

8. Sarkesian, pp. 73-74; see also Lieutenant-Colonel John R. Galvin, "Special Forces at the Crossroads", *Army*, vol. 23, no. 12 (1973), pp. 21-24.
9. U.S. General Accounting Office, *Report on Status and Disposition of Reserve Forces* (Washington, D.C., 1979).
10. As of August 1981 the Psychological Warfare slot in the Army's Operations Readiness Mobilization Directorate was vacant.
11. Sarkesian, p. 75; Just, pp. 119-20.
12. Some 54 Special Forces advisers were dispatched to El Salvador earlier this year and in October, following the assassination of Egyptian President Sadat, the U.S. Government indicated that such advisers might also be sent to Sudan.

## **PACIFIC SETTLEMENT AMONG AFRICAN STATES: THE ROLE OF THE ORGANIZATION OF AFRICAN UNITY**

*by*

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This is a brief analysis of the patterns of conflict among African states, the Organization of African Unity's (OAU) role with regard to pacific settlement of the various disputes, and the essence of the organization's approach on the basis of its record so far. The concept of "pacific settlement" is examined and used as a premise for analyzing the role of the OAU in selected cases, especially in view of the nature of intra-African disputes. Some imminent or possible future developments and challenges are noted and new strategies for pacific settlement are proposed and some conclusions drawn therefrom.

### **Pacific Settlement as Mediation**

The idea of "pacific settlement", the common mode of conflict resolution in Africa, is premised on a number of assumptions. These include the efficacy of pacific settlement in a given context, jurisdictional rights or authority to mediate in a particular dispute, and organizational capacity for effectiveness. These assumptions overlook a number of factors which are crucial to any inquiries into, conceptualization and explanations of, the settlement of conflicts within Africa.

Anybody or group interested in getting involved in the pacific settlement of any particular conflict takes on the role of an intermediary or mediator. His responsibility is to assist the parties involved in settling whatever dispute had led to confrontation among them. For settlement to come "peacefully", the mediator would not function as a tribunal passing judgement and negotiations should not take place in what Venkata Raman has called "a strictly adversary form".<sup>1</sup>

He must contain his own biases and value judgements, create a proper climate for negotiations and concentrate on issues that could, and should, be settled within the framework of the negotiations.

It seems that, very often, the mediator is not expected to determine the rights and obligations of the parties. Yet for any conflict to be really settled, those involved would have to take specific actions and refrain from some others. To get them to perform these essential functions would require adequate knowledge by the mediator of the fundamental issues involved in the conflict, the parties' perceptions of the situation (do they see it in the form of zero-sum games or non-zero-sum games? As a permanent or temporary issue, etc?) and the optimum level at which the conflict-cooperation scores of the parties could produce positive payoffs, following the minimax principle.

Moreover, the mediator's own perception of a conflict situation and how this is related to the prevailing beliefs could determine the success or failure of efforts at peaceful settlement. If the basic facts are ignored, some discrepant information disregarded or assimilated into pre-existing beliefs, the chances are high that inaccurate images would be perpetuated and the possibility of making the right proposals limited. Mediation, indeed, calls for rationality: the active search for all relevant information, the mediator's capability to predict the moves that are likely to be made by the parties in any given situation and, of course, the capacity to absorb these and adopt the appropriate method in what has been called "a panoply of techniques for the peaceful settlement of disputes."<sup>2</sup>

### **The Nature of Disputes Among African States.**

The conflictual relationships among African states that have brought about mediation by the OAU fall under many categories. It is convenient here, however, to accept Andemicael's "breakdown" of the conflicts into first, boundary disputes, second, differences over the future of neighbouring non-self-governing territories, third, friction between African states arising from internal conflicts, and finally, other situations of friction.<sup>3</sup>

Disputes among African states often arise and lead to a conflict situation whenever the leadership of two or more states believe that they have incompatible objectives. What makes the situation in this case different from the one elaborated by Kriesberg<sup>4</sup> is that one party does not yield necessarily because of threats and promises of the other but largely on the basis of persuasion by intermediaries. A number of non-coercive inducements are provided in such a way that each party is made to appreciate the essence of promoting common and complementary interests.

Since the disputes are intra-African, the context within which they occur requires means and ends that are purely African; except, perhaps, some extra-African elements that are licit and justifiable. The two most common disputes, which relate to internal frictions within states and conflicts over state boundaries, are relatively wide in scope but are less susceptible to external promotion or instigation than those which relate to differences over the future of a neighbouring colony or dependent territory and frictions between ideologically incompatible leaders. In all cases, the disputes involve claims and counter-

claims, with one party regarding the claim of the other as a threat to its integrity and sovereignty. And, in each of them, any attempted solution that does not take all the relevant factors into consideration would be tentative and precarious. Third party intervention in (or mediation of) the disputes should also derive from bases that are rational and justiciable.

### **The Role of the OAU**

There would not have been any basis for the OAU to intervene and mediate African disputes had there been no other guideposts than the international legal system based upon the sovereignty of states whose logical corollary is the principle of non-intervention. The OAU Charter, which is a byproduct of this legal system, also has as part of its principles "Non-interference in the internal affairs of states" and "Respect for the sovereignty and territorial integrity of each state and for its inalienable right to independent existence". Yet mediation implies involvement or some form of interference (which, of course, is with the consent of the parties concerned) whose purpose is to maintain or alter the existing situation.

There are, however, legal justifications to fall back on with regard to the OAU. As an international governmental organization, it has the backing of the Institute of International Law (Institut de droit international) founded in 1873 to promote the peaceful resolution of disputes among states, and the collaboration of the United Nations whose Charter proclaims that "All members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered."<sup>5</sup> The constitutional document which guides the OAU in its activities also entrench similar provisions and offer challenges to the member states with regard to peaceful settlement of disputes.<sup>6</sup> These, indeed, are the main premises on which the OAU's role has been based.

### **Some Selected Cases**

The two recurring and commonly cited examples of border disputes in Africa are appropriate here for the purpose of illustrating the role of the OAU. These are the boundary dispute between Algeria and Morocco, and the dispute between Ethiopia and Somalia. The latter will be discussed at greater length and in more detail.

On a general note, the conflicts which arose as a consequence of the two disputes noted above resulted from claims based on ethno-cultural, historical and, to varying extents, political and religious grounds. In the case of the Algerian-Moroccan dispute which erupted shortly after the founding of the OAU, the history is too familiar to need retelling. It should be noted, however, that the discovery of oil and other mineral resources in the disputed area, coupled with the ideological gap between the leadership of the two countries, increased the chances of conflict and brought it about earlier than would otherwise have been.

After the Moroccan invasion of Algerian "territory", the two parties sought different mediators. Algeria requested the OAU Council of Ministers to consider the situation as an emergency. Morocco wanted the situation to be resolved by the United Nations and contacts were made. Morocco was, how-

ever, advised by some extra-African powers to succumb to OAU mediation. The OAU's Council of Ministers set up an Ad-Hoc Commission which comprised of Ethiopia, the Ivory Coast, Mali, Nigeria, Senegal, Sudan, and Tanzania (then Tanganyika) to mediate the dispute. On the success of this Commission, Andemicael has reported that "... though it provided invaluable help in clarifying issues and narrowing down some areas of disagreement, it was not able to bring about a settlement of the dispute ...".<sup>7</sup> The Algerian-Moroccan dispute is still on and the agreements reached between the two parties (such as that of May 1970) have been mainly through bilateral negotiations.<sup>8</sup>

The Ethiopian-Somali dispute has often taken a similar course as that between Algeria and Morocco. The roots of this dispute go as far back as about 1000 AD when the Somalis appeared along the coast of the Gulf of Aden. By the early part of this century, they had firmly established along the African littoral of the Gulf and stretched from Djibouti to "Cape Guardafi" and become bounded by the Indian Ocean and the great East African Rift. Somali expansionism, curbed but complicated by the partition policy of the European colonizers during the last two decades of the 19th century, planted the seed of confrontation with Ethiopia that had, according to tradition, been founded as a kingdom in the subregion since around the 10th century BC. Disputes and open conflict over claims and counter-claims were not frequent, however, until Somalia's independence in 1960. This, incidentally, was shortly before the founding of the OAU.

The central problem and basis of dispute is that successive governments of Somalia since independence have always insisted on taking over the Haud and Ogaden regions of Ethiopia on ethnic, historical, and religious grounds. Like Morocco, Somalia would like the United Nations Security Council to intervene and assist in resolving the dispute while, like Algeria, Ethiopia whose "territory" is being threatened would prefer an OAU mediation. Like in similar situations, the UN's reaction has always been that the dispute should be settled peacefully within an African context. And for its part, the OAU has not gone beyond engaging its Ministerial Council on the issue. This, too, does not entail any mediatory machinery. Resolutions are passed and appeals made to the parties as well as other member states to cooperate in ensuring a cease-fire and the peaceful settlement of the dispute.

It seems, therefore, that whatever success could be claimed in this regard derives from the process of bilateral negotiations which was encouraged by the OAU and aided by the good offices of such countries as Sudan. But, like in the Algerian-Moroccan case, the use and misuse of Article III (3) of the OAU Charter which urges member states to respect the sovereignty and territorial integrity of one another, as well as the member states' reluctance to pursue active mediation, have resulted in (or at least contributed to) the disputes' being part of Africa's unsettled crises. This assertion derives from the history of the OAU involvement in the dispute.

The Somali government requested an urgent meeting of the UN Security Council in February 1964 to consider the "complaint by Somalia against Ethiopia concerning acts of aggression infringing upon the sovereignty and security of Somalia".<sup>9</sup> Both the Somali and the Ethiopian governments were

advised (by the UN Secretary-General) to subject the issue to African settlement. The Council of Ministers of the OAU was scheduled to have its second extraordinary session that month and Ethiopia was quick in requesting the Council to consider the matter even though it was expected to meet for a different purpose. In view of the reaction from the UN headquarters, Somalia also requested the OAU Council of Ministers to consider the issue.

On the 15th of February, 1964, the OAU Council met in Dar es Salaam, Tanzania, and resolved that first, such issues as the Ethiopian-Somali border dispute should be handled within the framework of the OAU; second, the two countries should "order an immediate cease-fire and . . . refrain from all hostile actions"; and third, all African states having official representation in the two countries should "assist in the implementation of the cease-fire".<sup>10</sup> Moreover, both Ethiopia and Somalia were urged to refrain from further provocative actions but, instead, enter into bilateral talks with a view to resolving the dispute.

The action of the OAU, through its Council of Ministers, did not resolve the conflict between Ethiopia and Somalia. Between 1965 and 1980, there were at least three clashes between the two and they have had the effect of making the dispute more enduring. The most profound was the Somali invasion of the Ogaden in July 1977. The Somali government launched the attack to make it have the form of nationalist irredentism at a time when Ethiopia was plagued by instability under Haile Mariam Mengistu. Reports on the dispute have been brought before the OAU Assembly of Heads of State and Government but OAU resolutions generally have had very little effect in settling the dispute. Through its organs, the organization has no doubt been putting some pressure on the parties to the dispute to end hostilities and negotiate. The effort of September 1967 and the many attempts made between 1975 and 1979 are particularly significant. But the OAU has, however, refused to be fully involved and has, indeed, established a tradition of encouraging the preservation of the status quo presumably in adherence to Article III (3) of the OAU Charter which upholds the member states' pledge "to respect the borders existing on the achievement of national independence". What the organization has largely resorted to in this particular case is an indirect role that is purely deliberative and leaves the parties with the option of seeking alternative channels through which negotiation or mediation could be attained for the settlement of their disputes.

What seems to be the singular achievement of the OAU in this regard is that it obviates the possibility of instant externalization. The Ethiopia-Somali dispute remains an issue with which the OAU is still seized. Somalia would continue to explore possibilities of changing the status quo while Ethiopia would always seek means for buttressing it. Any change in the pattern of OAU involvement would, in the circumstance, be contingent upon innovation or change in the organization's peace-making approach and peace-keeping machinery.

With regard to domestic conflicts within Africa, three cases reflect general OAU response and point to what its future likely roles could be. These are the Congo civil war, the Nigerian civil war, and the on-going civil war in the Chad Republic. They were all created by domestic instability, the product of internal

challenges to governmental authorities. The OAU's task in the Congo during the 1964-65 civil war was to contain and regionalize a crisis that had been internationalized since it began in 1960.<sup>11</sup> When the OAU Ministerial Council met in September 1964 at the request of the Congolese Government, it looked into the various aspects of the conflict and, rather than support Prime Minister Tshombe's request for military assistance from some African states through the OAU, it did two things. First, the Council appealed to the parties involved as well as their domestic and foreign supporters to end hostilities — including the expulsion of mercenaries and national reconciliation through the instrumentality of the OAU. Second, the Council established an Ad Hoc Commission composed of the Cameroon, Ethiopia, Ghana, Guinea, Kenya, Nigeria, Somalia, Tunisia, the U.A.R. (Egypt), and Upper Volta. Headed by the late Jomo Kenyatta of Kenya, the Commission could not get Tshombe to meet with the leaders of the insurgency and, as such, was not able to secure ceasefire and national reconciliation. The intensity of external intervention and the sharp disagreements among African leaders, including those in the Ad Hoc Committee, rendered the OAU helpless and the dispute had to be taken to the United Nations Security Council for settlement.

The OAU's role in the Nigerian civil war was almost a "no-role". The Federal Government of Nigeria did not want any OAU involvement until it was certain that secession would be condemned. The establishment, in September 1967, of a Consultative Mission made up of the Heads of State of Cameroon, the Congo Democratic Republic, Ethiopia, Ghana, Liberia, and Niger sealed up the organization's support for Nigeria. It also dissuaded the leadership of the Biafran secession from desiring OAU mediation. However, in view of the subsequent involvement of extra-African bodies such as the Commonwealth, and the danger posed to the survival of the OAU itself by the recognition accorded "Biafra" by Gabon, Ivory Coast, Tanzania and Zambia, the OAU's Consultative Committee renewed its interest in the conflict. Meetings were held in Niamey, Addis Ababa, and Algiers and the OAU's concern was cessation of hostilities, transport of relief supplies to civilian victims and the permanent settlement of the dispute. The intermittent involvement of the OAU in this case was, throughout, without prejudice to the objective of preserving the unity and territorial integrity of Nigeria by the federal government. It was, in effect, a disarming and dysfunctional use of good offices as far as the Biafran leadership was concerned.

In the Chad, where fighting took place for fourteen years, the OAU was faced with a different challenge. The Chad situation had some elements of the Congo and Nigerian crises combined with a more complex dimension of externality. The domestic sources of the Chad conflict are rooted in ethnicity, culture, history and, to some extent ideology; while the external components of the crisis are products of intervention from within and outside Africa. The latest in the chain was the full-scale war that broke out in February 1979.

The well-known Kano Accords (March and April, 1979)<sup>12</sup> cannot be said to be a product of any OAU effort. It was initiated by Nigeria and cannot by any yardstick be regarded as having brought about a settlement of the dispute. Yet it is more significant than many other mediatory efforts and was, until the end of

the hostilities toward the end of 1980, the newest of such agreements that have failed since 1971. Like the other disputes, it was referred to a ten-nation committee (which included Nigeria) in July 1979 by the OAU's Ministerial Council. One month later, the OAU Heads of State and Government met in Lagos on the Chad situation. The main achievement then was the establishment of an OAU peace-keeping force (expected to replace French troops) in Chad. Its presence, however, could not be felt unless first, the OAU members could pay the levy of 500,000 dollars for the construction of OAU barracks in Chad; second, the troops — especially from the Congo, Benin, and Guinea — could succeed in keeping the warring factions apart; and third, the faction controlling N'djamena could be brought together to discuss and agree upon national reconciliation with the original FROLINAT, the Popular Liberation Front, the Democratic Revolutionary Council, the Chadian People's Liberation Movement, and the Volcan.

The seed of the OAU's peacekeeping force had not fully germinated before it was aborted by Libya's intervention which decisively put a halt to the fighting in Chad. The Libyan "initiative" came in the midst of OAU attempts to settle the dispute — although Libya had long before then displayed special interest in Chad, especially the uranium-rich Ouzon strip in northern Chad.

During the period when the Kano Accords were being negotiated at the instance of Nigeria, both Libya and France were watching with critical concern. By the provisions of the first Kano Accord (March, 1979) Nigeria was to provide a neutral force to ensure, among other things, the enforcement of ceasefire; the security of all important Chadian personalities; the demilitarization of N'djamena and the surrounding district up to 100 km; and free movement of civilian population throughout the Chad Republic. A transitional National Union Government was also to take charge of Chadian affairs until an election could be held. The Accord could not be implemented due to the incapacitation of the neutral force by the combined antagonism of France and Hissene Habre's Armed Forces of the North (FAN), as well as the Nigerian government's own misjudgement of what were required to settle the Chadian dispute.

The OAU peacekeeping force referred to earlier on (to be supplied by the Benin, Congo, and Guinea Republics) also could not fulfill its objectives as spelt out in the "Lagos Accord" of August 1979. It, in fact, did not take off due to some basic operational problems. The transitional National Government provided for by the Lagos agreement was, however, established in November 1979 at the meeting of the various factions in Mani. Goukouni Weddeye of FROLINAT was to head the government while Hissene Habre of FAN was made the Defence Minister.

Throughout most of 1980 there was no stable peace in Chad. And, aware of the threat posed by Habre, unsure of the OAU's capacity to help keep the peace and suspicious of France's intentions, Weddeye's transitional government signed a cooperation agreement with Libya in June 1980. It was presumably on the basis of the agreement (and not entirely because of Muamar Gaddafi's frequent exploits) that Libya intervened on the side of Waddeye late in 1980 to help keep his government in power and liquidate the French-backed Habre forces. Since then, Libya has been keeping between 5,000 and 10,000 troops in

Chad to the displeasure of many African countries. The OAU's Good Offices Committee has been making some efforts to complement some African states' call on Libya to withdraw her troops from Chad. These have yielded no meaningful result. In late June 1981 African leaders met in Nairobi (Kenya) and one of the major outcomes of the summit was the passing of a resolution which called for Libyan troops in Chad to be replaced by a Pan-African Peacekeeping Force. Its mechanics have not been worked out and we therefore cannot, as of now, vouchsafe its possible success.

The other two forms of dispute have been less engaging for the OAU. Inter-state frictions over the future of the non-self-governing territories, for instance, have concerned the future status of the former French Somaliland (Issas and Afars) and the phosphate-rich Western Sahara. The former has been subjected to territorial claims by Somalia and Ethiopia while the latter was a bone of contention between Morocco and Mauritania until the recent shift with Algeria supporting independent existence for the territory under the banner of the Polisario which has secured recognition of the majority of OAU Member States. As an issue of decolonization, the OAU supported ridding these territories of foreign rule while doing nothing practically in that respect for fear of antagonizing the rival neighbouring claimants.

During the June 1981 OAU Summit, however, the case of the Western Sahara took a new turn. A resolution was passed which called on the United Nations to participate in a peacekeeping force in the Western Sahara pending the holding of a referendum and subsequent elections. The African heads of state at the Nairobi meeting also adopted the entire report of the Ad-hoc Good Offices Committee on the Western Sahara and set up a committee to implement the report. The Committee included Nigeria, Tanzania, Guinea, Mali, Sierra Leone, Sudan and with Kenya as Chairman. OAU's success here would depend on its credibility and how much cooperation that could attract from all interested parties.

Finally, the inter-state tensions and friction which derive from ideological or political differences (especially the orientations of the leadership) have always put the OAU in a dilemma and posed a challenge to its capacity for settling inter-state disputes. An examination of the frictions between Ghana and some of the neighbouring countries, Guinea and the Ivory Coast, Zaire and the Congo Democratic Republic, and Tanzania and Uganda would reveal the forms that such disputes take and the OAU's approach to settling them. There have been the usual recourse to a Ministerial Council meeting and declarations, recommendations or resolutions based on Article III (5) of the OAU Charter which upholds non-intervention and condemns intra-African subversion. There have not, however, been records of settlement of the political and ideological differences or permanent reconciliation of African leaders involved in inter-state frictions.

### **The Need for New Strategies**

It is apparent from the foregoing that the OAU does not provide a viable framework for the pacific settlement of African disputes. The idea of "settlement" assumes a thorough understanding of the nature of a conflict situation



and the best approach or procedures for resolving it. It also assumes that the agents of mediation are adequate both for bringing the force in use under control and for sustaining the conflictual parties' faith in the agents' credibility.

The OAU's approaches to the various disputes have reflected some uniformity. They were based on mutual self-interest, fear of change, and a rationalized adherence to certain principles of the OAU Charter. And they have also called to question the organization's capability to take effective action and its commissions' or organs' competence in carrying out specific mandates. Moreover, they underlie the need for greater understanding of conflict processes, their resolution, and the training of diplomats and special mediators for such tasks.

The recurring and possible crisis situations in Africa require a new perspective on (and approach to) pacific settlement. Among the factors that would determine the success of the OAU in mediating and settling the disputes are first, its authoritativeness as intermediary and second, the effectiveness of its settlement mechanisms. This second factor has been defined by Raman to include "... the formal competence of the decision-mechanism, the appropriateness of the procedures to the requirement, the degree and nature of the 'authority' it brings to bear, and the deference accorded to it".<sup>13</sup>

The above synopsis calls for new strategies and these could be formulated or developed out of the following propositions:

1. The objectives, environment, and membership of the OAU make pacific settlement of disputes a necessary function and the organization should acquire the capacity for this.
2. African disputes are subjective phenomena with creative potentials. They are changeable, could be instrumental in effecting changes, and could serve as weapons for eliminating the conditions for other conflicts.
3. Any OAU mediation in such disputes should be initiated on the basis of propositions 1 and 2; and the mediating team must be aware that it is not a tribunal, that the negotiations must not be conducted in adversary form, and that its role ought to be performed by following informal procedures of mediation and with the continuous consent of the parties involved.
4. Any settlement should be pursued through the equitable principle of ensuring participation by all interested parties — especially those whose interests would be affected by the outcome — even though greater focus should be on the vital elements within the authority structures of the target states.
5. African disputes require that a buffer be created in each case between the contending forces and each dispute should be insulated and prevented from being aggravated by extra-African intervention.
6. The third party role-players (i.e. mediators) must be conscious of what is negotiable and what is not, in the bargaining between the parties. Their acceptability depends upon the parties' perception of their capability and potentials as impartial but influential and resourceful mediators.
7. In view of the probable constraints and the sensitive nature of some issues related to these disputes the third party involved in the settlement process should take the contending parties' actions or moves objectively — avoiding normative remarks as much as possible.

8. Any third party mediators must resolve all internal crises of objective before selecting their means and taking off. Pacific settlement connotes some degree of "peaceful" coercion or some degree of suppression by threat. It entails settlement through references to past norms and practices which may no longer be perceived as relevant and just. Meaningful mediation should therefore be in the form of "peaceful" resolution of disputes since, as John Burton has noted, "a conflict is resolved, as distinct from settled, when the outcome is self-supporting, and for this to happen the new relationship must be negotiated freely by the parties themselves".<sup>14</sup>
9. Pacific resolution is the appropriate answer to African disputes.
10. The OAU, or any subregional or national authority that is in search of permanent solutions to such conflicts could best achieve its objectives by creating the necessary atmosphere and the objective conditions for peaceful resolutions before embarking upon any mediatory procedures.

### **Conclusions**

Certain conclusions logically derive from the ten propositions advanced in this essay. It has been indicated that the OAU presently does not have the capacity to cope with the challenge of peaceful settlement of African disputes. This is because the organization lacks the structure, the means, and the motivation for such a function within the African context. The internal crises and contradictions within the organization and dysfunctional potency of trying to settle disputes that should be resolved will continue to inhibit action and make peaceful settlement rather difficult to attain. The nature and patterns of African disputes are such that make peaceful resolution the desirable option but this, too, is only achievable when certain conditions are met.

The proposition that the policy goal of solving African disputes through the OAU would require the creation of the necessary atmosphere and objective conditions before embarking upon any mediatory procedures implies that there should be changes in the existing framework. Firstly, it ought to be realised and appreciated that the traditional techniques of patching up, prophylactism and proselytism that are employed by international organizations are not the answer to African disputes. Even the prophylactic technique, which is presumably "designed to prevent situations from deteriorating thus leading subsequently to an improvement in the relationships between the parties"<sup>15</sup> requires full participation in the negotiations by the parties themselves.

Secondly, when disputes are resolved, the peace sometimes needs to be kept. In other words, there exists the possibility of having a framework within which social justice is inherent and made permanent. The taproots of conflict and violence could be destroyed if they are related to socio-economic and political injustice and are located and uprooted as such. But when they are very complex, their resolution would require achieving the peace and keeping it.

Keeping the peace in this (African) context presupposes the establishment of a peace-keeping machinery for the purpose of keeping or maintaining peace that has been made or achieved through such means as arbitration, mediation and conciliation. Whatever peaceful conditions could be negotiated through third party intervention would, in this case, have to be kept with the instrumentality of

a peace-keeping machinery. It should be dynamic and effective enough to cope with both pre-peace and post-peace situations. This is essential if it is to achieve the objective of preventing or terminating fighting or, at least, succeed in moderating and containing conflicts. To do these, diplomats, policemen, relevant political scientists, and soldiers are necessary. To make or restore and maintain peace in Africa does not only require cease-fires, truce or armistice supervisions and the checking on violations. It also requires constant and co-ordinated efforts for the purpose of predicting or foreseeing and forestalling occurrences and developments that could shatter the peace. This implies the existence and functioning of the various functionaries indicated above within an institutional framework. Such does not exist in African today.

The charter of the OAU provides for a Defence Commission. While we concede that the details of how the Commission would function have not been worked out, it is evident that something in the form of an African High Command (AHC) is what many heads of state as well as most articulate leaders of thought in Africa have in mind. An AHC could be a useful intervention force in some crisis situations in Africa but the member states of the OAU have not prepared the way fully for an AHC.<sup>16</sup> Besides this, an AHC could not perform the full functions of the machinery required for the pacific resolution of African disputes.

As of now the OAU has adopted a "chance policy" of inviting member states to subscribe units to ad hoc peace-keeping operations. Participation is not obligatory and it is not based on any strict criteria. A viable machinery would have to be given a strong legal basis and structured in a way that should make general African participation a matter of course and sustain effectiveness through proper and efficient identification and handling of disputes. This presupposes a general framework which provides for (and utilizes) adequate logistic support and enhances the operational propensities of the peace machinery. African disputes need a peace-making and peace-keeping machinery for their resolution but the OAU presently does not have one and could bring one into being only if the conditioning variables discussed in the foregoing pages are taken into consideration and acted upon by the member states of the OAU.

#### Footnotes

1. K. Venkata Raman, *The Ways of the Peacemaker* (New York, 1975) p. 13.
2. See Harold K. Jacobson, *Networks of Interdependence: International Organizations and the Global Political System* (New York, 1979), p. 39.
3. Berhanykun Andemicael, *Peaceful Settlement Among African States: Roles of the United Nations and the Organizations of African Unity* (New York, 1972), chps. II-V.
4. See Louis Kriesberg, *The Sociology of Social Conflicts* (Englewood Cliffs, N.J., 1973) and his "Noncoercive Inducements in International Conflicts", paper presented at the panel on Alternative International Security Systems at the 21st Annual Convention of the International Studies Association, Los Angeles, USA, 19 March 1980.
5. *United Nations Charter*: Article 2, paragraph 3.
6. See Article III, Paragraph 4, of the Articles of the Organization of African Unity (OAU). This feature is common with similar organizations. The Organization of American States (OAS), for

example, proclaims (see Article 2(b) of the OAS charter) that part of its essential purpose is "To prevent possible causes of difficulties that may arise among the Member States".

7. Andemicael, p. 8.
8. This conclusion, however, does not disregard the mediatory efforts of Ethiopia and Mali, especially the Bamako Agreement which the two parties were made to work on. But the most far-reaching among the terms of Agreement was the request for "an extraordinary meeting of the OAU Council of Ministers in order to set up a commission that would determine responsibility for the outbreak of hostilities, study the frontier question and make proposals for a settlement of the dispute".
9. United Nations, *Official Records of The Security Council*, Nineteenth Year, Supplement for January-March 1964, document S/5536, 9 Feb. 1964, p. 60.
10. OAU Council of Ministers' Resolution ECM/Res. 3(II), 15 Feb. 1964.
11. For a detailed history of the Congo crises, see Kwame Nkrumah, *The Challenge of The Congo* (New York, 1967). and Tunde Adeniran, "The Limits of International Peacekeeping: Nigeria and The Lessons of The Congo", *Cross-Currents*, vol. 5, no. 2 (1975).
12. The Kano Accords were the peace agreements reached in 1979 by the various warring factions at the insistence of the Nigerian Government. It called for the establishment of "a transitional government of national unity" which would prepare a programme leading to the installation of a freely elected government for Chad.
13. Raman, p. 34.
14. J.W. Burton, *Conflict and Communication: The Use of Controlled Communication in International Relations* (London, 1969), p. 171.
15. See Ibrahim A. Gambari, "From Collective Security to Preventive Diplomacy: The Relevance of United Nations Organisation's Experience to Nigeria's Peace-Keeping Role in Africa", unpublished paper presented at the NIIA Seminar on "Peace-keeping in Africa", May 1980.
16. See Tunde Adeniran, "An African High Command as a Security Policy Problem of the 1980s", *Nigerian Journal of Political Science*, vol. 2, no. 1 (1980) for a detailed analysis of the problems confronting the establishment of an AHC.

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