and Ministries’ Lands; Settlement Schemes and Trust Land; and Forestlands, National Parks, Game Reserves, Wetlands, Riparian Reserves, Protected Areas, Museums and Historical Monuments.

I. Urban, State & Ministries’ Land: The Commission indicated that numerous methods were used to grab land falling under this category.

There was found to have been widespread abuse of presidential discretion with regard to unalienated urban land, with ‘in many instances’ (both) Presidents Kenyatta and Moi making grants to land to individuals without any consideration to the public interest, for political reasons, and without proper pursuit of legal procedures, whilst there was also extensive illegal allocation by the presidents of alienated land (viz, land which they did not have legal power to allocate). Various Commissioners of Lands had made direct grants of government land without any authority from the President. Forged letters and documents were used to allocate land in numerous instances, with many records at the Ministry of Lands and Settlements having been deliberately destroyed. Often, land was sold by grantees without any adherence to the conditions laid down by letters of allotment, and many illegal titles to public land were transferred to third parties, often State Corporations, for massive sums of money. Land compulsorily acquired, like that for the proposed Nairobi by-pass, was illegally allocated to individuals and companies, and then often sold on to third parties, whilst land reserved for public purposes such as schools, playgrounds, and hospitals etc had been sold off in blatant disregard of the law by both the Commissioner of Lands and numerous local authorities. In broad summary, the Commission found that the powers vested in the President had been grossly abused by both the President and successive Commissioners of Lands and their deputies over the years, under both previous regimes; there had been ‘unbridled plunder’ (Commission: p.81) of public land by local councillors and officials; illegal transactions were hugely facilitated by the extensive complicity of professionals (lawyers, surveyors, valuers, physical planners, engineers, architects, land registrars, estate agents and bankers) in the land and property market; and most high profile allocations of public land were made to companies incorporated specifically for that purpose, largely to shield the directors and shareholders of such entities from easy public view. Finally, and interestingly,
the Commission found that ‘most illegal allocations of public land took place before or soon after the multiparty general elections of 1992, 1997 and 2002’, reinforcing its view that public land was allocated ‘as political reward or patronage’ (p.83).

With regard to the over 140 state corporations (inclusive of such institutions as universities and the Central Bank) and the 113 odd companies in which the government holds shares, the Commission noted that although the purchase and disposition of land is incidental to their business, many such entities have acted as if they were set up to deal in land and have participated in land grabbing schemes through which the public has lost ‘colossal amounts of money’ (p.87). Land allocated to state corporations is ‘alienated land’, but has been illegally allocated to individuals or companies in total disregard of the law. Such land was customarily sold at less than market value to allottees, who often proceeded to sell it other state corporations at amounts far in excess of market value (p. 89). A usual procedure would be for the senior management of the corporations to address a letter of surrender of land to the Commissioner of Lands, who would in short order receive an application for purchase of the same land from an individual or company. At other times, corporation land might be allocated by the Commissioner of Land to individuals without any reference to corporate management whatsoever. Through such methods, ‘a civil servant, a politician, a political operative etc would transform from an ordinary Kenyan … into a multi-millionaire’ (p. 90).

Corporations which have lost large areas of land under such dubious circumstances include Kenya Railways, Kenya Agricultural Research Institute, the Power & Lighting Company, Kenya Airports Authority, and Kenya Industrial Estates, whilst other bodies such as the Kenya Food and Chemical Corporation which ended up in liquidation following mismanagement nonetheless proceeded to sell off their remaining assets, including land, at throw away prices (p.90). One such transaction can be cited by way of example. In January 1994, the Numerical Machining Complex Limited (owned wholly by Kenya Railways and the University of Nairobi (sic)) was allocated 840 hectares of land belonging to the Kenya Meat Commission for ‘industrial purposes’. Within a few weeks, the then Head of the Public Service, Professor Philip Mbithi, who was a Director of the Company, wrote to the head of the National Social Security Fund (NSSF) informing him that the president had suggested that the NSSF purchase the land at market value. In February 1995, the NSSF proceeded to purchase 136 hectares of land at a cost of 268 million shillings, which was fully 8.5 times more than the professionally assessed value! Today, the land purchased by the NSSF remains largely undeveloped, as does that remaining with Numerical Machining Complex (pp. 91-92).

This is illustrative of the further scam whereby state corporations were pressured into making illegal purchases of public land, becoming ‘captive buyers of land from politically connected allottees’ (p. 92), the most abused corporation in this regard being the NSSF, which between 1990 and 1995 spent some 30 billion (n.b., not million!) shillings in buying both developed and undeveloped plots throughout the country. The Commission gives a full list of the transactions involved, many of the vendors being companies whose individual owners are not immediately evident.

The Commission made similar findings with regard to various government ministries which own large tracts of land, despite the fact that most of them claimed not to have lost land through illegal allocations. Again, loss of land might be triggered by a letter from an official of a ministry addressed to the Commissioner
of Lands indicating that the ministry no longer required a certain tract of land, and the latter would in turn allot it to an applicant purchaser in excess of his authority. Prime offenders included the Ministry of Livestock and Fisheries Development which claimed only to have lost small fisheries land, while information provided by the public indicated that it has lost large tracts of its livestock holding grounds. Similarly, the National Youth Service is said to have lost thousands of acres of land in allocations to prominent politicians. Then, of course, there is the Kenyatta International Conference Centre (KICC). This was funded by the Ministry of Roads and Public Works between 1967 and 1974 for 79.7 million Kenya Shillings and subsequently managed by the Ministry of Tourism. In 1985, this was sold to KANU via a 99 year lease for just 1,680 shillings and a pepper corn rent, with the title being made out in favour of President Moi and Peter Olao Aringo. Subsequently KANU took over the Centre, and assumed the role of landlord by collecting rent from tenants until February, 2003, when the new NARC administration took over the KICC on behalf of government. KICC now constitutes the subject of a court case concerning ownership between KANU and the government (pp.112-3).

Meanwhile, at a less exalted although far more pervasive level, the Commission found that many thousands of government houses and properties were illegally allocated to individuals and companies.

**II. Settlement Schemes & Trust Lands:**

Trust land, including settlement scheme land purchased by government with international loans from European settlers for settlement by African smallholders or carved out of Trust land, has been similarly abused. The Commission found that, overall, whilst the establishment of settlement schemes and their subsequent allocation in the early years of independ-ence generally conformed to the original objectives, in latter years there was extensive deviation, with much land having been allocated for purposes other than settlement and agricultural production.

Allocation of plots, formally conducted under Settlement Fund Trustees, devolves in practice upon District Plot Allocation Committees composed of the District Commissioner, District Settlement Officer, District Agricultural Officer, the area MP, the Chairman of the relevant County Council and the Clerk to Council. Settlement Fund Trustees appear to lack any supervisory powers over these committees, with the result that the local committees have been almost wholly unaccountable. The result has been predictable, with the interests of the landless having been ignored in favour of those of ‘District officials, their relatives, members of parliament, councillors and prominent politicians from the area, Ministry of Lands and Settlement officials, other civil servants and ... so called ‘politically correct’ individuals’ (p.127). And whilst the majority of deserving allottees received smaller plots, the undeserving often received large ones. Meanwhile farms belonging to the Agricultural Development Corporation, designed to provide an the needs of the agricultural industry by developing high quality seeds or livestock or undertaking research etc, have been illegally established as settlement schemes and subsequently illegally allocated to individuals and companies, often as political reward or patronage (Commission: pp. 134-5).

In addition to the above, extensive tracts of Trust Land have been illegally allocated, with county councillors having been the main beneficiaries. Whilst the Commission was able to provide some glaring examples of such abuse, it was hampered in its work by the failure or refusal of councils to submit relevant information (p.140). It concludes:
Instead of playing their role as custodians of public resources including land, county and municipal councils have posed the greatest danger to these resources. The most pronounced land grabbers in these areas were the councillors themselves. The corruption within central government has been replicated at the local level through the activities and omissions of county and municipal councillors (Commission: p.147).

III. Forestlands, National Parks, Game Reserves, Wetlands, Riparian Reserves & Protected Areas: After examination of the official reports and the ‘scanty records’ of responsible government departments and agencies (p.148), the Commission found that only 1.7% of the 3% of the country which was covered by gazetted forests at independence remains, most of the reduction having come about as a result of illegal and irregular excisions, usually made without any reference to scientific considerations or under the guise of settlement schemes. The beneficiaries of such excisions include (often private) schools, government institutions, and religious bodies as well as private individuals and companies. Similarly, many illegal allocations of land around riparian sites have been illegally allocated by the Kenya Wildlife Service, with many such allocations – such as those made since 1995 to some 14 beneficiaries around Lake Naivasha – being known to have severely affected the ecosystem. Fortunately, the Commission finds that the National Parks and Reserves have been more effectively protected, yet nonetheless it provides some ten cases of illegal allocations within KWS protected areas, and 15 cases in KWS alienated plots beside them. Furthermore, the Commission also records 26 instances of illegal allocations of land from Nature Reserves falling under the domain of local authorities, whilst there are some 8 known cases of land set aside for national museums and monuments having been illegally allocated to private individuals. The latter include the allocation of Kongo Mosque site at Kwale to former President Moi in 1986 (p. 169). It comes as no surprise that land belonging to the military, and even land portions belonging to State Houses and lodges, have also been sold off.

Against this catalogue of corruption, it is not surprising that the Commission concludes that their has been systematic and widespread abuse of public trust by public officials, to the extent that many officials now fail to see anything morally wrong with their allocating land illegally. There were many centres of power which were responsible for the illegal allocation of land, yet the Commission makes it clear that the lead in public plunder has consistently been given from the top. Kenya, it concludes, has fallen into a state of ‘moral decadence’, this epitomised no more clearly than by the extensive participation in land grabbing by churches, mosques, temples and other faith institutions, these including such venerable institutions as the Catholic Archdiocese of Nairobi, the Church Commission of Kenya, and the Anglican Church (pp.182-3).

The Commission’s Recommendations

Whilst making a series of sensible recommendations concerning, inter alia, the need for an inventory of public land and the computerisation of land records, as well as for a comprehensive land policy, the Commission also urges the establishment of a Land Titles Tribunal charged with reviewing each and every case of suspected illegal or irregular allocation of land, and hence embarking upon the process of revocation and rectification of such titles.

Reference to the weighty Annexes indicate that revocation would be a formidable task. Its specific recommendations, by way of example, include the following: revocation of 105 plots allocated from land reserved for the Nairobi by-
pass (Annex 3); of 551 allocations made by the Nairobi City Council (Annex 5); 86 allocations by Meru, 449 by Nakuru, 270 by Eldoret, 100 by Nyeri, 186 by Kisumu, 407 by Mombasa, 56 by Nyahururu, 67 by Kiambu, 30 by Kisii, 17 by Kapsabet, 187 by Kerugoya/Kutus and 118 by Kitale Councils, with further dubious allocations by all these councils also to be investigated (Annexes 7-23). Numerous improperly documented allocations of land by Kenya Railways should also be examined, whilst 229 allocations made by the Kenya Agricultural Research Institute, 31 by Kenya Pipelines, 572 made by Kenya Industrial Estates, and 178 by the prison authorities should be revoked, as well as smaller numbers of plots illegally allocated by other state corporations. There should also be revocation of titles of some 7 illegal allocations made by the judiciary (!), 57 by the Ministry of Cooperative Development and Marketing, 47 by the Ministry of Agriculture, 289 by the Ministry of Education, 73 by the Ministry of Labour and 22 by the Ministry of Energy (Annexes 41-49). The Commission also provides lists of thousands of houses which have been illegally allocated throughout the country, implying that title to these, too, should be revoked, as should those to hundreds of allocations of land made to individuals and companies from forests, game parks and reserves etc which are listed in Volume II of the Annexes.

Commentary

Some time ago, following Ajulu (1997) and Himbara (1994), I characterised Kenya as a kleptocracy characterised by a drive for primitive accumulation by those who controlled the post-colonial state, alongside the failure of an African business class to promote industrialisation and development. However, my primary emphasis was upon financial and commercial corruption, and whilst I recognised land-grabbing (especially by local councillors) as a phenomenon, I failed to appreciate how enormously extensive the illegal appropriation of public land was to the formation and consolidation of Kenya’s political elite. In this regard, although less blinkered observers such as Jacqueline Klopp (2000) have written upon the issue, enormous credit is due to the Ndungu Commission for the compilation of a truly formidable body of documentation concerning land-grabbing. Yet what is lacking from its analysis, even if – strictly speaking – it may have gone beyond its terms of reference, is some assessment of what land grabbing may have had upon the economy, and whether, in particular, land which was illegally appropriated has been put to productive use. In this regard, no overall summary or analysis has been provided, even though, with regard to the majority of allocations, the Commission offers two columns which list, first, the officially intended use of the land, and in the second, its current use. Even so, even an unsystematic thumbing through the pages of the annexures suggests that the overwhelming majority of allocations have been utilised for residential, commercial, industrial or building purposes, even if the majority of the sites grabbed from the Kenya Agricultural Research Institute, whose present use is listed as ‘private’, may well have been transformed into private farms.

In this regard, the report has little to tell us about ‘the land issue’ in the sense of our acquiring greater knowledge about the overall distribution of land between government, ethnic groups, classes, and corporations, let alone the extent to which it has contributed to the eating away of Kenya’s already diminishing supply of arable farming land. Furthermore, only more detailed analysis will be able to tell us how much land-grabbing has contributed to the unregulated and underserviced peri-urban sprawl which is today such a visible feature of Kenya’s unfortunate development path.

I have two further concerns. One is that, perhaps through lack of time (the report
was compiled in just eighteen months), the Commission has left the slog of identifying the vast bulk of individual political beneficiaries to other analysts. Yes, it makes mention at times of particular allocations to key figures such as Moi and the Kenyattas, and it provides the names of individual and corporate beneficiaries in its detailed charts of allocations, whether by councils, corporations or other bodies. Of course, this offers a host of raw material for researchers to pursue, enabling them to identify, through detailed cross-referencing to known occupancies of political office, how particular MPs, councillors and civil servants have benefited. Yet an uneasy suspicion remains that the Commission may well have pulled its punches in this regard, and that it could have caused considerably greater embarrassment to present political incumbents than it has done.

The second worry, of course, is that little will come of the Commission’s hard work. Even though the Commission has made recommendations that many hundreds of land allocations should be revoked and investigated, there are not so many that a Land Commission with the right political backing could not sit in judgement over process and appeals. However, given that NARC has absorbed so many members of the former KANU regime, it seems unlikely in the extreme that Kenya’s avaricious politicians, however much formally committed to democracy, will be prepared to unscramble the egg. More probably – save perhaps for a few show case revocations - they will want to draw a line under the past, and simply ordain that no further transgressions should be permitted, although even that aspiration seems unlikely to be realised given the continuing nature of Kenyan politics as ethnically manipulated and patronage based, especially if the Commission is correct in identifying illegal land allocations as regularly increasing around the time of competitive elections.

Professor Wangari Maathai was recently awarded the Nobel Peace Prize for her contribution to sustainable development and democracy, notably out of respect for her work in mobilising local communities to defend Kenya’s rapidly diminishing forests and to planting trees. The Ndungu Commission’s demonstration of the extent to which illegal land allocation is entangled with political office indicates that, without a doubt, the prime responsibility for defending remaining public land will continue to fall, willy nilly, upon the shoulders of civil society.

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Bibliographic Note


The Political Economy of Danish Aid to Kenya, 1998-2003

John Kirkby & Phil O’Keefe

In the summer 2003, an evaluation of Danida’s rural development programme in Eastern and Coastal Provinces of Kenya took place. This external evaluation, commissioned by Danida’s independent evaluation service, was unusual not least because each of the five evaluation teams included Kenya professionals as evaluators, a rare occurrence despite the current level of evaluation requirements. The evaluation covered the period from 1998 to 2003.

In 2002 Danida spent DKK92 million on Kenyan rural development. This is set to rise to DKK150 million in 2005. What was unusual was the political economy of the aid programme itself.

Transparency International ranked Kenya towards the top of its global corruption index in 2002. Later that year, the Kenyan population overwhelmingly rejected the regime associated with Moi that was seen to be the seat of the corruption. As of January 2005, there were still strong claims, not least from the British High Commissioner, that corruption was still rife in Kenya. And, in early February, 2005, the man leading the anti-corruption effort in Kenya, John Githongo resigned while visiting London, claiming, among other things, that his life was under threat.

How do development agencies operate under such a regime? At various times the World Bank and the IMF suspended aid operations in Kenya. The Netherlands Foreign Ministry closed down their Kenyan aid operation. The British and the Americans soldiered on, albeit on a smaller scale and with much breast beating about good governance. The Danes did it differently.

Danida, the Danish aid administration, responded to the growing corruption not by leaving Kenya but by bypassing central government structures to work in project mode at district level. As such, Danida did not really follow its own programme goals of poverty alleviation through support to central government programmes, but operated in effect as a series of model Non-Governmental Organisations. It is difficult to judge the overall impact on the total population of Eastern and Coastal Provinces where the projects were undertaken. Projects were undertaken in six sectors namely agriculture, nutrition, health micro-enterprise development, micro-finance and road building.

In agriculture the focus was on sustainable management of soils, water, vegetation and animal resources. Because Eastern and Coastal Provinces fall largely into the semi-arid areas, the participatory planning processes used by Danida led to a local demand for water projects rather than the more traditional agricultural extension projects. There was a reduction in poverty, helped by the strengthened extension services particularly where they incorporated local expertise, but, like most extension services, this was achieved by not addressing the poorest of the poor. The major successes were closer to the larger towns where the extension professionals lived.

The nutrition based programme aimed at reducing poverty and improving the nutritional status of children. It achieved much through its community based activities, because it directly targeted the very poorest. In various forms, the nutrition programme, a direct outcome of the droughts of the 1970s, was a success story in terms of local pre-disaster planning and community response but the project was at the end of its life. Concern was expressed that this loss of local
capacity, partly because of the centralisation (command and control) of disaster response following the bombings of the US Embassy and local hotels, would inevitably produce a weaker local response in future disasters. The 2004 Kenya Flash Appeal, released by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), sought some US$96 million while noting that there was little local capacity for implementation.

The health sector projects were focused on fundamental reforms in health care delivery. Planning and management have improved at all levels, and professionals within the hospital system think as a unified service. Beyond the hospital system, environmental health professionals were largely excluded from the reforms although they are in the frontline in controlling endemic and epidemic disease. But beyond the professionals, there was little evidence that user groups, where such issues as prescription charges were raised, had much contact with the professionals. More broadly, attention will have to be paid to the HIV/AIDS issues and to deal with communicable disease and malnutrition in a more holistic manner. Hospital and dispensary care is not sufficient to deliver rural health.

Micro-enterprise development and micro-finance were seen as essential efforts to bolster the informal sector that, along with rural road maintenance, is viewed as the only sector capable of generating large-scale employment opportunities in Kenya. As financial projects, they were very much ‘Top-Down’ and principles of mutuality involving money proved difficult to ground. Most importantly, training and lending were not directly linked to the agricultural sector, a missed opportunity for informal employment generation in a largely rural area. Many of the small loans were in fact used for social reproduction rather than supporting the development of micro-enterprises.

The roads project, set up to maintain existing dirt roads in Coast Province, was a considerable success. Over 100 road gangs, using labour based methods, were trained, with over a third of the road gangs led by women. Considerable progress has been made towards a kind of privatisation that sees these gangs as businesses contracted to the state. All involved commented on the positive social and economic impacts and highlighted the importance of using labour-intensive methods and local labour to generate sustainable road building solutions. The activities clearly showed that necessary skills exist in rural communities for the communities themselves to organise and maintain roads that are viewed as necessary arteries for local development. Why Danida decided to run down such a project is open to question although the approach has since been championed by the World Bank.

Danida chose to remain as a development actor in Kenya when other bilateral and multilateral agencies withdrew. This commitment to continuity should be widely applauded, especially the difficult political negotiation to link to provincial and district level structures. The emphasis on participatory planning, an emphasis that included both rights and responsibilities, give the better projects real beneficiary ownership not least because they demanded ownership in return for cost sharing. Poverty was not directly addressed except in the nutrition project and the poorest were not really given access to professionally delivered services. Gender was strongly addressed and women were found to be the best organisers and managers of local funds and their manual labour was valuable. There was a highly visible Kenyan management to all projects clearly showing capacity to address rural development.

Working in project mode, Danida created strong project boundaries, which
put limits on interventions and made cross-sectoral approaches difficult. But strong boundaries made targeting easier and thus generated much success within projects. On the bottom line, however, this created Danida, not Kenyan, institutional capacity. In responding to the evaluation, Danida noted that:

The conclusion stating that it was a correct assessment to keep Kenya as a Danida programme country despite cooperation difficulties with the former government is a welcome recognition of a difficult political decision taken under complicated circumstances.\(^4\)

It notes Danida’s future commitments to arid and semi-arid land programmes with an emphasis on health and agriculture, a new push on water provision and cross-sectoral attention to HIV/Aids.

The Danish reaction to bad governance and corruption in Kenya in the 1990s contrasts markedly with that of Norway which was openly critical about the deteriorating human rights situation. Kenya severed diplomatic ties with Norway in 1991. While praise is due for the Danish response it stands in stark contrast to the reaction from Denmark to similar situations in Malawi, Eritrea and Zimbabwe.\(^5\)

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**Endnotes**

1. Ministry of Foreign Affairs, Danida; ‘Projects in Makueni and Taita Taveta Districts, Kenya. Evaluation 2004/4’, Copenhagen. Hard copies which are free, can be obtained by contacting the Danish State Information Centre at http://danida/netboghandel.dk/. The evaluation contains a synthesis report, five sectoral reports and a GIS analysis. The evaluation can be directly downloaded from the Ministry of Foreign Affairs’ homepage www.um.dk or the Evaluation Department’s homepage at www. Evaluation.dk.

2. A copy of a film ‘Postcards from Kenya’, containing interviews with Kenyan professionals and beneficiaries, parallels the formal evaluation; copies are obtainable from ETC UK, 117, Norfolk Street. North Shields, NE30 1NQ, UK.


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**Occupied Western Sahara: Campaign to End Kerr-McGee’s Involvement**

**Richard Knight**

Western Sahara Resource Watch, representing organisations in 20 countries, announced today (28 February 2005) in Oslo a campaign against the US energy company Kerr-McGee (KMG). This Oklahoma City-based corporation is involved in the illegal, unethical and politically controversial plundering of hydrocarbons in the Moroccan occupied areas of Western Sahara. Morocco has illegally occupied Western Sahara since 1975 and the people of the territory, led by Polisario, are struggling for self-determination and independence. Kerr-McGee has been exploring for oil and gas in the territorial waters of Western Sahara since 2001 under licence from the Moroccan state oil company, ONAREP. Today, the international solidarity movement for Western Sahara started contacting the company’s 600 biggest shareholders, demanding that action be taken to prevent the company from renewing the contract that is set to expire 1 May.
Western Sahara is Africa’s last colony. Formerly a colony of Spain, in May 1975 a UN mission determined that the people of Western Sahara overwhelmingly supported the liberation movement Polisario and were categorically for independence and against integration of the territory into Morocco. In mid-October of that year the International Court of Justice ruled that the people of Western Sahara have the right to self-determination including independence. Morocco rejected the Court’s ruling and invaded the territory in the first days November, forcing a majority of the population into refugee camps in Algeria. Morocco has refused to implement a 1991 UN peace plan in which a referendum would allow the people of Western Sahara to choose between independence and integration into Morocco. The UN Legal Council says that Western Sahara is a non-self-governing territory and that exploitation of the territory’s hydrocarbons would be illegal. According to Richard Knight, a member of the Association of Concerned Africa Scholars and spokesperson of Western Sahara Resource Watch:

*It is remarkable that Kerr-McGee does still not understand the political, legal and humanitarian dimensions of the catastrophe they are inflicting to the Sahrawi people. For three years, the company has refused to listen to our arguments. Now we hope to get some assistance from their shareholders.*

The campaign requests the shareholders to play a role as active investors, influencing KMG not to renew its contract on 1 May 2005. If the constructive shareholder pressure does not succeed in changing the KMG policy, the campaign demands the investors to divest. So far, a Norwegian and a Dutch seismic survey company have decided to not continue the activities in Western Sahara due to the political implications of the contracts. This happened as a consequence of active shareholder ownership and dozens of sell-outs over the last years.

Also a Danish and a French company have left the area, making Kerr-McGee the only foreign company remaining in the Western Sahara.

One major investor has already divested from Kerr-McGee – the Norwegian fund administrator Skagenfondene has sold its 100.000 shares, taking a US$2 million loss. Due to the massive negative attention on Kerr-McGee’s activities in the occupied territories, they regarded the shares as too risky. Now the government-owned Norwegian Petroleum Fund is considering if it should sell its shares, estimated to be worth over $7 million.

*The campaign against Kerr-McGee has lead to an impressive mobilisation worldwide. Today, 19 organisations on four continents have all started contacting their respective Kerr-McGee shareholders simultaneously. Last month, we contacted all screening agencies in the world, explaining them the nature of the contract, urging them to recommend their clients to sell. Now contacting the shareholders is a natural second step in our strategy (Liesbeth den Haan of the Netherlands Foundation for the Right to Self-Determination for the Sahrawi People).*

No country recognises Morocco’s sovereignty over Western Sahara. The Polisario-formed government in exile, a founding member of the African Union which is recognised by 70 countries including South Africa, has heavily condemned the Kerr-McGee contract. According Jacob Mundy founder of Friends of Western Sahara:

*Morocco’s planned theft of Western Sahara’s hydrocarbons is immoral and illegal. Since Kerr-McGee signed the reconnaissance contract with ONAREP in 2001, Morocco has stalled the UN-supported peace process. Morocco has even rejected a generous plan put forward by former US Secretary of State James Baker. Kerr-McGee’s activities have already blocked*
the peace efforts and contributed to rising tension in the region. If Kerr-McGee continues, there are definitely possibilities of taking legal actions against the company, and we strongly urge Kerr-McGee to not renew their contract. We are very sure that our measures will make Kerr-McGee withdraw, as the last company in the industry still operating in Western Sahara. The question is how and when.

For further information, or to receive a full version of the shareholder letter, please contact Richard Knight (New York, USA) tel (+1) 212-663-5989 rknigh1@juno.com; Jacob Mundy (Seattle, USA) tel (+1) 206-329-1341 mundy@u.washington.edu; Tom March-banks, Western Sahara Campaign (UK) tel (+44) 794-955-6718 wsc@gn.apc.org or Liesbeth den Haan (Holland), tel (+31) 610858899, e-mail st.zelfbeschikkingwest-sahara@planet.nl. The campaign is coordinated by the newly founded Western Sahara Resource Watch. WSRW is a network of organisations that work to preserve the natural resources in Western Sahara for the usage of its people, inasmuch as their sovereignty over those resources is a right with erga omnes character enshrined in several UN resolutions and human rights documents. (www.friendsofwesternsahara.org).

ZANU-PF & the Ghosts of Foreign Funding
David Moore

The Zimbabwe African National Union-Patriotic Front’s NGO Act, promising to severely curtail the activities of civil society groups with a whiff of human rights or governance activities and ban foreign support for them, raises historical questions about ZANU-PF’s own path to power. A long history of ‘international nationalism’ is obliterated by the latest manifestation of ‘we are our own liberators.’ The archives reveal a complex layer of links between Zimbabwe’s nationalists and imperialists of both innocent and interested hues.

At the end of 2004 the Zimbabwe African National Union-Patriotic Front passed the ‘Non-Governmental Organisation’s Bill’ through Zimbabwe’s parliament. It bans the foreign funding, and thus severely curtails the activities of, civil society groups involved in anything remotely approaching human rights or governance activities (funds from the direct arms of states, such as USAID and DFID – not to mention the IMF and the World Bank, which ZANU-PF hopes will come back, coins in hand – will not be stopped). The bill imposes a state-appointed board of trustees over NGOs ranging from soccer clubs to HIV-AIDS advisory bodies. Zimbabweans abroad – estimated in some documents to reach 25% of the population – will be included among those foreigners and imperialists. The bill was passed in spite of the fact that the parliamentary legal review committee reported that it violated the constitution on twelve counts. The report condemned it as a cynical and comprehensive attack on the rights of the people to organise themselves in the promotion, protection, defence and advancement of their freedoms and liberties. It is a calculated attempt to all but extinguish just about all the rights and liberties contained in the constitution.

Such legislation raises historical and hypothetical questions. Those familiar with the history of the Zimbabwean liberation war remember the extensive international support given to the nationalist movement in its various party political manifestations. They know that both ‘imperialists’ and ‘critical cosmopolitans’ assisted and influenced most of these actors to some degree or another. Yet precise relationships and conditioning patterns have not been documented or delineated.

At the conjectural level, one is driven to wonder: why is Zimbabwe’s contemporary ruling party so concerned – paranoic might be the appropriate label,
considering how ‘patriotism’ has transmogrified so quickly from nationalism into fear and loathing with ‘imperialist machinations’ now? The easy answer is because ZANU-PF believes the opposition – in which it collapses the Movement for Democratic Change and a ‘hit-list’ of politically involved civil society groups including the Zimbabwe Civil Education Trust, Zimbabwe Election Support Network, Combined Harare Residents Association, Crisis in Zimbabwe, Humanistic Institute of Development Co-operation with Developing Countries, National Constitutional Assembly, Media Institute of Southern Africa, Zimbabwe Lawyers for Human Rights, Amani Trust, Zimbabwe NGO Human Rights Forum, Bulawayo Agenda and Women of Zimbabwe Arise, which it will target first – will be strangled without external support. Suffocation is necessary before the March 2005 parliamentary elections. Resorting to an Africa-centrism born on the shores of receding sovereignty ZANU-PF ideologues claim all these organisations are totting up their accounts of murder and torture and educating people on the arcane mysteries of multiparty democracy in the interests of the Blair-Bush imperialist conspiracy. It all works to the benefit of the party of tea-drinkers and lackeys, which must be destroyed if Zimbabwe is to retake its destiny into its own hands. ZANU-PF liberated Zimbabwe on its own, it says: so should its challengers.

A more complex answer entails burrowing deeper into history, however, and melding the conjectural and the historical. ZANU-PF itself may be haunted by the ghosts of foreign funding. The party that championed the call ‘we are our own liberators’ when it ostensibly pulled itself away from the globe-trotting Joshua Nkomo with his multi-racialism and begging-bowl tactics may be having nightmares about its own historical relationships with liberals and imperialists. This briefing demonstrates evidence that could be the cause of sleepless nights for those in power under auspices other than their own. Such data helps explain the vitriol accompanying a history of hypocrisy.

International Nationalism, Imperialist States

The roots of anti-imperialism’s humourless hypocrisy lay in its untruth. The myth of self-liberation ignores scores of churches’ support (they are in this legislation’s sites too, if straying too close to Caeser’s domain). It downplays states ranging from their neighbours such as Zambia, Tanzania and Mozambique (where freedom fighters were domiciled, trained and, if they got too precocious, imprisoned) to the Swedes, Chinese, Soviets and even some of the many guises of Britain and the United States. It sidelines big NGOs such as Amnesty International. It ignores the impromptu Zimbabwe Detainees’ Defence Committee, which lobbied in the mid-1970s for the ZANU leaders jailed in Lusaka for allegedly assassinating their chairman, Herbert Chitepo.

The illusion of autonomous liberation for Zimbabweans is both less than a myth and more than a lie: such autarky was (and still is, of course) impossible. Timothy Scarnecchia’s work shows none other than Robert Mugabe as the master dialectician of the myth-lie. He was keenly aware of the dexterous manoeuvrings necessitated by the politics of ‘international nationalism’ at its advent in the early sixties. Scarnecchia’s archival digging reveals the Salisbury based American consul-general’s report on an interview with Mugabe about the vexed relationship between the trade unions and the nationalists and foreign funding. Mugabe acknowledges in the interview that:
African political or labor movements in this country cannot stand on their own without financial backing from some external source. However, one must be capable of ‘riding the tiger’ without ‘ending inside.’

Aside from the psycho-historical resonances of the parallel with Godfrey Huggins’ image of the partnership between horse and rider, for which liberal Rhodesians are remembered, such an admission is an adroit recognition of the dependence of all ‘third world’ societies on the crumbs from western tables. Today’s discourse does not replicate such frankness. It would be better for it, because its importance lies not in the confession of the emptiness of a slogan about ‘self-reliance’ but in the question of the balance between state-to-state ‘intervention’ and sovereignty (or sovereignty in the making) and the relations between members of global civil society and their subalterns on the periphery of global capitalism. There was no discourse of ‘global civil society’ in the sixties and seventies, but this nascent social formation helped ZANU – particularly some of its leaders – reach the pinnacle of power. Many state agencies were even more important. Into the equation must go the fact that there are no such things as ‘puppets’: al Qaeda’s blowback is lesson enough about how imperialist hubris quickly sours. As one long-time participant in Zimbabwe’s various struggles said about Mugabe ‘it is ironic that the man the USA created is now considered to be a ‘rogue’. It is not foreign funding per se at issue, but its effects, including the psychological ones of relying on assistance for ‘liberation’ from such paternalistic relations. Labeling its recipients as on the strings of their masters is not enough, because if one goes back far enough, the strings will always be there. Perhaps only their elasticity is at issue.

The length of these cords (remember Lenin’s optimistic line that the bourgeoisie – and it could be a global entity! – might hang itself with its own rope) is revealed in the Foreign and Commonwealth Office files in London’s National Archives. There is a telegram in these files from the FCO to Accra, sent on 9 November 1967. It reads, (in upper case): ‘Mrs. Sarah F. Mugabe, Ghanaian born wife of Robert Mugabe, Secretary General of Z.A.N.U., has been invited to visit Britain by the Ariel Foundation. She is to do a year’s secretarial course, and Ariel undertake to be responsible for her financially.’ It continues to say that Mrs. Mugabe could not get an entry permit until she got a letter from Ariel confirming its support. ‘In view of short notice Ariel who are well known to us has asked for our help. Please take this telegram as the confirmation required.’ Scribbles above the body of the telegram read ‘Eric, were you consulted abt. this?’ Underneath there is a flurry: ‘Would you wish to have this on one of your files? If not, it can be destroyed,’ and, in another hand, ‘can we now destroy?’ A large scrawl taking up about a fifth of the whole page notes: ‘Mr. Reiss of IRD despatched this tel. It was not cleared with us. Ariel decided on their own initiative to help Mrs. Mugabe.’

What was the Ariel Foundation? Stephen Dorril’s account of British intelligence activities informs us that it was a CIA-front, rooted in the halcyon days of Labour Party student activity on the international battle-ground between social democracy and its challenges from the Soviet Union. Dennis Grennan is one name that sticks out in respect to the Mugabe family: Grennan was an early conduit of American benevolence to the older but poorer imperialists across the Atlantic. In his adult years he was an advisor to the British Foreign Secretary. He hosted Robert Mugabe in the UK while the latter was climbing up the pole to ZANU-PF’s leadership in 1976. Their relationship has been described as ‘long-standing.’ Who were liberating ourselves?
A few files further on in the archives, there is a letter from the British Embassy in Washington reporting on an earlier visit of the party chairman, Herbert Chitepo. It reads, in understated lower case type, that although the African bureau at the State Department was ‘somewhat reticent’ about the not-yet-Maoist chairman’s trip, ‘we have it on good authority that he came on a United State’s Government grant.’ Apparently he ‘pressed strongly for more active American support of ZANU [emphasis mine].’ The Americans told the British that if the west did not support the new party on the block ‘the Russians will establish control over them.’ Thus ‘we suspect … the State Department (no doubt in conjunction with CIA) are considering’ Mr. Chitepo’s request. The letter went on to say:

the State Department regard Chitepo as one of the more competent and articulate Rhodesian Africans in exile [but] admitted to … having been slightly disappointed with him – he made a good superficial impression, but there did not seem to be much substance underneath. …[He] presented his case in relatively restrained terms [to liberal Congressmen] … in contrast to his performance at the rather strange meeting in a Chinese restaurant.

The lesson for those dancing for foreign assistance might be to avoid Chinese restaurants. For those paying prospective puppets, it might be that such experiences turn potential clients to Maoism.

Nearly a decade after Mr. Chitepo went to Washington, the spouse of one of the men accused of assassinating him received a letter from the Commonwealth Secretariat in Marlborough House. It was in response to information handed on by a Mrs. Beryl McGovern of the United Nations Development Programme that Mutukudzi Mudzi, after having spent more than a year in prison (he was released after the case was closed), wanted to re-enter the University of Zambia. The letter advised her that the Secretariat ‘would be very pleased to continue his award under the Commonwealth Rhodesian Scholarship Trust Fund’ and asked her to make sure that the University sent a statement of his fees directly to London. It was copied to an Ignatius Chigwendere of the Commission for Racial Justice in London.

The British state’s thirty year rule has slowed down the process of tracing recent history, and thus more cats have not come out of the hat on the relationship between states, their multilateral international representations, and the aspirants to the club. How would they compare with the links alleged by ZANU-PF between the MDC and its ‘masters?’

**Innocent NGOs**

Of course, foreign funding is not just state-to-state-class-in-the-making, and ZANU-PF is well aware of that fact. Thus its well-trod discourse of the complicity between human rights oriented NGOs and imperialism’s pernicious desires. Its theory on this collusion could rest on an empirical history of how this cog in the imperialist machine assisted today’s ruling party in the past. A 1971 letter to the FCO from Amnesty International, an NGO ZANU-PF pretends to hate, illustrated the multi-layered dynamic that Zimbabwe’s leaders know so well and would like to stop now. This note, written during the Pearce Commission’s 1971 efforts to sound out African opinions about a new constitutional twist (and led to the ‘blowback’ of Bishop Muzorewa and the United African National Council), ‘repeats’ a previous promise of ‘airfare and all other possible assistance to Messrs. Malowa, Manyonga and Zvobgo’ [the recently deceased Eddison, long time and iconoclastic Minister of Justice and Parliamentary Affairs] who, along with Lazardus Nkala, Joshua Nkomo, and Daniel Madzim-bamuto, promised to leave the country so ‘could
hardly pose a threat to the security of the Rhodesian state.’ Indeed, wrote AI correspondent John Humphries, the Rhodesians seemed to be accepting the good sense of such a policy, as they had allowed a Herbert Musikavanhu to take up the good graces of a British Technical Assistance Grant to study at Gray’s Inn.22

A few years later, a man kept under restriction by the Mozambicans for jumping ZANU’s leadership queue was also busy typing letters. They rest in the Catholic Institute of International Relations’ archives. The CIIR may be poised on the edge of NGO status, given that its patron has embassies around the world, but these theoretical niceties simply indicated the fuzziness of the notion of ‘global civil society,’ especially when the church enters the picture. In any case, the CIIR has a long history of committed support to Zimbabweans’ causes.23 In the mid-1970s, it played host to the impromptu committee struck to defend those previously referred to in Lusaka’s busy jails. It appears also to have offered succour to the Commission for Racial Justice, headed by the same Ignatius Chigwendere (albeit with different spellings of his last name) who was copied letters from the Commonwealth Secretariat.24

Chigwendere was the recipient of a letter addressed from Quelimane on 11 June 1976. While the author was under Mozambican house arrest and deciding how to convince the radical young guerrillas that he was better than the other members of the old guard he was usurping,25 Robert Mugabe wrote to the director of the Commission on Racial Justice. Mugabe apologised for having ‘concluded that you were the Chigwedere referred to in the mention of the Coordinating Committee composition,’ and then asked him to ‘get persons of good will interested in extending assistance to our cause … assistance of a non-military type such as clothing, medical supplies and office equipment (type-writers, duplicators, etc.) … [and] blankets’ for the huge influx of recruits arriving in Mozambique. ‘This is just as important as being in the front-line firing a gun. We have to sustain the man who is doing the fighting in front of us!’

Across the Atlantic

Meanwhile in San Francisco, a free Eddison Jonas Mudadiirwa Zvobgo wasreviving ZANU’s post-Chitepo reputation by publishing a new Zimbabwe News series.26 Archived by the Hoover Institute’s revolution-watchers, it contains ‘Comrades Robert & Sally Mugabe, Edgar & Anne Ruvimbo Tekere’s’ request for foreign currency so Mozambique’s – the ‘host government’s’ – textile factories could make uniforms for Zimbabwe’s freedom fighters, and assistance in compiling a list of drugs from a ‘doctor with tropical medicine experience.’ Donations for ‘educational purposes’ were solicited, too, best left in ‘money form’ until the ‘Camps Educational Advisory Committee’ was established.27

The Pacific Coast propaganda also celebrated the arrival of a new military force, uniting ZANU’s and ZAPU’s armies. Zvobgo was not sure if ‘ZILA’ was the Zimbabwean African Liberation Army or the Zimbabwean United Liberation Army (it was actually ZIPA, the Zimbabwean People’s Army), but he celebrated it for removing Ndabaningi Sithole from ZANU’s presidency and reviving the struggle to its ‘full swing.’28 He printed its long list of needs for the 180 schools it hoped to build in Zimbabwe’s liberated areas. It included, among much else, 180 microscopes and type-writers, 5,000 boxes of cycolstyling stencils (‘we expect to produce most of our own textbooks’), 2,400 blackboards, and ‘the Heinemann’s African Writers Series in multiple copies.’ Secretary for Finance Zimbabwe United Liberation Army Saul Sadza’s list was much more inclusive than Mugabe-Tekere’s. Perhaps that is one reason why the young militants
were removed from the scene by the reinvented old guard – with the assistance of their Mozambican hosts – just a year after the ostensible publication of California’s *Zimbabwe News*.

It seems that the men who wrote and published such letters know the role of well-meaning foreigners (to quote Lenin once again, ‘useful idiots?’) in the battle to unseat authoritarian power-mongers: thus the current legislation to eliminate this source of support for those continuing that struggle. There are differences, though. This time, the opposition is inside Zimbabwe, not poised on its borders, and it consists of a much wider band of working people and intellectuals. To date, these bearers of liberation’s reignited torch have not had to rely too much on the men – and children – ‘doing the fighting in front of us.’

To be sure, they and their allies all over the world will be able to break the sanctions imposed by a new NGO Bill. But their struggles will be much more constrained, and the legislation will enable the ruling party to single out its most persistent enemies. Hopefully this will not mean that the new opposition will have to move to the strategies of those trying to contain the democratic space they are expanding so assiduously. Assuredly, no one will believe the justification for such repressive legislation. They should, however, worry about the dependence syndrome of which the aid and the authoritarianism are component parts. Perhaps, too, they should note that the Council meant to govern the NGO Act is eligible for foreign funding.

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**Endnotes**


8. The notion of ‘tea-drinkers’ in Zimbabwean history is ironic, given that the many of the African members of the Capricorn Society – a multi-racial group organized by European liberals to ensure the black elite would not take the communist path – who subsequently joined the nationalist movement and ZANU were condemned as ‘tea-drinkers’ by their more militant precursors.

9. The Catholic Institute for International Relations archives, in London, contain this committee’s correspondence. Members included Kees Maxey, Judith Acton (Todd) and Lionel Cliffe among others: ‘Anonymous Chelmsford’ donated £600 to its appeal. See Luise White (2003), *The Assassination of Herbert Chitepo: Text
and Politics in Zimbabwe, Bloomington, Cape Town/Harare: Indiana University Press, Double Storey/Weaver), for a discursive analysis of the versions on Chitepo’s untimely demise.


21. His daughter Irene was assisted in her nursing studies by Amnesty International, as attested by a letter of 27 August 1971, asking the FCO to facilitate the processing of a British passport so she could get to the UK through Pretoria. An FCO telegram to Pretoria a few days later confirmed that ‘entry facilities were issued 16 August and posted to applicant next day.’ National Archives, Public Records Office, FCO 36/766, Policy and Activities of Amnesty International in Relation to Rhodesia: demand for release of political pensions and detainees, 1968-1971, file 26 and 28.

22. The CIIR is well-known for its series From Rhodesia to Zimbabwe, on which it worked with the Patriotic Front manpower initiative, published in 1978-80. It included Roger Riddell’s ‘Alternative to Poverty and The Land Question’, Duncan Clarke’s ‘The Unemployment Crisis’, Colin Stoneman’s ‘Skilled Labour and Future Needs’, Rob Davies ‘The Informal Sector’, and Michael Bratton’s ‘Beyond Community Development in 1978’, John Gilmurray, Roger Riddell, and David Sanders ‘The Struggle for Health’ and Vincent Tickner’s ‘The Food Problem in 1979’, and Roger Riddell’s ‘Education for Employment in 1980’. There have been discussions on developing a series along the same lines for the current moment. For an excellent example of the CIIR’s current work and continued commitment, see Lloyd Sachikonye (2003), The Situation of Commercial Farm Workers after Land Reform in Zimbabwe, Harare/London: Farm Community Trust of Zimbabwe and Catholic Institute for International Relations.

24. It is spelled Chingwendere and Chigwedere in various letters.


26. The post-Chitepo assassination turmoil in ZANU is reflected in the revised bibliographic details of Zimbabwe News, The San Francisco edition, dated January/May 1976, is labelled the first but in fact was preceded by many issues.

27. ‘Comrades Robert & Sally Mugabe, Edgar & Anne Ruvimbo Tekere Send Their Greetings To All ZANU Members and Supporters Around the World,’ Zimbabwe News, 1, 1, (January/May 1976), San Francisco, pp. 39, 41.


Who? The World Trade Organization

Global Exchange

The WTO Is Fundamentally Undemocratic

The policies of the WTO impact all aspects of society and the planet, but it is not a democratic, transparent institution. The WTO rules are written by and for corporations with inside access to the negotiations. For example, the US Trade Representative gets heavy input for negotiations from 17 ‘Industry Sector Advisory Committees.’ Citizen input by consumer, environmental, human rights and labor organizations is consistently ignored. Even simple requests for information are denied, and the proceedings are held in secret. Who elected this secret global government?

The WTO Will Not Make Us Safer

The WTO would like you to believe that creating a world of ‘free trade’ will promote global understanding and peace. On the contrary, the domination of international trade by rich countries for the benefit of their individual interests fuels anger and resentment that make us less safe. To build real global security, we need international agreements that respect people’s rights to democracy and trade systems that promote global justice.

The WTO Tramples Labor & Human Rights

WTO rules put the ‘rights’ of corporations to profit over human and labor rights. The WTO encourages a ‘race to the bottom’ in wages by pitting workers against each other rather than promoting internationally recognized labor standards. The WTO has ruled that it is illegal for a government to ban a product based on the way it is produced, such as with child labor. It has also ruled that governments cannot take into account ‘non commercial values’ such as human rights, or the behavior of companies that do business with vicious dictatorships such as Burma when making purchasing decisions.

The WTO Would Privatize Essential Services

The WTO is seeking to privatize essential public services such as education, health care, energy and water. Privatization means the selling off of public assets – such as radio airwaves or schools – to private (usually foreign) corporations, to run for profit rather than the public good. The WTO’s General Agreement on Trade in Services, or GATS, includes a list of about 160 threatened services including elder and child care, sewage, garbage, park maintenance, telecommunications, construction, banking, insurance, transportation, shipping, postal services, and tourism. In some countries, privatization is already occurring. Those least able to pay for vital services - working class communities and communities of color – are the ones who suffer the most.

The WTO Is Destroying the Environment

The WTO is being used by corporations to dismantle hard-won local and national environmental protections, which are attacked as ‘barriers to trade’. The very first WTO panel ruled that a provision of the US Clean Air Act, requiring both domestic and foreign producers alike to produce cleaner gasoline, was illegal. The WTO declared illegal a provision of the Endangered Species Act that requires shrimp sold in the US to be caught with an inexpensive device allowing endangered sea turtles to escape. The WTO is attempting to deregulate industries including logging, fishing, water utilities, and energy distribution, which will lead to further exploitation of these natural resources.
The WTO Is Killing People

The WTO’s fierce defense of ‘Trade Related Intellectual Property’ rights (TRIPs) – patents, copyrights and trademarks – comes at the expense of health and human lives. The WTO has protected for pharmaceutical companies’ ‘right to profit’ against governments seeking to protect their people’s health by providing lifesaving medicines in countries in areas like sub-saharan Africa, where thousands die every day from HIV/AIDS. Developing countries won an important victory in 2001 when they affirmed the right to produce generic drugs (or import them if they lacked production capacity), so that they could provide essential lifesaving medicines to their populations less expensively. Unfortunately, in September 2003, many new conditions were agreed to that will make it more difficult for countries to produce those drugs. Once again, the WTO demonstrates that it favors corporate profit over saving human lives.

The WTO Is Increasing Inequality

Free trade is not working for the majority of the world. During the most recent period of rapid growth in global trade and investment (1960 to 1998) inequality worsened both internationally and within countries. The UN Development Program reports that the richest 20% of the world’s population consume 86% of the world’s resources while the poorest 80% consume just 14%. WTO rules have hastened these trends by opening up countries to foreign investment and thereby making it easier for production to go where the labor is cheapest and most easily exploited and environmental costs are low.

The WTO Is Increasing Hunger

Farmers produce enough food in the world to feed everyone – yet because of corporate control of food distribution, as many as 800 million people worldwide suffer from chronic malnutrition. According to the Universal Declaration of Human Rights, food is a human right. In developing countries, as many as four out of every five people make their living from the land. But the leading principle in the WTO’s Agreement on Agriculture is that market forces should control agricultural policies rather than a national commitment to guarantee food security and maintain decent family farmer incomes. WTO policies have allowed dumping of heavily subsidized industrially produced food into poor countries, undermining local production and increasing hunger.

The WTO Hurts Poor, Small Countries in Favor of Rich Powerful Nations

The WTO supposedly operates on a consensus basis, with equal decision-making power for all. In reality, many important decisions get made in a process whereby poor countries’ negotiators are not even invited to closed door meetings – and then ‘agreements’ are announced that poor countries didn’t even know were being discussed. Many countries do not even have enough trade personnel to participate in all the negotiations or to even have a permanent representative at the WTO. This severely disadvantages poor countries from representing their interests. Likewise, many countries are too poor to defend themselves from WTO challenges from the rich countries, and change their laws rather than pay for their own defense.

The WTO Undermines Local Level Decision-Making and National Sovereignty

The WTO’s ‘most favored nation’ provision requires all WTO member countries to treat each other equally and to treat all corporations from these countries equally regardless of their track record. Local policies aimed at rewarding companies
who hire local residents, use domestic materials, or adopt environmentally sound practices are essentially illegal under the WTO. Developing countries are prohibited from creating local laws that developed countries once pursued, such as protecting new, domestic industries until they can be internationally competitive. California Governor Gray Davis vetoed a ‘Buy California’ bill that would have granted a small preference to local businesses because it was WTO-illegal. Conforming with the WTO required entire sections of US laws to be rewritten. Many countries are even changing their laws and constitutions in anticipation of potential future WTO rulings and negotiations.

There Are Alternatives to the WTO

 Citizen organizations have developed alternatives to the corporate-dominated system of international economic governance. Together we can build the political space that nurtures a democratic global economy that promotes jobs, ensures that every person is guaranteed their human rights to food, water, education, and health care, promotes freedom and security, and preserves our shared environment for future generations.

The Tide is Turning Against Free Trade and the WTO!

International opposition to the WTO is growing. Massive protests in Seattle of 1999 brought over 50,000 people together to oppose the WTO – and succeeded in shutting the meeting down. When the WTO met in 2001, the Trade negotiators were unable meet their goals of expanding the WTO’s reach. The WTO met in Cancún, Mexico from 10-14 September 2004, and met thousands of activists in protest and scoring a major victory for democracy. Developing countries refused to give in to the rich countries’ agenda of WTO expansion – and caused the talks to collapse!

Preventing Opportunities for Development

Proponents of establishing investor protections under the WTO are pushing for binding rules that would allow foreign investors to enter countries without conditions or regulations, and to be granted ‘national treatment’. If granted national treatment, foreign investors must be treated no differently than domestic investors. If such agreements become a reality, developing countries will be prevented from taking the very same actions that developed countries took in their early stages of industrialization. Specifically, they will be prohibited from providing tax incentives, targeted subsidies, and purchasing contracts to developing industries so that they can compete against foreign firms. Because of the natural advantages the MNCs have as large experienced firms, the predictable result of such disastrous policies will be unfair preferences for foreign investors.

Outlawing Performance Requirements

Performance requirements, crucial for meeting development goals, will also be prohibited if such agreements are established. Developing countries will lose the ability to demand use of local materials, local labor, and demand technology transfer, which stimulate growth in the local economy. Additionally, the improvement of environmental and labor standards will be nearly impossible as countries will be pressured to compete in a ‘race to the bottom’. This will particularly prove true if, as under NAFTA, governments are prohibited from screening investors on the basis of such criteria as worker compensation or environmental standards.

Investor Rights Over Citizen Rights

Perhaps most alarming are the provisions that would model those in
NAFTA’s Chapter 11. Under NAFTA’s Chapter 11, governments are prohibited from passing laws which adversely affect the business of foreign investors, regardless of the role that such legislation would have in meeting national social and development goals. In the event that such legislation negatively affects the profits of a multinational corporation, individual companies have the right to sue the foreign government in a secret NAFTA tribunal – bypassing the national courts. If the corporation wins, the accused government must then compensate the corporation in the amount of profits they claim to have lost – including hypothetical profits that they claim they would have made twenty years into the future! This confers new rights on MNCs that neither domestic companies nor citizens – who have to obey national laws – enjoy. It creates a class of ‘super-citizenship’ for foreign corporations at the expense of citizen sovereignty.

Wheels in Motion: Moving Towards Multilateral Investment Agreements

In spite of promises made by developed countries to focus the agenda at the WTO Cancun ministerial on development issues, rich countries instead lobbied heavily to expand the WTO by adding a new agreement on investment. The effects of developing such an investment agreement would be disastrous for the welfare of people and the environment in both developed and developing countries, as legislators will lose the sovereign right to pursue policies that put the public interest above corporate interests.

Resisting Corporate Domination

Many developing countries expressed their opposition to bringing new investment issues to the Cancun ministerial of the WTO in September 2003. It was clear during the negotiations that rich countries employed strong-arm tactics to attempt to force the introduction of the investment issue despite clear opposition. However, on the last day of the ministerial, large groups of developing countries came together and voiced their total opposition to the launching of new negotiations on investment and other New Issues. This strong coalition of diverse developing countries maintained solidarity to oppose the rich countries’ agenda, and scored a clear victory for democracy and the poor in Cancun. It is imperative that developing countries continue to oppose the launching of investment negotiations in the WTO, and that citizens continue to hold their representatives accountable.

Alternative Proposals

Developing countries must retain the autonomy to pursue strategies that ensure that foreign investment contributes in a positive manner to the realization of national goals. Additionally, developed countries should pursue trade positions that will benefit the public welfare rather than the bottom line of a few large multinational corporations. To this end, binding obligations on investors should be instituted to ensure that they behave in a manner that is consistent with international human rights and development objectives. A fair and equitable trade agreement would include measures to counter corporate predatory business practices, anti-labor policies, and environmental degradation. Finally, in order to make corporations more accountable, enforceable international standards should be established for the reporting and disclosure of information.

Eight years of experience with the WTO has shown that it is still dominated by the interests of rich countries and elite businesses around the world. It’s time for a fundamental review of the WTO’s impact, and to scale down or abolish and replace the WTO with a completely different institution. Furthermore, an alternative to the FTAA draft currently being negotiated must be developed so
that issues of social justice are not subordinated to corporate interests. Strengthening the rights of investors will do little to benefit working people in either developing or rich countries. On the contrary, an agreement of this nature will benefit corporate interests at the expense of ordinary citizens.


Editor's Note: Within the global justice movement, see Focus on the Global South (www.focusweb.org) and the Third World Network in Penang (www.twnside.org); Green Alternatives to Globalisation: A Manifesto by Michael Woodin & Caroline Lucas. Published by Pluto Press, 2005.

The European Union: New Start or Old Spin?
Paul Goodison

Since stepping into the post of EU Trade Commissioner Peter Mandelson has been very active on issues of importance to the African Caribbean and Pacific (ACP) group of countries, which enjoy special non-reciprocal preferential access to the EU market under the Cotonou Agreement. One of Commissioner Mandelson’s first policy speeches was to ACP ministers on 1 December 2004. One of his first overseas trips was to the Caribbean to consult Caribbean ministers and see for himself the challenges posed to the region’s sugar and banana producers by changes in EU policies. January 20, 2005 saw the launch of the Commissioner’s ideas on how to put development concerns at the centre of the EU’s economic partnership agreement (EPA) trade negotiations, while 24 January saw him attending the ACP-EU agriculture ministers consultation on EU sugar-sector reform. However throughout this time, while nominally focusing on the side dish of bilateral ACP-EU trade relations, Commissioner Mandelson has been quietly warming up ACP governments for the main course: securing ministerial-level agreement to a WTO text in Hong Kong.

Undoubtedly the Commissioner has been very busy in his first few months in office dealing with issues affecting Europe’s trade with Africa, but what does it all mean? Is this a fresh broom sweeping in with new ideas on what the main plank of EU trade policy towards Africa should be, abandoning neo-liberal ideas that free trade will solve everything, or is it the ‘King of Spin’ striking again? This briefing seeks to review the ideas that Commissioner Mandelson is putting forward and how the European Commission (EC) is seeking to interpret them operationally in the light of their under-
lying policy agenda. This agenda involves getting WTO acceptance of its CAP-reform strategy and a shift in its agricultural exports to higher-value-added products.

**Putting Development at the Heart of EPAs**

The over-riding ‘new’ idea which Commissioner Mandelson has put forward is that development concerns should be at the heart of the process of EPA negotiations. This was emphasised in the Commissioner’s statement to the Civil Society Dialogue Group on 20 January 2005. In the face of a growing body of criticism from African social actors and European development NGOs, Commissioner Mandelson rejected the idea that EPAs should be scrapped, but acknowledged that the approach needed to change so as to strengthen its development focus. He claimed EPAs ‘are not classical hard-nosed, free-trade agreements of the sort that developing blocks negotiate between them’. If this is the case what is it that makes the EPA process different from ‘classical’ free-trade area agreements, for example, the kind that the EU signed with South Africa in 1999?

**EPAs Involve More than Tariff Removal**

First there appears to be the EC’s aspirations to ensure that EPAs cover more than simply trade in goods. While this opens up possibilities for the establishment of targeted programmes of assistance to address supply-side constraints and enhance African production and trading capacity, from the EC perspective it is seen to apply primarily to the need to get the right economic policy environment in place. For the EC this requires the negotiation of a range of agreements in trade-related areas, often on issues where African governments have declined to make any commitments in the WTO. This ‘WTO+’ approach is seen as central to securing the claimed economic benefits of EPAs, since it is seen as consolidating the ability of African countries to compete and take advantage of market opening. This ‘WTO+’ approach also characterises the EC’s approach to trade in services.

**Creating the Right Conditions**

Second, Commissioner Mandelson and EC documents have placed considerable emphasis on measures to address constraints on competitive production. Addressing ACP ministers on 1 December 2004 he argued that for trade openness to generate growth and contribute to poverty eradication ‘the right conditions’ have to be in place. If they are not the benefits of trade openness cannot be reaped. For Commissioner Mandelson these ‘right conditions’ appeared to relate primarily to improving the business climate, establishing appropriate domestic economic policies and following principles of good governance, although in his speech to ACP ministers reference was also made to the need to tackle supply-side constraints on competitive production. In this latter regard, however, Commissioner Mandelson did not go as far as his former ministerial colleague Gordon Brown, who while on tour in Mozambique spoke of the need for an ‘infrastructure fund’ for Africa to finance ‘roads, railways, water, electricity, so that major infrastructural concerns can be alleviated in order to develop the supply-side of the economy’.

The sentiments expressed by Chancellor Gordon Brown are much closer to the aspirations of ACP governments in creating the ‘right conditions’ for trade opening to generate growth than the prescriptive policy preoccupations of Commissioner Mandelson.

The weight given to these different factors is of some significance for the reality is that there is currently little evidence that addressing supply-side constraints is being accorded priority within the EU
aid-deployment process. This was cer-
tainly the case in regard to the use of the
initial 9th European Development Fund
National Indicative Programme alloca-
tions (the NIP is the main EU financial
instrument for extending development
assistance to African countries). It is also
a feature of the current mid-term review
of the 9th EDF NIPs. This is a serious
matter, for given the delays in approving
new financial allocations and then sub-
sequently committing EDF funds, if pro-
grammes to address supply-side
constraints are not being designed now
they are unlikely to be effectively rolled
out until 2012-14 at the earliest.3

The Centrality of Regional
Integration

The third factor which is seen as making
EPAs different from traditional free-trade
area agreements and placing develop-
ment at the heart of the EU’s trade policy
towards Africa, is the centrality accorded
support to regional integration within
the EPA process. In his 20 January
speech Commissioner Mandelson main-
tained that ‘trade opening … is not at the
forefront’ within the EPA process, rather
‘it comes towards the end, after regional
integration has kick-started growth, after
long transition periods, after Europe has
invested aid and support in these least
developed countries’ capacity to trade’.
However the question arises: what does
Commissioner Mandelson mean when
he talks about the priority accorded to
supporting regional integration?

An indication can be found in his 1 Decem-
ber 2004 speech to ACP ministers, when he
spoke of the need to ‘develop regional
markets, with a common set of border
measures, tariff and non-tariff, as an incen-
tive for that pivotal requirement for success-
ful development: investment’. He continued
‘setting rules for regional development are at
the heart of the EPA process, at the heart of
the Cotonou mandate and are central to the
roadmaps that we have jointly agreed for the
negotiations’.

The emphasis here is clearly on trade
policy rule-making at the regional level.
This sits quite easily with the EC’s long-
standing approach to the regional di-
ension of EPAs which has focussed on
the formal conclusion of regional-inte-
gration agreements – that is essentially
promoting free-trade areas as stepping
stones to customs unions, with which
the EU can then conclude regional EPAs.
It does not appear to refer to the broader
process of regional integration, whereby
trade integration is a tool for the transfor-
mation of regional production struc-
tures.

The Sectoral Deployment of 9th EDF
NIP Funds

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<thead>
<tr>
<th>Sector</th>
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<tr>
<td>Structural adjustment</td>
<td>30.7%</td>
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<tr>
<td>Transport</td>
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<td>Governance</td>
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<tr>
<td>Rural development</td>
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<td>Agriculture</td>
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<tr>
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Differing Concepts of What
Regional Integration is About

A broader conceptualisation of what a
development-oriented regional integra-
tion process should look like was re-
cently given expression in the UN
Economic Commission for Africa’s re-
port on the economic and welfare im-
pacts of EPAs in Africa.4 This report
placed considerable importance on first
building intra-African markets and de-
veloping African supply capacities to
promote intra-African trade to serve Afri-
can markets from African production. It
noted that a key constraint on the exploitation of traditional preferences has been the absence of supply capacities. It argued that regional supply capacities had to be built before liberalisation. The report therefore advocated an approach to EPAs whereby ‘SSA countries liberalise trade among themselves without immediate reciprocation on the preferences granted by the EU on the understanding that the EU is in a position to agree to EPAs that provide enough time to the African countries to build their capacities so that they can eventually be able to compete with the EU producers and exporters’. This it is held will ‘enable the producers and exporters in the region to build capacities as they compete among themselves before facing the EU producers and exporters when the reciprocity principle kicks in.’ At first glance there does not appear to be that much difference between what Commissioner Mandelson put forward to the Civil Society Dialogue Group on 20 January and what the UN ECA is advocating. However as the ECA report noted given the challenges faced in integrating African markets and building competitive supply capacities to serve these newly enlarged markets, ‘EPAs should look beyond the 12 years as the possible dates for introducing reciprocity’.

Herein lies the key shortcoming in Commissioner Mandelson’s approach, for while paying lip-service to the need to address the wider development agenda, Commissioner Mandelson remains wedded to existing EC time-frames for the conclusion of EPAs. These time frames simply do not allow sufficient time for building real regional markets and developing competitive supply capacities to serve these enlarged regional markets, prior to the introduction of reciprocity in trade relations with the EU.

The Problem of Time Frames

The EC remains committed to concluding EPAs by the end of 2007; indeed in the eastern and southern Africa region the ‘road map’ for negotiations has set a target for concluding ‘substantive negotiations’ by the end of 2005. This would involve firm and binding commitments to tariff-reduction schedules and the eventual elimination of tariffs on a specified volume of current trade in specified years.

But how can African regional groupings determine such timetables for tariff reductions and elimination, in ways consistent with the development of competitive regional production structures designed to serve enlarged regional markets, when the process of creating those regional markets is still in its infancy within the regional configuration with whom the EU is currently negotiating? Rational choices on which products to ‘front load’ for tariff elimination, which products to ‘back load’, which products to exclude from tariff elimination commitments, which products to subject to special trade arrangements, and which products to subject to special safeguard provisions, simply cannot be made at the regional level until regional markets have been created and regional production structures have evolved.

To do so would be to abandon prematurely the very policy tools that must form an important part of regional efforts to nurture the development of competitive forms of regional production to serve enlarged regional markets. This is a dimension of the sequencing of the broader regional-integration processes and the negotiation and implementation of EPAs which the EC largely ignores. This is in large part based on the ideological belief in what is termed ‘open regionalism’, that is the promotion of regional integration at the same time as an opening of regional markets to increased competition, from in this case the EU. This sequencing is in distinct contradiction to the sequencing advocated in the UN ECA report and strongly fa-
voured by a number of prominent African trade negotiators. When confronted with this problem of the current timetable EC officials invariably fall back on the mantra of ‘WTO compatibility’ and the question of ‘the waiver’. It is pointed out that the current WTO waiver will lapse on 1 January 2008 and that therefore new WTO-compatible free-trade area agreements need to be in place by this date. At times the issue of ‘the waiver’ and ‘WTO compatibility’ almost seems to take on a religious significance, with there being only one true path to the attainment of compliance.

However this sanctified approach to WTO compatibility is now being questioned by prominent African trade negotiators who have advanced the concept of ‘light EPAs’.

‘Light EPAs’: Overcoming the Time Constraint

The concept of a ‘light EPA’ would require ACP countries to grant reciprocity in the tariff treatment accorded EU goods only to the level necessary to secure a WTO waiver. Thus if it was deemed that a free-trade area between, on the one hand, a developed trading bloc like the EU and on the other hand, groupings of least developed and developing countries, need only cover 80% of all currently traded goods and can be asymmetrical in its product coverage and time-frames for implementation, then if the EU were to grant complete duty-free access for all imports, the African regional groupings concerned would only need to phase-in zero duties on 60% of imports from the EU. Work undertaken by Dr Chris Stevens of the Institute for Development Studies in Sussex on the bound tariff schedules prevailing in Southern Africa, suggests that such a ‘light EPA’ would not involve the removal of substantive tariff protection, since high tariff items could all be excluded from such a ‘light EPA’. This attainment of WTO compatibility would represent the first stage of the EPA process and would deal exclusively with trade in goods. This would be accompanied by a second crucial component of the EPA process, namely the establishment of targeted programmes of support for the building of regional markets and development of competitive regional supply capacities. This could, as appropriate, embrace support for the development of regional policies in a range of trade-related areas and in the provision of a range of services. Once these programmes have been successfully implemented and have begun to deliver results, both in terms of deepened regional trade and a broader regional production base, then consideration could be given to a more extensive process of tariff elimination on imports from the EU, geared towards further stimulating the development of regional competitiveness.

The concept of a ‘light EPA’ constitutes a radical departure from the approach which the EC has adopted to date, yet would be wholly consistent with the broad pro-development sentiments which Commissioner Mandelson has been advocating since his inauguration as Trade Commissioner. It remains to be seen whether the Trade Commissioner will be open to this alternative concept and whether he can then carry the member states and Commission services with him in operationalising it.

The Contribution of EPAs to Building Regional Integration

The implicit response of the EC to the argument that more time is needed to build regional markets and deepen regional integration is to argue that the EPA process itself is directly stimulating regional integration in Africa to an unprecedented degree. According to the EC the EPA negotiating process has heightened the political profile given to regional policies and created a situation where ‘many ACP leaders perceive EPA negotiations as an opportunity and a challenge’.

5
This is undoubtedly the case but not necessarily in the positive way the EC depicts it. In some regions the EPA process has heightened the political intensity of regional discussions because it has led to the fragmentation of existing regional integration schemes.

The membership of the Southern African Development Community (SADC), whose roots go back as far as 1980, have been split by the process of EPA negotiations. Six members of the SADC have chosen to negotiate as part of the Eastern and Southern African (ESA) EPA negotiating configuration (which embraces in total 16 countries). Seven members of the SADC are seeking to negotiate as the SADC configuration. This split largely arose because of the fears which a number of SADC member states had over the dangers of simply being drawn into the EU-South Africa Trade Development and Co-operation Agreement TDCA), a free-trade area agreement which pre-dated (and pre-empted) the opening of the EPA negotiations.

The Fragmentation of the SADC Configuration

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The TDCA itself has also created tensions and frictions within an existing regional integration initiative, as a result of the EU choosing to negotiate a free-trade area agreement with only one of the members of the Southern African Customs Union (SACU), the largest, South Africa. The smaller members of the SACU – Botswana, Lesotho, Namibia, and Swaziland were excluded from the negotiations with South Africa and now find themselves de facto part of a free-trade area with the EU, over which they have had no influence. Despite the decision of the governments of these countries to negotiate as part of the SADC configuration, this is likely to prove very difficult since the EC has made it quite clear that a country can only be a member of one free-trade area agreement with the EU. The real issue for the BLNS is thus how to retro-fit the EU-South Africa TDCA to meet their needs in the context of the existence of SACU.

The SADC configuration also faces a further problem, namely the absence of the largest regional economy South Africa from the negotiations, since South Africa already has a free-trade area agreement with the EU, the TDCA. In this context how can it be argued that the EPA process is promoting deeper regional integration in Southern Africa?

Looking beyond the SADC to the East African Community (EAC), here again the EPA process is generating problems. For some years now Kenya, Uganda and Tanzania have been moving towards relaunching the East African Community as a Customs Union. Steady progress was being made. Then along came the EPA negotiations and the EAC is split with Tanzania choosing to negotiate as part of the SADC configuration since it is not a member of the Common Market of Eastern and Southern Africa (COMESA) and Kenya and Uganda choosing to negotiate as part of the Eastern and Southern African region, which has at its heart the COMESA. Even COMESA itself has been split with the organisation’s largest economy, Egypt, not being a party to the ESA configuration negotiations with the EU.

The EC claims that this is the fault of African countries and the problems generated by their overlapping membership of a multiplicity of regional initiatives. However, rather than ignoring this real-
ity would it not have been better for the EU to support a rationalisation/harmonisation and consolidation of regional initiatives prior to the launching of EPA negotiations?

Undoubtedly the EPA process has heightened the ‘political profile’ of regional integration processes and made many ACP leaders perceive EPA negotiations as a ‘challenge’, however this is not for the positive reasons which the EC suggests, but rather as a result of the EPA throwing into disarray long-standing regional integration plans and initiatives. Commissioner Mandelson in his ‘new’ approach has simply ignored these inconvenient consequences of the launching of the EPA negotiations. It remains to be seen what solutions he will offer to these problems in the future.

Responding to EU Sugar-sector Reform

Turning to the crucial question of the EU sugar-sector reform (which will see eastern and southern African sugar exporters losing an annual income of around €156 million) and the issue of EU assistance to the required restructuring, Commissioner Mandelson’s role is a tricky one. He is responsible for the trade consequences of the reform, but not the basic process of EU sugar-sector reform, which falls under the portfolio of Agriculture Commissioner Mariann Fischer Boel. Equally Commissioner Mandelson is not responsible for the development assistance dimension of the EU’s proposed policy response, management of which will fall under the portfolio of Commissioner Louis Michel. Commissioner Mandelson thus finds himself centrally located in the debates, but with little direct responsibility over the scope of EU sugar-sector reform or the speed and effectiveness of the EU’s development assistance response.

Nevertheless he has taken positions which mark something of a departure from the past, most notably on 1 December 2004 when he made it clear to ACP ministers that the EU’s proposed 33% reduction in the EU institutional price for sugar was a ‘first step’ in the reform process, not the final objective. While this had been implicit in earlier Commission statements about bringing the sugar regime into line with the general trajectory for CAP reform, it had never been so explicitly stated.

This acknowledgement has important implications for sugar-sector adjustments in Africa, for it means that over the medium- to long-term it is likely that EU sugar prices will continue to fall towards world market price levels. It is these even lower prices on which long-term sugar-sector restructuring plans in ACP countries will need to be drawn up.

Commissioner Mandelson’s frankness was however matched by his implacability on the question of the timing and scope of reform. Speaking in the Caribbean at the beginning of January 2005 he made it clear that the EU will not back down on plans to overhaul its preferential sugar regime.

He cited internal pressures for reform arising from the high internal EU sugar price as the main factor driving reform pointing out that for the EU the status quo was not an option. He did, however, indicate that ACP sugar producers would get a ‘breather’ to allow them more time to prepare for the end of high EU sugar prices since ‘in all probability’ reform would be deferred a year and be phased ‘in two stages over a two year period at a minimum’. He maintained that ACP suppliers would not simply be abandoned. They would in fact continue to enjoy preferential access to the EU market. He even went so far as to suggest that increased volumes and additional market access could form part of the EC policy response, so that EU sugar-sector reform would have a neutral impact on
ACP sugar industries. This is an important issue for competitive non-least developed southern African sugar exporters (notably Swaziland and Zimbabwe). If these countries were to be granted unlimited access to the EU market for their sugar exports then they could indeed be better off under a reformed EU sugar regime, given their growing exposure to world market prices for their sugar exports. However, in order to ensure a revenue-neutral impact their existing quotas under both the sugar protocol and the special preferential sugar arrangement would need to be doubled. It came as something of a surprise therefore when no reference was made to the possibility of increased duty-free access to ACP suppliers to the EU sugar market in the EC’s working document on the EU support strategy for affected ACP sugar-protocol beneficiaries released on 24 January 2005. The trade dimension of this action plan was largely restricted to highlighting the claimed benefits that ACP countries would gain from the conclusion of the Doha Development Round and the signing of EPAs with the EU.

This raises the questions: was Commissioner Mandelson simply flying kites in the Caribbean to demonstrate his openness to dialogue or is he genuinely committed to increased market access for competitive ACP sugar producers as part of the EU’s response strategy but facing difficulties in selling this to fellow Commissioner Fischer Boel and EU agriculture ministers? This will be a critical issue in the coming months, as will be the EC’s proposals for developing regional markets for ACP sugar.

The Commission working document identified the development of regional trade in sugar as an important aspect of the market diversification which ACP producers will need to pursue in the face of EU sugar-sector reform. Yet it ignores many of the fundamental problems faced in developing this trade, not least of which is the annual export by the EU of 600,000 tonnes of refined sugar to Africa, at world market prices (or less than half the average EU production cost of sugar). It will be very difficult for African sugar suppliers to compete under these conditions. The EC working document has acknowledged that the development of the regional sugar trade may require the extension of regional trade preferences. However, will the EC follow through on this recognition and support the classification of sugar and sugar-based products as a ‘special product’ in the WTO to which special trade treatment can then be accorded? Will the EC accept similar special treatment for sugar and sugar-based products under EPAs, with such products being excluded from tariff reductions or subjected to special safeguards or special arrangements?

Finally there is the problem of investment. African countries export raw sugar to the EU while importing refined sugar. For the intra-African sugar trade to develop investments will be required in refining capacity. Equally investments will be required in freight forwarding, storage and transhipment facilities to transport sugar cost effectively between sugar-surplus countries of Africa and sugar-deficit countries. Yet with EU price reductions pending, commercial financing for sugar-sector related investments are drying up or becoming much more expensive.

This is an issue which could easily be addressed by making available low costs EIB-administered risk-capital loans to all ACP sugar-exporting countries requiring restructuring. This would, however, require a change in EIB lending policy. While this is an area outside the scope of Commissioner Mandelson’s formal portfolio, it is an issue which could be taken up with his colleague Louis Michel, since it is central to the development of intra-regional trade in sugar in Africa.
If all these issues can be addressed then the development of the intra-African sugar trade as an alternative basis for the future development of low-cost sugar production in southern and eastern African countries would appear a reasonable prospect. It remains to be seen, however, whether under Commissioner Mandelson’s leadership there is any effective follow through on the detailed requirements to deliver on nominal policy commitments.

**EPAs & Sugar**

Finally with regard to the question of EPAs and the sugar sector, the EC is now proposing that future market access for ACP sugar-protocol beneficiaries be incorporated into future EPAs. This appears a simple solution to ensuring WTO compatibility for any future ACP sugar arrangement. However this is far from being a straightforward issue. As the CTA’s Agritrade news update for February 2005 has questioned:

- Would the sugar quotas to be incorporated into the EPA agreements be allocated to the regional grouping as a whole, or would they be country-specific within the regional allocation?

- Would non-LDC sugar-producing countries which had not traditionally benefited from a sugar quota (e.g. in the Caribbean EPA context the Dominican Republic) be allowed access to the regional sugar quota if traditional suppliers could no longer competitively supply the EU market at the lower price?

- If the quota is to be allocated to the regional grouping as a whole, how would quota-restricted access for a regional grouping be reconciled with continued unrestricted duty-free access for the LDC sugar-exporting countries which form part of that regional grouping?

- Equally, would quota reallocations, where countries can no longer competitively supply the EU sugar market at the lower price, only occur within the regional groupings? Or would there be provision for the transfers of quotas across regional groupings?

This is important for southern Africa where the lowest-cost production in the ACP is located.

- Would the sugar arrangements incorporated into EPAs allow for an expansion of sugar exports to defray the costs of price reductions as has been implicit in statements by Commissioner Mandelson?

- How would SPS access be dealt with? Would these quotas form part of any regional quota (an important issue in both eastern and southern Africa), or would the sugar arrangements incorporated into EPAs simply reflect existing national quotas under the sugar protocol?

This illustrates some of the difficulties faced in trying to incorporate sugar-market preferences into EPAs.

**The Main Dish**

A common theme running through Commissioner Mandelson’s pronouncements to ACP ministers, be it on EPAs or sugar is the importance of concluding the Doha Development Round at the Hong Kong Ministerial in December 2005. Speaking to Caribbean ministers in Guyana at the beginning of January 2005 Commissioner Mandelson emphasised how together the ACP group and the EU must craft, in the DDA, a global strategy for the smaller and more vulnerable WTO members, but their interests will be better served by embracing the Round rather than seeking to slow it down and remaining over-dependent on preferences.
During this visit he then called for agreement to be reached on sugar-sector support measures before the Hong Kong WTO Ministerial in December 2005. While short on specifics, the Commission memorandum on the action plan for ACP sugar-protocol beneficiaries asserted that the conclusion of the Doha Development Round was a key component of the trade dimension of EU's proposed response strategy. The EU’s new ‘charm offensive’ in the run up to the Hong Kong WTO Ministerial is now well underway.

This is a central consideration which needs to be borne in mind in looking at Commissioner Mandelson’s statement and commitments, be they on the centrality of the development dimension to EPAs, or the importance of an early start to EU assistance with sugar-sector restructuring. The questions arise:

- Are these commitments sincere or just part of the ‘charm offensive’ designed to secure ACP endorsement of a Doha Round which successfully promotes and defends EU commercial interests?

- Will ACP ministers be able to use the run up to Hong Kong to extract substantive concessions from the EU on turning EPAs into genuine development tools or ensuring early assistance to ACP sugar-sector restructuring, in exchange for their support in Hong Kong?

- Will Commissioner Mandelson prove an ally to the ACP in helping them secure the necessary substantive changes in the EC’s current approach?

- Or will the King of Spin Strike Again? It remains to be seen.

Paul Goodison, e-mail: 2pg@pandora.be.

Endnotes


3. This assumes a two-and-a-half year delay in legally making new funds available – 2010 - and a further two-and-a-half to four-year delay in actually moving from primary commitments to secondary commitments and actual payments.


5. See EC memorandum (MEMO/05/18-20/01/2005) http://europa.eu.int/rapid/pressReleasesAction.do?reference=MEMO/05/18&format=HTML&aged=0&language=EN&guiLanguage=en

6. While the EU market accounts for 40% of the volume of sugar exports of ACP sugar-protocol beneficiaries it accounts for 71% of the revenue earned on exports.

7. This being said since the Commission takes all policy decisions as a corporate body of Commissioners, he does have an input into policy decisions in all departments of the EC.


9. Least developed country suppliers such as Mozambique, Malawi, Tanzania, Zambia, Sudan and Ethiopia will already enjoy unrestricted access to the EU sugar market after reform as a result of the EU’s ‘Everything but Arms’ (EBA) initiative.

Editor’s Note: see The Guardian letters page, 24 March 2005 from: Dr. Daleep Mukarji, Director, Christian Aid, Peter Mandelson, EU Trade Commissioner and Caroline Lucas, MEP Green, UK.
Activists Press for Full Debt Cancellation

Singy Hanyona (Porto Alegre, Brazil)

A Global Call to Action Against Poverty has been launched to press rich countries to completely cancel debt that has in most cases compromised economic and social development of poor countries.

According to Action Aid International, a member of the Global Call to Action Against Poverty (G-CAP) Coalition, Zambia and Malawi for instance face increasing demands in debt repayments each year. A report by Action Aid International, presented at the 5th World Social Forum, reveals that in Zambia, debt repayments to the International Monetary Fund (IMF) alone cost US$25 million per annum. This is significantly higher than the budget for education in a country where 40% of rural women and children are unable to read and write. Zambia owes the international community about US $6.7 billion, although the IMF has pledged reduction of the amount after the country meets targets for the Highly Indebted Poor Countries (HIPC) Initiative later this year.

In Malawi, more money is spent on servicing the country’s debt than on health, despite nearly one in five Malawians being HIV positive, according to the Action Aid report. Launching the G-CAP, Brazilian President Luis Inacio Lula da Silva called for the rich and powerful countries to take responsibility for their promises and increase aid directed towards the achievement of the priorities of developing countries. G-CAP is a coalition of national and international civil society groups uniting to take action in 2005 against what they call ‘the scandal of global poverty’. This coalition is braced to bring tangible results this year. The G-CAP has identified:

- The G8 meeting of world leaders from rich countries in Britain in July 2005;
- The United Nations review of the Millennium Development Goals (MDGs) Summit in September 2005;
- The World Trade Organization (WTO) Ministerial meeting at the end of 2005;

and the Blair Commission for Africa as unique opportunities for real action to tackle poverty and injustice.

Recent United Nations reports show that the internationally agreed targets for Poverty reduction, such as the MDGs will not be achieved without full debt cancellation for the poorest countries, especially those in southern Africa. According to Henry Malumo, Coordinator of the Zambian Civil Society Committee on the MDGs:

The year 2005 must be remembered as the year that changed the world.

The Porto Alegre meeting noted that for over 20 years, the IMF, World Bank, and the WTO have forced poor countries to implement a wide range of economic and social reforms in return for low interest loans which do not serve the interests of developing countries. The New Partnership for Africa’s Development (NEPAD) is seen as a pre-cursor to solving massive debt owed by developing countries. Similarly, inter-governmental linkages between civil society organisations and governments are vital, said Asha-Rose Migiro, Minister of Community Development in Tanzania. Speaking during the launch of another global initiative, the Citizens Global Platform, Magiro said there is need for regional partnership initiatives, such as NEPAD, to bring in the silent and marginalised groups that are sidelined in political decision-making. Social activists at this year’s forum
also discussed the issue of debt in the face of the tsunami disaster that hit several Asian and African countries on 26 December 2004. Delegates expressed their deepest sympathy to the tsunami victims. They expressed concern that in the face of this massive destruction, northern and international creditors should not continue to hold the South in bondage for the debts that have contributed to their impoverishment. Some social activists noted that it is now one month after the tsunami, but there has not been adequate response from the world richest nations and the international financial institutions that they control.

Africa’s debt is estimated at US$540 billion with debt expenditure accounting for 70% of its Gross Domestic Product (GDP). The Forum called on the debtors to convert at least US$15 billion that Africa owes to fight against the HIV and AIDS pandemic. Instead of prioritising debt servicing, African countries need to be given an opportunity to concentrate on rehabilitation, provision of clean water and other human development programmes.

According to Jubilee South Debt Campaign, to date, an estimated total of only US$6 billion in financial aid has been promised by the G8 countries. This is a drop in the ocean compared to the US $400 billion set aside as the annual US military budget and the nearly US$200 billion that the US and the UK have spent so far on the Iraq war. Jubilee campaigners also allege that the relief package is insignificant compared to the profits that the IMF, the World Bank, the Asian Development Bank and Northern governments have made from loans to the South.

Running on Empty

New Scientist

Growing crops takes water, and there’s far less of it than we thought. It is a sobering thought. The water in an Olympic swimming pool would irrigate enough crops to feed only one person for a year. No wonder the world is running dry. Worse, we are confronted by a startling new revelation: hydrologists have completely miscalculated how much water will be available in future to irrigate crops. It is a mistake that threatens to wreck hundreds of irrigation systems across the globe, cause new famines and waste billions of dollars of precious investment capital. Natural water systems are already in crisis. Some of the world’s largest rivers, such as the Nile in Egypt and the Indus in Pakistan, often run almost dry. Underground water reserves are being overpumped by a massive 200 cubic kilometres a year. That’s a lot of swimming pools.

But such numbers only tell part of the story. Hydrologists have till now comforted themselves with the belief that we are so inefficient in the way we use water, particularly for irrigation, that modest investment could transform the situation. ‘More crop for every drop’ has been the buzz phrase. On the face of it, this seems like common sense. More than two-thirds of the water we grab from nature is intended for irrigating the crops that feed the world, but nearly two-thirds of that never reaches the plants. Instead water leaks from distribution canals and percolates underground or it evaporates from flooded fields. Capture that wasted water and everything will be OK.

But that word ‘wasted’ is a tricky one. The leaked water is wasted for one farmer, maybe, but often it is not lost to farming. Research presented to the Stock-
holm Water Symposium in August 2004 by the Comprehensive Assessment of Water Management in Agriculture (CAWMA), an international collaboration by scientists from some 90 institutes, reveals that most is reused by agriculture at some point, either being taken from recharged groundwater or from rivers downstream. This is a hugely important revelation. It does not mean, of course, that saving water at the farm level is entirely useless. Anything that cuts evaporation really does save water. And not all water that seeps down from flooded fields and canals gets recycled. But it does mean there is far less scope for saving irrigation water than we thought. In many places, the introduction of more ‘efficient’ irrigation technologies upstream in river basins will leave parched fields downstream. In Sri Lanka, for example, the lining of canals with cement has already reduced the amount of recharged groundwater. As a consequence, the CAWMA reports tell us, several shallow drinking holes, which provide better quality drinking water than fluoride-laden deep wells in the area, have dried out.

We Need Other Solutions to the Water Shortage Crisis

Right now in India, where virtually every drop of river water is consumed during the long dry season, farmers are being encouraged to switch from growing rice to less thirsty crops like maize, with the promise they can double their yields without increasing irrigation. That is plain wrong. According to the CAWMA report, paddies consume no more water than maize, once the seepage has been discounted. In northern Mexico, the government is lining irrigation canals in the belief that the resulting water savings will allow it to pay back a water debt owed to the US under an old agreement to share the waters of the Rio Grande catchment. Texas farmers will get their promised water, alright, but the price will be paid by Mexican farmers who use underground water fed by those leaking canals. They will see their pumps run dry.

Why Has Nobody Thought of This Before?

Well some have, of course, but not many of the hydrologists, irrigation engineers and officials who decide how money is spent on water infrastructure. Europeans in particular rarely think seriously about water. Taps stay running, and by and large rainfall waters much of Europe’s crops. But in large parts of the world, water shortages are the number one cause of poverty. Permanent hydrological drought is close to becoming a global fact of life. The new revelations underline just how close we have come to running out of water, and how much harder it will be than we thought to engineer solutions.

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water sector remains brutally inadequate: more than a billion people are still without safe water and 2.6 billion lack any way to dispose of their excrement in safety and with dignity.

These failures are undermining development: keeping children out of school, stopping adults pursuing their livelihoods, and denying many people good health and in some cases even life. This is the silent emergency affecting the world today. Unless the delivery of water and sanitation improves significantly the Millennium Development Goal (MDG) to halve world poverty by 2015 will be undermined.

To assist in moving from the ‘what’ of policy to the ‘how’ of action, WaterAid has sought the views of practitioners in the 14 countries where it works. Their perspectives on the day-to-day blockages actually preventing them from delivering new water and sanitation services have confirmed that much better use could and should be made of the money in the sector. At the same time calculations of the numbers of people to be reached, the costs of the most basic approaches for doing so and current available resources have confirmed that most countries – 12 out of the 14 examined – need to invest more money if they are to have any chance of reaching their MDG targets for water and sanitation (to halve by 2015 the proportions of people without access to water and sanitation). Better spending of all the money and bringing in new money are political common sense: for communities without safe water, getting access to such water is – almost without exception – their first priority. It is also development common sense: children and women in particular need to be free of the burdens of hauling water and of water-related diseases if they are to pursue their education and livelihoods. Where political and development agendas have come together, the power of politics to deliver new water and sanitation services has been clearly seen. How to improve the performance and resourcing of the water sector therefore comes down in the end to the question of whether there is the political will to do so.

Prioritisation: Putting Water & Sanitation at the Heart of Poverty Reduction

Water Ministry officials are the poor relations of Government, lacking any attention to what they are achieving and last in the queue for resources. But there are two compelling arguments why water supply and sanitation should be a priority of government. Where poor people have a voice, they themselves assert the human right to safe water which governments have a duty to deliver. This was seen at its most effective in Uganda. Communities highlighted water as a top priority when they were consulted about their needs during the national poverty reduction planning process. Energetic civil society advocacy ensured that water was prioritized in the final plan. An additional 2.2 million people gained access to safe water in just three years.

The second key reason to prioritise water supply and sanitation is that without them people simply cannot escape poverty. Not having safe water and basic sanitation results in disease and increased infant mortality, while also holding back economic growth. The time spent collecting water keeps women from paid work and children from school. In Tanzania, 12% more children were found to attend school when safe water was available within 15 minutes rather than one hour from their home. In Nigeria, the government started to eradicate guinea worm when it realised that spending $2m could recoup 30 million working days every year. Water and sanitation underpin development and without them the MDGs will not be met. Becoming a priority of government is currently a challenge. However, the bigger challenge to financing basic water...
supply and sanitation provision is how to make the money perform better. Our research identifies a number of key concerns.

Transparency: Be Open About What’s Going On

Many citizens, even those working in the water sector, cannot gauge the full extent and effectiveness of their government’s efforts to finance and provide water and sanitation services. Information on spending and its impact is often hard to get hold of, long out of date or inconsistent. In Madagascar even the ministry responsible for water supply finds it difficult to get hold of budget data from the Ministry of Finance. In Ethiopia the latest official expenditure data is for 1996/7. And coverage data in countries is disparate; for example in India and Tanzania coverage rates vary considerably between government reports. The weaknesses in data consistency and accuracy can lead to under-estimation of the scale of need and level of investments required. A lack of transparency can also lead to unequal distribution of services, because it is not clear which areas have the greatest need. Some areas see repeated investment while others are ignored. Attention to monitoring performance and levels of investment in the sector and making this information more readily available enables civil society and parliaments to analyse such inequities and exert pressure to correct them.

Equity: Some for All Not All for Some

Not enough money is going to the places that need it most. This is happening at each level of decision making. Internationally, less than 40% of aid for water goes to those countries which are home to nearly 90% of the 1.1 billion people who don’t have access to clean water. At national level, in Bangladesh for example, Dhaka’s water utility has proposed spending $1.5bn on its sewage system. That could be enough to meet water supply and sanitation targets for the whole country. Such inequitable distribution is evident in other countries too, and not just because data is lacking: political agendas also come into play. In Malawi, areas which are already well-served receive more resources while areas which are still unserved remain that way. Even the choice of technology can make a difference. In Tanzania investments in low cost technologies such as shallow-wells and springs are more equitable than investments in piped water supplies which disproportionately benefit the better off. Yet, donor assistance favours spending on pipes.

Coordination: Don’t Duplicate

District water officers and other local government officials get trapped in a maze of overlapping water and sanitation projects. Multiple funding and reporting streams – some channelled through central government, others going through provincial administrations or directly to communities – leave people tied to their desks writing applications and reports. This uncoordinated and unwieldy network of funding results in inequities and drains the capacity of public servants. Without unified reporting systems, breakdowns can go unnoticed for years in official data and so fail to have resources allocated for repairs.

Capacity: Give Local Government the Money as well as the Responsibility

Local administrative bodies are increasingly expected to shoulder newly decentralised responsibilities for water and sanitation without having the staff they need. The problem is made worse when the responsibilities are decentralised without simultaneous decentralisation of finances. In Tanzania, for example, less than 10% of the total approved water expenditure in 2004/5 was spent through local authorities who have the responsibility for water supplies.
Sustainability: the Difference Between Success & Failure

Installing the infrastructure is only the first step. Once built the water and sanitation systems have to keep working. Money has to be raised from users to finance repairs and routine maintenance. The bigger the system the greater the management challenge.

Many big urban systems have suffered years of neglect, starved of investments. Bringing them back from the brink of collapse is now a huge challenge. Many past rural investments have completely collapsed. Spending on infrastructure must go hand in hand with building capacity for managing systems and sustaining them financially. It must involve women as they have strong interests in keeping systems working. Maintaining systems is a balancing act between keeping water affordable and meeting the running costs. Installing overly-sophisticated infrastructure which costs users a disproportionate amount of their cash income is a non-starter. It is equally a recipe for disaster to suppress charges below the costs of production. Getting this balance right is greatly influenced by the choice of technology.

Privatisation: a Pointless Condition

Water sector officials at both national and local levels are wrestling with demands to draw in private sector participation. This has been put forward in the past decade by World Bank-led donors as a solution for developing countries’ water needs. Results, however, have been mixed and international private companies themselves are now seeking alternative approaches. But some donors perversely still champion privatisation, making it a condition of aid. A more sensitive, context-determined approach is required. For example in Uganda the short-term contracting-out of the management of Kampala’s ailing water util-

ity dramatically improved coverage, collection and productivity. Public sector managers were then able to take these lessons to other urban areas as well as to make further improvements to Kampala’s water supply.

Spending, Aid & Debt: Willing the Means as Well as the Ends

Even where there is the political will to do so, governments can find their ability to act is constrained. Critical to Uganda’s success was the fact that it had debt relief funds available to invest. But generally the water sector’s share of available funds from national governments and donors is in decline: dropping from 2.6% to 1.9% of direct UK aid between 1998/9 and 2002/3, for example and overall accounting for only 1% or so of developing country spending. In many countries debt relief has been slow to kick in and trivial in relation to overall debt with repayments still far outstripping the additional finance required for water and sanitation.

The money for water and sanitation is not going to come from the international capital markets either.

Financial markets are now uninterested in water for the poorest countries many of which do not even have credit ratings. It is public finance that has to lead investment in these basic building blocks of development. The recent global falls in public finance going to water and sanitation have to be reversed.

The world’s richest countries therefore need to do much more to deliver on their commitment to Millennium Development Goal 8 for a global partnership for development, addressing the special trade, debt and aid needs of the least developed countries.
Conclusion: Turning up the Heat

The water sector needs to deliver much more and more quickly if the poverty reduction benefits of access to safe water and sanitation are to be secured by the target deadline of 2015. The sector needs to feel the heat of public scrutiny. That heat, allied with a better appreciation of water’s role in reducing poverty, must generate the political will both to demand that the sector deliver and also to resource it to do so.

All countries’ water sectors need to spend their money more effectively. Governments need to open up planning and monitoring processes to civil society and development partners to ensure that expenditure is proportional to need; both in terms of geography and relative poverty. Responsibilities for water and sanitation should only be devolved to local government where associated budgets are also devolved. Water supply systems must be self sustaining, balancing running and maintenance costs with affordability. Where the private sector offers real advantages in maintaining this balance they may have a role. However, it is public finance that has to lead investment in the sector. For most countries studied, this means doubling spending on water supply and sanitation.

Specifically in 2005 national governments and donors need to produce the plans for managing national water resources and to finance increases in access to safe water and sanitation. They must also agree coordination arrangements which avoid duplication of reporting systems and ensure efficient targeting of funds. From 2006/7 onwards water sector budgets must be fully disbursed and spent with the results then publicly reported. These are not demands for new promises, they are simply what is required for water sector investments to conform with existing commitments – to the Millennium Development Goals or to donors’ Rome Decla-
ration on Harmonisation. This report sets a baseline against which progress on these issues can be measured. Unless the sector’s performance reaches higher standards in this way, the world’s poorest people will remain trapped in poverty for want of their rights to safe water and sanitation.

WaterAid – Calls to Action

Poverty-reducing improvements in health, education and livelihoods rely on increases in access to safe water and sanitation. To achieve the water and sanitation MDGs:

Governments of developing countries need to:

• By the end of 2005, produce an investment and delivery plan for managing their water resources and achieving their water and sanitation targets, with a separate budget for sanitation.

This must be produced in partnership with the donor community and other water supply and sanitation stake-holders and reviewed annually. It should provide the means for greater co-ordination within the water and sanitation sector as well as delineate a separate sanitation budget.

• From 2006/7, devolve budgets to local governments with responsibility for water and sanitation where appropriate.

This can, for example, be achieved by setting up special purpose water and sanitation grants to local governments. Spending should be allocated proportionately to need to redress disparities in both geographic coverage and relative wealth.

• From 2006/7 publish an annual report on the performance of the water and sanitation sector.

• From 2005, enable and strengthen the participation of the principal stakeholders of the sector – the users and providers – in the planning, monitoring and review of the water and sanitation services.

This must include the establishment of consultative multi-stakeholder mechanisms and greater attention to the collection and use of information on sector performance. It will also require improvements in the transparency and accessibility of this information to the public.
Governments giving aid need to:

- By the end of 2005, agree a mechanism for eradicating wasteful duplication in planning, funding and reporting systems between donors and recipient governments.

As a result there will be one monitoring system for water supply and sanitation outputs.

- From 2006/7, align their water supply and sanitation support with the government-led sector investment and delivery plans.

This will include harmonising their procurement and other operating practices with government policies in the sector.

- Ensure that they are meeting their millennium goal commitment of a partnership for development including providing 0.7% of GDP in aid by 2010 and closing finance gaps for water and sanitation especially in the least developed countries.

This will mean spending 70% of their water supply and sanitation aid on the countries with the greatest water and sanitation needs. These are most countries in sub-Saharan Africa, plus some in South and South-East Asia.

- From 2005, provide strategic assistance to the strengthening of civil society, media and parliamentary scrutiny of water and sanitation sector performance and financing.

Summary of Key Statistics

- All World Governments signed up to the Millennium Development Goals of halving world poverty by 2015.

Included in these are targets to halve the proportions of people without safe water and adequate sanitation by 2015.

- In many regions these targets are off track, especially in Africa and for sanitation. Over 2.6 billion people – two-fifths of the world’s population – do not have access to sanitation

- 384,000 people need to gain access to sanitation every single day to reach the Millennium Development targets – a 90% increase on performance since 1990.

- 1.1 billion people – one person out of every six in the world – do not have access to safe water. 280,000 people need to gain access to safe water every single day to reach the Millennium Development target. This requires a 25% increase on performance since 1990.

- 2.1 million children die every year from diarrhoea. This is one in five of all child deaths under the age of five and means a child dies every 15 seconds from water-related diseases.

- 5.6 billion productive days are lost annually around the world due to diarrhoeal diseases.

- 443 million school days are lost annually worldwide due to diarrhoeal diseases.

- Water and sanitation are prioritised in the poverty reduction plans and budgets of just two of the 30 countries where nearly 90% of the 1.1 billion people without safe water live.

- Aid for water more than halved from 1995 to 2002 by when it was at its lowest in real terms since 1985.

- Information on national water sector spending and performance may be non-existent or inconsistent, take years to emerge, be published only in foreign languages or in a very limited number of copies.

- Spending is also not well-targeted within countries: projects may aid just 0.3% of the population, use technologies nearly 10 times more expensive than necessary, or improve services for a few rather than extending them to all.

- Only one half or even fewer of water systems continue to work where the wrong technologies are used or where participation in projects is insufficient to ensure long term community management capacity.

- Lack of coordination in a country’s water sector means there may be as many as nine different routes for funds to reach communities.

- Funds made available by central government to the local authorities with the responsibility to provide water and sanitation services are usually worth less than $1 per person per year.

- Sub-Saharan Africa got just 0.001% of international private sector water investments between 1990 and 1997. By contrast the local private sector may have constructed nearly 90% of waterpoints.

- Water budgets are hardly ever fully spent. Utilisation rates range from 9-65% often because of delays in disbursements. Local authorities in the last month of the financial year can still be waiting for half of their budget to be released.

- Annual spending on water and sanitation needs to double, from around $14 billion to $30 billion.

- This means there is a financing gap of $16 billion a year. This amount is the equivalent to 15% of Europe’s annual alcohol bill or only 0.002% of the world’s $1 trillion yearly military expenditures.
• Less than 40% of aid for water goes to the 30 countries where nearly 90% of the 1.1 billion people without access to safe water live.

• The total debt of 52 indebted poor countries is $375 billion. Poor countries spend less than 0.25% of their income on water supply and sanitation.

WaterAid, Prince Consort House, 27-29 Albert Embankment, London SE1 7UB. Telephone: +44(0)20 7793 4500. www.wateraid.org

Oil Boom or Bust Ahead for São Tomé & Príncipe?

Glenn Brigaldino

Size of a country matters little when it comes to extending the influence sphere of armed globalisation. A mere handful of islands of 1,000 km² just off the West African coast, São Tomé and Príncipe and its 160,000 citizens are now bathing in the spotlight of international attention. Independent from Portugal since 1975, the country existed in relative isolation from world affairs, making only meagre developmental progress, but generally under peaceful conditions. In the past five years much has changed, as the island nation has been drawn into the orbit of an increasingly unmasked form of predatory globalisation. Today, São Tomé is being drawn into geo-strategic and transnational economic relationships over which the country has no genuine control.¹

Until now, São Tomé’s economy has been heavily dependent on foreign aid. Cocoa has been the only significant cash crop, but recently prices have crumbled. The current account deficit balance has steadily risen, from US$16m in 1999 to US$23m in 2003, however inflation seems contained at about 10% a year. GNI per capita (formerly GNP per capita) has risen to US$320 in 2003 yet still an estimated 54% (2004) of the islanders live below the poverty line. In terms of a partnership environment conducive to developmental progress, relatively favourable engagement conditions exist in São Tomé. But with regard to local capacities, both at the institutional and civil society level, critical shortcomings seem to exist. It is not at all certain that there exists sufficient and suitable capacity, in particular at the Government level ‘to develop policy (including legal frameworks) … (or) the capacity to enforce it’. There is a serious risk of local capacities being stretched too far and too thin, in addition to being corrupted and thus diverted from the important tasks of participatory national development. Partnership in cooperation with the many partners knocking on São Tomé’s doors can easily be reduced to little more than a label to mask non-transparent rubber-stamping mechanisms.²

With the confirmation of substantial offshore oil reserves, the big economic turn-around and developmental upswing seems within close grasp. Although actual production is not expected to start until sometime after 2008, São Tomé is now being heavily courted by oil companies from near and far. Near, meaning Nigeria, with whom São Tomé has agreed to share the offshore reserves. Far of course refers to US firms, notably a consortium of ChevronTexaco and ExxonMobil who have secured the first oil licence along with a little known Norwegian-based firm (EER), not all surprisingly linked to Nigeria. The signing bonus of $60m, is equivalent to São Tomé’s 2003 GDP.

At the same time, the Government of President de Menezes is being showered with attention of a different, yet related kind: high-level political and military delegations from the USA have recently been visiting São Tomé. In early 2004 US soldiers conducted ‘training exercises’ for the country’s military with larger manoeuvres continuing, notably in the waters above the offshore oil fields. Discussions for establishing a US naval
base in São Tomé are progressing. Meanwhile, a military aid agreement was signed with Portugal’s State Secretary for Foreign Affairs and Cooperation, Manuela Franco. Under this 300,000 euro two-year agreement, the São Tomé armed forces are to be supplied with training and hardware, which the São Tomé government expects will turn the tide of dissatisfaction and unrest among army officers – which had been one of the causes for the July 2003 coup. An internal motivation for the programme may have been to turn the forces’ focus towards international military cooperation exercises. Thus, a peculiar mix of security, oil and political stabilisation issues are emerging as being of central importance to the countries’ insertion into the political economy of the global oil markets. It is an unexpected situation for a country ranked by UNDP at 123 in human development to find itself in. 

In the past three decades, São Tomé has recorded notable success in health achievements and average life expectancy now reaches 69 years. Progress in the education sector has been harder to come by and the overall enrolment ratio stands at 62%, comparable to Honduras or Oman. However social indicators and livelihoods factors of relevance to the general population are of little concern to the emerging elites of the new political economy. A duality of foreign security and energy-supply interests in São Tomé is quickly taking shape and gaining political influence. National sovereignty as well as social and cultural identity of São Tomé and its people are at risk of moving towards oblivion, in the face of lures and promises of a wealth churning oil boom.

The US, increasingly concerned about diversifying its oil supply base stands to benefit most from such a boom. But also the national oil companies of other oil-hungry countries have shown flag in São Tomé. Earlier this year Brazil’s Petrobras, which already operates in Nigeria, Equatorial Guinea as in Angola, sent a delegation to negotiate business terms with São Tomé authorities. Details of the negotiations remain undisclosed but Petrobras may be preparing to enter the São Toméan market in cooperation with Chinese partner oil companies that already operate offshore the archipelago. Malaysia has emerged as a global player in exploration of oil and gas reserves. Petronas, Malaysia’s national oil company, is no stranger to Africa. In January 2004, São Tomé’s president Menezes was on an official visit to Malaysia. Reportedly, on 10 January he visited the Malaysia Palm Oil Board (MPOB) and met ‘senior Petronas officers in Putrajaya’. Elsewhere on the continent, in Ethiopia’s Gambela region Petronas is establishing a presence in preparation for exploration activities. It is already active in Equatorial Guinea and, regardless of the completely dismal human rights reputation of the country, Petronas has major operations in Sudan.

For the time being, São Tomé’s oil reserves are to be jointly developed and exploited with Nigeria, the regional powerhouse and close ally of the USA. Indeed, São Tomé is tumbling into a new era of development. The combination of promising oil reserves, a possible strategic role as host to a US naval base alongside rising control over the state by a corruption-prone alliance of members of the political and military elite is shaping up to catapult the micro-state into the grey-zone of capitalist globalisation. Whether the country will succeed in channelling the forecasted capital inflows into a broad-based, sustainable development project depends as much on bridging new social divisions as on warding off foreign political pressures.

The lure of quick and easy money may prove to tempting to resist for many national decisions-makers. To be sure, succumbing to it will raise the spectre of a remote Atlantic island devoid of a self-conscious national identity and with its
development approaches defined by external policies and economic interests. São Tomé needs to assert itself now, as a self-determined nation with a commitment to an inclusive sustainable development project. Before too long it may find itself relegated to some back-yard space at the globalisation drive-in movies, idling on while on stand-by to play pleasure islands to the hulky crews from the imperial galleons.

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Endnotes

1. The term ‘armed globalization’ is used by Negri and Hardt for describing today’s primary obstacle to democracy, namely the global state of war. In their important exploration of the dialectics of the ‘multitude, the living alternative that grows within (armed globalizations’) Empire’, the authors set out to provide a conceptual basis for a new project of democracy. M.Hardt & A.Negri (2004), Multitude, New York: The Penguin Press; Richard Falk has elaborated the dynamic of predatory globalization for a human rights and civil society perspective. Richard Falk (1999), Predatory Globalization, Cambridge: Polity Press.


5. Afrol news, 21 January 2004, Malaysian interest in São Toméan oil, see: http://www.afrol.com/articles/10918

For a discussion on how Malaysia’s own economic development has been pushed at the cost of environmental degradation, see Glenn Brigaldino, Hard choices ahead for Malaysia, ISBN / eBook ID: 0-9733847-2-7, visit http://www.ebookad.com/eb.php3?ebookid=15578

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US Military Involvement in Africa

Daniel Volman

US Military Commands for Sub-Saharan Africa

Most African countries fall within the area of responsibility of the US European Command (which also covers Europe and the former republics of the Soviet Union). However, a number of countries in northeast Africa (Egypt, Sudan, Eritrea, Ethiopia, Djibouti, Sudan, and Kenya) and the Seychelles are within the area of responsibility of the US Central Command; the US Pacific Command covers the Comoros, Madagascar, and the Indian Ocean. These commands (along with the various branches of the armed forces, i.e. the US Air Force, the US Navy, and US Special Forces Command) are responsible for conducting active military operations in Africa, including training exercises, humanitarian relief, peacekeeping, evacuating civilians from unstable countries, and other operations.

However, in an recent interview (March 2005), Marine General James L. Jones*, Supreme Allied Command Europe (Belgium) clarified this structure:
Africa is an important part of our theater, and has been neglected for too long ... Africa is everybody’s problem and everybody’s responsibility.

European Command must help struggling democracies in Africa develop their armed forces to protect their borders. This is important because fundamentalists want to recruit in Africa. These fanatics go to areas where there is not much hope and economic prospects are dismal.

NATO needs to focus more attention on Africa ... NATO will have to quit being such an eastward-focused alliance and will have to react to some of the compelling realities of the southern flank (www.defenselink.mil.news).

Most arms sales are conducted through the US Defense Security Cooperation Agency, which comes under the authority of the Office of African Affairs at the office of the Assistant Secretary of Defense for International Security Affairs. Certain military hardware (including rifles, shotguns, electronics, police equipment and crowd control chemicals, and explosives) is sold under a licensing program administered by the Office of Defense Trade Controls at the US State Department’s Bureau of Political-Military Affairs.

Angola
- Commercial Sales Program
- International Military Education and Training Program (IMET)

Benin
- Africa Contingency Operations Training Assistance (ACOTA)
- International Military Education and Training Program (IMET)

Botswana
- Commercial Sales Program
- Foreign Military Financing Program
- Foreign Military Sales Program
- International Military Education and Training Program (IMET)

Burkina Faso
- International Military Education and Training Program (IMET)

Burundi
- International Military Education and Training Program (IMET)

Cameroon
- Commercial Sales Program
- International Military Education and Training Program (IMET)

Cape Verde
- International Military Education and Training Program (IMET)

Central African Republic
- International Military Education and Training Program (IMET)

Chad
- International Military Education and Training Program (IMET)

Comoros
- International Military Education and Training Program (IMET)

Congo, Republic of the
- International Military Education and Training Program (IMET)

Cote d’Ivoire
- Africa Contingency Operations Training Assistance (ACOTA)
- International Military Education and Training Program (IMET)

Democratic Republic of the Congo
- International Military Education and Training Program (IMET)

Djibouti
- Commercial Sales Program
- International Military Education and Training Program (IMET)
- U.S. Use of African Military Bases
- Equatorial Guinea
- International Military Education and Training Program (IMET)

Eritrea
- Foreign Military Financing Program
- International Military Education and Training Program (IMET)

Ethiopia
- Commercial Sales Program
- Foreign Military Financing Program
- Foreign Military Sales Program
- International Military Education and Training Program (IMET)

Gabon
- Commercial Sales Program
- International Military Education and Training Program (IMET)

Gambia
- International Military Education and Training Program (IMET)

Ghana
- Africa Contingency Operations Training Assistance (ACOTA)
- Africa Regional Peacekeeping Program (ARP)
- Foreign Military Financing Program
- Foreign Military Sales Program
- International Military Education and Training Program (IMET)

Military Exercises

Guinea
Foreign Military Financing Program
Foreign Military Sales Program
International Military Education and Training Program (IMET)

**Guinea-Bissau**
International Military Education and Training Program (IMET)

**Kenya**
Africa Contingency Operations Training Assistance (ACOTA)
Commercial Sales Program
Foreign Military Financing Program
International Military Education and Training Program (IMET)
Military Exercises
US Use of African Military Bases

**Lesotho**
International Military Education and Training Program (IMET)

**Madagascar**
International Military Education and Training Program (IMET)

**Malawi**
Africa Contingency Operations Training Assistance (ACOTA)
International Military Education and Training Program (IMET)

**Mali**
Africa Contingency Operations Training Assistance (ACOTA)
Foreign Military Sales Program
International Military Education and Training Program (IMET)

**Mauritania**
International Military Education and Training Program (IMET)

**Mauritius**
International Military Education and Training Program (IMET)

**Mozambique**
International Military Education and Training Program (IMET)

**Namibia**
International Military Education and Training Program (IMET)

**Niger**
International Military Education and Training Program (IMET)

**Nigeria**
Africa Regional Peacekeeping Program (ARP)
Commercial Sales Program
Foreign Military Financing Program
Foreign Military Sales Program
International Military Education and Training Program (IMET)

**Rwanda**
International Military Education and Training Program (IMET)

**Senegal**
Africa Contingency Operations Training Assistance (ACOTA)
Africa Regional Peacekeeping Program (ARP)
Foreign Military Financing Program

**South Africa**
Commercial Sales Program
Foreign Military Financing Program
Foreign Military Sales Program
International Military Education and Training Program (IMET)
Military Exercises

**Swaziland**
International Military Education and Training Program (IMET)

**Tanzania**
International Military Education and Training Program (IMET)

**Togo**
International Military Education and Training Program (IMET)

**Uganda**
Africa Contingency Operations Training Assistance (ACOTA)
International Military Education and Training Program (IMET)
Military Exercises

**Zambia**
Commercial Sales Program
International Military Education and Training Program (IMET)

**Zimbabwe**
Foreign Military Sales Program

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* General Jones is the Supreme Allied Commander, Europe (SACEUR) and the Commander of the United States European Command (COMUSEUCOM). From the Supreme Headquarters Allied Power Europe, Mons, Belgium, General Jones leads Allied Command Europe (ACE), comprising NATO’s military forces in Europe. The mission of ACE is to preserve the peace, security, and territorial integrity of the NATO member nations in Europe. As COMUSEUCOM, General Jones commands five US components: US Army, Europe; US Navy, Europe; US Air Forces in Europe; US Marine Forces, Europe; and Special Operations Command, Europe.
New Undeclared Arms
Race: America’s Agenda for Global Military Domination

Michel Chossudovsky

The Pentagon has released the summary of a top secret Pentagon document which sketches America’s agenda for global military domination. This redirection of America’s military strategy seems to have passed virtually unnoticed. With the exception of The Wall Street Journal, not a word has been mentioned in the US media. There has been no press coverage concerning this mysterious military blueprint. The latter outlines, according to the Wall Street Journal, America’s global military design which consists in ‘enhancing US influence around the world’, through increased troop deployments and a massive buildup of America’s advanced weapons systems.

While the document follows in the footsteps of the administration’s ‘pre-emptive’ war doctrine as detailed by the Neo-cons’ Project of the New American Century (PNAC), it goes much further in setting the contours of Washington’s global military agenda. It calls for a more ‘proactive’ approach to warfare, beyond the weaker notion of ‘pre-emptive’ and defensive actions, where military operations are launched against a ‘declared enemy’ with a view to ‘preserving the peace’ and ‘defending America’. The document explicitly acknowledges America’s global military mandate, beyond regional war theaters. This mandate also includes:

military operations directed against countries, which are not hostile to America, but which are considered strategic from the point of view of US interests.

From a broad military and foreign policy perspective, the March 2005 Pentagon document constitutes an imperial design, which supports US corporate interests worldwide.

At its heart, the document is driven by the belief that the US is engaged in a continuous global struggle that extends far beyond specific battlegrounds, such as Iraq and Afghanistan. The vision is for a military that is far more proactive, focused on changing the world instead of just responding to conflicts such as a North Korean attack on South Korea, and assuming greater prominence in countries in which the US isn’t at war (WSJ, 11 March 2005)

The document suggests that its objective also consists in ‘offensive’ rather than run of the mill ‘pre-emptive’ operations. There is, in this regard, a subtle nuance in relation to earlier post-9/11 national security statements:

[The document presents] four core problems, none of them involving traditional military confrontations. The services are told to develop forces that can: build partnerships with failing states to defeat internal terrorist threats; defend the homeland, including offensive strikes against terrorist groups planning attacks; influence the choices of countries at a strategic crossroads, such as China and Russia; and prevent the acquisition of weapons of mass destruction by hostile states and terrorist groups (Ibid).

The emphasis is no longer solely on waging major theater wars as outlined in the PNAC’s Rebuilding America’s Defenses, Strategy, Forces and Resources for a New Century; the March 2005 military blueprint points to shifts in weapons systems as well as the need for a global deployment of US forces in acts of worldwide military policing and intervention. The PNAC in its September 2000 Report had described these non-
theater military operations as ‘constabulary functions’:

The Pentagon must retain forces to preserve the current peace in ways that fall short of conduction major theater campaigns. These duties are today’s most frequent missions, requiring forces configured for combat but capable of long-term, independent constabulary operations (PNAC, http://www.newamericancentury.org/RebuildingAmericasDefenses.pdf, p. 18)

Recruitment of Troops to Police the Empire

The underlying emphasis is on the development and recruitment of specialized military manpower required to control and pacify indigenous forces and factions in different regions of the World:

the classified guidance urges the military to come up with less doctrinaire solutions that include sending in smaller teams of culturally savvy soldiers to train and mentor indigenous forces (Ibid.).

The classified document points to the need for a massive recruitment and training of troops. These troops, including new contingents of special forces, green berets and other specialized military personnel, would be involved, around the world, in acts of military policing:

Mr. Rumsfeld’s approach likely will trigger major shifts in the weapons systems that the Pentagon buys, and even more fundamental changes in the training and deployment of US troops throughout the world, said defense officials who have played a role in crafting the document or are involved in the review.

The US would seek to deploy these troops far earlier in a looming conflict than they traditionally have been to help a tottering government’s armed forces confront guerrillas before an insurgency is able to take root and build popular support. Officials said the plan envisions many such teams operating around the world.

US Military Involvement is not Limited to the Middle East

The sending in of special forces in military policing operations, under the disguise of peace-keeping and training, is contemplated in all major regions of the world.

A large part of these activities, however, will most probably be carried out by private mercenary companies on contract to the Pentagon, NATO or the United Nations. The military manpower requirements as well as the equipment are specialized. The policing will not be conducted by regular army units as in a theater war:

the new plan envisions more active US involvement, resembling recent military aid missions to places like Niger and Chad, where the US is dispatching teams of ground troops to train local militaries in basic counterinsurgency tactics. Future training missions, however, would likely be conducted on a much broader scale.

Of the military’s services, the Marine Corps right now is moving fastest to fill this gap and is looking at shifting some resources away from traditional amphibious-assault missions to new units designed specifically to work with foreign forces.

To support these troops, military officials are looking at everything from acquiring cheap aerial surveillance systems to flying gunships that can be used in messy urban fights to come to the aid of ground troops. One ‘dream capability might be an unmanned AC-130 gunship that could circle an area at relatively low altitude until it is needed, then swoop in to lay down a withering line of fire, said a defense official’ (Ibid.).
New Post Cold War Enemies

While the ‘war on terrorism’ and the containment of ‘rogue states’ still constitute the official justification and driving force, China and Russia are explicitly identified in the classified March document as potential enemies.

…the US military …is seeking to dissuade rising powers, such as China, from challenging US military dominance. Although weapons systems designed to fight guerrillas tend to be fairly cheap and low-tech, the review makes clear that to dissuade those countries from trying to compete, the US military must retain its dominance in key high-tech areas, such as stealth technology, precision weaponry and manned and unmanned surveillance systems (Ibid.).

While the European Union is not mentioned, the stated objective is to shunt the development of all potential military rivals.

‘Trying to Run with the Big Dog’

How does Washington intend to reach its goal of global military hegemony? Essentially through the continued development of the US weapons industry, requiring a massive shift out of the production of civilian goods and services. In other words, the ongoing increase in defense spending feeds this new undeclared arms race, with vast amounts of public money channeled to America’s major weapons producers. The stated objective is to make the process of developing advanced weapons systems ‘so expensive’, that no other power on earth will able to compete or challenge ‘the Big Dog’, without jeopardizing its civilian economy:

[A]t the core of this strategy is the belief that the US must maintain such a large lead in crucial technologies that growing powers will conclude that it is too expensive for these countries to even

think about trying to run with the big dog. They will realize that it is not worth sacrificing their economic growth, said one defense consultant who was hired to draft sections of the document (Ibid., emphasis added).

Undeclared Arms Race between Europe & America

This new undeclared arms race is with the so-called ‘growing powers’. While China and Russia are mentioned as a potential threat, America’s (unofficial) rivals also include France, Germany and Japan. The recognized partners of the US – in the context of the Anglo-American axis – are Britain, Australia and Canada, not to mention Israel (unofficially). In this context, there are at present two dominant Western military axes: the Anglo-American axis and the competing Franco-German alliance. The European military project, largely dominated by France and Germany, will inevitably undermine NATO. Britain (through British Aerospace Systems Corporation) is firmly integrated into the US system of defense procurement in partnership with America’s big five weapons producers.

Needless to say, this new arms race is firmly embedded in the European project, which envisages under EU auspices, a massive redirection of state financial resources towards military expenditure. Moreover, the EU monetary system establishing a global currency which challenges the hegemony of the US dollar is intimately related to the development of an integrated EU defense force outside of NATO.

Under the European constitution, there will be a unified European foreign policy position which will include a common defense component. It is understood, although never seriously debated in public, that the proposed European Defense Force is intended to challenge America’s supremacy in military affairs:
under such a regime, trans-Atlantic rela-
tions will be dealt a fatal blow (according
to Martin Callanan, British Conserva-
tive member of the European Parlia-

Ironically, this European military project,
while encouraging an undeclared US-
EU arms race, is not incompatible with
continued US-EU cooperation in mili-
tary affairs. The underlying objective for
Europe is that EU corporate interests are
protected and that European contractors
are able to effectively cash in and ‘share
the spoils’ of the US-led wars in the
Middle East and elsewhere. In other
words, by challenging the Big Dog from a
position of strength, the EU seeks to
retain its role as ‘a partner’ of America in
its various military ventures. There is a
presumption, particularly in France, that
the only way to build good relations with
Washington, is to emulate the American
Military Project, i.e. by adopting a similar
strategy of beefing up Europe’s advanced
weapons systems.

In other words, what we are dealing with
is a fragile love-hate relationship be-
tween Old Europe and America, in
defense systems, the oil industry as well
as in the upper spheres of banking,
finance and currency markets. The im-
portant issue is how this fragile geopo-
litical relationship will evolve in terms of
coititions and alliances in the years to
come. France and Germany have mili-
tary cooperation agreements with both
Russia and China. European Defense
companies are supplying China with
sophisticated weaponry. Ultimately, Eu-
rope is viewed as an encroachment by
the US, and military conflict between
competing Western superpowers cannot
be ruled out. (For further details, see
Michel Chossudovsky, The Anglo-Ameri-
can Axis, http://globalresearch.ca/arti-
cles/CHO303B.html )

From skepticism concerning Iraq’s al-
leged weapons of mass destruction
(WMD) to outright condemnation, in the
months leading up to the March 2003
invasion, Old Europe (in the wake of the
invasion) has broadly accepted the le-
gitimacy of the US military occupation of
Iraq, despite the killings of civilians, not
to mention the Bush administration’s
policy guidelines on torture and political
assassinations.

In a cruel irony, the new US-EU arms
race has become the chosen avenue of the
European Union, to foster ‘friendly rela-
tions’ with the American superpower.
Rather than opposing the US, Europe
has embraced ‘the war on terrorism’. It is
actively collaborating with the US in the
arrest of presumed terrorists. Several EU
countries have established Big Brother
anti-terrorist laws, which constitute a
European ‘copy and paste’ version of the

European public opinion is now galva-
nized into supporting the ‘war on terror-
ism’, which broadly benefits the
European military industrial complex
and the oil companies. In turn, the ‘war
on terrorism’ also provides a shaky
legitimacy to the EU security agenda
under the European Constitution. The
latter is increasingly viewed with disbe-
lief, as a pretext to implement police-state
measures, while also dismantling labor
legislation and the European welfare
state.

In turn, the European media has also
become a partner in the disinformation
campaign. The ‘outside enemy’ pre-
sented ad nauseam on network TV, on
both sides of the Atlantic, is Osama bin
Laden and Abu Musab Al-Zarqawi.

In other words, the propaganda cam-
paign serves to usefully camouflage the
ongoing militarisation of civilian insti-
tutions, which is occurring simultane-
ously in Europe and America.
**Guns & Butter: The Demise of the Civilian Economy**

The proposed EU constitution requires a massive expansion of military spending in all member countries to the obvious detriment of the civilian economy. The European Union’s 3% limit on annual budget deficits implies that the expansion in military expenditure will be accompanied by a massive curtailment of all categories of civilian expenditure, including social services, public infrastructure, not to mention government support to agriculture and industry. In this regard, ‘the war on terrorism’ serves – in the context of the neoliberal reforms – as a pretext. It builds public acceptance for the imposition of austerity measures affecting civilian programs, on the grounds that money is needed to enhance national security and homeland defense.

The growth of military spending in Europe is directly related to the US military buildup. The more America spends on defense, the more Europe will want to spend on developing its own European Defense Force. ‘Keeping up with the Jones’, all of which is for a good and worthy, cause, namely fighting ‘Islamic terrorists’ and defending the homeland.

EU enlargement is directly linked to the development and financing of the European weapons industry. The dominant European powers desperately need the contributions of the ten new EU members to finance the EU’s military buildup. In this regard, the European Constitution requires ‘the adoption of a security strategy for Europe, accompanied by financial commitments on military spending.’ *(European Report, 3 July 2003)*. In other words, under the European Constitution, EU enlargement tends to weaken the Atlantic military alliance (NATO). The backlash on employment and social programs is the inevitable by-product of both the American and European military projects, which channel vast amounts of State financial resources towards the war economy, at the expense of the civilian sectors. The result are plant closures and bankruptcies in the civilian economy and a rising tide of poverty and unemployment throughout the Western World. Moreover, contrary to the 1930s, the dynamic development of the weapons industry creates very few jobs.

Meanwhile, as the Western war economy flourishes, the relocation of the production of civilian manufactured goods to Third World countries has increased in recent years at a dramatic pace. China, which constitutes by far the largest producer of civilian manufactured goods, increased its textile exports to the US by 80.2% in 2004, leading to a wave of plant closures and job losses *(WSJ, 11 March 2005)*.

The global economy is characterized by a bipolar relationship. The rich Western countries produce weapons of mass destruction, whereas poor countries produce manufactured consumer goods. In a twisted logic, the rich countries use their advanced weapons systems to threaten or wage war on the poor developing countries, which supply Western markets with large amounts of consumer goods produced in cheap labor assembly plants.

America, in particular, has relied on this cheap supply of consumer goods to close down a large share of its manufacturing sector, while at the same time redirecting resources away from the civilian economy into the production of weapons of mass destruction. And the latter, in a bitter irony, are slated to be used against the country which supplies America with a large share of its consumer goods, namely China.

The United States is blocking UN Security Council action on the human rights crisis in Darfur on account of the Bush administration’s hostility to the International Criminal Court, Human Rights Watch said today. On Tuesday, the United States proposed splitting a UN Security Council draft resolution on Sudan into three separate resolutions, none of which would authorise a tribunal to prosecute crimes against humanity in Darfur.

The United States is hanging the people of Darfur out to dry by stalling on justice,’ said Richard Dicker, director of Human Rights Watch’s International Justice Program.

After labeling Darfur a genocide, the United States is now blocking the credible threat of prosecution by the International Criminal Court, which could immediately deter further violence in Darfur.

The US move follows ongoing negotiations among all Security Council members on a single Sudan resolution on justice, targeted sanctions, and a peace-support mission. The UN peace-support mission for Sudan is to implement the Naivasha peace agreement, the accord ending the 21-year civil war between the Sudanese government and southern-based rebels. The mission of 10,000 troops will cover areas in the north and south of Sudan, but not Darfur, where continuing fighting and violence against civilians has created a human rights disaster. According to Dicker:

In the guise of taking action on a peacekeeping force in the North-South conflict, the United States is pushing aside measures needed to deal with atrocities in Darfur …Vague commitments to accountability are not enough. The heinous crimes committed in Darfur need immediate investigation and prosecution by the International Criminal Court.

Twelve out of the Security Council’s 15 members support authorising the International Criminal Court (ICC) to investigate and prosecute crimes in Darfur. US opposition to referring Darfur to the ICC is unrelated to crimes committed in Darfur, Human Rights Watch said. Instead, it is rooted in the Bush administration’s ideological opposition to the court, which focuses largely on fears about politically motivated prosecutions against Americans.

On 25 January, the UN Commission of Inquiry for Darfur strongly recommended that the Security Council refer the situation to the International Criminal Court. Washington sponsored the resolution that created the UN Commission, but has ignored the commission’s findings that the ICC is the ‘single best mechanism’ and ‘only credible way’ to ensure that justice is done in Darfur. ‘As the Security Council delays, the situation in Darfur is only getting worse,’ said Peter Takirambudde, director of Human Rights Watch’s Africa Division.

The people of Darfur need a vastly enhanced protective force. But in the meantime, targeted sanctions and justice could have an immediate impact. They should be a top priority for passage by every Security Council member.’

The violence in Darfur has continued, despite fewer allegations of air attacks on civilians in the past two months. Almost 2 million people have been forcefully displaced from their homes in the past two years of the conflict. Most of these displaced civilians have become virtual prisoners in camps and towns due to ongoing attacks, rape, looting, and assault by government-backed militias known as the Janjaweed. The Sudanese government has been unable or
unwilling to stop ongoing atrocities. Rebel movements have also been responsible for an increasing number of attacks on commercial convoys over the past months.


Ngugi & Njeeri Wa Thiong’o

We are writing to appeal to the Kenyan government to react appropriately and with all deliberate speed to the brutal attack on Ngugi Wa Thiong’o and Njeeri Wa Ngugi and the rape of Njeeri. We write to stress the urgency of an appropriate response that will hold accountable not only the direct attackers, but all those responsible for what we see as a politically motivated attack by enemies of what Professor Ngugi Wa Thiong’o stands for in Kenya, Africa and the world.

The world community continues to watch this case closely, first and foremost because we are shocked by the brutality of this attack and rape, but also because of the grave implications impunity for the perpetrators would have. International organisations, including women’s groups, civil liberties organisations, and organisations of writers and intellectuals are but a few of the members of the international community deeply invested in how the present administration will respond to this attack.

It is critical for the Kenyan government to rebuff this grave attack against an internationally celebrated public intellectual whose commitment to his country and the empowerment of ordinary people has been unwavering. If this attack on the occasion of his first return to his home country, after 22 years in forced exile, is not condemned, and all those responsible pursued for their crimes, a chilling blow to intellectual liberty will have been dealt. Such blows have impact the world over. This one, in particular, would send a sad message regarding Kenya’s capacity to overcome its political past. This government must respond firmly to demonstrate a commitment to the political future of the country. It is equally critical to demonstrate a willingness on the government’s part to respond to the full gravity of the rape of Njeeri Wa Ngugi.

The culture of silence around violence against women in Kenya fosters repeated and widespread abuses against the human rights of women. A full length Amnesty International report on violence against women in Kenya (March 8, 2002) cites several national and international instruments that hold governments responsible for failures to prosecute with ‘due diligence’ any violence against women. We want to express our unconditional solidarity with Njeeri Wa Ngugi in her ongoing struggle to stand publicly against the epidemic of violence against women. We believe that the government of Kenya has both the opportunity and the responsibility to meet the challenge of supporting her. This challenge consists in bringing all those responsible for this attack on Njeeri Wa Ngugi and Ngugi Wa Thiong’o to justice. But steps must also be taken to end the conditions that foster this culture of silence. Systems must be put in place, as in other countries, for women to anonymously identify their attackers. Every form of sexual violence against women must be treated as a crime of the gravest consequence. The victims cannot be left to fight alone. To that end, we hope that this administration will not set the precedent of allowing Njeeri Wa Ngugi to stand alone. At a time like this, when we are seeing political violence erode so many countries in Europe, North America, Africa, and indeed on every continent, it is doubly important for people in positions of power to stand against the impunity of perpetrators. We hope that with your actions, you will set an example for Kenya and the world.

Please write to one or more of the following contacts in Nairobi:

Kiraitu Murungi, Ministry of Justice and Constitutional Affairs; minister-justice@skyweb.co.ke

Dorothy Angote, Justice & Constitutional Affairs, psjustice@africaonline.co.ke

Attorney General, State Law Office; Tel: 254 20 227411; please use fax: 254 20 315105

First Lady, Lucy Kibaki, State House; oafla@statehousekenya.co.ke

John Githongo, Office of President, State House; contact@statehousekenya.co.ke; pps@statehousekenya.co.ke

Hon. Ayang Nyong’o, Minister of Planning & National Development; mopnd@treasury.go.ke

Phillip Murgor, Director of Public Prosecution, State Law Office; murgor@nbi.ispkenya.com

Please copy of all letters to: ngugisolidarity@gmail.com and Kenya Human Rights Commission; admin@khrc.or.ke
A Tribute to Claude Meillassoux

In the spring of 2004 ROAPE took over an old country house hotel on the outskirts of Sheffield. With views across the moors and the rhododendron in bloom it was here we held our get together of extended family of editors and friends. Of notable absence was Claude, a valued friend and mainstay of the journal from its very beginnings in 1974. When speaking with Claude on the phone he and his companion, Corinne Belliard, were so very pleased to be invited but unable to come, this year; perhaps next? He is missed more than we can say. (JB)

Bonnie Campbell, Montreal

There are those who have been so formative in our own intellectual parcours that they become as a permanent fixture, a mountain in the paysage of our ideas. Claude Meillassoux was one of these. Such an inspiration, such a model of intellectual and political commitment and of great personal generosity and charm. So intellectually creative and clear.

At one of his seminars in Montreal (October 1989) on ‘Le Spectre de Malthus. Un problème de reproduction démographique du Sahel’ Claude eloquently and convincingly documented that the issue to be addressed was that of reduced access to resources and the reduction of jobs and not, as generally proposed, the excessive reproduction of people. He spoke of the misguided policies of the Bretton Woods Institutions whose strategies aimed very consciously at reducing public expenditure and notably food subsidies in the cities when all knew that there were no alternative sources of employment or livelihood. Une suppression planifiée ..C’est très très grave concluded Claude.

Claude Meillassoux: humanist, brilliant intellectual, warm and charming person … What a gap you leave.

Bernard Schlemmer, France*

Claude Meillassoux passed away on 2 January 2005. In anthropology and in the social sciences more broadly, he leaves behind many colleagues who will feel themselves orphans – paradoxically enough, because Claude never considered himself anyone’s spiritual father.

A Thunder Clap in a Serene Sky

His name will remain forever associated, in our intellectual history, with the paradigm break (in T. S. Kuhn’s sense) represented by the appearance of his seminal article ‘Essai d’interprétation du phénomène économique dans les sociétés traditionnelles d’autosubsistance’ (Cahiers d’études africaines, 1960, 4:38-67). Roland Waast still remembers when, as a young student, and sitting on the terrace of the Café La Sorbonne, the meeting spot of the Sociology students, he saw Raymond Jamous arrive, feverishly brandishing an issue of the Cahiers, and shouting ‘I have just discovered the article that will change the face of Anthropology!’ It was suddenly clear that the indigenous societies studied by Anthropology - those that we could not identify other than by difference from or in opposition to our Western society - were like any human society, forced to produce economic goods and to become part of relations of production before they could function on any other level.
It is this article, quickly followed by Meillassoux’s masterly thesis on the Gouro (L’anthropologie économique des Gouro de Côte d’Ivoire; Mouton, 1964) which opened the way in France to the sudden rise of research in economic anthropology, and well beyond. To cite only a few of the pioneers in this field who began their work during the 1960s, young scholars of his generation or barely his juniors, one must mention the names of Pierre Bonnafé, Jean Copans, Jacques Dupre, Pierre-Philippe Rey, and Emmanuel Terray. And we should add their contemporaries in other disciplines, economists such as Samir Amin, or Benjamin Coriat, the philosopher Etienne Balibar, the historian Catherine Coquery-Vidrovich, the demographers Francis Gendreau or Jacques Veron - just to name a few – simply to speak of those who share Meillassoux’s perspective or who acknowledge him as an influence and model for their own work.

Rapidly, most French anthropologists became influenced by the work of Claude Meillassoux to a greater or lesser degree, to the point at which economic anthropology came to contest the domination of French Academia with structural anthropology, during at least that decade. It is obviously impossible to mention here all those who followed that trend, or even those who recognise or still recognise Meillassoux’s influence. This influence later expanded beyond the small circle of the Francophones. One of his key works (Femmes, greniers et capitaux; Maspero, 1975) was translated into no less than six languages because this young man’s perspective fashioned new perspectives both within Anthropology itself, and among the various disciplines of the social sciences, and particularly in the Marxist intellectual community. The debate suddenly ceased to tie itself in knots over the extension of the ‘Asian mode of production’ or the relevance of the concepts of infra- and superstructure applied to pre-capitalist societies. Rather it opened the way to a general reflection on historically constructed economic and social formations, in any place or at any historical period of human society - thus accomplishing the real goal of historical materialism.

What were the intellectual origins of so daring and splendid a feat? No doubt it owes much to the fact that he did not pursue a ‘classical’ education. Instead, coming from a rich bourgeois industrial family of Northern France, and having had an education as a wholly liberal economist in the United States, he began his professional life at the heart of the capitalist system. He thus knew it from the inside and its practices and uses swiftly convinced him that he could never make a career there; to the contrary, he would devote his abilities to fighting it! That is how he trained himself in anthropology, remote from the dominant currents of his time: French structuralism or Anglo-Saxon functionalism. Fortunately enough, he then found in George Balandier a ready listener with whom he shared common concerns and understanding.

The ‘Meillassoux Seminar’ of La Rue Tournon

With his reputation now established, he continued in the 1970s to act as an innovator, a catalyst, by directing a seminar, whose exact title most participants could hardly remember, because for everyone, it was ‘The Meillassoux seminar’. This brought together, well beyond anthropologists strictly speaking, all those who wanted to take part, intellectually, in the movements of emancipation and national liberation, and who were interested in the basic challenges that this issue posed: how to analyze the articulation between traditional economies and the capitalist economy, the lineage-based societies and the construction of nation-states, neocolonialism and imperialism, development and underdevelopment, etc? Naturally, the debates were heated and
impassioned. One remembers the ‘seminar’ as a place where intellectual research and militant passion fed each other, where controversies were built but sometimes also denunciations were pronounced, where engagement in the theoretical debate was judged against political engagement, where a true dialectic of logos and praxis worked.

Claude Meillassoux was then fully recognized for his human qualities in addition to his intellectual qualities. His willingness to listen, his care for others, his personal warmth, his lack of sympathy for hierarchy, status, titles and positions, as well as his radical impermeability to dominant trends in thought, to accepted ideas and sloppy reasoning, made him an organizer recognized, appreciated, respected and even liked, in spite of the lively criticisms which he did not fail to offer when he expressed disagreement. This seminar will not be a place for mere speech, as useful as it could be. Bringing together scholars from various positions and disciplines, the seminar was the place where several important collective works were produced, such as L’évolution du commerce africain depuis le XIXe siècle en Afrique de l’Ouest, OUP 1971, or L’esclavage en Afrique précoloniale (Maspero, 1975) and, especially, Qui se nourrit de la famine en Afrique? (Maspero, 1974).

Committed Thought

That last title illustrates particularly well the Claude’s approach, which consists in accepting simultaneously the responsibilities of the scientist and those of the militant, combining academic research and political engagement. The result, written in a state of great urgency by the Africanist scholars mobilized by Claude, refused to interpret the impact on the drought-stricken Sahel simply as the outcome of natural forces. Rather it shows that one can there perceive the inevitable outcomes of a policy of economic domination directing the key productive activities of these countries solely in the combined interest of the rich countries, the greedy multinationals and the corrupt national elites. The work was an early example of an ecological analysis which today remains influential but is no longer startling. At the time it was sufficiently disturbing, and had enough impact and echo, not only on Africanist scholars or anthropologists but broadly on researchers in Social Sciences, even influencing part of public opinion, that the scientific institutions kept an obvious watch on contributors to the book and those who made frequent reference to it, going as far as making impossible or difficult for them to conduct field work.

This way of combining academic production and involvement in contemporary events, intellectual responsibility and militancy, illustrated by the collective effort around that book, is usually only manifest in exceptional circumstances, when collaborative thought and effort appear to be the logical choice. There, the militant voice of the scholar is called for in the public debate, because she or he shares a certain responsibility through being the holder of particular knowledge. With Claude Meillassoux, this involvement was permanent. His bibliography** shows well enough the breadth of his range of interests, where it is hard to discern whether theoretical questioning arises from political engagement or the other way round. One recalls here how much his analyses in economic anthropology came to feed his incisive critique of the world’s economic evolution and the exacerbation of the hierarchy of domination (There is neither other-worldliness today or Manicheism in his vision of the ‘traditional’ societies: it was he who, to the contrary, was the first to theorize the hierarchy of domination existing within those rural societies!). And from then on, while many of his articles dealt directly with social questions apparently remote from the African terrain, they derived in fact from his broad scientific approach and which
he used to fight any injustice in any part of the world. Paradoxically, it was his political engagement that would awaken his scholarly interest in Southern Africa, a source of so much fundamental work. Catherine Coquery-Vidrovitch wrote to me on this subject: ‘I remember seeing him on his return from South Africa, and he said to me: “I could only agree to go to that country (then under apartheid) on condition that I should return with a political testimony from there.” He was still one of the very first scholars to bring the concerns of South Africa to French public opinion!’ From that field trip he wrote ‘Les derniers Blancs : le modèle sud-africain’ (Maspero, 1979). Earlier he had made a more modest contribution to an openly militant collective work, L’Afrique australe, par rapport à la colonisation et aux travailleurs africains (in UGTSF, (ed.) Notre Afrique, Maspero 1978, pp. 18-32), which was well in his style.

Across the Disciplines

In the last two decades, Claude Meillassoux gave further proof of his militant open-mindedness, in challenging the entire scientific community to engage in a collective and interested effort, by organizing several conferences with a group of colleagues in various disciplines. He made it clear that the conference themes should be at the interface of the various disciplines, so as to allow each researcher who faced problems in the field to express their concerns in an open forum. Very carefully prepared by a small group constituted first as an Organizing Committee, then as a Publishing Committee, each of these three conferences has been an important moment in their intellectual progression for many scholars, who repeatedly remind us of that fact.

The first conference, Terrains et perspectives (Orstom, 1987), dealt with the responsibility borne by scholars in the social sciences confronted by the transformations of rural societies in the Third World and with the policies and the ideologies of development. He wrote the conclusion, showing how ‘the peasants, who use the land to their exclusive benefit, are considered from the point of view of a capitalist economy, parasites’ (p. 443). The second conference, Le Spectre de Malthus (Orstom - EDI - Ceped, 1991), decompartmentalized a debate which though concerning every field researcher, had been confined to conferences for demographers: questions of underdevelopment and food dependency of Third World countries in a context too quickly analyzed as ‘overpopulation’. In an introductory theoretical chapter, Claude warned us that ‘this population is today in the situation of a relative overpopulation. The problem, for the capitalist economy which created it, is to make it disappear in order not to have it as an overload’ (p. 31). The third and last conference, on child labour (L’enfant exploité; Karthala, 1996) was around a strikingly overlooked problem in which nobody (with the notable exception of Alain Morice) seemed interested. Yet our awareness of the issue would inevitably challenge our various disciplinary approaches, and force us to reconsider our perspective, so long as we look at reality from the point of view of children forced into hard labor. There again, it was Claude who wrote the conclusion, underlining the paradox of ‘the incongruity of child labor. How such physically weak human beings, without any training, described as turbulent and inattentive, with a so-called narrow understanding, are likely to be preferred as workers over qualified and responsible adults? This extraordinary paradox arises from another: the well being of the individual is not the first concern of a capitalist economic system. Quite to the contrary, it is human beings who have to adapt to the realities of a competing economy and that are affected, if not trapped, between the costs of goods and the prices of a fluctuating economic market’.
What characterizes to me, and most significantly, Claude Meillassoux’s approach, is the permanent movement back and forth between intellectual and militant engagement. Even his methodology refuses to consider any society, any social phenomenon, as analyzable in an autonomous and isolated way, and out of context. His major contention was that the same systems of domination and exchange are at work in any human activity and in all human societies. His contention still challenges us and keeps us alert: It is hard for us to imagine today, how we will preserve this spirit of vigilance, now that he is not here to vigorously maintain alive that spirit of controversy which is its major prerequisite.

*Text originally composed in French by Bernard Schlemmer and circulated worldwide by Toyin Falola. English translation by Edgard Sankara of La Grange College, US.

** If you would like a copy of Meillassoux’s bibliography (8 pages) please get in touch with editor@roape.org.
Rapidement, c'est la grande majorité des anthropologues français qui se trouvent peu ou prou influencés par les travaux de Claude MEILASSOUX ; au point que l'anthropologie économique va disputer tout le devant de la scène disciplinaire à la seule concurrence de l'anthropologie structurale, pendant toute la décennie au moins. Il est évidemment impossible ici de citer tous ceux qui se sont inscrits dans cette histoire, pas même ceux qui se sont réclamé ou se réclament encore de son influence. Son influence s'étendra en outre largement hors du petit cercle des francophones : rappelons que l’un de ses ouvrages clés, Femmes, greniers et capitaux (1975, Maspero) sera traduit en pas moins de six langues.

Car le regard porté par ce jeune homme ouvrait singulièrement les fenêtres, à l'intérieur de l’anthropologie elle-même, et entre les diverses disciplines de sciences sociales, en particulier pour la communauté intellectuelle qui se réclamait du marxisme. Le débat cessait tout soudain de s’empêtrer dans l’extension du « mode de production asiatique » ou la pertinence des notion d’infra et de superstructure appliquées aux sociétés précapitalistes, pour ouvrir la voie à une réflexion générale sur les formations économiques et sociales historiquement constituées, en quelque lieu ou en quelque temps historiques qu’on s’y intéresse, en répondant, autant dire, à l’ambition réelle du matérialisme historique.

D’où venait l’audace de ce chercheur qui débarquait ainsi dans le champ universitaire avec un tel coup d’éclat ? Sans doute du fait qu’il n’avait pas suivi la formation classique mais que, fils de bonne et riche famille industrielle du Nord, avec une formation économiste tout à fait libérale reçue aux États-Unis d’Amérique, il avait commencé sa vie professionnelle au cœur du système capitaliste, qu’il connut ainsi de l’intérieur et dont les pratiques et les usages le convainquirent rapidement que jamais il ne pourrait y faire carrière, et bien au contraire qu’il consacrerait son intelligence à le combattre ! C’est ainsi qu’il se forma à l’anthropologie, bien loin des courants dominants de l’époque, le structuralisme ou le fonctionnalisme anglo-saxon, trouvant heureusement avec Georges BALANDIER une parole et une écoute plus en accord avec ses préoccupations.

**Le « séminaire Meillassoux » de la rue de Tournon**

Cette influence reconnue, il va poursuivre, de la fin des années fin 1960 à la fin des années 1970, son rôle de novateur, d’impulseur, en animant un séminaire dont on peut douter que bien des participants aient retenu l’intitulé exact, car pour tout le monde, c’était « le séminaire Meillassoux ». Là se rencontraient, bien au-delà des anthropologues stricto sensu, tous ceux qui compaient participer, intellectuellement, au mouvement d’émancipation et de libération nationale, qui s’intéressaient aux questions de fond que posait cet ensemble de problème : comment analyser l’articulation entre les économies traditionnelles et l’économie capitalistes, les sociétés lignagères et la construction des États-Nations, le néocolonialisme et l’impérialisme, le développement et le sous-développement, etc.?

Autant dire que les débats étaient vifs et passionnés. On se souvient du « séminaire » comme du lieu où la recherche intellectuelle et la passion militante s’alimentaient mutuellement, où se construisaient les controverses mais parfois aussi se prononçaient les anathèmes, où l’engagement dans le débat théorique se jugeait à l’aune de l’engagement politique, où fonctionnait réellement une dialectique du logos et de la praxis.

Claude MEILASSOUX fut alors pleinement reconnu pour ses qualités humaines, et plus seulement intellectuelles. Son
sens de l’écoute, son attention aux autres, sa fraternité chaleureuse, son absence totale du sens de la hiérarchie, des positions mandarinales, des titres et des postes, comme son imperméabilité radicale aux pensées dominantes, aux idées pré-pensées, aux facilités du raisonnement, firent de lui un animateur reconnu, apprécié, respecté et même aimé, malgré la vivacité des critiques qu’il ne manquait pas de faire quand il exprimait son désaccord.

Ce séminaire ne sera pas seulement un lieu de paroles, si utile que cela put être. Réunissant des chercheurs d’horizons et de disciplines variés, il donnera pourtant lieu à plusieurs ouvrages collectifs d’importance, comme L’évolution du commerce africain depuis le XIXème siècle en Afrique de l’Ouest, 1971, Oxford University Press, ou comme L’esclavage en Afrique précoloniale (Maspero, 1975) et, surtout, Qui se nourrit de la famine en Afrique? (Maspero, 1974). En effet, cette publication illustre particulièrement bien cette démarche si caractéristique de Claude MEILLASSOUX, qui consiste à assumer dans un même mouvement responsabilité scientifique et responsabilité citoyenne, recherche académique et engagement politique : réalisée dans l’urgence par les chercheurs africanistes mobilisés par MEILLASSOUX qui se refusaient à voir, dans les conséquences de la sécheresse qui frappait alors le Sahel, les seuls effets d’une fatalité naturelle, elle démontre tout au contraire que se lisent là les résultats attendus d’une politique de domination économique orientant l’essentiel des activités productives de ces pays vers les seuls intérêts combinés des pays riches, des multinationales intéressées et des élites nationales corrompues. L’ouvrage, précurseur d’une analyse écologique qui, aujourd’hui, peut garder sa force mais n’étonne plus, était à l’époque suffisamment déranging, a eu suffisamment d’impact et d’écho, non seulement dans le milieu des africanistes ou des anthropologues, mais au-delà même des chercheurs de sciences sociales, atteignant une partie de l’opinion publique, au point que les institutions scientifiques vont tenir à l’œil - et le faire savoir - les co-auteurs de l’ouvrage et ceux qui s’y réfèrent avec trop de complaisance, voire les sanctionner en leur rendant impossible ou difficile l’accès au terrain.

Au marge des disciplines

Cette façon de lier activité professionnelle et actualité historique, responsabilité intellectuelle et responsabilité citoyenne, illustrée collectivement au moment de cet ouvrage, ne se trouve généralement qu’au cours de circonstances particulières, quand la convergence, comme ici, semble s’imposer logiquement, la prise de parole du professionnel étant rendue nécessaire dans le débat civique, du fait même de ses connaissances particulières. La bibliographie ci-dessous montre assez l’étendue de ses champs d’intérêt.

Cette ouverture, il va la mettre à nouveau à l’œuvre pour que l’ensemble de la communauté scientifique intéressée soit collectivement interpelée, ces vingt dernières années, en organisant, avec un groupe de collègues de diverses disciplines, des colloques dont il voulait, très consciemment, qu’ils portent à l’interface des disciplines, afin de permettre à chaque chercheur de terrain, nécessairement confronté avec cette problématique mais ne pouvant s’exprimer dessus parce que la question ne se pose pas au cœur de sa recherche, de s’exprimer sur ces thèmes importants. Très soigneusement préparé par ce petit groupe qui se constituait en comité d’organisation, puis d’édition, chacun de ces trois colloques aura été pour certains, nous en avons l’écho, un moment important de leurs réflexion.

Le premier, Terrains et perspectives (Orstom, 1987), portait sur la responsabilité des chercheurs en sciences sociales confrontés aux transformations des
sociétés rurales du Sud, aux politiques et aux idéologies du développement. Il en rédigera la conclusion, montrant comment « les paysans qui utilisent la terre à leur bénéfice exclusif sont, dans la perspective d’une économie capitaliste, des parasites » (p. 443).

Le second, Les spectres de Malthus, (Orstom - EDI - Ceped, 1991), décloisonnait un débat qui concerne chaque chercheur de terrain, mais restait cantonné dans les seules tribunes des démographes : les questions du sous-développement et de la dépendance alimentaire des pays du Sud dans un contexte trop rapidement analysé comme étant celui de la « surpopulation ». Dans un chapitre théorique introductif, Claude MEILLASSOUX rappelle que « cette population est aujourd’hui dans la situation d’une surpopulation relative. Le problème, pour l’économie capitaliste qui l’a créée, est de la faire disparaître pour ne pas l’avoir à charge » (p. 31).

Le troisième, enfin, L’enfant exploité (Karthala, 1996) portait sur un problème dont on s’aperçut brutalement que personne ou presque (Alain MORICE constituant une notable mais quasi unique exception) ne s’intéressait, alors que sa prise en compte ne pouvait manquer d’interpeller fondamentalement nos approches, nous contraindre à renouveler notre regard, pour peu qu’on accepte de regarder la réalité de leur point de vue : les enfants travailleurs. Là encore, c’est Claude qui rédigea la conclusion, soulignant le paradoxe de « l’incongruité de l’emploi des enfants. Comment des êtres physiquement faibles, sans expérience, réputés turbulents et inattentifs, d’entendements encore limité, sont-ils susceptibles d’être préférés comme travailleurs à des adultes compétents et responsables ? » Cet extraordinaire paradoxe découle d’un autre : le bien-être des individus n’est pas la finalité première de l’économie. Ce sont à l’inverse les êtres humains qui ont à s’adapter à la conjoncture de l’économie concurrentielle et sont façonnés, sinon broyés, entre les coûts et les prix du marché.

Ce qui caractérise - à mes yeux, le plus significativement - l’itinéraire de Claude MEILLASSOUX, c’est ce va-et-vient entre engagement intellectuel et engagement militant qui, chez lui, restera permanent. Sa démarche même refuse de considérer aucune société, aucun phénomène social, comme pouvant être analysé de façon autonome, isolé, hors contexte, sa conviction profonde que les mêmes mécanisme de domination et d’échange sont à l’œuvre dans toute activité humaine et dans toutes les sociétés historiquement constituées. Elle n’a pas cessé de nous interpeller, de nous empêcher de dormir, parfois : nous avons du mal à concevoir, aujourd’hui, comment nous pourrions conserver cet esprit de vigilance, maintenant qu’il ne sera plus là pour maintenir vigoureusement vivant l’esprit de controverse qui en est la condition majeure.

Bondy, le 7 janvier 2005

Peter Griffiths has provided African scholars with an intriguing and insightful blend of fact and fiction. His book both illustrates the operations of the World Bank in African countries and the nefarious activities of Sierra Leone’s supposed leaders, which resulted in such rural peasant disquiet that the outbreak of the civil war in Sierra Leone in 1991 was almost pre-ordained. The book explains two complementary themes. First, it indicates the activities of the World Bank driven by a mindset or a faith believing in the ‘magic of the market’ and the privatisation of enterprise which has been shown to have led to death and destruction throughout Africa. Second, it illustrates the base actions of the elite in corrupt activities and the manipulation of currency exchange in order to enrich themselves, while at the same time devastating the countryside.

Although the book was published in 2003, it recounts the story of an economic advisor to the Sierra Leone Ministry of Agriculture and his experiences with the operations of Sierra Leone’s government and bureaucracy, and the Bank in 1986. The dates are important, as the book recounts events in Sierra Leone in the years leading up to the internal war which broke out a few years later. The date is also important because the former president and one-party ruler, Siaka Stevens, had just retired, taking a nest-egg reputed to be $1.5bn, drawn from one of the world’s poorest countries (at the time having an annual per capita income of only $310 according to the WDR of 1988). Stevens isn’t present in person in this account, but his legacy certainly is. He built, developed, and nurtured the ‘Shadow State’ that Reno has so ably depicted.1 The economic development of Sierra Leone was almost absent from a government agenda which had personal betterment as the driving force of state activity.

The tale is recounted in a compelling day-by-day set of diary entries during the author’s four month sojourn in Sierra Leone, and it tells of people and policies (not the models, data, and equations suggested by the word ‘Economist’). At its heart is the issue of food supply and ‘silent violence’.2 The blending of reality and generalised/fictionalised accounts was made in order to avoid legal libel or retribution to his informants. This was vital to Griffiths’ ‘Tale’ because many of the people (certainly, not all!) he met and canvassed tend to have been incompetent, corrupt, dishonest, or evil persons. These fictionalised accounts should not disturb the reader; they avoid naming names, but they indicate the general nature of the Bank’s policies and the personalities of government officials in Sierra Leone. The former was involved in the privatisation process in the Third World, while the squalid actions of much of officialdom will be very familiar to those who have conducted research in the country.

The ‘Tale’ occurs as the role of the Sierra Leone Agricultural Marketing Board is being moved from its previous monopoly position in exporting cash crops and
importing rice (the national food staple). The Board’s history is one of corruption, inefficiency, and the removal of rural peasants’ resources (a form of taxation); its role in exports began in the early 1940s, and its involvement in rice imports arose out of the foreign exchange difficulty facing most African countries. Griffiths is told (5) by the mythical Bank resident that he is to close down the Board: ‘They are to privatisé and deregulate the market. They will then have a FREE MARKET [he said it in capitals] and the economy will start to work again.’ The implication is that there is no need for data or for an understanding of the working of the country’s trade because the Bank knows that privatisation and the free market are the solutions to all of the world’s economic problems.

The setting for the ‘Tale’ is one of stark difference – environmental beauty contrasting with poverty in a world which is falling apart again, foreign aid which has been given with lofty intentions only to have many aid projects riddled with corruption and failure, and the riches of diamonds whose value is expropriated. Upon such a landscape economic manipulation was employed by our actors. First, the country’s exchange rate was overvalued for approximately the quarter-century following independence, meaning subsidised imports (mainly urban) and having the effect of undercutting any local production, and costlier exports (mainly rural) which lowered the world’s demand for the country’s agricultural cash crops. Second, the rural rice (the staple food) producer, the peasant farmer, was also undercut by both a subsidy and by imported rice which was far cheaper (due to this currency overvaluation) than Sierra Leone farmers could sell. This double debilitation led to either reduced production or to smuggling. It was no wonder that the peasantry had a sense of disquiet, and this unease was exacerbated by the bribery which pervaded the country. These attitudes didn’t mask the nation’s economic crisis – food supply was far less than demand; this deficit could only be solved by imports; and these imports quickly used up the nation’s devalued currency.

Then the country’s currency (the leone) ‘floated’ or devalued. Prices rose and purchasing power fell – poverty and hunger prevailed as a result. On top of this the World Bank imposed their mindset of privatisation and free markets, not recognising the vital importance of patronage and politics, alternative market channels, food entitlement, and social exchange in Sierra Leone and elsewhere in Africa. Their real world was not that of Sierra Leone – in fact, it could be argued that the bank simply ignores reality and sees the world in terms of macroeconomics, abstract models, and First World economies.

Within this collapsing economy, Griffiths was forever stymied by the lack of hard information for his analysis and report – on prices, imports, production – almost everything was unknown or unrecorded. He searched in Ministries, upcountry, the Bank, bars, the marketplace, restaurants, and clubs to overcome the lack of data, for pricing policy, for indicators of productivity, and for an understanding of the country’s food crisis.

The great shock of the ‘Tale’ arrives just past the two-thirds mark, when the World Bank’s ‘Reform’ is announced. National food policy is to be dramatically altered and food supply is to be privatised. Government’s role is dramatically reduced, and the food subsidy is to be eliminated. As Griffiths writes (168-9):

> what on earth does the World Bank think it is going to achieve by this? Answer: God knows. It has not done any analysis and there are no stated objectives. It seems to be motivated by a dogmatic belief that the Free Market will solve all the world’s problems.
The Bank reasoned that in the long term the increased prices for rice would lead to greater production and eventual self-sufficiency, but he indicates that the immediate result will be famine, food riots, and death.

This is a first-rate account. Its strength is that it translates often unreal world economics and abstraction into layman’s terms. The reader shouldn’t be put off by the title, *The Economist’s Tale*, for its contents are important and deal with concrete reality. The text shows that food supply is not simply an economic issue; it is a very political matter as well. Even though it is set in the concrete location of Sierra Leone, its appeal is far more general as similar issues confront all African countries. It illustrates that Africa’s poverty is the result of both internal and external actors, and it explains why Africa’s development agenda of the early years of independence is now one of underdevelopment. Further, it provides a partial understanding of the preconditions of the nation’s (forthcoming) civil war.

**Endnotes**


2. The term ‘silent violence’ refers to those who die from the lack of nutrition, in contrast to people devastated by the famines and droughts which are highlighted in the media. It is estimated that deaths resulting from ‘silent violence’ exceed those resulting from droughts and famine by approximately four times (see M. Watts (1983), *Silent Violence*, Berkeley: University of California Press.

3. ‘They’ refers to Sierra Leone.

4. The results of the Bank’s policies in Africa have had a result quite similar to those depicted with colonial contact by Chinua Achebe (1958) in his novel, *Things Fall Apart*, London: William Heinemann.


Ten democratic years in South Africa have been the excuse for a library of studies, festivals of speeches and much back-slapping. But here is a study with a difference. It measures what has been achieved in key areas of the economy and lays out the ground for a measuring project that will last for the next ten years.

*The Transformation Audit* is a planned annual review of what is changing in the South African economy and how it is changing. It raises questions about what transformation is important, and how it should be measured.

Its four sections deal respectively with economic change and empowerment; education; the dynamics of employment and unemployment; and poverty and inequality. They are held together by a series of case studies that illuminate the analysis in the main chapters, and by a unique set of scorecards.

The scorecards aim to measure and to track transformation. Naturally this is a complex task – even if there is agreement as to what should be measured, the issue of the data and its serious imperfections, if available at all, rears its head.

Measuring social change by numbers is never a neutral task. You can select just the right variables and starting-points to illustrate almost any shade of meaning. The TA has taken a particular route. It has chosen five ‘understandable’ measures in each area and pulled each set together into a representative graphic showing change between 1994 and 2004.

The editors are totally open about problems with the data – even to the extent of publishing detailed sources and calcula-
All the indicators of the ‘direction of change’ in the education scorecard are positive. It is the only scorecard to display so many positive trends – through though close scrutiny shows the gains are in fact tiny. Still, some good news is welcome, because low levels of education are noted as a fundamental problem in all the sections of the Audit. But this does not mean that the education authorities get off lightly. The education chapter is the most strongly argued in the book.

The overall performance of SA students is near the worst in the world in numeracy and mathematics, and is not much better in others (p.29).

A former Minister of Education was highly critical of this statement - as a downright lie. But the facts presented exhaustively support Audit’s judgment and explain why schooling continues to be such a disaster area, despite huge gains in access and the application of a hefty proportion of GDP to schooling.

The TA is critical, but it is positive. It makes some controversial choices on which indicators to use, but they are used to illustrate policy choices.

The Transformation Audit is already preparing for the recognition of South Africa’s 20th year of democracy, scheduled for 2014. It does not start off with a back slap - and it’s more than a slap on the wrist.

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Books Received

If you would like to review books for ROAPE please get in touch with Carolyne Dennis, cj.dennis@dennis22.wanadoo.co.uk

12. Debt Relief for Poor Countries by Tony Addison (2004), Henrik Hansen & Finn Tarp (eds.), UN University/WIDER, Palgrave.