THE EMERGENCE AND CONTEXT OF PARLIAMENTS IN AFRICA

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Introduction

The post-cold war era on the African continent has continued to be characterised by conflict and therefore, the search for long-term conflict resolution mechanisms continues. In this regard, widespread consensus has emerged that the panacea lies in implementing the model of parliamentary democracy characterised by a strong and effective parliament. Apart from recognising that some of the core causes of conflicts are centered around identities, resource competition and allocation and personal and factional differences, a more informed consensus has emerged arguing that, without fundamental political participation by all groups within a state, a process that is only possible through the adoption of the parliamentary democracy model, then long-term and sustainable peace will remain elusive. Parliament, an institution defined as a body of elected persons with a mandate to make, amend or repeal laws, appears to offer the most representative mechanism for both minority and majority representation whilst acting as an arbiter for political rivalry.[1] In the last decade, the facilitation of ceasefires, elections and the introduction of parliamentary democracies has become the hallmark of sustainable conflict resolution.[2]

The impact of complex and protracted conflict systems has manifested itself in the weakening and sometimes destruction of national political systems, while physically uprooting and displacing millions of people. While unknown numbers have been forced to flee into diasporas, at least nine million people are estimated to have sought refuge in neighbouring states and camps while a further 22 million people have become internally displaced persons.[3] These figures represent some of the highest of such incidences in the world except for Asia. More significantly, the post-cold war conflict has resulted in collapsed states (Somalia) or weak 'treaty states,' representing countries that are still struggling to emerge into statehood following ceasefires and negotiated settlements. Côte d'Ivoire, Sierra Leone, Liberia, Sudan, Mozambique, Uganda, Central African Republic, Chad, Guinea Bissau, the Democratic Republic of Congo (DRC), Algeria and Angola are some examples of such 'treaty states'. Finally, these continuing conflicts have destabilised entire regions, such as manifest in the **Mano River Union** – Guinea Bissau, Sierra Leone, Liberia, the Casamance in Senegal and more recently, in Côte d'Ivoire; in **Central Africa** – Rwanda, Burundi, Gabon, Central African Republic, Uganda and the DRC; and currently, the challenges in the **Horn of Africa** affect Uganda, Djibouti, Somalia, Sudan, Ethiopia and Eritrea.

While various conflicts were ravaging the African continent, the now famous 1993 debacle involving United Nations (UN) peacekeepers and the death of the United States Rangers in Somalia, resulted in the United States leading all Western countries to unilaterally remove their troops from engaging in any conflict resolution initiative on the African continent. This exacerbated an already precarious security situation on the continent. The situation deteriorated further when, because of the rapid introduction of democratisation that began in the late 1980s and early 1990s, over 30 African states were pressured to implement political and economic change in order to introduce multi-party democracy, market economies and accelerated political integration. The result of this rapid political change which was expected to occur without other supporting pillars of the liberal democratic framework in place, was catastrophic. In effect, it left many states reduced to factions characterised by weak central governments open to destabilisation.

Faced with the challenges of increased conflict during the post-cold war period, and a disinterested international community unwilling to participate meaningfully in resolving conflict on the continent, Africa's

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leaders, organised as the Organisation of African Unity (OAU), considered a wide range of conflict resolution mechanisms, which included the institution of parliament. The emerging consensus that placed a high priority on future stability, peace and security on the continent was only guaranteed if associated with parliamentary democracy.

In attempting to locate the role of African parliaments in conflict resolution, since the end of the cold war, this article briefly assesses the emergence of the institution of parliament at continental and regional levels in line with Africa's peace and security agenda, with some examples of national participation, before making conclusions.

The African Union and the Pan African Parliament

Since the 1990s, Africa has been left to fend for itself by the departing international community against the background of an escalating conflict situation, at the time concentrated in West Africa. The then OAU responded by issuing the Cairo Declaration in 1993, enunciating the continent's Conflict Prevention, Mediation and Resolution Mechanism. When the OAU transformed itself into the African Union (AU) in July 2002 in South Africa,

this instrument became part of the Peace and Security Council (PSC).[4] The PSC envisaged "promoting peace, security and stability" through the establishment of other structures such as the Military Affairs Committee, an Early Warning Unit, a Conflict Research Department and finally, a united African Standby Force based on the five geographic regions – East, West, Central, Southern and Northern Africa.[5] Recognising the utility of parliaments, the AU also established and encouraged key institutions, such as its Pan African Parliament (PAP), headquartered in Midrand, South Africa, as well as motivated for the strengthening of regional parliaments. It is important to acknowledge that the current PAP is a new institution whose mandate during its first five years of existence after inauguration in 2004, is only advisory.

Even as the PAP and its PSC were being established, conflict and its manifestations on the African continent reached new depths. There was genocide in Rwanda and Burundi (1994), conflict in the DRC (1998), genocide in Darfur that drew in neighbouring Chad in 2005, and protracted conflict in Angola, Northern Uganda, Sudan and Sierra Leone. More recently, in Somalia, the country's Transitional Federal Government's (STFG) conflict with the Islamic Courts and other militia groups drew in Ethiopia and Eritrea on opposing sides. Finally, conflict

also divided and stalemated Côte d'Ivoire, while threatening to unravel the 2005 Naivasha Comprehensive Peace Agreement (CPA) in Sudan.

Despite the severity of the mentioned conflicts, the emerging PAP has been involved in resolving conflict and has been accepted by all parties as an important stakeholder in such processes. The PAP participated in the recent DRC elections and the establishment of a parliament in the DRC. This country's complex conflict has destabilised Central, Eastern and Southern Africa, including parts of lower West Africa. However, the intervention of the OAU/AU through the 1999 Lusaka Peace Agreement and subsequent protocols was key in bringing about the current improved security and relative stability. With the AU's role in Darfur, although seemingly impossible, the intervention has kept the parties in dialogue and opened the way for an extended AU peacekeeping mission mandate. The UN Peacekeeping Mission has been based on the AU Mission already on the ground in South Western Sudan. This is an encouraging sign for the future.

Regional Parliaments

The second layer of parliamentary representation on the African continent is regional parliaments. Participation in the regional and sub-regional level (in the international security system) is provided for under Chapter Eight of the UN Charter. Within the AU framework, each of the Regional Economic and Security Communities (RECs) has an obligation and mandate to manage events at the sub-regional level. This is the expectation. In practice however, the reverse is true. The establishment of regional parliaments and institutions, such as the Southern African Development Community (SADC), the Economic Community of West African States (ECOWAS), the East African Community (EAC), and the Common Market for East and Southern Africa (COMESA) has developed far ahead of the continental initiative – the PAP. This has forced the AU and the PAP to 'harmonise' some of their own loftier policies to suit the sub-regional dynamics. For example, while the Lagos Plan of Action and later the AU Constitutive Act sought to define the RECs in terms of geographic entities of East, West, North, South, and Central Africa, this idea has been successfully challenged by the overlapping or exclusive trade groupings and institutions, such as COMESA. The AU regions also include the Inter-Governmental Authority on Development (IGAD), a seven state member organisation in the Horn of Africa that has overlapping membership with the East African Community (EAC). These overlapping memberships have to be resolved as the practice is that the regions simply respond to their own regional and subjective conditions and institutions and present this as fait acompli to the AU. Given the

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The emergence of continental and regional parliamentary bodies have created unique resource bases for dealing with the challenges facing specific regions and the continent.

National Participation in Conflict Resolution

How have parliaments contributed towards the resolution of conflict at the national level? Two examples highlight the role that parliamentarians can – and do – play in national conflict resolution.

Guinea

The first example is the more recent experience of conflict and political polarisation in Guinea-Conakry where President Lansana Conte and the armed forces are in a stalemate with the labour movement, the political opposition and other civic groups. According to Liberian President, Sirleaf Johnson, the conflict has all the hall-marks of spiralling out of control and affecting the Mano River Union region. On 23 February 2007, after 11 days of imposed martial law, the ailing President Conte requested that the national assembly extend the military's mandate. However, the Guinea parliament, in a rare move of independence and assertion, surprised all by refusing to accede to the request while also calling for dialogue between the adversaries.[6] This is illustrative of the significant and necessary role parliament can – and should – play in conflict resolution if given the space.

Uganda

The second example is also recent – of the Ugandan parliament providing a unanimous vote for the country to send two battalions as peacekeeping troops in support of the 8 000 AU troops required in Somalia to replace the departing Ethiopians.[7] The rationale for this vote, according to some of the parliamentarians, included firstly being sensitive to history where Ugandans were assisted by neighbouring Tanzania to overthrow a dictator, and secondly, the nature of the conflict in Somalia was resulting in the spread of light weapons in the entire region.

The Ugandan parliament has also recently been involved in negotiations with the Lord's Resistance Army's (LRA) in the north where the protracted conflict has ravaged the region and left many internally displaced.[8]

differences in the genesis and local push and pull factors, the pace of the emerging regional parliaments naturally differs from region to region. For purposes of parliamentary representation, at the forefront is the ECOWAS followed by the SADC Parliamentary Forum (PF) in Southern Africa and the re-emerging EAC in East Africa. The EAC had collapsed in 1977 but is now enjoying an expanded membership that includes Rwanda and Burundi amongst the core countries of Uganda, Kenya and Tanzania. In these regions, parliamentary democracy at the regional level is likely to become a reality within the next decade. However, there must still be concern about the lack of progress in the Central and Northern African regions.

The success of parliamentary involvement in conflict resolution has also been noted at the national level. In the actual management of conflict, parliaments work through committees and sub-committees, selected and tasked with mandates to deal with particular areas. For our purpose, the Committees on International Relations, Defence and Security are important. However, at all three stages of parliamentary evolution, that is at the continental, regional and national levels, the International Relations, Defence and Security Committees are still very much at the embryonic stage of development and therefore, lacking experience and precedence. In identifying entry points for more established parliaments and other specialists to assist, providing various

types of expertise and training to members of parliament sitting on these committees is critical and urgent. The limitations highlighted must be viewed in context. The institution and practice of parliamentary participation at the sub-regional level is evolving and may require some time before it is fully effective. The concern is to prioritise attention and resources towards creating enabling constitutional provisions, as well as facilitating the emergence of capable parliamentarians to occupy key posts.

Conclusion

This brief survey of emerging parliamentary practices at the continental, regional and national levels highlights the potential of such institutions in Africa. Given the advantage of being characterised by elected and therefore representative national consensus, parliaments are likely to widen their reach and influence in addressing the current scenarios of conflict that characterises post-cold war Africa.

However, amongst the three pillars of authority in a democracy, namely, the executive, the judiciary and the legislature, as reflected within emerging democracies in Africa, the legislature is currently the weakest. Reasons for this vary. The fragile African parliament is a recent phenomenon, emerging within states that have only recently achieved universal adult suffrage themselves, such as South Africa in 1994. Furthermore, African parliaments at national, regional and continental levels are still evolving, lack precedence and are therefore, inevitably weaker compared to their counterparts in other world regions. Reasons for this include:

➡ The concept of parliamentary democracy is still to be internalised and popularised in Africa.

➡ The 'strongman' leadership syndrome that characterised Africa's immediate post-colonial era until well into the early 1990s did not allow space for parliaments and where it did evolve, parliaments were reduced to superficial roles. Countries that have constitutions in which the presidency can suspend or dissolve parliament, inevitably undermines the independence of such institutions.

➡ The lack of conducive political environment has stifled the role of parliaments.

➡ The lack of enabling resources to strengthen the establishment of parliaments and for experienced parliamentarians to contribute in an informed manner.

By implication, identifying these gaps provides entry points for both local and international actors who seek to play a role in strengthening African parliamentary capacities in resolving the continent's conflicts.[9]

While post-cold war Africa is still characterised by weak, collapsed and protracted conflict afflicted states,

a clear start to stabilising the situation through the introduction of parliamentary democracy is evident in a number of regions. The Southern African region, for example, appears to have weathered the storm of protracted conflict and has embarked upon sustained peace and development processes where parliaments play a crucial role in conflict resolution. The same appears to be true for Eastern Africa and the Great Lakes Region, as well as the West African Mano River Union zone. This trend needs to be replicated throughout the continent. ♪

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Endnotes

1   According to <http://www.thefreedictornary.com> accessed on 23 February 2007.

2   Gerardo L. Munck, Multilateral Initiatives in Defence of Democracy at <http://www.acdis.uiuc.ed/Research/ S&Ps/1994>, p.1-3 accessed on 20 February 2007.

3   Human Rights Watch, Refugees & Displaced Persons, at <http://www.hrw.org_/doc/?t=refugees&displacedpersons> accessed on 22 February 2007.

4   Jakkie Cilliers and Prince Mashele, "The Pan African Parliament: A Plenary of Parliamentarians," in Africa Security Review Vol.13, (4), 2004, pp.73-76.

5   Jakkie Cilliers and Prince Mashele, "The Pan African Parliament," in Africa Security Review Vol.13, (4), 2004, p.76.

6   Reuters AlertNet, Associated Press, "Rare Act of Defiance: Guinea Parliament Rejects Prolonging Martial Law," 26 February 2007 at <www.alertnet.org/thenews/newsdesk. htm> on 09 March 2007.

7   Uganda Parliament Approves Troops for Somalia Peacekeeping Mission, International Herald Tribune-Africa and Middle East, 13 February 2007.

8   Associated Press "Uganda's Parliament Approves Troops for Somalia Peacekeeping Mission," in International Herald Tribune, 13 February 2007.

9   The project on Security and Governance in Africa at the Institute for Security Studies, funded by the United Kingdom's Department for International Development, has been designed to work and strengthen the capacity of African parliamentary committees responsible for oversight on International Relations, Foreign Affairs, Defence and Security portfolios in the various aspects of Security Sector Reform; Disarmament, Demobilisation and Reintegration; Civil-Military Relations; Procurement and Budgeting Processes. Given the magnitude of the challenges and the still emerging and evolving parliaments, more input is required to assist on the various aspects.