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Winter 1995

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Makau wa Mutua

*University at Buffalo School of Law*

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#### Recommended Citation

Makau w. Mutua, *New Challenges to Southern Africa: From Regional Conflict to Internal Reconstruction*, 2 *Brown J. World Aff.* 179 (1995).

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Originally published in the *Brown Journal of World Affairs*.



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# New Challenges in Southern Africa: From Regional Conflict to Internal Reconstruction

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MAKAU WA MUTUA

Projects Director of the Harvard Law School Human  
Rights Program

**W**ith the possible exception of the Horn of Africa, arguably no other African region has been subject to multiple traumas such as those endured by southern Africa. From the brutal Portuguese colonization to the vicious civil wars in Angola and Mozambique—not to mention the ravages of apartheid in South Africa and Namibia—the last four hundred years have been remarkable for the sheer brutality of man over fellow man. Yet, since 1990, there has been a steady, if halting, reversal of the conditions that have historically engendered violence in the region. In this article, I will examine this legacy and the struggle to construct politically viable states from a human rights dimension.

Over the last four decades, southern Africa—the region comprised of Angola, Botswana, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia, and Zimbabwe—has been defined by apartheid, anti-colonialism, state despotism, and massive human rights violations. Except for Botswana—for many years the only democratic state—no other country in the region has witnessed sustained periods of peace and prosperity; however, in the last five years, democracy and reconciliation have begun to engulf the region. Last April, South Africa, the most powerful country in the area, rejected its racist past and started the slow journey toward accountable government and racial equality. In 1990, Namibians finally created an open society after decades of South African

colonialism were terminated. In 1991, Zambia overcame Kenneth Kaunda's one-party rule, and introduced a multiparty democracy.

In another unlikely turn of events—one of the most heartening developments of the decade—Malawians forced Life-President Hastings Kamuzu Banda to an electoral defeat, which was the first contested poll since gaining independence from Britain in 1964. In Zimbabwe, plans for a one-party system have long been abandoned, and opposition political parties are organizing to cut into Robert Mugabe's monopoly on power. Even in tiny Lesotho, the kingdom ensconced in South Africa's belly, some halting progress has been made toward participatory politics. But the greatest news comes from two of the region's most troubled countries, Angola and Mozambique, where peace accords may end decades of some of the most brutal civil conflicts on the continent.

Although this news is encouraging, the checkered history of the post-colonial state in Africa provides reason for further reflection. The failure of a number of states—such as Rwanda, Somalia, and Liberia—at least raises the question of the viability of some of these post-colonial entities, which were originally created for the expediency of European colonialism and expansion. Can democracy and respect for human rights take hold within political societies, including those in southern Africa, that lack the essential requirements—a distinct nationalistic identity and loyalty, commitment to a national interest by governing classes, a history of tolerance—of real and empirical statehood?

### **The Slaying of the Beast: A New South Africa**

Two often interrelated phenomena have primarily determined the course of recent history in southern Africa. The first, and probably the most important, was the institution of apartheid in South Africa and Namibia and the external effects of that policy in neighboring states. The second, which enjoyed the support of both South Africa and the industrial democracies of the West, was Portuguese colonialism in Angola and Mozambique. The former played a critical role in the destabilization of Angola and Mozambique following the defeat and withdrawal of the Portuguese colonizers. More than anything else, South Africa's huge economy, its military might, and the internal and regional struggle against apartheid defined the region.

For centuries, South Africa has been the epitome of racial inequality. A snapshot will suffice to show this. The cornerstone of Grand Apartheid, which has been the subject of in-depth studies for decades, was the legal and actual treatment of South Africans based on race and the color of their skin. Under it, two countries—one white, the other black—

were constructed. 86 percent of all land was reserved exclusively for the white minority while blacks were permitted on only 14 percent, although they constituted over 70 percent of the country's population. Blacks were bunched into ten "reserves," unproductive patches of land called the homelands, each des-

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**The legacy of apartheid is guaranteed to keep millions of black South Africans locked out of the technological advantages of the twentieth century.**

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igned to become "independent." Denied virtually all basic human rights, including the right to participate in government, blacks were subjected to mass illegal detentions, killings by security forces, and forced removals. The gross inequalities between blacks and whites in education, property ownership, and health were astounding. This legacy of apartheid is guaranteed to keep millions of black South Africans locked out of the technological advantages of the twentieth century.

It was against these inhumane and racist policies that domestic anti-apartheid activists such as the labor movement, the youth, human rights groups, lawyers, and civic groups organized mass protests despite harsh repression by the Boer regime. By the mid-70s, it became increasingly clear that, unless the Afrikaners allowed independent political activity, unbanned key political groups—such as the African National Congress (ANC), the Pan-Africanist Congress (PAC), and the South African Communist Party (SACP)—the country would implode. While the state responded to cries for freedom with an iron fist, by detaining and killing thousands of black children, the international community, with the exception of the major industrial democracies of the West—such as the United States and Great Britain—further isolated the apartheid regime, and called for immediate steps towards majority rule. The ANC, which was the pre-eminent opponent of apartheid, broadened its international clout beyond the front-line states—the black-ruled nations neighboring South Africa except Malawi—and the Soviet Union and its Eastern European satellites.

In the United States, under the able leadership of African-American advocates Randall Robinson of Transafrica and Gay McDougall,<sup>1</sup> then director of the Southern Africa Project of the Lawyers Committee for Civil Rights Under Law, the anti-apartheid lobby mobilized American public and legislative opinion against Ronald Reagan's constructive engagement, the policy which justified subtle American support for apartheid.<sup>2</sup> It argued that punitive sanctions were necessary to convince the Boers that apartheid had to be abandoned. In 1986, the US Congress rejected

constructive engagement, and overwhelmingly overrode Reagan's veto to pass the Comprehensive Anti-Apartheid Act. The passage of that law convinced the intransigent Boers that apartheid was doomed.

From 1986 onwards, both domestic and international pressure mounted as calls increased for the release of Nelson Mandela, this century's most important prisoner. Although Pretoria continued to crack down hard on its opponents, it also started to contemplate the end of apartheid. In 1990, the unthinkable happened: Nelson Mandela was freed, and the ANC and other political groups were legalized.

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tions between the ruling National Party and the ANC produced an interim constitution, and in April 1994 in the country's first freely contested all-race elections, the ANC captured just under two thirds of the vote. In an improbable twist of fate, Nelson Mandela became president with F. W. de Klerk, the last president of the apartheid era, as the sec-

ond vice president in a government of national unity.

But the introduction of black majority rule will not alone reverse the inequalities wrought by apartheid, or change overnight the abusive conduct of the country's security forces. In other words, the culture and ethos of human rights remain a distant dream that all South Africans must work towards. In almost every conceivable situation—and South Africa is the classic example—human rights abuses result from the struggle over power and resources. To alleviate them and create institutions which protect basic freedoms, a nation must at the very least provide broad sectors of the citizenry with a stable livelihood and an optimum measure of equality before its laws.

In the case of South Africa, political democracy must be followed in the not too distant future by economic democracy—that is, equality in the nation's economic life. A comprehensive and equitable land-reform program coupled with a radical restructuring of the economy in employment, access to capital, and allocation of public resources are unavoidable if the young experiment with freedom is to succeed. This is the only basis on which the tradition of violence and disregard for basic human rights could be overcome. It remains to be seen, however, whether the Mandela government has the political will and the ability to forge a unified, prosperous nation from the ruins of apartheid, given the domination of the economy and the security apparatuses by the white minority.

## **War Fatigue: New Horizons in Angola and Mozambique**

The tragedy of Portuguese colonialism in Angola and Mozambique was compounded by its longevity, the underdevelopment of Portugal itself, and the manner of its withdrawal. In Mozambique, after a lengthy and brutal anti-colonial war, FRELIMO, the national liberation movement, took over a devastated economy after the Portuguese beat a hasty retreat following the military coup in Lisbon in 1974. The first African government, which professed Marxism, immediately ran into opposition from South Africa and some beneficiaries of the colonial era. Not surprisingly, the new government was an outspoken opponent of apartheid and a supporter of South African liberation movements.

Born during the Cold War, independent Mozambique chose the Soviet Union as its patron. Its domestic policies, based on experimental scientific socialism, failed to create the necessary conditions for economic takeoff. The basic needs of most Mozambicans went unmet as economic indicators showed an economy on the brink of collapse. These economic difficulties were compounded—some might say created—by Rhodesian and South African destabilization campaigns, especially their orchestration and support for RENAMO,<sup>3</sup> the rebel conservative movement led by former colonialists and their African collaborators.

Soon after independence in 1974, the FRELIMO government granted refuge and bases to Zimbabwean liberation movements fighting against the Ian Smith regime in Rhodesia. The white Rhodesian army in turn augmented its raids into Mozambique in pursuit of the freedom fighters by sponsoring the then little known Mozambican National Resistance (MNR)—later renamed RENAMO—a collection of colonists opposed to FRELIMO. Upon attaining independence in 1980, the new Zimbabwean government under Robert Mugabe obviously cut its links with RENAMO.<sup>4</sup> South Africa immediately and dramatically increased its military and logistical support for RENAMO, making it a credible fighting force and a real threat to the FRELIMO state. Although Mozambique was pressured by South Africa into a non-aggression pact in 1984, the Boer regime's covert support for RENAMO continued unabated.<sup>5</sup>

Over the years, RENAMO occupied large tracts of territory in a war which, between 1975 and 1992, claimed the lives of over seven hundred thousand Mozambicans. Although both sides committed abuses during the war, human rights organizations have singled out RENAMO as the party most responsible for many of the killings. As expected by many students of southern Africa, the first signs that the war in

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fire, and in October 1994, RENAMO took part in the country's first multiparty elections.

Initial election results indicated that Joaquim Chissano, FRELIMO's presidential candidate and the current head of state, would beat a strong challenge by Afonso Dhlakama, the head of RENAMO. Although Dhlakama agreed to participate in the elections after threatening to pull out altogether, doubts remain as to whether he will accept defeat and refrain from reigniting the war. If Chissano wins—as is projected—he is expected to offer RENAMO leaders several positions in a government of national unity. Mozambique, one of the poorest countries in the world, desperately needs peace, reconciliation, and compromise between FRELIMO and RENAMO if it going to turn the leaf on its long history—starting with colonial rule four centuries ago—of gross and massive human rights violations.

The international community certainly hopes that Mozambique will not mimic Angola in an elusive quest for peace. Since 1974, when Portugal bolted from Angola, that nation has resembled a living hell. In January, 1975 Portugal and Angola's three liberation movements—the MPLA, the FNLA, and the UNITA<sup>6</sup>—agreed to set up a transitional government, and to hold elections that October, prior to formal independence in November. But in February, 1975 the FNLA, with the encouragement of the United States and President Mobutu Sese Seko of Zaire, launched attacks against the Marxist MPLA, an event which set off the long Angolan tragedy. Although the CIA had initially funneled covert aid to the FNLA, it soon switched its support to UNITA, seeing in Jonas Savimbi a more dependable satellite for preventing the MPLA from coming to power. In response, MPLA invited the support of thousands of Cuban troops and Soviet advisors. A year later, the MPLA had decisively won and pushed UNITA and the FNLA to the fringes of the countryside.

But South African, American, and Soviet support for the proxy war continued until the Soviet Union collapsed, and South Africa renounced apartheid. In 1992, after millions of Angolans were either killed or maimed—with UNITA committing the most unspeakable violations—both sides agreed to a freely contested election. When UNITA's Jonas

Mozambique was directly linked to South Africa's internal politics started to emerge in 1990. As South Africa legalized its liberation movements, RENAMO indicated its willingness to consider a cease-fire. In 1992, both sides initialed a cease-

Savimbi lost to the MPLA's Jose Eduardo dos Santos, he rejected the poll considered by international observers to be free and fair. He immediately restarted the civil war in which thousands more have been killed. Lacking the support of its former patrons, UNITA suffered heavy losses and lost huge chunks of the territory it has controlled for years. In the aftermath, peace talks in November 1994 led to an agreement designed to end the twenty-year civil war. Some reports indicate that if peace materializes, Savimbi may be named vice president. Angola, one of the resource-richest countries in the world,<sup>7</sup> could soon embark on national reconstruction and reconciliation, if reason overcomes the greed for power.

### **Emerging Democracies: Malawi and Zambia Reject Despotism**

More than any other region of Africa, southern Africa is witnessing a slow but clear trend towards more tolerant and democratic political societies. The Kingdom of Lesotho now has a democratically elected government after decades of iron-fisted rule. In Zimbabwe, although Robert Mugabe's ZANU-PF<sup>8</sup> has dominated politics since independence in 1980, other political parties are now allowed to compete for political power. Where it appeared once that the one-party state would be imposed, political participation and expressive rights have continued to expand, though the state still restricts basic human rights. Since gaining independence from South Africa, Namibia has continued its steady construction of a democratic society based on the rule of law. Apart from South Africa, the two most prominent indications of the rejection of the repressive past are Malawi and Zambia.

In 1990, Zambians opposed to Kenneth Kaunda's one-party, repressive rule took advantage of the winds of change sweeping Africa, and formed the Movement for Multiparty Democracy (MMD). Under the leadership of Frederick Chiluba, the charismatic former trade unionist, the MMD campaigned on a human rights platform by exposing the abuse of power by security forces, corruption by state officials, and the denial of speech and political participation rights. Although the government resisted change at first, it quickly allowed independent political activity and scheduled elections for October 1991. In those elections, Chiluba and the MMD resoundingly defeated Kaunda at the presidential and parliamentary levels. In a move rarely witnessed in post-colonial Africa, Kaunda graciously stepped down, and is now a leading figure in the opposition.

Malawi's transition to democracy was more troubled. After independence, the Malawian government established and maintained control over its citizens by requiring absolute loyalty to its leaders, and by



terrorizing those who would speak against it. The most common abuses included "disappearances," torture in custody, judicial interference, and the punitive confiscation of property. Life-President Hastings Kamuzu Banda exercised total control through the Malawi Congress Party (MCP), the sole legal political party, and the Malawi Young Pioneers (MYP), a paramilitary unit with wide powers of arrest. Of the black-ruled states in the region, his was distinguished by the brutality of his rule and his collaboration with apartheid South Africa.

It is not surprising, once again, that Malawi's transformation closely followed the democratization process in South Africa. In June 1993, after the failure of the regime to silence pro-democracy advocates, Malawi became one of the last African countries below the Sahara to officially adopt multipartyism, after losing by two thirds a referendum to end repressive one-party rule. The speed and scope of change from then on has been dramatic and impressive. Opposition political parties were licensed and human rights groups sprung up. Independent newspapers were started and a new constitution with a bill of rights adopted. Detention laws were scrapped and courts started to render judgments supportive of human rights. To crown these achievements, the United Democratic Front (UDF) won presidential and legislative elections in May 1994. The MCP peacefully stepped down and formed the largest opposition party. Banda, now his late nineties, is an ordinary citizen. The new government has indicated its intention to nurture institutions that promote basic freedoms.

### **Conclusion: Hope and Fear**

Pessimists would find some difficulty in dismissing the movement towards more tolerant societies in southern Africa, even though the jury is still out on whether peace accords in Angola and Mozambique will hold. But are the experiments with democracy in South Africa, Zambia, Malawi, Namibia, Lesotho, Botswana, and Zimbabwe bound to take root or are they easily reversible? Are democratization and an ethos for the respect of human rights merely a fad whose staying power in Africa is unpredictable or even an impossibility? Is it possible under Africa's current state structures and political culture to create politically democratic and economically viable states?

Recently these questions have been brought into sharp relief by a new phenomenon—the failure of the African post-colonial state in countries as diverse as Rwanda, Somalia, and Liberia. Could the potential for the revival of Angola and Mozambique be a counter-trend on which the hopes of Africans could rest, or are they aberrations from which no

patterns should be read? Africa's current problems stem primarily from an event which took place in Berlin in 1885. There, major European powers carved up Africa for the convenience of their colonization. Without regard to pre-existing political boundaries and entities, demographic and ethnic variables, and geographic factors and historical alliances, they created several dozen countries almost overnight. Africans suddenly had to live in bounded areas with contrived citizenries.

These colonial states could not forge nationalistic loyalties and identities because they were unnatural and forced. Sadly, the post-colonial state suffers from the same problems—it inherited wholesale the colonial state. It is no wonder that Africans usually lack an instinctual bond to the state; it is an alien imposition. Those who become rulers lack a national interest, and only seek power to pillage the state. In the process they resort to human rights violations against their fellow citizens in order to retain control. They cynically present themselves—until recently, in the form of the party-state—as the “guarantors” of “national unity” and “development.” Those who question them or advocate independent viewpoints are stigmatized as “enemies of the state.”

Once the superpower patrons in the late 1980s withdrew support from this impenetrable terrorist organization parading as a state, at the end of the cold war, it failed to withstand popular demands for liberalization. Soon it was faced with a choice: either it would spin out of control because citizens attacked it, because of its own paranoia or because it succumbed to demands for democratization; if it resisted change, ethnic, social, and economic cleavages would burst open, pitting citizen against citizen. In this event, it prosecuted the genocidal war in Rwanda, Somalia, Sudan, and Liberia. The lessons offered by the post-colonial state point to its fragility and the need to reconfigure Africa's political map if the state is going to become a viable form of organizing political society. One possibility could be redrawing Africa's colonial boundaries. Another could be the creation of regional economic unions with loose political confederations.

For southern Africa—including South Africa with its developed industrial base—these challenges remain real. Although countries in the region are states juridically, they lack the other essential ingredients of stable statehood, such as political classes with a firm commitment to the nation, a citizenry that is loyal to the idea of the state and the country, and a viable base for economic development. Unless emergent democracies develop these variables, the experiment with open and free societies may soon turn sour. Human rights can only be secured when these fundamental questions on the viability of the state are successfully addressed. ❁

## Notes

<sup>1</sup>Gay McDougall, a graduate of Yale Law School, has for over two decades worked for human rights and democracy in South Africa. The Executive Director of the International Human Rights Law Group since September 1994, she was one of five foreigners, and the sole American, named to the Independent Electoral Commission, the body that organized, monitored, and supervised South Africa's first all-race elections in April 1994.

<sup>2</sup>Constructive engagement was crafted by Chester Crocker, Reagan's Assistant Secretary of State for African Affairs from 1981 to 1989. This geopolitical Cold War strategy rested on several pillars including the withdrawal of Cuban troops from Angola in return for Namibian independence, diplomatic and military support for UNITA—the terrorist Angolan rebel movement—to oust the Soviet-backed MPLA government in Luanda, and the maintenance of South African hegemony in the region.

<sup>3</sup>RENAMO is the Portuguese acronym for Mozambican National Resistance or Resistancia Nacional Mocambicana.

<sup>4</sup>The Mugabe government in fact supported the FRELIMO government in its war against RENAMO. Were it not for South African support, RENAMO would have been choked by the two states.

<sup>5</sup>The Nkomati Accord of 1984 formally committed Mozambique to end its support for the ANC and other South African liberator movements in exchange for South African termination of its patronage of RENAMO.

<sup>6</sup>The MPLA is the Portuguese acronym for the Popular Movement for the Liberation of Angola or the Movimento Popular de libertacao de Angola; the FNLA was the National Front for the Liberation of Angola or the Frente Nacional de Libertacao de Angola; and UNITA is the Union for the Total Liberation of Angola or the Uniao Nacional para a Independencia Total de Angola.

<sup>7</sup>Angola has huge oil deposits, diamonds, and very fertile farmlands.

<sup>8</sup>ZANU-PF is the Zimbabwe African National Union-Patriotic Front, the ruling party.