



## Building Peace in Africa!

*“Those that make peaceful change impossible make violent change inevitable”.*

My relationship with Misereor dates back 18 years; so it is nice to be here, it feels a bit like coming home to friends who stood by us and sustained us in the darkest days of South Africa’s recent history and helped us build a new country that has astonished us all in South Africa and in much of the African continent and beyond! It is also nice to be associate with this wonderful peace initiative of the city of Aachen and the St E’gidio community.

Like it or not, Africa is often portrayed as a continent of doom and gloom. The tragedies of Zimbabwe, the Kivu Provinces in the DRC, Somalia, Eritrea, and Sudan, to name but a few, seem to dominate the world media when it comes to Africa. The good stories – and there are good stories – rarely, if ever, find the same exposure, resulting as it does in Africa being portrayed as an on-going disaster.

What I hope to share with you in this presentation is that Africans see the very same problems you see in Africa, perhaps more or less the same, but what I hope to show is that, Africa has significantly different solutions to these problems; solutions that not only ought to be respected, but indeed ought to be supported by you good people in the West.

But let me begin by placing Africa on the world stage and by saying that any effort at “peace building in Africa’ cannot ignore the global context in which we all live, a context that has a direct effect on our day to day life, as much in Africa as anywhere else.

All of us will recall, when and where and from whom we heard the tragic events of 9/11 2001, and our reaction of shock and horror. It was one of those rare moments where the world stood still! Less dramatically but equally shocking for us, was the invasion of Afghanistan, followed by the invasion of Iraq and the equally tragic events that have befallen those countries with drastic consequences.

As appalling for us is to see that *fear* has become the dominant emotion in our world today. We all live in fear wherever we are in the world. This fear has justified a reduction in human rights and the advent of scandalous places such as Guantanamo Bay, Bagram air base in Afghanistan and Abu Ghraib in Iraq.

In Europe the migrant is fast becoming the perceived enemy, xenophobia and racism are on the increase, borders are now on high alert and tightly secured; applying for visas to come to Europe from Africa has become a nightmare. For those of us who espouse a culture of human rights, a new terrain of struggle has emerged, a struggle at the very heart of our European cities and towns; a struggle to 'welcome the stranger'; a message at the very center of our Christian tradition. Before casting our eyes on troubled spots around the world there is an urgency for agencies like Misereor and St. Egidio to rekindle what was very much part of the 60s and 70s: a campaign to 'welcome the stranger'; a stranger who is very often 'the African'.

Equally worrying are new security laws across Europe that give police forces sweeping powers of search, seize, and detention without trial; compromising, as it does, a long tradition in Europe of observing citizens rights. We are led to believe, and I would say falsely, that the world will never again be secure, will never again be at peace. I am reminded how the South African government in the dying years of 'apartheid' justified the most appalling human rights violations in the defense of the state. This should sound

warning bells in Europe. The erosion of human rights in Europe will eventually lead to the erosion of human rights in Africa, under the guise of *'if they can do it so can we'*.

The Americans would like us to believe that the fight is between good (the USA) and evil (Islamic terrorism); one is either for one or against the other. Few if any of us buy into this. However, the question has to be asked, is this the dawn of a war of fundamentalism? I believe it may well be, but we need to go even further and try to understand fundamentalism in relation to the current process of globalization and the risk it presents to the peaceful co-existence of all human beings and the future of humanity.

Competition, control and economic dominance, where the destruction of the other is the prized value, cannot possibly create a just world order. Politicians thankfully come and go but it is the nameless, faceless, unrepresented, life-long cohorts of today's economic world order that yield the real power in today's world with impunity. Perhaps the time has come for us to go after these modern day bandits? Like it or not we are invited to rethink the current course of global politics, the dominating process of globalization, the definition of the future of humankind and the protection of our common home, the Earth! As the nuclear, environment and climatic fears grow throughout our world it is valid to ask if there will be a 22<sup>nd</sup> century.

This world order, or if you prefer disorder, has a profound effect on Africa and in particular in attempts to build peace in Africa. At the heart of this system is a move towards 'fundamentalism' as 'an absolute' that is frightening.

Contrary to what many think, what we have learnt from experience in trying to build peace in Africa is not that there needs to be a trade-off between peace and justice but rather a trade-off between

different forms of justice. “The political leadership of the anti-apartheid struggle prioritized political justice over criminal justice. The rationale was simple: where there was no victor, one would need the cooperation of the very leaders who would otherwise be charged with war crimes to end the fighting and initiate political reform. The essence can be summed up in a single phrase: forgive but do not forget. Forgive all past crimes – in plain words, immunity from prosecution – provided that both sides agree to change the rules to assure political justice for the living.”

The South African lesson has guided African practice in other difficult situations. In Mozambique, Renamo sits in Parliament instead of jail or in the dock! In South Sudan, too, there would have been neither peace nor a reform of the political system without an agreement not to pursue criminal justice. Burundi is the latest example, as it finally steps out of the wreckage of decades of civil war realizing that the only peaceful way forward is to try and live together.

At a recent conference I attended in Burundi, the thorny issue of accessing the truth and trying to agree on a common definition of reconciliation dominated proceedings. Many felt Burundi was not ready for reconciliation. This is a price too high to demand at this present juncture in time. The memories remain too vivid, the wounds too open to seriously ask people to reconcile. In fact, there was a general agreement that for Burundi at this moment the word reconciliation means *‘the minimum it takes to live together as a people without killing each other’*. This may seem odd in a European setting, but for me it is the first teetering step forward in a long road that please God will lead to national unity and lasting peace and stability.

And so Africa is redefining ancient understandings of words we often take for granted, words like ‘truth’ ‘peace’ ‘reconciliation’ and ‘justice’. Let us examine ‘justice’ with an African understanding. Retributive justice gives way to restorative justice and often the guilty do not acknowledge their responsibility for the violence they have caused, individually, institutionally nor even symbolically. Economic and socio-political amends or restitution is rarely made to those who had suffered loss of persons, property or human dignity.

In most western countries the dominant justice paradigm is *retributive justice*. This aims to determine who committed a crime and to punish the perpetrators. The key actor is the state. But *restorative justice* aims to heal broken relationships, to repair the damage done by the crime, and to bring harmony as widely as possible. The key actors are the victims and the perpetrators. Africa in particular of late has chosen the restorative justice model.

- That the perpetrators of so much horror were allowed to walk free was the price that the majority of people in South Africa paid for peace. Here amnesty was traded for peace irrespective of how the victims and survivors felt.
- That the opposition did not gain the presidency in Kenya despite the fact Raila Odinga defeated Mwai Kibaki is another example of justice being sacrificed for something more important – the end of violence and the prospect of peace for the people of Kenya.
- Zimbabwe is another case in point where Mugabe retained power despite losing the March 2008 elections and the only way out of a violent impasse was for Morgan Tsvangirai to settle for the second best option; Prime Minister under a Mugabe presidency.
- Northern Ireland chose a similar path!

Indeed ‘restorative justice’ is at the very heart of Catholic Social Teaching.

In certain instances, Africa chooses to reject '*the winner-take-all*' '*competitive democracy*' model of the West in favour of a '*consensual democracy*', where the overall will of the people for peace and stable governance is honoured more than mathematical calculations of who won absolute power. Democracy is a fine principle, but so is peace and sometimes the people will accept a solution which puts peace above a literal interpretation of democracy.

The International Criminal Court (ICC) personifies this dilemma of how to deal with notorious criminals yielding power, in view of trying to find lasting peace. But there is a bigger issue at stake. The ICC is currently handling 4 cases consisting of Uganda, Central African Republic (CAR), the Democratic Republic of the Congo (DRC) and Darfur. With the exception of Darfur, all other cases have been referred voluntarily by their respective governments to the ICC for investigation. South African politicians have alleged that the ICC focuses on African countries and turn a blind eye to war crimes elsewhere. What if the ICC were to have the political will and courage to try war criminals in the US 'War on Terror'? I am sure you would agree that the American political system would be strong enough to contain its political fallout. The more important question is that of the larger political consequences of a fundamentalist pursuit of criminal justice by those determined to enforce it regardless of its political context or consequences.

Take one example: The Denis Hurly Peace Institute (DHPI), of which I am the Director, has been directly involved in the northern Uganda struggle against the Lords Resistance Army (LRA). There is no doubt that this armed force has caused untold havoc on a defenseless population for over 20 years; where large scale murder, torture, rape and the kidnap of child soldiers was and is the order of the day. These crimes can never be condoned but at the same time the Acholi people; the ones who have suffered most, cry out for

lasting peace. The DHPI has learnt that you pay a price for peace. But not only do you pay a price for peace but very often it is those people who are in the right; usually the suffering people in a conflict that pay the highest price. The Acholi people want the warrants of arrest issued by the ICC against the leaders of the Lords Resistance Army lifted, if that is the price they have to pay for lasting peace. Surely these people ought to be listened to and respected more than the architects of the International Criminal Court? Can we not respect the voice and opinion of those who suffer most in Africa?

Can one say with any confidence that the price of single-mindedly pursuing criminal justice in Sudan will not be a renewed civil war? In response to the International Criminal Court's (ICC) arrest warrant for Sudanese President Omar al-Bashir, Mamood Mammdani<sup>1</sup> argues that those enforcing rights also need to be held accountable when justice is sought.

Skillfully tracing the Darfur conflict's broader history, Mamdeni argues that basing its understanding on spurious assumptions – seeing the duration of the conflict as mirroring that of the Sudanese President's time in office, and assuming a single set of perpetrators of violent death and rape – has enabled the ICC to lay the blame squarely at al-Bashir's door. Given the mass deaths experienced in Darfur over the 2003-04 period, this is not to ignore the central issue of accountability, however, but merely to recognize that these deaths represent mass murder orchestrated by a variety of players, rather than outright genocide at the hands of the Khartoum government. Who, then, has been fighting who in Darfur, Mamdeni asks? The short answer is that this has been a conflict over land, triggered by four different but related causes: the land system, environmental degradation, the spillover of the four decade-long civil war in Chad and the brutal counterinsurgency waged by the al-Bashir government in 2003-04. To settle on one cause: al-Bashir, is

---

<sup>1</sup> Mahmood Mamdeni is the Herbert Lehman Professor of Government Colombia University. Mamdani's latest book, *Saviors and Survivors: Darfur, Politics, and the War on Terror*, is published by Pantheon Books.

tantamount to condemning Darfur to on-going devastation and hardship. A comprehensive national and international response is called for if lasting peace is to come to Darfur.

Western imposed solutions very often miss the mark. I argue that we need to listen much more to how Africa deals with and finds African solutions to African problems and respect and support their solutions.

Thank you.

Seán O'Leary M.Afr  
Director  
Denis Hurley Peace Institute

18<sup>th</sup> of May 2008