AGOA, Lesotho’s ‘Clothing Miracle’ & the Politics of Sweatshops

Peter Gibbon

The ‘Africa Growth and Opportunity Act’ (AGOA) was signed into US law at the end of August 2000. Perhaps the most important provision of this version of the Act (AGOA I) was that it conferred duty-free status to clothing articles directly imported into the US from beneficiary countries, until 30 September 2008. To command beneficiary status, countries had to meet a series of political and economic conditions, with the result that 38 countries are currently included in benefits. In addition, beneficiary countries have to have an export visa system approved by the US Customs Department. As of early March 2003, nineteen had done so. The only important clothing manufacturing country in Africa that remains excluded from AGOA benefits is Zimbabwe.

AGOA distinguishes between ‘Lesser Developed Beneficiary Countries’ (LDBCs) – those with per capita incomes below US$1500 in 1998 – and other African countries, with regard to clothing rules of origin. At least until 30 September 2004, LDBCs have access on the basis of a single-stage rule, that is, one requiring only assembly and finishing in the country of origin. Non-LDBCs, such as Mauritius and South Africa, enjoy access only on the basis of a three-stage rule. That is, yarn spinning, fabric weaving or knitting and assembly and finishing must take place within a country of origin, in another beneficiary country, or in the US. A cap of 3.5% of all US imports by value applied to AGOA preferences generally. A second version of AGOA, AGOA II, was signed into law in August 2002. Besides reclassifying Botswana and Namibia as LDBCs, this increased the cap to 7%, as well as resolving problems of eligibility for fully-fashioned knitwear and for articles made from merino wool.

In relation to the clothing trade between the US and Africa, AGOA removes quotas imposed by the US under the Multifibre Arrangement for certain products made in Mauritius and Kenya and prevents any further quotas being imposed. This gives African countries an important technical preference in relation to quota-bound ones. In most quota-bound countries, quota is traded. This typically adds a cost of US$2-3 per dozen to the US landed price of a number of major product types, including men’s cotton trousers and shirts. As far as tariffs were concerned, all countries’ clothing exports face US duty rates averaging 17% of landed value – although there are considerable variations between product types, with cottons rated mostly

| Table 1: Clothing Exports from Africa to the US, six Anglophone LDBCs, 2000-02 (US$m) |
|---------------------------------|------|------|------|
|                                 | 2000 | 2001 | 2002 |
| Botswana                        | 8.3  | 2.5  | 6.4  |
| Kenya                           | 44.1 | 64.7 | 125.5|
| Lesotho                         | 140.2| 214.8| 321.1|
| Malawi                          | n/a  | 11.2 | 11.4 |
| Namibia                         | 0.2  | 0.1  | 6.7  |
| Swaziland                       | 31.8 | 48.0 | 89.1 |
| 6 Anglophone LDBCs              | 224.6| 341.3| 560.2|

Source: US Department of Commerce, Otexa; *5 countries

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around 13% and synthetics at around 25%.

In other words, AGOA gives eligible African countries an average price advantage of 17% plus quota cost over other countries into the US market, until their aggregate US market share reaches 7%. Furthermore, it gives LDVC countries the chance to export into the US market on the basis of the most liberal rule of origin available, until the end of September 2004. The supply response to this has been spectacular, at least in Anglophone LDVCs. Total US clothing imports from sub-Saharan Africa rose from US$748.4m in 2000 to 1098.0m in 2002 (42%). From the group of six Anglophone LDVCs in Table 1 it more than doubled, to US$560m, over the same period (Table 1). The most spectacular success story has been that of Lesotho. Table 2 traces the development of Lesotho’s exports in more detail, since 1990.

Lesotho: the Industry, the Owners, the Customers

The clothing industry in Lesotho dates from the early 1980s when a number of South African companies (including SA Clothing industry’s sportswear division) opened plants in Maseru, partly in order to take advantage of cheap labour for ‘exports’ to South Africa, partly in order to avoid sanctions on overseas exports, and partly to take advantage of Lesotho’s special derogation to the Lomé Convention rules of origin into the EU. Lesotho also offered various FDI incentives, most of which still remain. These include a company tax level of 15%, tax exemptions on dividends and on imported plant, and concessionary interest rates on working capital. These incentives are not exceptionally generous by international standards. The real attractions of Lesotho are its wage rates, its AGOA status, and its good communications infrastructure – in particular its easy road access to the port of Durban. With prevailing wage rates (see below) and AGOA, jeans from Lesotho can now be landed cheaper in the US than Mexican ones.

The first Far Eastern investment occurred in 1986, with the opening of the Taiwanese-owned Lesotho Haps. By the end of 1991 four further Taiwanese plants had opened, as had one from Hong Kong and the South African-owned jeans producer H D Lee (later part of Celrose, itself a subsidiary of the Edgars retail group). Amongst the Taiwanese investments were two larger players that have played a leading role ever since: China Garment Manufacturers (CGM) and C & Y Garments, owned by Nien Hsing. By the end of 1991 total employment stood at around 8,000 and the balance of exports had already shifted to the US.

Growth continued throughout the 1990s, although its pace slowed during 1992-96. Although the number of companies operating in Lesotho doubled in this period, only one large new player entered the scene, United Clothing (owned by Carry Wealth of Taiwan). By the end of the decade total employment was around 19,000. Production was based at an industrial estate adjoining Maseru railway station, and at a smaller estate

| Table 2: Exports of Lesotho to the US & EU, 1990-2002 (US$m) |
|-----------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| to US           | 24.5  | 27.0  | 50.8  | 55.1  | 62.4  | 61.7  | 64.9  | 86.5  | 100.2 | 110.7 | 140.1 |
|                 | 321.1 |       |       |       |       |       |       |       |       |       | 216.7 |
| to EU           | 25.6  | 18.2  | 18.3  | 14.7  | 13.5  | 12.6  | 12.7  | 4.5   | 0.8   | 0.2   | 1.6   |
|                 | a     |       |       |       |       |       |       |       |       |       | 3.2   |
|                 | n/    |       |       |       |       |       |       |       |       |       |       |

Sources: US Department of Commerce, Otxa; Eurostat; ECU/Euro: US$ exchange rates based on rates for 31 December in relevant year.
constructed outside Maputsoe, 100 km north-east of the capital. A period of explosive growth began in late 1999 when it became apparent that AGOA was likely to be approved. In 2000 a fourth large Taiwanese player (Precious Garments) opened a plant with 2,500 workers. Subsequently Precious, CGM, Nien Hsing and Carry Wealth all added additional capacity, either by building new plants or buying existing operations (including two of the original group of South African companies). A new industrial estate (Thetsane) with only huge units was opened on the road from the capital toward Mafeteng, and the Maputsoe estate was extended. By 2001 the four largest Taiwanese companies had a combined labour force of around 20,000, and a further large new investor, Kings Ang, had appeared. Total employment was by this time between 25-30,000 range. By 2003, when most of the new capacity referred to above had come on stream, it had reached about 40,000 in a total of 54 plants. As a result, for the first time in the country’s history, private employment exceeds public employment. According to Lesotho government officials, more large companies would have invested if it were not for constraints on land.

CGM, Nien Hsing and Carry Wealth are all partially globalised – CGM in South Africa and Nicaragua, Carry Wealth in Indonesia, El Salvador and PR China, and Nien Hsing in Mexico, Nicaragua and Swaziland. CGM has integrated upstream into textiles near Durban and Nien Hsing is doing the same in Lesotho itself. Nien Hsing’s global sales in 2001 were US$293m. This, according to the group, corresponded to 2.5% of the US jeans market. Carry Wealth, recently listed on the Hong Kong stock exchange, had sales of around US$147m in 2001.

Exports comprise roughly 60% jeans and 40% knits. All knitted fabric is currently imported, although some denim is now woven locally. The main end-customers are Old Navy (Gap’s lower market segment format), Wal-Mart, K-Mart, and some large US importers. The chains mentioned source from all the global operations of Lesotho’s leading manufacturing firms. In some cases the stimulus for these manufacturers to set up in Lesotho came from the chains themselves.

**Labour, LECAWU & the Lesotho Workers’ Party**

In common with the clothing industry in most developing countries, the Basotho workforce is 80% female and mostly comprises rural migrants under 30 years old.

In contrast to the export sub-sectors of most of Africa’s other clothing industries, Lesotho’s is characterised by a relatively high level of union organisation. By 2003 the Lesotho Clothing & Allied Workers’ Union (LECAWU) claimed a total membership of 19,000 (47.5% density) of whom 11,000 were fully paid up. There had been only 4,000 paid up members at the end of 2001.

LECAWU first rose to public prominence in early 1998 when it organised a strike over wages and conditions at one of CGM’s plants (Basotho Jeans). Violence occurred after management refused to negotiate and workers broke into storage areas and burnt stock. The police were called, one worker was shot dead and 45 were injured. This was followed by the dismissal of the entire workforce, selective re-employment and new hiring. The dismissed workers blockaded the plant and four were arrested for beating new employees. LECAWU unsuccessfully took CGM to court over the dismissals.

Between 1998 and 2001 LECAWU followed a twin strategy of trying to organise the largest companies and pressurising government to create a body where binding collective bargaining could occur at a national level. Factory
wages were in practice set unilaterally by government, through minimum wage regulations issued by the Wage Advisory Board on Labour. The latter followed recommendations from the Central Bank. By October 2001 LECAWU felt strong enough to initiate a national campaign of action including a stay-away and a march on the Ministry of Labour, aimed at a wage increase of 60% and the inauguration of a tripartite bargaining council. The government conceded only a 6.5% increase, but within a few days the recently formed Lesotho Textile Exporters’ Association (LTEA) offered workers an additional 10% and the stay-away ended. LTEA represented most of the largest Taiwanese companies, operating a total of 20 plants between them. Subsequently, according to LECAWU, full union recognition and collective bargaining have been achieved in 9 plants and partial recognition in a further 22.

In November 2002 LECAWU launched a second national campaign, including a demand for a wage increase of 90%, to a level calculated as adequate to meet the basic needs of a family of 5-6 people. Members of LTEA this time offered 12%, which LECAWU appears to have accepted.

In an African context, two exceptional features of LECAWU have been its creation of a political party and its use of US trade unions and US and European NGOs to promote its agenda, in both cases with rather mixed results. The Lesotho Workers’ Party was founded in August 2001, following a decision by a LECAWU congress, with the objective of contesting the next general election. The party’s executive is made up almost exclusively of LECAWU leaders (80% of them women), although it aims to represent the interests of Lesotho’s working class generally. Its objective is ‘to secure decent standards of living, social security and fair conditions of work and life’. In the May 2002 general election it obtained only 7,788 votes (1.4% of the total). Nevertheless, because of Lesotho’s proportional representation system this was sufficient to secure a parliamentary seat for its leader, the former LECAWU secretary general Macaefa Billy.

Global Campaigns & Local Outcomes

LECAWU’s involvement with external organisations dates from 1994 when it provided much of the evidence used by the US Department of Labour’s Bureau of International Affairs to write a report on child labour in Lesotho. This stated that 5-15% of the workforces of several Taiwanese-owned companies were aged 12-15, that children were sometimes forced to sleep in factories overnight and that they were fed only bread and tea. This report continues to feature on the Department of Labour website as the latest word on Lesotho’s labour conditions and on as such is still used by anti-child labour organisations such as Global March, even though the conditions in question are no longer general.

Since 2001 LECAWU has collaborated with at least six fact-finding missions by US and European trade unions and NGOs, in an effort to strengthen its bargaining position with employers. Each of the missions arrived at a similar list of problematic conditions obtaining in Taiwanese-owned plants (Table 3).

In most cases the missions do not state how many workers were interviewed, how they were selected, or even what the incidence of the reported conditions was. But it seems clear that the following conditions are quite common: wage levels for machinists are lower than the current LECAWU-LTEA agreed rate of M650 (US$81)/month; compulsory overtime; inadequate protection of workers against inhalation of dust; locking of emergency doors; verbal abuse; and harassment of LECAWU activists. Four of the missions, those by the Ethical Trading Action Group (ETAG, Canada) (twice), the Union of Needle Trades,
Industrial and Textile Employees (US, UNITE) and the Clean Clothes Campaign (Netherlands) have been prologues to public campaigns in developed countries. These have been directed at Hudson Bay (Canada), Gap (both in two cases) and Wal-Mart, in each case embodying a threat of boycott. It is too soon to gauge Wal-Mart’s response to the Clean Clothes campaign, which was launched only at the end of December 2002. But Hudson Bay and Gap reacted very differently to the two ETAG campaigns. These differed from those of UNITE and Clean Clothes in that they publicly named not only end-customers but suppliers. Sun Textiles was named as a problematic supplier of Hudson Bay and Nien Hsing/C&Y Garments of Gap. Hudson Bay responded by dropping Sun Textiles, while Gap reacted by pressuring Nien Hsing/C&Y to recognise LECAWU and establish a collective bargaining procedure (UNITE’s campaign against Gap post-dated Nien Hsing’s adoption of these changes). Clean Clothes’ subsequent decision to not name problematic suppliers to Wal-Mart was prompted by LECAWU’s fear that the latter company might follow Hudson Bay’s example and simply drop the offending suppliers.

Issues & Dilemmas

In conclusion, three issues arising from the ‘politics of sweatshops’ will be mentioned, along with the dilemmas that they pose. The first is that of preferential trade agreements and maquiladorism. The new generation of US and EU preferential trade agreements and offers are widely criticised for promoting industrial development in the third world of

| Table 3: Problematic Conditions Reported by US & European Fact-finding Missions to Lesotho, 2001-02 |
|---------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
|                                | SOMO | ETAG I | ETAG II | UNITE | CCC | EDS |
| N plants visited               | 10   | 1      | 3      | 6    | 21E | 1   |
| N workers interviewed          | 30   | n/s    | n/s    | n/s  | n/s | n/s |
| Low wages                      | *    | *      | *      | *    | *   | *   |
| Compulsory overtime            | *    | *      | *      | *    | *   | *   |
| Incorrect overtime payments    | *    | *      | *      | *    | *   | *   |
| No free provision of adequate face masks | *    | *      | *      | *    | *   | *   |
| No air conditioning/heating    | *    | *      | *      | *    | *   | *   |
| Restricted number of toilets/toilet visits | *    | *      | *      | *    | *   | *   |
| Locking of emergency exits     | *    | *      | *      | *    | *   | *   |
| Child labour                   | *    | *      | *      | *    | *   | *   |
| Workforce casualisation        | *    | *      | *      | *    | *   | *   |
| Physical and verbal abuse of workers | *    | *      | *      | *    | *   | *   |
| Sexual harassment              | *    | *      | *      | *    | *   | *   |
| Refusal of time off for funerals | *    | *      | *      | *    | *   | *   |
| Failure to give lighter employment to pregnant staff | *    | *      | *      | *    | *   | *   |
| Arbitrary dismissals            | *    | *      | *      | *    | *   | *   |
| Harassment of LECAWU activists  | *    | *      | *      | *    | *   | *   |
| Body searches on leaving factory | *    | *      | *      | *    | *   | *   |
| Money-lending by supervisors    | *    | *      | *      | *    | *   | *   |
| Extortion by supervisors of bribes to obtain employment | *    | *      | *      | *    | *   | *   |

Key: SOMO: Centre for Research on Multinational Corporations (Netherlands); ETAG: see text; UNITE: see text; CCC: Clean Clothes Campaign; EDS: Episcopal Divinity School (US); E: not clear if all 21 visited; n/s: not stated
an exclusively ‘low road’ kind: low investment, cheap labour, low skills and only short-term benefits. The Lesotho example shows that AGOA generates some of the same effects. On the other hand it is also associated with the initiation of some clearly longer-term investment commitments (backward integration by Nien Hsing and CGM), significant growth in employment and income generation (additional employment of 20,000 and additional annual employee income of over US$20m), and the consolidation of an important new force in ‘civil society’ (LECAWU).

The second is that of defining ‘sweatshops’. Given that preferential trade agreements tend to promote maquiladoras, are all plants that are created in the process therefore by definition sweatshops? If not, what criteria should be used? Even the apparently least contentious issues become cloudy as soon as they are examined in detail. What definition is appropriate, for example, for child labour? According to US labour law, anyone below 18 is a child. Under British labour law, those aged 16-18 are ‘young persons’ – neither children nor adults. Under Lesotho’s labour laws 15 year olds may work. The presence of 15 year olds is cited as an instance of child labour by US and Canadian NGOs, however. A similar issue concerns wage levels. In relation to what yardstick are specific wage levels unacceptable? Different fact-finding missions to Lesotho variously use the government-set minimum, LECAWU-LTEA agreed rates and an ILO-based definition of the Lesotho ‘family wage’ as points of reference. Which, if any, of these is relevant and what kind of international comparisons also should be factored in (ones related to developed countries, countries with similar GDPs per capita, or what)? Finally, should the migratory nature of the industry be taken into account in this connection? Does it make sense to demand wage levels whose implementation, given local capabilities and distance to market, would probably lead to a shift of orders to lower-cost locations?

The third is that of how to fight against sweatshops, once a definition has been agreed. This question has become all the more pressing as most leading brands and private labels in the US and some parts of the EU have started to take specific actions in relation to allegations of use of sweatshops. On the one hand, action seems to follow more directly when specific suppliers are named. On the other, the Hudson Bay response to the naming of a supplier is almost certainly more common than the Gap one. Gap’s probably reflects not only a more sophisticated ‘brand politics’ within Gap, but also the relative importance of the supplier concerned. More broadly, two other considerations also should be noted. Both are based on findings from interviews conducted by the author with large clothing retailers and other importers in the UK and Scandinavia. First, for brands and high street private labels, bad publicity concerning a single supplier or a group of suppliers in a specific country induces a very high degree of caution about using any supplier from this country, unless the buyer is already heavily involved there. Second, up to a half of all clothing imports do not go to brands or leading private label retailers, but to various other kinds of outlet through a much longer chain. There is no brand vulnerability and no use of codes of conduct for this tranche of imports, and hence ‘anti-sweatshop politics has no purchase in relation to them. In other words, ‘successful’ versions of anti-sweatshop politics as they are now practiced tend to target suppliers where wages and working conditions are probably already above average, and may thus widen the gap between these and the rest rather than having a wider impact.

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Decade of ‘Trade Not Aid’

Carol Thompson

For a new post-cold War foreign policy, trade pacts are more important than missiles, and the instruments of diplomacy are markets, not armies (President William Clinton, November 1993).

... the first place to start on the economic front is to make sure we have free and fair trade with the African continent. The US textile industry fears low cost imports from Africa (President George W. Bush, February 2001).

The US Trade and Development Act for Africa (formerly African Growth and Opportunity Act-AGOA) has been promoted as a benefit for the continent, with recent statistics showing increased imports from Africa. But the new imports are a few textiles, apparently made under sweatshop conditions.

This brief discussion of the US Trade and Development Act (T&D) raises challenging questions as an appeal to begin dialogue with Latin American activists/scholars about the impact of ‘free’ trade agreements. Decrying its inequity, global social movements have been able to forestall the implementation of the Free Trade Act for the Americas (FTAA). But it appears that Africa already has its FTAA, in the T&D Act.

It is not too late to negotiate modifications to the law. We need to document fully what the impact of the US Trade and Development Act has been since its inception in October 2000. We can learn by working with Latin American activists to compare the impact of trade instruments on developing economies.

A dialogue among activists for both continents could address the following types of questions:

- What are the advantages and disadvantages of the trade treaties? Who benefits?
- How do the Latin American (NAFTA/FTAA) and African (T&D Act) treaties differ?
- What are the environmental impacts of the trade agreements, especially for patenting of life forms (IPRs) and for setting of national standards for environmental protection?

Globalisation or Imperialism?

The pessimistic prediction about the impact of globalising forces on Africa has become dire reality. President Bouteflika of Algeria, and of the OAU in 2000, summarised:

A new map of the world is being drawn up, and an entire continent – Africa – is purely and simply being rubbed out. No area has been marginalized in the world economy as sub-Saharan Africa with its share of world trade slipping to 2.1% in 1998.

The continent of Africa finished the 20th century with trade profiles not much different from when the continent entered the century: its exports (including South Africa) are non-processed minerals and agricultural products.

African governments have not ignored advice to promote ‘non-traditional’ exports, increasing production of horticulture, for example. However, those policies quickly confronted the ‘fallacy of composition’, for as more countries exported flowers or game meat, the increased quantity available reduced prices. This fallacy, where simultaneous expansion of export volumes by several countries actually reduces export revenues, has also hit traditional commodities, such as bananas, cocoa, coffee, cotton, tea and tobacco.
Furthermore, as the African continent has increased its exports, the industrialised countries importing these goods maintained or increased their trade barriers. The World Bank estimates that if North America, Europe and Japan eliminated all barriers to imports from sub-Saharan Africa, the continent’s exports would rise by 14%, an annual increase in revenue of $2.5 billion.

**Trade Not Aid**

Since 1993, US policy has emphasised ‘trade not aid’, and therefore, there were high expectations for the US Trade and Development Act. At last, the US would open up its markets. Trade with Africa has been minuscule, with imports from just four countries (South Africa, Nigeria, Gabon and Angola) comprising 92% of total imports by the US from Africa (overwhelmingly oil imports from the last three).

A major promise echoing in the halls of Congress during the five-year discussion (1995-2000) of the T&D Act (formerly AGOA) was for entry of African textiles into the US market. The final Act was more than a disappointment, perhaps a mockery. Only textiles made with US thread and yarn could enter the US duty free, unless the African country is ‘least developed’. If apparel is wholly assembled in Africa from fabric woven in the region from local thread, it is subject to increasing annual quotas.

Further, if Congress establishes that the new imports reduce employment in the US, then the Act can be revoked (a major violation of the World Trade Organization (WTO) which explicitly prohibits unemployment as an excuse for trade barriers).

Finally, by 2005, all quotas on textiles should be removed under WTO; by 2009, all tariffs. Any country will be able to compete for the US textile market. The T&D Act, therefore, sets up Africa economies to start new industries for trade with the US, when they will very likely lose out to competition by larger, more experienced producers within five years.

During the more than 40 years of discussions for the GATT, culminating in the WTO, the US was largely responsible for the agricultural exemptions from liberalisation measures until the 1980s. Although the WTO was to eradicate agricultural subsidies, they have risen, not decreased. During the Clinton presidency, the US spent an average of $14bn per year on farm support. The 2002 law raises subsidies to about $19bn per year for 10 years. ‘Trade not aid’ is a hollow slogan if subsidies artificially lower prices, prohibiting either free or fair trade.

Given this record, a change of policy by the US in the Trade and Development Act might well be heralded on the African continent. However, the Act legalises ‘double standard’ practices instead of eradicating them. To give just one example, Section 409(b) outlines US agricultural trade objectives by giving ‘highest priority’ to other countries’ ‘expeditious elimination of all export subsidies worldwide’ while ‘preserving US market development and export credit programs’ – both of which are forms of subsidies.

**Rejoinder & Activism**

Many NGOs have opposed the original Africa bill and now are discussing how to transform the T&D Act. One coalition is the Africa Grassroots Response Initiative whose goal is to build a support network between social justice leaders in Africa and America. NGOs in Zimbabwe held a conference that exposed the duplicity of the T&D Act – from favouring intellectual property rights (IPRs) for giant corporations, but not for farmers, to requiring ‘national treatment’ of foreign firms by African governments.
Because industrialised countries are promoting trade liberalisation as the only means toward development, a Zimbabwean economist proposes that African countries employ this same logic and demand that African reduction of trade barriers be linked to economic performance indicators. For example, until the debt service ratio is reduced to 20% of exports, an African economy may put tariffs on the import of luxury items, saving hard earned foreign exchange.

Tasks ahead for activists to expose the reality, not the rhetoric, of a decade of US policy of ‘trade not aid’ could include the following:

- Empirical analysis of trade data to understand what items have gained freer entry into the US;
- Investigating conditions for workers in factories exporting to the US;
- Investigating the environmental impact of the treaties;
- Comparing the impact of T&D Act with NAFTA and provisions of FTAA.

Living in an extremely wealthy continent, but in abject poverty, the peoples of Africa must benefit from the export of the wealth, or trade will never lead to development. The title of the US law will remain yet another false promise.

Those interested in participating in this research and policy comparison, please contact Carol Thompson, ACAS Research Co-Chair (carol.thompson@nau.edu).

Zimbabwe: Political Constructions of War Veterans

*Norma Kriger*

In this briefing, I draw attention to three different kinds of political constructions about Zimbabwe’s guerilla war veterans. The first political construction revolves around a discourse of ‘true’ and ‘fake’ veterans. This construction of veterans is linked to a politics of legitimisation and de-legitimisation and has been used since independence. The second political construction, the heart of the paper, looks at how the law has been used to construct veterans and the war. The numerous veterans’ benefits which emerge from a discussion of the role of law in constructing veterans’ rights suggests a third political construction: the veterans’ portrait of themselves as victims of official neglect.

Beginning in February 2000, the Zimbabwe National Liberation War Veterans Association (ZNLWVA) played a critical role in orchestrating electoral violence and in invading and occupying chiefly white-owned land. For the ruling party, ZANU(PF), war veterans had symbolic value. Through their links to the liberation struggle for political independence, veterans were supposed to legitimate the ruling party’s new war for economic independence, signaled by the land invasions, and to intimidate the opposition. For the opposition, the Movement for Democratic Change (MDC), it became more useful to focus on the role of youth involved in electoral violence, land invasions, and land occupations. Far outnumbering the war veterans, the youth were patently too young to have participated in the liberation struggle in the 1970s. The opposition thus rejected the ruling party’s liberatory claims and instead presented the land invasions and electoral violence as the last gasp of a dying regime seeking to stay in power. This battle between the MDC and
ZANU(PF) for party legitimacy drew on a discourse about ‘real’ or ‘authentic’ war veterans and ‘self-styled’ war veterans. The discourse about ‘authentic’ and ‘inauthentic’ veterans has also been used for legitimation in struggles among war veterans, within the party, and by liberation war participants who seek the same status and benefits of ex-guerillas. In May 2000 a group of war veterans, themselves marginalised in post-war politics, formed the Zimbabwe Liberator’s Platform for Peace and Development (ZLPPD) to dissociate themselves from the ZNLWVA which was centrally involved in organising the land invasions. A ZLPPD spokesman said:

*True war veterans are not involved in these invasions. It is only a vocal few that are being manipulated by politicians and mainly political hooligans who are involved.*

ZANU(PF) leaders, like Solomon Mujuru, have also at times attacked leaders of the veterans’ association as inauthentic veterans. At the December 2002 ZANU(PF) conference in Chinhoyi, ex-detainees, restrictees, and political prisoners seemingly made progress in their longstanding quest to be treated as war veterans when the party agreed to pay them the same benefits as war veterans.

Appeals to ‘true’ and ‘fake’ veterans constitute one kind of political construction of veterans which has its political uses. The use of a discourse about ‘authentic’ veterans and those masquerading as veterans is not new; it has been an invaluable symbolic resource for the ruling party and the veterans since 1980. Talk to any veteran, real or not, and one gets a sense of the complexities of who is considered a war veteran and what are the hierarchies. For example, people who left the country to fight but who were told to serve as teachers in refugee camps consider themselves to have been freedom fighters. Those who fought on the front often see those who stayed in camps as less than real veterans. Those who stayed in camps often argue they suffered more: Rhodesian bombings, terrible food shortages, and so on. The youth who provided logistical support to the guerillas, who call themselves collaborators, also regard themselves as liberation war veterans. Indeed, even during the war, uneducated combatants sought to discredit more educated combatants, whom they saw as a threat to their power in the guerilla organisation, by labeling the new-comers ‘sell-outs’ and colonial spies.

Apparently unaware of the post-independence power of symbolic politics, some observers participate too readily in the discourse of ‘real’ and ‘inauthentic’ veterans. Recent studies of Mugabe question, as then Home Affairs Minister Dumiso Dabengwa did in 1997, whether the ZNLWVA leader, Chenjerai Hitler Hunzvi, was a war veteran because he never actually fought. Others merely endorse uncritically opposition claims that President Mugabe’s shock troops are patently too young to have served in the liberation war and deny the role of war veterans in the land invasions.

A second kind of political construction of war veterans occurs through the use of the law to provide state benefits for war veterans. The legal incorporation of guerrillas into a modern legal system inevitably rested on fabrications. Unlike state armies, guerilla armies lack detailed records. More importantly, guerrillas had no rights during the war. The law is used to create rights for them retroactively. To illustrate how the law has been used to politically construct both ‘the war’ and ‘veterans’, I draw on three pieces of legislation: the War Victims Compensation Act of 1980 that provided for war disability pensions, the statutory instruments of 1989 that provided for counting guerilla years of war service toward years of state service for the purposes of calculating retirement pensions, and the War Veterans Act of 1992 that provided
for state schemes to assist veterans. In the process of demonstrating the use of law to politically construct war veterans, some of the material benefits that veterans have secured from the government over time should also become apparent. The full array of state provisions for war veterans include not only additional legal benefits but also assembly pay for two years (1980-1), demobilisation pay for two years (about 1981-3), and preferential job access. The point is that the image of veterans as victims of official neglect is yet another political construction by veterans themselves, often with the support of the official and opposition private media until 1997 when veterans won generous war service pensions (Z$2,000 per month; then about £125) and huge lump-sum payments (Z$50,000; then about £3,000). Again, some observers miss how veterans and others have used the image of veterans as neglected and forgotten to appeal for state resources, and accept uncritically that veterans have been among Mugabe’s forgotten and neglected victims.9

**War Disability Pensions**

The first post-independence legislation which incorporated and provided for guerillas was the war disability pensions legislation in 1980,10 This legislation legitimated the war. Whereas the Rhodesian legislation for war disability pensions defined the armed conflict as ‘acts of terrorism’,11 the new law defined ‘the war’ as

> the armed conflict which occurred in Zimbabwe and in neighbouring countries between the 23 December, 1972, and the 29 February 1980, in connection with the bringing about of, or resistance to, political and social change in Zimbabwe.12

This was a definition of the war that denied ZIPRA’s big battles in 1967-68, ZANLA’s celebrated 1966 battle of Chinhoyi, and ZANLA’s attack on Altena Farm in the northeastern Zambezi valley area, which occurred on 21 December 1972 and which is usually taken as the start of ZANLA’s protracted armed struggle.13 The starting date of the war was later changed to 11 November 1965,14 and still later to 1 January 1962.15 It is unclear why 29 February 1980 is used as the closing date of the war. It refers neither to the date of the signing of the Lancaster House agreement (21 December 1979), independence day (18 April 1980), or any other significant day.

The 1980 legislation incorporated guerillas as having performed ‘unpaid combatant duties’. Thus the law transformed guerillas from ‘terrorists’ to legitimate ‘combatants’.16 A major element in calculating disability pensions is earnings at the time of injury or death. The law stipulated that the guerillas were to have the same earnings as members of the national army, and their ranks and seniority were to be taken into account. This required the two guerilla armies to relate their ranks to the national army ranks. Hence the lowest ranking guerilla would be assumed to have been earning a regular private soldier’s pay. The Act does not define ‘combatant duties’. In practice, though, combatant duties did not require actual fighting, probably because most guerillas did not fight inside Zimbabwe. The law also recognised that ex-guerillas would not be able to provide evidence of the date of their war-related injuries, and so they were simply paid from 1980.

**War Service & State Pensions**

In 1989 the government granted ex-guerillas in the uniformed services (i.e. the police, the army, and the prisons service) and in the public service the right to include their war service years towards calculating their years of pensionable service.17 Ex-combatants were included under a provision for ‘employees who did not elect or were not allowed to contribute to retirement pensions.’ The fiction here is obvious: guerillas were
nobody’s employees, they did not get paid, and there never was an issue of pension contributions. An ‘ex-combatant’ was to mean:

_a contributor [to retirement pensions] who participated actively in the liberation struggle as a combatant before the 18 April 1980, otherwise than as a member of a uniformed force of the then Government of Rhodesia._

There is no definition of what it meant to ‘participate actively’ in the war other than that participation was required until the day of independence, 18 April 1980. Note that the war disability pensions legislation defines the war to have ended on 29 February 1980. There was also a provision to exclude guerrillas who had joined the Rhodesian state sector before independence. These would have been ex-guerrillas who had responded to Bishop Abel Muzorewa’s amnesty offers in 1978 and 1979. Again, note that the war disability pensions legislation did not require war disabled guerrillas to have fought for liberation until the end of the war.

Having entitled ex-combatants to pensionable service, how was one to calculate their years of war service? Because such records were not available, years of war service were estimated based on ex-combatants’ age at the time the regulations were introduced. For example, those less than 31 years old in 1989 (i.e. those who were 21 years old at the time of the cease-fire) were deemed to have spent five years in the liberation struggle. This was the minimum possible number of years of war service. These were generous proxies for war service years, given that most recruits did not serve in any capacity for five years.

**War Veterans Act of 1992**

The War Veterans Act of 1992 provided for state schemes to be introduced to benefit war veterans. From the name of the Act, it is clear that the legislation represented a shift from the language of ‘ex-combatants’, who had come to be stigmatised in the society, to ‘war veterans’, which it was hoped would provide new respect to the ex-guerrillas.

‘War veteran’ meant any person who had undergone military training and who had participated consistently and persistently in the liberation struggle in Zimbabwe and in neighbouring countries between 1 January 1962 and 29 February 1980 to bring about Zimbabwe’s independence. Apart from the use of ‘veterans’ rather than ‘combatants’, what is new in this Act is the explicit requirement that veterans only needed to have had training rather than any actual military service. As already noted, the vast majority of guerrillas were never actual combatants in the war.

In 1997, two months after President Mugabe had granted veterans war service pensions and other benefits in terms of the War Veterans Act, the Minister of Public Service, Labour and Social Welfare, who administered pensions, introduced an amendment to redefine war veterans to include those people who were detained, restricted or imprisoned in Zimbabwe for political reasons. Political detainees had to have served at least two years in prison or restriction. The purpose of the amendment was to enable this group to enjoy the same benefits as war veterans. Subsequent amendments incorporated detainees (each time defined differently) as war veterans but excluded them from veterans’ pensions and other benefits. In 1999, parliament passed one such amendment but the president refused to sign it. Even before the big pay-outs to veterans in 1997, a backbencher, Aeneas Chigwedere (now a Minister), had introduced a Political Detainees Bill, 1996 modeled on the War Veterans Act to give detainees the same opportunities for state assistance as war veterans; this bill did not become law. At the December 2002 Zanu(PF) Conference
in Chinhoyi, as mentioned earlier, it was agreed to pay ex-detainees, restrictees, and political prisoners the same benefits as war veterans.\textsuperscript{19}

Conclusion

At least three political constructions have been identified. First, the ruling party, the MDC, the veterans, other liberation war participants, and the media have all appealed to the notion of ‘authentic’ and ‘inauthentic’ veterans in a politics of legitimation and de-legitimation. Second, the incorporation of guerrillas into the legal system through the provision of pensions and other benefits has rested on the retroactive political construction of veterans and the war. This brief review of pensions legislation has identified numerous political fictions:

- that the guerrillas had been doing combatant duties, when in fact most had not really been involved in combat;
- that one could retrospectively calculate potential earnings by creating equivalencies between guerrillas and Rhodesian combatants;
- that one could use age at independence as a proxy for the number of years of war service;
- that one could date the start and end of the war;
- that one could treat veterans as ‘contributors’ to pensions during their years of war service;
- that one could treat all war-injured veterans as if their injuries had occurred in 1980;
- that one could differentiate guerrillas merely on the basis of their military training from other liberation war activists, such as political detainees, restrictees, and prisoners, youth who collaborated with the guerillas and did on occasion actually fight and even carry arms, and refugees who may have left the country to become fighters.

Third, the brief documentation of some legal provisions of state rights - for the war disabled, for veterans in state service, and for war service pensions for all veterans – suggests that the image of guerrillas as victims of official neglect is also a political construction. In attempting to understand politics involving veterans and appeals to the liberation war, it is useful to keep in the forefront the high political valence of symbolic appeals and political constructions.

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Endnotes

1. Jocelyn Alexander and JoAnn McGregor, 'Elections, Land and the Politics of Opposition in Matabeleland', Journal of Agrarian Change, 1(4), 2001, p.5, citing Financial Gazette, 25 May 2000. See also the remarks of Wilfred Nhanda, former ZIPA commander, in ‘Government attacked for pushing out real war vets’, Daily News, 11 August 2001. Over the years, veterans have often portrayed themselves as having been used and abused by politicians for their own selfish ends. In Guerrilla Veterans in Post-War Zimbabwe (forthcoming), I argue that veterans and the ruling party have engaged in mutual manipulation, as each have sought their own distinct and overlapping agendas.

2. In August 2001, the credentials of Joseph Chinotimba were maligned by Solomon Mujuru, the former Zimbabwe National Army commander and ZANLA commander; see ‘Chinotimba Attacks General Mujuru’, Zimbabwe Standard, 5 August 2001.


4. Charles Pfikwa, himself an ex-combatant, has written an unpublished paper on the hierarchies among liberation war participants.


6. Stephen Chan (2003), Robert Mugabe. A Life of


8. Ruti Teitel (2000), Transitional Justice, Oxford: Oxford University Press, argues that a key feature of reparatory justice in transitions is the retroactive creation of rights for individuals who were politically persecuted by the previous regime.


10. The Victims of Terrorism (Compensation) Act Chapter 340.


15. As I write this piece, the Quote of the Day in the New York Times, 31 January 2003, is from Judge William G. Young of the United States District Court in Boston, sentencing Richard C. Reid who traveled on a trans-Atlantic flight with a bomb in his shoe: ‘You are not an enemy combatant, you are a terrorist. You are not a soldier in any army, you are a terrorist. To call you a soldier gives you far too much stature.’ See Pam Belluck, ‘Unrepentant Shoe Bomber Sentenced to Life’, New York Times, 31 January 2003.


COSATU Condemns Repression in Zimbabwe
Patrick Craven

The Congress of South African Trade Unions condemns the continued brutal repression of activists, through arrests, beatings and torture, by the government of Zimbabwe, following the two-day general strike on 18-19 March, organised by the opposition MDC. In COSATU’s view, those participating in the strike were exercising their right to protest in support of democracy and their socio-economic demands and were not subverting the government.

COSATU demands the immediate release of MDC Vice-President Gibson Sibanda and all other activists who have been arrested, including a number of trade unionists, several of whom were tortured. In one documented case, the husband of Viola Shamu, an official of the agricultural and plantation workers’ union was kidnapped, severely beaten and left for dead. Her two young children were also assaulted and she herself has had to go into hiding. Other union officials and members report attacks on union offices, and threats against their lives and safety.

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The Sociologist & the Egyptian State

Mona El-Ghobashy

The tale of persecuted Egyptian sociologist Saad Eddin Ibrahim epitomizes the state of Egyptian politics at the turn of the 21st century. The government’s throttling of civic groups, the US factor, the centrality of the judiciary, the divisions among Egyptian intellectuals – all are thrown into high relief by its three year long saga, which ended on 18 March 2003.

On that day, Egypt’s highest appellate court acquitted Ibrahim of all charges. In February and December 2002, this court twice overturned lower ‘state security’ court verdicts sentencing Ibrahim to seven years in prison on charges of embezzling foreign grant funds and ‘tarnishing Egypt’s image abroad.’ Egyptian law stipulates that if the high appeals court overturns a verdict for the second time, appeals court judges themselves preside over the final retrial. The final ruling came as no surprise to seasoned court-watchers. The high appeals or Cassation Court, established in 1934, is one of Egypt’s most independent institutions and still retains the confidence of the public, which has lost faith in most symbols of Egyptian state authority.

It is doubtful that the regime anticipated the remarkable internationalisation of the Ibrahim case and the attendant scrutiny heaped on Egyptian domestic politics. Recent cosmetic reforms such as the appointment of Egypt’s first female judge and the designation of Coptic Christmas as a national holiday appear to be attempts to paper over the negative fallout of the case. A dual Egyptian-US citizen, the Arab world’s most prominent academic, and a fixture on the international lecture circuit, Ibrahim’s initial arrest in the summer of 2000 was interpreted as nothing more than a slap on the wrist. In the face of growing international condemnation, however, it became clear that President Hosni Mubarak’s regime was using the case to send a message to both domestic and international audiences. To Ibrahim’s supporters abroad, the regime appeared to say that Ibrahim’s prominence and US citizenship would not protect him from arbitrary prosecution. To domestic human rights activists and reformers, the government singled out an unusually well-connected advocate to reinforce the message that the Egyptian government will tolerate participation in politics – not to speak of dissent – only within proscribed limits.

In Search of a Cause

Egyptian observers were surprised, but not shocked, when American University in Cairo (AUC) sociology professor Saad Eddin Ibrahim was arrested at his home on 30 June 2000 and held for 45 days in prison. The 1990s was a decade of steadily increasing regime repression on every front. The 1995 legislative elections featured widespread rigging in favour of the ruling National Democratic Party (NDP) and some of the worst violence in the nation’s electoral history. In the same year, the regime began to refer members of the reformist, non-violent Muslim Brothers to military tribunals. Only a day after Ibrahim’s second conviction on 29 July 2002, 16 leading Muslim Brothers were sentenced by a military tribunal to prison terms of 3-5 years. Torture was widespread in police stations, and the country’s many political prisons swelled with detainees from both the Brothers and the radical Islamist Gamaa Islamiyya and Islamic Jihad. The government kept a tight grip on political party formation and rarely licensed new publications. Continuous emergency rule since 6 October 1981 criminalises any gathering of more than five people. Even the relatively independent professional syndicates took a hit when in 1993 the government rammed through Parliament a law inter-
vening in their internal elections and in 1996 when the government placed the Bar Association under sequestration. After a protracted legal battle, the latter order was lifted in 1999 and elections held in February 2001.

But Ibrahim's high-profile trial and conviction by a state security court in May 2001, and second conviction on 29 July 2002, raise the obvious question of why an avuncular academic with close ties to the regime is receiving such treatment. Most accounts have pointed to Ibrahim's satirical article in Arabic, which coined the term 'republico-monarchy' (gumulukiyya) to describe Syria, Iraq and — bitingly — Egypt, where Mubarak is widely rumoured to be grooming his son Gamal as his successor. Mubarak was said to be personally angered by Ibrahim's crossing of this 'red line'. Other rumours abound about Ibrahim's increasingly tense relations with Egypt's first family, and their growing displeasure with his behavior. Another oft-mentioned story is Ibrahim's plan to set up a commission to monitor the fall 2000 elections, as he did in 1995. At the trial, defense lawyers were keen to point out that the Court of Cassation, the country's highest appellate authority, indirectly endorsed many of the report's findings by ruling that over half of the representatives elected in 1995 gained their seats through rigged contests.

Ibrahim's censure may also reveal heightened tension in US-Egyptian relations — the client state may be trying to send a message to its patron by humiliating an American citizen. The regime has done similar things in the past. Gamal Abd al-Nasser smeared the journalist Mustafa Amin as an American agent in order to imprison him. Anwar Sadat desperately tried to shock the US into taking him seriously again by imprisoning 1,536 leading intellectuals and dissidents (and placing the Coptic patriarch Shenouda under house arrest) a month before he was assassinated on 6 October 1981.

Ibrahim's second conviction came nine days after the signing of the US-brokered Machakos framework agreement between the Sudanese government and the rebel Sudan People's Liberation Army. Egypt was not invited to attend the five weeks of marathon talks preceding the agreement, though a united Sudan has been a consistent theme of Egyptian foreign policy due to Egypt's pressing interest in retaining access to Nile water. By reconvincting Ibrahim, the regime may have been returning a diplomatic slap in the face. It is also possible that the regime was broadcasting its discomfort with the Bush administration's increasingly pro-Israel stance and imminent plans to invade Iraq.

The US response to the second conviction was swift and harsh. The Bush administration let it be known that it would not be giving $150m in additional aid to Egypt specifically because of Ibrahim's treatment, though it was not public knowledge that such additional funds were earmarked in the first place. US commentators and editorialists went on the offensive, questioning why $2 bn of civil and military assistance is given annually to Egypt when it jails and humiliates US citizens. The furor in Egypt over the US defense of one of their own while remaining silent on the detention and torture of thousands of Islamist activists lost Ibrahim any domestic supporters he might have had. Instead of rallying round their compatriot, the US response further alienated Egyptian intellectuals from Ibrahim and reinforced their initial suspicions that he received special treatment.

At Home & Abroad

Despite the concern of international human rights groups, foreign governments and press about the Ibrahim case, the domestic Egyptian response was noticeably muted. If the right-wing Weekly Standard described Ibrahim as 'Egypt's Sakharov', Egyptian intellectuals viewed
their jailed colleague, and his carefully cultivated self-image as the Arab world’s leading democracy advocate and human rights defender, with a decidedly jaded eye. They would scoff at Thomas Friedman’s assertion that ‘If there is no room in Egypt for Saad Ibrahim, then we will only get more Mohamed Attas.’ Quite apart from the vicious smear campaign against Ibrahim in the semi-official and government-oriented press, thoughtful, respected intellectuals aired their deep differences with Ibrahim well before he became the target of the state’s unsolicited prosecutorial attention.

Perhaps most alienating for Egyptian intellectuals are Ibrahim’s complicated but unquestionably close ties to the regime, a relationship his defense team highlighted in both trial and retrial, calling a parade of character witnesses from Egyptian officialdom, including the director of a government-affiliated research center and an MP from the ruling NDP. Board members of Ibrahim’s Ibn Khaldoun Center for Development Studies were a virtual who’s who of Egyptian society, including current Minister of Youth, Alieddine Hilal. At both trials, much was made of a 1994 conference on the future of the Mubarak regime and Egypt’s Islamist movement held at the National Defense University in Washington, DC, which Ibrahim and other Egyptians attended. To bolster Ibrahim’s nationalist credentials, character witnesses for the defense reported that Amr Moussa, then foreign minister, had instructed the attendees to thank their hosts and return to Cairo immediately if anyone suggested that US aid dollars could be used a bargaining chip in future US-Egyptian dealings.

For three years, by order of Minister of Information Safwat al-Sherif, Ibrahim hosted a half-hour show on state-controlled TV on Friday evenings (peak viewer time) entitled ‘Away from the Limelight’, in which he lectured viewers about the evils of terrorism and the importance of supporting ‘civil society.’ He was also close to Mubarak personally, serving as thesis supervisor for First Lady Suzanne Mubarak at AUC and professor of Gamal, and drafting numerous policy papers and official speeches featuring the term ‘civil society’, which the regime eventually adopted. Ibrahim was also a fixture in the groups of academics meeting periodically with Mubarak and sent abroad to represent the semi-official Egyptian view.

More broadly, Ibrahim has become identified with the so-called Cairo peace camp, which has advocated a move toward normal relations and cultural exchanges with Israel. This stance is highly controversial among Egyptian intellectuals who are sharply critical of the 1979 Camp David accord and oppose normalisation with Israel until such time as the outstanding issues in the Arab-Israeli conflict are resolved. Economist Nader Fergany, lead author of the UN Arab Human Development Report, maintained in the pages of the London-based al-Hayat that Ibrahim represents American interests in the region, as evidenced by his support for normalization and his public attention to the ‘Coptic question’. Fergany and his fellow critics perceive Ibrahim’s focus on discrimination against Egypt’s minority Coptic Christians as springing less out of genuine scholarly concern than an ear for what plays well in the West. In the view of these critics, some of whom are Copts, a focus on Copts as a minority could lead to the rise of separatist politics in Egypt, of which only Israel is the beneficiary.

In short, while they denounce Ibrahim’s trial in a state security court, many independent intellectuals feel that the Ibrahim case is not a civil rights case to rally around. This feeling is ironically reinforced by the international outrage over his second conviction. As one leftist activist said off the record:
I just feel that Ibrahim hasn’t sacrificed anything before his recent ordeal. He was never imprisoned, never persecuted by the government, indeed he was a son of the regime. I’m totally against throwing him in jail, but it seems to me he’s now paying the price of his choices.

But while they don’t necessarily identify Ibrahim as one of their own, NGO activists do perceive that one of the regime’s primary goals in targeting Ibrahim was to intimidate them.

State Knows Best

In record time, the government rushed through Parliament on 3 June a new bill regulating NGOs to replace the law declared unconstitutional by the Supreme Constitutional Court in June 2000. The new bill gives the government the power to dissolve an NGO without court order (Article 42), prohibits NGOs from working in politics (Article 11), requires government approval of funding from foreign agencies before NGOs can access it (Article 17) and requires government approval of candidates running in NGO board elections. The bill was ratified by Mubarak on 5 June 2002. Opposition, independent and even some government MPs opposed Article 42 and called for reinstating the stipulation in an earlier law requiring a court order to close down an NGO. Deputies also put up a fight about Article 11, arguing that it is naïve to exclude NGOs from working in politics on the pretext that parties are the proper venue for political activity. In the words of a Muslim Brother MP:

If an NGO works to raise literacy, this is politics. If an NGO works in garbage collection, this is also politics. Anything that contributes to the public interest is political.

Yet when it came to Article 17, there was near unanimity that the administration had the right to approve foreign funding, most vocally from some independent and opposition deputies. In the parliamentary debate on 3 June, several MPs parroted the government’s claim that the Saad Eddin Ibrahim case is a clear-cut example of the misuse of foreign funds for suspect purposes. As nominally independent deputy Mortada Mansour said:

We have a clear example of a professor who received foreign funding and it turned out he was backed by America. I’m not against social research but I call on all social research to be made in Egypt.

Former state security officer and government MP Gamal Abu Zekri said:

Foreign funding is very dangerous. We must be careful because it’s a back door for Zionist infiltration and incitement to sectarian strife.

This last claim was expressed in somewhat more sophisticated fashion by the late leftist writer Sanaa al-Masri in her book, Funding and Normalization, which argues that foreign funding of NGOs invariably has strings attached – namely promoting normalization with Israel. NGOs also fight the common perception that those who accept grants from abroad are personally corrupt. As Liberal Party MP Ragab Hemeida said, ‘Many NGO members wrote reports to outside agencies, were made rich and began driving around in [their] Mercedes.’

The bill’s swift railroading through Parliament offers solid evidence of the government’s success in stigmatizing foreign funding, often the major means of support for NGOs who monitor the state’s human rights practices and issue periodic, detailed reports on torture, arbitrary detention and other abuses. Largely as a result, the Egyptian Organization for Human Rights (EOHR) has significantly curtailed its activities and drastically scaled back its acceptance of grants from foreign governments. The Group for Democratic Development had already closed up shop two years ago, citing the
inhospitable environment for human rights advocacy. Had it not been for the Ibrahim case, parliamentary opposition to the NGO law would likely have been stronger. But lost in the parliamentary clamour over foreign funding was the fact – pointed out by Ibrahim in a statement to the court – that the Egyptian government is the recipient of the lion’s share of foreign funding in Egypt.

Throughout Ibrahim’s trial and retrial, the rhetoric of state security prosecutors and prosecution witnesses revealed a dominant state jealous of its prerogatives and unwilling to conceptualize politics as anything other than a zero-sum game. Prosecutors insisted on the right to prosecute despite the EU’s signed affidavits absolving Ibrahim of the embezzlement charge, the right of the state to monitor and intrude upon the activities of NGOs, the right of the state to be free of ‘defamation’ and the right of the state alone to decide what is best for society, with minimal input from representatives of society itself. This conception of an omniscient, suspicious, omnipresent state is a sobering legacy of the July 1952 revolution, the fiftieth anniversary of which preoccupied the public reflections of Egyptian’s Egyptians during the summer of 2002.

**Spotlight on the Judiciary**

One of the most unexpected by-products of the Ibrahim case is the international attention focused on the Egyptian judiciary, the least pliant branch of government. As Ibrahim himself has pointed out many times, there are two court systems in Egypt, one fair and the other an adjunct of the government. Yet many commentators have lumped them together as susceptible to both domestic political control and international pressure. As Simon Tisdall wrote in *The Guardian* on 1 August 2002:

> One of Egypt’s most glaring institutional problems is that the courts, operating under state of emergency decrees first enacted in 1967, are the creatures of those in power. Ibrahim’s persecution could not have happened without Mubarak’s consent.

A 28 February, 2003 *New York Times* article suggested that the appeals court decision in December 2002 overturning the lower court conviction was a result of the US threatened withholding of aid. Even after the appeals court handed down its final acquittal on 18 March 2003, news accounts continued to suggest that the verdict was a response to international pressure.

It is important to maintain the distinction between the two court systems involved in the Ibrahim case. Twentieth century Egyptian politics is in part the story of the judiciary’s struggle to retain its autonomy from an overweening executive branch. After 1952, one of the most common strategies by which Egypt’s successive military-republican regimes have tried to contain the judiciary is the establishment of parallel ‘state security’ and military court structures whose verdicts can be more easily controlled. Judges in military courts are officers appointed by the minister of defense (who is in turn appointed by the president) and while state security court judges are civilians, they are not immune from subtle inducements via the government’s ministry of justice. These extra-ordinary courts have long been used to ostracize and humiliate political dissidents and challengers under a legal patina. In 1954 and 1959, scores of communists were tried and convicted before military tribunals, and since 1995, the Mubarak regime has regularly referred members of the non-violent, reformist Muslim Brothers to military courts. Recently, state security courts have become the regime’s preferred venue to try corrupt ministers and MPs, to give the impression of a serious government war on corruption in high places. Stitching the parallel court system together is near-continuous emer-
gency rule since 1967, which gives the government wide powers of detention without charge or trial and enables the referral of civilians to military courts.

At the heart of the Ibrahim case is the tussle between the normal and extraordinary courts. Ibrahim was tried and convicted twice before a state security court, while it is the high appeals court that has overturned these verdicts and delivered a final acquittal. Judges on Egypt’s high appeals court, supreme constitutional court, and administrative courts have an impeccable reputation for impartiality and autonomy, drawing on a long tradition of independence and corporate resistance to executive interference. Perhaps because of this there is no lifetime tenure for Egyptian judges, the mandatory retirement age set at 64. During the Nasser years, judges were among the most consistent and powerful sources of opposition to the regime, and as a result, the government orchestrated a vindictive purge in 1969 that dismissed and transferred 189 of the most independent-minded judges. The dismissal was in response to a public statement issued by prominent judges blaming Egypt’s 1967 defeat by Israel on the lack of democracy and rule of law. One of the dismissed judges was Yahya al-Refai, who was later reinstated in his post by Sadat but continued to be a forceful advocate of judicial autonomy from the meddlesome ministry of justice.

While al-Refai was the head of a high appeals court circuit, he drafted several comprehensive proposals for judicial autonomy from the government which he submitted to President Mubarak, to no avail. Upon retirement, he opened a private legal practice and continued his activism, becoming a central figure in opposition proposals for constitutional reform and an end to emergency rule. On 5 January 2003, al-Refai wrote an open letter of resignation from the legal profession, detailing the myriad ways in which the government corrupts judges by among other things, offering lucrative posts to retired judges such as governorships and government consulting work. One expects a ruckus when a legal titan of al-Refai’s stature drops such a bombshell, yet instead a deafening silence greeted his disclosures. The government’s flagship daily Al-Ahram refused to print one of its own senior columnists’ commentary on the event. The incident reveals the extent to which the government fears the touchy issue of judicial corruption. While al-Refai’s contentions confirmed suspicions that some judges were subject to government pressures, they also made clear that the judiciary had preserved its spirit of resistance and many judges retained their upstanding professionalism.

Unbeknownst to the government when for whatever reason it decided to go after sociologist Ibrahim, it was inviting international dissection of its appalling human rights record, shaky economic governance, and indiscriminate political persecution of Islamist activists and avuncular pro-regime academic alike. The image of the Mubarak government has been indelibly tarnished abroad as a result of the case, belying the myth of a reformist, secular regime whose president foretold the evils of international terrorism, as Mubarak likes to repeat. If a silver lining is to be detected at all in this unfortunate and depressing affair, it is the internationalization of the details of the case and the broadcasting of important developments in Egyptian domestic politics. What the Ibrahim case shows above all is that the government has yet to snuff out independent thought and initiative in Egypt, and that politically resourceful citizens – judges, academics, journalists, doctors, lawyers, students – will continue to struggle for the replacement of rule by law with rule of law.

**Mona El-Ghobashy, e-mail: me27@columbia.edu**
Expanding Petroleum Production in Africa

Richard Knight

Deepwater exploration and development initiatives are generally expected to be sustained worldwide, with offshore West Africa emerging as a major future source of production (International Energy Outlook 2001).

Oil and natural gas provide a significant resource that could be used to promote African development. Currently twelve African countries produce and are net exporters of oil. Approximately 40% of Africa's population lives in these countries. Yet Africa remains the poorest and most economically marginalised continent.

Both the developed and developing world depend on oil and natural gas for electricity, heating and transportation. Oil provides 40% of the world's energy consumption – more than any other source. The industrial countries accounted for 58% of world consumption of petroleum in 2000 with the US consuming over 25%, compared to 3.4% for Africa. Despite concern about global warming and the adoption of the Kyoto Protocol that seeks to reduce production of greenhouse gases, oil production and consumption is projected to increase significantly.²

Africa's Economy

Africa, with 13% of the world's population, provides just 2% of world exports. The three largest oil producers, Algeria, Libya and Nigeria, provide 30% of Africa's exports.³ Africa's exports consist largely of crude oil, other petroleum products (including natural gas) and minerals. But the majority of people in Africa earn their livelihood through agriculture, primarily with low-input, traditional farming practices.

Africa oil and gas exporting countries have become extremely dependent on the revenues generated. In Algeria, oil and natural gas products account for 97% of exports, 30% of GDP and 60% of government revenues, in Nigeria 95% of exports, 20% of GDP and 65% of government revenue. As a result these countries are greatly impacted by the price of oil.

Crude Oil

Africa produced 7,814,000 barrels per day (bbl/d) in 2001, accounting for 10.3% of worldwide production. The continent has 7.3% of proven world oil reserves. The three African members of the Organization of Petroleum Exporting Countries (OPEC) – Algeria, Nigeria, and Libya – accounted for 66% of the continent's oil production. As members of OPEC, production quotas theoretically restrict their oil output.

Natural Gas

Africa is also an important source of natural gas producing 12 billion cubic feet per day (bcf/d) in 2001, 5% of world

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</tr>
<tr>
<td>Cameroon</td>
</tr>
<tr>
<td>Rep. Of Congo (Brazzaville)</td>
</tr>
<tr>
<td>Egypt</td>
</tr>
<tr>
<td>Equatorial Guinea</td>
</tr>
<tr>
<td>Gabon</td>
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<tr>
<td>Libya</td>
</tr>
<tr>
<td>Nigeria</td>
</tr>
<tr>
<td>Tunisia</td>
</tr>
<tr>
<td>Other Africa</td>
</tr>
<tr>
<td>Total Africa</td>
</tr>
<tr>
<td>% of World Total</td>
</tr>
</tbody>
</table>

* Included in "Other Africa"

Source: Statistical Review of World Energy 2002
(BP plc, 2002)
commercial production. Africa holds 7.4% of proven reserves. The majority of proven reserves are in Algeria and Nigeria but some 20 countries have proven reserves.\(^4\) Algeria accounted for 63% of Africa’s product in 2001, followed by Egypt (17%), Nigeria (11%) and Libya (4%).\(^5\)

**US Involvement in African Oil**

Petroleum dominates US economic ties with Africa. The US receives approximately 15% by volume (18% by value) of its crude oil imports from Africa. Energy related products, primarily crude oil, was $14.3bn and accounted for 67.8% of all imports from sub-Saharan Africa in 2001. As a result, US imports from Africa are dominated by Nigeria (27%), Angola (14%), Algeria (11%) and Gabon (8%) with South Africa (18%) being the only non-oil exporting country of significance.

Investment in the petroleum industry represents 73% of all US direct investment in Africa. Ironically, one country in Africa where the US has significant direct investment but little in the petroleum industry is South Africa, where Mobil and other US oil companies were forced to pull out as a result of the US anti-apartheid movement. The US currently has oil import and investment sanctions on Libya\(^6\) and Sudan.

<table>
<thead>
<tr>
<th>Country</th>
<th>Thousand Barrels</th>
<th>% of US Imports</th>
</tr>
</thead>
<tbody>
<tr>
<td>Algeria</td>
<td>3,966</td>
<td>0.12%</td>
</tr>
<tr>
<td>Angola</td>
<td>117,254</td>
<td>3.44%</td>
</tr>
<tr>
<td>Cameroon</td>
<td>1,255</td>
<td>0.04%</td>
</tr>
<tr>
<td>Congo (Brazzaville)</td>
<td>14,430</td>
<td>0.42%</td>
</tr>
<tr>
<td>Congo (Kinshasa)</td>
<td>345</td>
<td>0.01%</td>
</tr>
<tr>
<td>Cote d’Ivoire</td>
<td>1,517</td>
<td>0.04%</td>
</tr>
<tr>
<td>Egypt</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Equatorial Guinea</td>
<td>5,465</td>
<td>0.16%</td>
</tr>
<tr>
<td>Gabon</td>
<td>51,065</td>
<td>1.50%</td>
</tr>
<tr>
<td>Nigeria</td>
<td>307,137</td>
<td>9.02%</td>
</tr>
<tr>
<td>Africa Total</td>
<td>507,963</td>
<td>14.92%</td>
</tr>
<tr>
<td>World Total</td>
<td>3,404,894</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

Source: Energy Information Administration

**Expanding Production**

Africa, especially the West African countries along the Gulf of Guinea, has the fastest rate of discovery of new reserves in the world.\(^7\) Despite quotas, Africa’s OPEC members are seeking to boost production. As *Business Week* noted recently, the governments of Nigeria and Algeria, both members of OPEC, have struck agreements with Western companies that will lead to an additional 1.5m barrels in capacity. This new capacity represents a 70% increase over their current quotas and both countries are pushing OPEC to increase their quotas.\(^8\) Nigeria is seeking to double proven reserves and production by 2010. Libya, with the lifting of UN sanctions, can now buy oil equipment and hopes to increase production from its current 1.4m bbl/d, which is far less than the 3.3m bbl/d it produced in 1970.

Africa’s non-OPEC producers are also increasing production. Angola’s production has increased 600% since 1980 and is expected to be more than 1m bbl/d in 2003. Production in Sudan in averaged 227,500 bbl/d in 2002; it could surpass 300,000 bbl/d in 2003 and reach 450,000 bbl/d by 2005. Sudan’s estimated current proven reserves of crude oil are 563m barrels, more than twice the 2001 estimate.\(^9\) Chad is scheduled to start producing in 2004 with production anticipated at 225,000 bbl/d during the early years of the projected 25-30 years of production. Oil has been found off the coast of São Tomé and Principe but exploitation has not yet begun. São Tome signed an agreement in 2002 with Nigeria to develop oil in the Gulf of Guinea where the two have overlapping territorial claims. Under this agreement Nigeria gets 60% of oil produced, São Tomé 40%. São Tomé appears to be unhappy with the agreement and recently it was announced that Angola would lend its know-how in negotiations with Nigeria. Angola will also lend its assistance in
the auctioning off of São Tomé’s exploration blocks scheduled for later this year.

A number of other countries are exploring for oil. Morocco has granted a number of exploration contracts including two for offshore the coast of Western Sahara to Kerr-McGee and TotalFinaElf. Polisario rejected these contracts as it sees Morocco’s occupation of Western Sahara as illegal. UN legal council Hans Corell issued an opinion that noted that Morocco did not have sovereignty over the territory and was not the administrative power. In his opinion he said that the contracts were not illegal but that any further exploration and exploitation would be if it did not correspond to interests and wishes of the people of Western Sahara. The SADR, the Polisario-formed government of West Sahara, a member of the African Union, subsequently entered into its own agreement for the area with Fusion Oil.

Africa is also increasing its production of natural gas. Production increased by 10.7% in 2000 over 1999 including an 81.4% increase by Nigeria and a 23.1% increase by Egypt. Production in 2001 was about the same as the previous year. Nigeria’s production has increased from 0.6bn bcf/d in 1999 to 1.3 bcf/d in 2001. There are a number of projects planned that will increase African natural gas production and consumption. The West African Gas Pipeline will supply Nigerian gas to Benin, Togo and Ghana. Nigeria has built a $3.8bn liquefied natural gas (LNG) facility on Bonny Island that it is expanding. In Angola, ChevronTexaco is planning a $2bn LNG plant that will convert natural gas from offshore oilfields to LNG for export. Egypt’s natural gas production has doubled in the past few years to about 3 bcf/d and several LNG projects are being developed. Pipelines are being planned from gas fields in Mozambique and Namibia to South Africa. Sasol Ltd., the South African company that produces synthetic fuel and chemicals, is in the process of converting its feedstock from coal to gas.

Equatorial Guinea: An Explosion of Growth

Mobil discovered major oil deposits in Equatorial Guinea in 1996. As a result Equatorial Guinea, with a population of just 470,000, has suddenly made it into the big time. In 2001 Equatorial Guinea produced 181,000 bbl/d of oil, a one-year increase of 60%. The value of crude oil imports increased from $28,302,000 in 1997 to $361,784,000 in 2001. Currently there are no good estimates of total reserves. US direct investment was $1.7bn at the end of 2001. The US imported 5,465,000 barrels (14,970 bbl/d) in 2001. In the first six months of 2002 oil imports jumped to 8,390,000 barrels (46,350 bbl/d). In dollar terms, total US imports

<table>
<thead>
<tr>
<th>US Direct Investment in Africa, 2001</th>
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<tr>
<td><strong>Country</strong></td>
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<tr>
<td>------------</td>
</tr>
<tr>
<td>Algeria</td>
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<tr>
<td>Angola</td>
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<tr>
<td>Cameroon</td>
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<tr>
<td>Chad</td>
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<tr>
<td>Congo</td>
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<td>Brazzaville</td>
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<td>Congo</td>
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<td>Kinshasa</td>
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<td>Cote d’Ivoire</td>
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<td>Egypt</td>
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<tr>
<td>Equatorial</td>
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<tr>
<td>Guinea</td>
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<tr>
<td>Gabon</td>
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<tr>
<td>Nigeria</td>
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<tr>
<td>South Africa</td>
</tr>
<tr>
<td>Other</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

Source: US Department of Commerce; D = Suppressed. In Nigeria total investment is less than petroleum. In 2000, Cameroon: US investment was $266m ($265 in petroleum). In 2000, Gabon: 99% of investment was in petroleum, a figure likely to have increased.
increased from $66.64m in 1998 to $445.44m in 2001, almost exclusively in oil.

The largest producer is ExxonMobil, producing 145,000 bbl/d in 2001 from the Zafiro field in which it has a 71% interest. Significant expansion is in the process including a $695m in the Zafiro Southern Expansion Area with production scheduled to start in 2003. Nigeria had challenged Equatorial Guinea’s claim to sole ownership of the Zafiro field but in September 2000 the two countries signed an agreement on their maritime border in which Nigeria gave up any claim.

Marathon Oil Corporation announced an expansion in December 2002 that will increase gross liquefied petroleum gas (LPG) production to 16,000 bbl/d by October 2004 from 2,700 bbl/d today. The project will also increase gross condensate production by 8,000 bbl/d. The US imported $65,806,000 of liquefied petroleum gasses in 2001, up from zero in 1997.

It remains an open question if this new wealth will benefit the majority of people. The country’s real gross domestic product has been growing at an amazing rate: 65% in 2001, 16.9% in 2000 and 71.2% in 1997. In 1991 agriculture accounted for 58.4% of GDP; in 2001 this fell to just 8.5%. In 1991 Equatorial Guinea had exports of just $98m, mostly agricultural goods (cocoa and timber). In 2001 it had exports of $2,186m, mostly oil. Per capita GNP was $1,170 in 1999, up from $370 in 1994 and is still rising. But as the World Bank has noted:

Important issues arise associated with the impact and distribution of oil wealth.

The majority of the population lives by subsistence agriculture.

While oil discoveries and rapid expansion of oil exports have caused a striking improvement in economic indicators, there has been no impact on the country’s dismal social indicators (World Bank).

The government’s long-term economic record is poor. President Teodoro Obiang Nguema Mbasogo came to power in a coup in 1979. He was elected in 1996 but those elections were, according to the US Department of State, ‘marred by extensive fraud and intimidation.’ He was elected again in December 2002 by over 99% after opposition candidates withdrew claiming irregularities intimidation. He was elected again in December 2002 by over 99% after opposition candidates withdrew claiming irregularities

### Equatorial Guinea Oil Production

<table>
<thead>
<tr>
<th>Year</th>
<th>Thousands of barrels per day</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995</td>
<td>7</td>
</tr>
<tr>
<td>1996</td>
<td>17</td>
</tr>
<tr>
<td>1997</td>
<td>60</td>
</tr>
<tr>
<td>1998</td>
<td>83</td>
</tr>
<tr>
<td>1999</td>
<td>100</td>
</tr>
<tr>
<td>2000</td>
<td>113</td>
</tr>
<tr>
<td>2001</td>
<td>181</td>
</tr>
</tbody>
</table>

**Conclusion: The Contradiction of Oil**

Petroleum dominates Africa’s economic relations with the world. Africa remains the poorest and least developed continent. Some countries have been producing oil and gas for decades, but a number of new countries are just beginning to produce and they will begin to receive significant oil revenues in the next few years. Nigeria, where 70.2% of the population lives on less than $1 per day, has a GNP per capita of $260, less than net oil-importers Ghana ($390) and Kenya ($360), and a far cry from South Africa ($3,170). Western industrialized countries have clearly benefited from African oil, as have the oil companies (and their shareholders) and privileged elites in African countries. The question remains to what extent ordinary Africans can and will benefit, and if African countries will successfully use
their oil wealth for economic diversification and development. The track record so far is not good.

Richard Knight, e-mail: rknigh1@juno.com. Reprinted with thanks to ACAS.

Endnotes

1. The African countries that produce and are net exporters of oil are Algeria, Angola, Cameroon, Congo (Brazzaville), Egypt, Equatorial Guinea, Gabon, Libya, Nigeria, Sudan and Tunisia. Congo (Kinsasha) is a small net exporter of some 2,400 bbd. Côte d’Ivoire exports oil, including to the US, but is a net importer. Ghana and Morocco produce small amounts of oil but need to import to meet most of their needs. South Africa produces 30,000 bpd plus 184,000 bpd in synthetic oil production but needs to import over one half of its needs. São Tomé and Príncipe and Nigeria have agreed to jointly develop oil in a disputed offshore region. Chad is projected to begin exports in 2004. The official name for Congo (Brazzaville) is Republic of Congo. The official name of Congo (Kinsasha), formerly Zaire, is Democratic Republic of the Congo.


5. Production figure does not include gas flared or recycled. BP p.l.c., Statistical Review of World Energy 2002

6. The UN sanctions on Libya have been lifted but the US sanctions remain. The sanctions were first imposed in 1982 when President Reagan ended US imports of oil from Libya. At the time the US was importing 150,000 barrels per day with a value of $2bn a year. Also banned was the export to Libya of sensitive oil and gas technology. A total ban on trade was imposed in January 1986. Exxon and Mobil pulled out of Libya in 1982; five other US oil companies remained until President Reagan forced them to pull out in 1986. US companies hope to return and have, with the US government’s permission, met with Libyan officials and visited assets abandoned when sanctions were imposed. See ‘US Will End Libya Oil Buying, Technology Sales’, Wall Street Journal, 11 March 1982 and Bureau of Public Affairs, US Department of State, Background Notes: Libya, July 1994.


8. ‘Is OPEC About to Lose Control of the Spigot?’, Business Week, January 20, 2003

9. The figures here for Sudan are from the Energy Information Administration and vary some from those of BP cited above in part because of date.

Oil: Shifts in the Balance

Western Sahara Campaign

In something of a ‘double whammy’ for the Moroccan government’s designs on Western Saharan offshore oil, another survey company has expressed its concern over the political risks of the Rabat-sponsored project, while Fusion Oil, contracted to undertake oil exploitation for an independent Western Sahara, has received the backing of a big player in the global oil industry.

Meanwhile, Kerr-McGee and TotalFinaElf have announced they intend to proceed with 3D seismic surveys of Western Sahara’s seabed, following examination of the results of the 2D survey carried out by now-repentant TGS-NOPEC of Norway last year. But they are reportedly finding it rather harder to find a contractor than they did two years ago. ‘I can confirm that we are sceptical of entering into contracts off Western Sahara’ said Jan Soevik of the seismic company Multiwave. ‘We are very careful with this and wish to maintain high ethical

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standards’ he continued, saying that the company ‘don’t want to risk something similar’ to the wave of protest divestment that hit seismic company TGS-NOPSEC last year after its involvement in the controversial oil exploration ‘licensed’ by the Moroccan government in Western Saharan waters.

Meanwhile, UK firm Premier Oil has done a deal with North-West Africa specialist Fusion Oil which includes an option to participate in future exploration of Western Sahara’s oilfields after Saharan independence. The deal sees Fusion receive $10m and also covers stakes in offshore exploration in Gabon, Guinea-Bissau and Mauritania. Deepwater oilfields offshore Mauritania are expected to go into production in 2 years time, yielding 75,000 barrels a day. This has heightened interest in Western Sahara’s oil.

In October 2001, Morocco signed exploration deals with Kerr-McGee of the US and TotalFinaElf of France for Western Sahara’s waters. In February 2002, the UN Under-Secretary General for Legal Affairs wrote that while those contracts were not illegal, further exploration, or any exploitation of oil and gas would be if ‘in disregard of the interests and wishes of the people of Western Sahara’. In May 2002 the SADR signed a deal with Anglo-Australian company Fusion Oil which gave Fusion rights to offshore oil exploitation when an independent Western Sahara takes its seat at the UN – thus not involving any scramble to profit from the resources while the political status of the territory remains unresolved.

Premier Oil attracts considerable criticism for its involvement with the military regime in Burma. So it’s interesting to see them involved in Fusion’s project in Western Sahara, which explicitly supports international law and the rights of the Saharawi people. The oil industry is concerned about cleaning up its image – the best way to do this is with acts, not just words, and this is such an act.

Source: Stavanger Aftenblad-Norway, Financial Times, Upstream Online; Sahara Analysis No. 23, June 2003; e-mail: wsc@gn.apc.org

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Swords into Ploughs: Women Want Global Peace!

*Linda Akullu Ayoub, Co-ordinator, PAWLO*

On Tuesday, 8 April, 2003, the Pan African Women Liberation Organization (PAWLO) and the Global Pan African Movement (PAM) organised a Peace Meeting on the Global Militarisation of Women’s Lives. The meeting attracted up to 150 participants, which included human rights activists, policy makers, youth and students at Kampala’s Nile Conference Centre. This meeting was organised against the need to:

1. Reiterate the right of all the world’s peoples to a happy, prosperous, just and enduring peaceful and secure world;

2. Evaluate the relevance of the UN, and the legality and legitimacy of the US-led war against Iraq;

3. Evaluate respect to commitments made to women in Beijing 1995, where, among priority issues of concern, world governments committed themselves to respecting and upholding the rights of women before decisions related to war are taken;

4. Critically reflect on the situation of intermittent armed conflict in Af-
5. Reflect on global disarmament as a practical possibility.

In-depth background presentations by experts were made on: engendering decisions related to war, a post-Beijing 1995 assessment, engendering the search for comprehensive settlement of Africa’s political and armed conflicts, the relevance of the UN System, its legality and legitimacy in the US-led war against Iraq, and global disarmament. After an intense and forthright discussion, the meeting unanimously, *inter alia*, resolved as follows:

1. To strongly condemn the US-led coalition against Iraq for its defiance and disregard of the UN System and international public opinion;

2. To strongly deplore and condemn the wanton and horrendous loss of life inflicted by the US-led coalition, on the Iraqi people, of whom women and children form a majority;

3. To demand global justice as a strategy to global peace;

4. To vigorously engender all peace and development processes in the African region;

5. To mobilise the diverse African networks for peace building work;

6. To provide active but critical support and engenderment of the process of building the African Union;

7. To vigorously work towards a reinvention of the UN system, that will act truly in favour of all the world’s peoples, of whom women and children are a majority;

8. To work towards an exploration of global disarmament as a practical possibility;

9. To work towards dissemination and follow-up of these resolutions with stakeholders and friends of Africa, in the African region and, within the African diaspora.

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**Kenya Post-election Prospects**

*Lionel Cliffe*

The following briefing by Anders Närman was compiled in the heat and excitement immediately following the dramatic elections in Kenya at the very end of 2002, which saw the defeat of the candidate nominated by the ruling party, KANU, to succeed Daniel Arap Moi, President for 28 years, and its replacement as the dominant party in Parliament. His briefing usefully sets out the voting patterns province by province, and gives some of the electoral and party background to these events, in particular setting out the ethnic dimension of voting.

The emergence, at last, of one major effect coalition of personalities with their local bases of support in the new party, the Rainbow Coalition, and its electoral success have the potential to mark a decisive turning point in Kenya politics. Even after a further few months it is still too early to declare whether a significant new chapter in Kenya politics is emerging. The briefing is correct in its conclusion that one crucial potentiality is that the new party set up and the election
results could move Kenya on from a pattern of ‘ethnic politics’. But there are other crucial dimensions which offer yardsticks of whether a break with the past is occurring. The ‘ethnic politics’ itself has to be understood in terms of its structure, not just the identification of individual voters or activists with candidates from their own region or background. This pattern has been an expression of and has been supported by a pyramidal network of patron-client relations, topped by regional big men, who in turn have been in fluctuating inter- and intra-party alliances. This emerged as long ago as the late 1950s, when the colonial government only allowed parties to be formed on a district basis that is how Moi himself emerged. The pattern gave rise to the opposition of KANU and KADU in the immediate post-Independence period. The ethnic pattern was briefly, and ultimately unsuccessfully, challenged with the formation of an ideologically based party, the Kenya People’s Union, in 1966. And it was still the internal dynamic within the one party state that was in existence throughout the 1970s and 80s. This patronage network was accurately described by Colin Leys (as well as many later writers) back in 1975.

Most crucially that patronage pyramid depended on and in turn spawned and reproduced the massive degree of corruption so characteristic of Kenya. Thus a move away from ethnic patronage will also be a decisive element in the achievement of another yard-stick for change. But anti-corruption can be pursued by other means. Some measures were enforced on the Moi regime by the IMF and World Bank and donors – but these were diverted or undermined by those in power. And yes, some of those who benefited are part of the new government. For Kenya, the most immediate marker on which they will judge Kibaki’s government is the introduction of such measures. Amongst a lot of rhetoric some steps have already been taken; officials have been dismissed and some of the activists around transparency issues are in government.

More generally the extent of the change in government personnel is another marker, and even some cynics have been encouraged about the extent to which critics and those outside the inherited party and parliamentary political networks have been included: environmentalist protest, Wangari Maathai, John Githongo the anti-corruption activist and several others. One of the key voices from the old Parliament that echoed these and challenged the very bases of politics, Peter Anyang’ Nyong’o (a ROAPE author in the past) is Minister of Planning. What other African country is appointing planning ministers – they went out of fashion with structural adjustment!

Another key marker that Kenyans will be looking to is whether the rather aborted process of constitutional change continues and is seen through. The only constitutional change put through at the moment of change to multi-partyism in 1991 was the repeal of the clause which allowed only one party. So much more is needed to reform a constitution which is still a colonial inheritance. The Review Commission headed by Yash Ghai has been given a new lease of life, which is encouraging.

One further set of indicators which many Kenyans are looking to are efforts to come to terms with some dreadful and defining moments in the recent past. The murder of the former Foreign Minister, Robert Ouko, and other political assassinations; the former government’s role in unleashing ethnic cleansing particularly around the 1992 and 1997 elections; the grabbing of public lands and utilities; the massive gold slaves scandal of the 1990s. One among the very active civil society organisations, the Commission for Human Rights and Justice, has even called for a truth and reconciliation commission to go into such matters.
Certainly they can't just be quietly laid to rest if there is to be a new politics.

Whether all of these changes take place in turn depends not just on the new personnel in government and the new party. Their commitment is likely to be shaped by the extent of popular pressure for such changes. Thankfully, the last ten years of mainly extra-parliamentary struggle has generated a remarkable range of civil society organisations in Kenya. They are already showing they will assiduously monitor the new government. Their efforts and stamina, together with trade unions and peasant bodies, will be crucial.

**Lionel Cliffe:** e-mail: l.r.cliffe@thurgo.u-net.com

**Reference**


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**Elections in Kenya**

**Anders Närman**

At the New Year of 2002/3 it became clear that Kenya had just experienced one of the most significant political changes since Independence. Mwai Kibaki took office as president after a landslide election victory with the National Rainbow Alliance (NARC) replacing the Kenyan African National Union (KANU) as the ruling party in parliament. There was a strong feeling of euphoria among the people and many saw this as a new start for the country after years of decline. To many Kenyans their difficult living conditions for a prolonged period had been correlated to the former president Daniel arap Moi and KANU. However, we cannot forget that Kibaki is one of the longest serving ministers in the cabinet led by Moi and his predecessor Jomo Kenyatta. From the early 1960s to 1991 he served the Kenyan Government as Assistant Minister, Minister and Vice-President. During his long stretch as Minister of Finance he was responsible for the economic policies of the nation. In addition to Kibaki, the new Cabinet contains many of the NARC MPs – former prominent KANU officials. Consequently, the future is to a large extent relying on the same individuals that were in power under Moi.

Just like when Moi took over the presidency in 1978 we have now seen another smooth transition to power of Kibaki and his NARC cabinet. When Kenyatta died, Moi did not face any large open opposition. Still, few expected him to remain in office for close to a quarter of a century, especially as Kenya was rocked by the effects of a military coup in less than four years. This might serve as a strong reminder that under the surface Kenya had never been a haven of harmony. The government through politically motivated murders and detentions without trial had handled political opposition ruthlessly. Since the 1960s Kenya had at least a formal multiparty system but KANU was finally declared to be the only legal political party in the 1980s forcing many dissident voices such as the well-known ‘Mwakenya’ to act underground. Cultural expression of resistance, such as those of the Kamirithu group were banned by the authorities. In the early 1990s after strong pressure from the donor community Kenya entered a new phase of multi-party elections. Only now, the third time around, has the opposition been able to unite in such a way that the potential for substantial change may be achieved.

This briefing will give some of the background to Kenyan politics up to the 2002/2003 election. The outcome will be analysed from a national and a regional point of view. For reason of comparison
we will give reference to the district set-up that was in place at the time of the election in 1992. It has been illustrated in accounts of previous elections that an important issue during the two first elections has been the ethnic/regional factor (Cowen and Kanyinga, 2002; Rutten et al. 2001; Närman, 1996). As this report is written shortly after the election, some of the data given might still be only preliminary, but this will not change the over-all picture.

The Search for one Presidential Candidate

Before the election rules changed in the early 1990s, Moi was not really challenged by any alternative presidential candidate, whatever people might think about him personally or his way of ruling the country. However, many Kenyans in the country or in exile were regarding themselves as a potential head of state and as the opportunity arose, it was obvious that a number of hopefuls emerged. In reality the task to challenge Moi in the presidential election was not an easy one.

Apart from rigging of elections a government and president in power has many instruments at its disposal to gain extra votes which was how constituency borders were drawn up to favour certain politicians; another was the complex voting system which required presidential candidates to have a spread of votes across the Provinces. Similarly, Mutahi Ngunyi argued in the 1990s that:

Ethnicity and ethnic alignments are outward manifestations of either intra-elite conflicts or shifts in alliances. Similarly, patron-client relationships within civil society are either mechanisms of balancing the constellation of elite assemblage around the ‘pork barrel’, as the case is with the Moi regime, or mechanisms for ensuring the client is perpetually tied to the coattails of upper class patrons.

He uses this to argue that:

so long as the elite has the monopoly of organising politics in Kenya, civil society will remain polarised and the development of a democratic ethos will be stunted.

This insight that the ethnic/patronage nature of politics is as much a result of class dominance as ethnic identities offers a crucial understanding of the challenges ahead (Ngunyi, 1996).

Further, a government can promote development projects in a sympathetic region, or use state funds for electioneering. In fact, so many public resources have been used by KANU that it has had serious repercussions on the national economy during the 1992 and 1997 elections. Even in the latest election, Uhuru Kenyatta was accused of using considerable state funds for his own election expenditures. We have also been accustomed to clashes between various ethnic communities in the build up towards elections – partly as a result of differences created between different local communities as part of the political struggle.

To find one common opposition candidate for the position of president should have been clearly the main task to oust Moi. In the initial stages a possibility seemed to emerge as the first major opposition group – the Forum for Restoration of Democracy (FORD) – was formed by among others a former Vice President, Oginga Odinga and an ex-Minister, Kenneth Matiba. Before the election this alliance was broken as neither of the two could allow the other to stand as a single presidential candidate. FORD was replaced by two new parties: FORD Asili (the ‘real’ FORD, led by Matiba) and FORD Kenya (for Odinga). Matiba, like Kibaki, who formed the Democratic Party (DP) were both members of the largest ethnic group, the Kikuyu, while Odinga belonged to the
second largest – the Luo. As these three major candidates shared the ethnic vote from the two largest communities between themselves it was easy for Moi to win backed by only 36% of the electorate.

Given the experiences from 1992 the effort to identify a new candidate was intensified before the 1997 election. At that time, only Kibaki was left as a major challenger but a few new names now regarded themselves as potential candidates. After Odinga died there was a struggle for the position as head of FORD Kenya, which eventually led to the chairmanship being taken by Kijana Wamalwa (a Luhya ethnically). A loser in this battle was Odinga’s son, Raila Odinga, who eventually took over a smaller dormant party – the National Development Party (NDP). Before voting one further candidate built up a considerable strength among the electorate, Charity Ngilu, who was given a political base in taking the chairmanship of the Social Democratic Party (SDP). With her coming from the Kamba community it was apparent that all four largest ethnic groups were represented by one comparatively strong challenger each for the presidential election. This time Moi was able to get 40% of the votes to win.

With the turn of the century it seemed as if history would repeat itself, but without Moi as a contender. The opposition was not showing much progress in finding the new president among themselves. Once again Kibaki, Wamalwa and Ngilu were declaring an interest in trying, but soon realised (this time) the need to work together towards a joint solution. Through intensive discussions a decision was taken in the middle of September 2002 to have Kibaki as the presidential candidate for what was then known as the National Alliance Party of Kenya (NAP) – the others settling for prominent positions in a new government. However, at the same time we can see how the internal politics within KANU simultaneously paved the way to make Kibaki into a strong candidate for the presidency.

A main contributory factor in the events leading up to the election was the split within KANU. President Moi proposed as his own sole candidate to take over, the son of his own predecessor – Uhuru Kenyatta. Against this option many leading politicians within KANU regarded themselves as better qualified to be selected. In the political game we also noted a major change in party structures with the merger of KANU and NDP. In principle, NDP was dissolved and its members went over to join KANU, but with a fundamentally new organisational hierarchy. Under party president

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Note: OO: Oginga Odinga; MK: Mwai Kibaki; KM: Kenneth Matiba; DM: Daniel arap Moi; CN: Charity Ngilu; KW: Kijana Wamalwa; RO: Raila Odinga; SN: Simeon Nyachae; UH: Uhuru Kenyatta.
Moi, four vice-chairmen were appointed, leaving the incumbent (George Saitoti) with no party post. Instead, he was replaced by Uhuru Kenyatta, Kalonzo Musyoka, Musalia Mudavadi and Katana Ngala – all of whom played different roles in the elections. Another of the officials that had been regarded as close to the president was Joseph Kamotho who was replaced as Secretary General by Raila Odinga.

As the Moi choice of Uhuru Kenyatta was becoming non-negotiable, the KANU party split into parts. Nyachae, who left to join the Ford People party, was banned from meetings with the ruling party, which he still represented in Parliament (at least in principle). Within KANU three main contenders emerged as potential candidates: Odinga, Musyoka and Mudavadi and later, Saitoti; they were to be known as the Rainbow Alliance – building strong ethnic support among themselves. Most government members of the alliance were either sacked from their posts or resigned. One exception in his return to the KANU mainstream was Mudavadi who was eventually appointed to be vice president after Saitoti. Mudavadi was to bitterly regret his move back to KANU after the elections as he lost his parliamentary position. In his disappointment he even refused the offer to come back as an MP through the back door after being nominated.

In September 2002 after a few months of political debate and negotiation the first suggestion of a ‘super’ alliance emerged while the Rainbow Alliance was still at least in principle part of KANU. This was about the same time as Kibaki had been selected as a joint candidate for NAK. It is something of an irony that the opposition had found their joint election platform – NARC – around the time of the celebration of Kenyatta Day (20 October). Kibaki was now to be the sole candidate of the alliance to fight against Kenyatta for the presidency. Only Nyachae stubbornly declared his continued interest, backed by the FORD People party. With this the scene was set for the coming elections and from opinion polls it was soon clear that NARC and Kibaki was heading for a landslide victory. What had not been possible in 1992 and 1997 was made to be a reality in 2002. The Kenyan opposition politicians were able to reveal a political maturity (or was it clever strategic speculations), and put forth a joint candidate for president. It is obvious from the comparison given that NARC was able to play the ethnic card better than previous challengers. Kibaki was able to secure a comfortable majority of 62% against the closest rival Uhuru Kenyatta at 31%. Of the three other candidates only Nyachae managed to get 6% in his home constituency in Kisii. Compared to the two previous elections Kibaki was now able to secure a strong national following, as seen in Table 1.

The difference between the 1992 and 1997 elections to the most recent one is mainly that Kibaki is now seen as a national leader, while previously he was more of a Kikuyu candidate. In the first two elections President Moi was able to gain from the division among his opponents, not least on an ethnic and regional basis. At the same time he was able to secure a clear majority in the Coast, North-Eastern and most of the Rift Valley provinces. As noted Moi never reached more than some 40% of the votes in 1997, and slightly lower for 1992. This is distinctly below the combined 44% achieved by the two original FORD candidates – Odinga and Matiba in the first multiparty election. Similarly, the joint NARC leadership of Kibaki, Odinga, Wamalwa and Ngilu had a total of 58% in 1997. It can now be a matter for speculation what could have been managed earlier if Moi had been challenged by just one major opponent. The euphoria that surrounded Kibaki in the last election is more related to the potential to create a new situation, than to the person of the new president.
The Ethnic Factor

The role of ethnicity and local community support in the Kenyan political structure can be illustrated by the figures for Central province. In 1992 Kibaki got more than 80% of the votes for his home district Nyeri, and had an absolute majority in Laikipia and Kirinyaga. Apart from these two Kikuyu dominated areas he had a strong following in Meru and Embu, inhabited by the two groups with the same names, with a close affinity to the Kikuyu. On the other hand, he had less than 20% in the ‘Matiba’ areas dominated by the Kikuyu: Kiambu, Muranga and Nakuru. Without the Matiba factor, in 1997, Kibaki votes was as high as 89% in Central province. This time even the two districts of Muranga and Kiambu were behind Kibaki with some 85% in each one of them. At the same time, the loss of support in Eastern province can be explained by the entrance into the presidential race by Ngilu, getting a clear majority in her Ukambani (Kitui and Machakos) region.

In both 1992 and 1997 Moi had a substantial following within his own home area of Central Rift Valley province, as well as in the arid and semi-arid areas of the country. As part of his strategy he was also able to gain sufficient support by a close alliance to some important politicians at the coast, and among larger ethnic groups such as the Luhya and Kamba. As the other candidates were only able to acquire a majority in their direct home regions Moi was able to get the highest vote. This was possible with almost no support whatsoever in the capital Nairobi, and among the large ethnic groups of Kikuyu and Luo.

In 2002 the position of Kibaki among the Kikuyu was challenged by Uhuru Kenyatta from Kiambu district. However, it was only in that particular area that his absolute supremacy was threatened in Central province. Besides Kiambu, Kenyatta was able to retain some of the Moi support in North-Eastern province, the remote areas in northern Rift Valley, Eastern and Coast provinces. It is also likely that the Moi (and KANU) legacy gave Kenyatta the necessary assistance to gain a majority in the Central Rift Valley Kalenjin areas. Apart from losing in these regions Kibaki has a majority all over the country, with the exception of Kisii. In the latter district the third candidate – Nyachae – got close to 90% of the votes behind him.

The strong position for Kibaki in other parts of the country gives the image of a national leader. As part of this, he managed to bring in a number of key politicians from different ethnic groups. Apart from his earlier support in Embu and Meru in Eastern province it was possible to gain the Kamba vote by the alliance to Ngilu and Musyoka. The potential Luhyaa Vice-President (Wamalwa) had a strong majority in Western province. Similarly, the strong position in NARC held by Odinga and Saitoti helped to bring in the Luo and Masai votes respectively; all five were subsequently given key portfolios in the first Kibaki cabinet. From the above it is obvious that the ethnic and regional factor plays a central role in gaining support for a prospective president in Kenya. Speculation in the mass media have also followed similar lines prior to the election with very little giving a clue to its outcome. This, however, does not mean that Kibaki and his team have no ambitions to put Kenya back on the right

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track again in terms of socio-economic development. The main issue argued is that in order to win elections it is not the contents of politics, but an ethnic arithmetic that matters. At the same time NARC is a symbol for many as a new hope and a better future.

The Parliamentary Elections

The formation of NARC as an alliance of various parties was a new phenomenon in Kenyan politics. Previously, no other political organisation had been able to bridge the ethnic differences in a similar way. An essential question is whether NARC will take advantage of the present unity or if original party politics will emerge from within the alliance. A power struggle might also emerge in the consolidation of the new parliamentary majority. Further, it will be important to find out whether it will be possible to keep up a national profile against numerous burning regional issues to solve. The trend during the 1990s was one of constant changing of alliances, leading to a number of party splits. In 1992 there were four major parties, all easily identified ethnically: FORD Kenya (Luo), FORD Asili and DP (Kikuyu), while KANU represented all other minor ethnic groups. Only the Luhya community was split among all parties, except the DP.

In 1997 new parties emerged, creating new ethnic loyalties, while KANU and DP remained constant. From FORD Kenya Odinga had broken off with the NDP, with a majority of the Luo votes – making it the third largest party in Parliament. Safina also had its origins in FORD Kenya, with its chairman, Paul Muite, the only leading Kikuyu in that party. With Ngilu as a presidential candidate the SDP got strong support from Ukambani (the land of the Kamba).

While NARC is said to be an alliance of certain political parties it is obvious that the same ones were still being put forth in the last election; in fact, both FORD People and SDP had their own presidential candidates. It seems that the DP was the only party that was effectively disbanded with the formation of NARC. Another factor might also be of significance in the newly elected Parliament. Compared to the last one there are now many new names voted in, which possibly indicate a new commitment to achieve a real change in national destiny. Previously, more than anything else, Kenyan politics has been a way to acquire personal wealth and influence.

Table 2 gives a clear regional and ethnic structure in the voting pattern for the three major parties. In the new Parliament, NARC was able to win not less than 126 out of the 210 seats yet they claimed that this had been in spite of cheating by KANU in many of the constituencies they lost. At the same time, the winning alliance was to a large extent made up of either former parliamentarians from KANU/NDP, or DP. As shown, the only part of the country that was difficult to capture was the North-Eastern province. Of course, a lot of the continued national image will depend on the possibility to keep the loose coalition together.

It is clear of the fairly recent association many of the new NARC MPs had with KANU and president Moi. We can note that NDP had merged with KANU less than a year ago and out of the ex-KANU parliamentarians (including NDP), at least three – Saitoti, Musyoka and Odinga – had left and joined in the formation of NARC, as they had been rejected as presidential candidates. The question now is have they given up these ambitions, or are they waiting for a new chance in a post-Kibaki era. While Saitoti and Musyoka have long been regarded as close to Moi, we can also see how Odinga has switched his alliances representing Ford Kenya, NDP, KANU and NARC in the three parliaments since the introduction of multi-partyism.
The new NARC cabinet seems ethnically/regionally and slightly more gender balanced with three women as opposed to only one during the KANU regimes. Even if some outspoken MPs were included in the list of ministers, some of the radicals were excluded – such as Koigi wa Wamwere.

A serious set back came as an immediate response to the announcement of the NARC Cabinet. Among the excluded MPs within NARC were Joseph Kamotho, William ole Ntimama, Nyiwa Mwendwa and Otieno Kajwang, arguing that the original NAK alliance of Kibaki was given too many posts. Only the future can tell if this disagreement will lead to further divisions, or if the new political mood will dominate. Kibaki answered the critique by saying that he had appointed a fair government. Still, it is important that these kinds of threats be taken seriously.

Reports from the initial government meetings confirmed the popular feeling that had been noted in the streets among jubilant people. Some of the ministers tried to impress on the electorate that they were taking up the national challenges of development by having a high profile directly after taking office. For example, Saitoti voiced his keen interest in reforming the educational sector at an early stage. At the same time the new Minister of Foreign Affairs Musyoka issued statements on new initiatives, not least in the eastern African region. This sentiment seems to be mutual in the warm congratulations for Kibaki from many African counties. In Uganda some of the newspapers were now praising Kenya as the new model for democracy. There were also clear indications coming from western countries in reiterating the offer of renewed development assistance.

A lot of promises came from the new ministers as soon as they were appointed. From an economic point of view it is questionable if all these pledges can be honoured with the resources available. Even at a time of development euphoria it is important to keep the balance with a realistic overall economic planning. Two priorities would be the fight against corruption and to counter open forms of violence within the country.

A key issue will how KANU will act in its new role as opposition. In fact, only KANU and Ford People were to be found in opposition as the smaller parties indicated that they would co-operate closely with NARC. It will also be important to see how Kenyatta will handle himself in the role as leader of the opposition. While it would have useful to have Mudavadi on his side, he turned down the nomination. Prominent KANU losers and former Ministers such as Nassir and Biwott saw their role on the opposition side as a new challenge for them.

The Future?

Since Independence, politics in Kenya has largely been a game of ethnic and regional affiliations. At the same time, political office has been a matter for individual benefits, more than an instrument for national development. In early 2003 a new opportunity has been opened under the new president Kibaki and a party for national unity – NARC. During this early period of euphoria, it is essential that the Kenyans will not forget the experiences from its political history. A potentially better future can be a reality if national development issues are the priority. However, there is still the danger of a return to the politics of ethnicity and personal self-interest. After all, NARC is built on a delicate ethnic/regional balance to achieve its first objective – to take over power. We can now only wait and see how that power will be used.
References


Apart from the above references the briefing is built on newspaper articles from The Daily Nation, The East African Standard, The Times, and the BBC News of the World.

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Basil Davidson Receives the Amilcar Cabral Medal
Lionel Cliffe

In March 2003, the Government of Cape Verde presented Basil Davidson with a special award: the order of Amilcar Cabral (First Class) 'in recognition of his links with the country and his involvement with its liberation struggle'.

The award is named after Amilcar Cabral, who was born in the islands of Cape Verde, but who is famous for his leadership of PAIGC, the liberation movement of what was then a single Portuguese colony of Guinea-Bissau and Cape Verde. But Cabral was remarkable not just for founding a movement and leading a struggle; he was also one of the most innovative of theorists of the African revolution, working out a strategy for struggle based on a class analysis of a colonial society that had not been subject to settler colonialism like those in southern Africa (his 1969 text in English, Revolution in Guinea, is still worth studying for its topical relevance not just as history; his 1973 study Return to the Source is a profound insight into the 'colonial interruption' of African history and the cultural dimensions of the needed renaissance. Nkrumah paid him the ultimate compliment of plagiarising word-for-word his thoughts on 'Class Struggle in Africa'. He was assassinated in 1973 and so did not live to see the liberation of Guinea-Bissau and Cape Verde in 1975.

Nkrumah came to London in 1960 and was a frequent visitor to the Davidson home. The two men stayed closely in touch as the struggle got under way in Ghana in the 1960s. Basil also recounts how Cabral and PAIGC would keep him and other supporters informed of their progress, so that they could make the case (for the struggle) to the outside world and chart progress. Basil made the first tour of the liberated areas of Guinea-Bissau in the mid-1960s (reported on in his 1969 The Liberation of Guinea by Penguin) and was there when the Portuguese army coup set off the revolution in the metropolis in 1975 (described in No Fist is Big Enough to Hide the Sky).

Given that long connection with Cabral and the PAIGC, Basil was particularly honoured to receive an award in the name of an African nationalist leader whom he admired so much. He also was especially pleased to receive an honour from Cape Verde, a country he had studied and written about after it gained its separate Independence in the 1970s.