
BY

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Dedication

This dissertation is dedicated to my beloved family. My late mother, Ms. Getrude Mabaya, single handedly and against all odds, this is what you worked for, I hope you are proud. My sister Chipo, you’re such an inspiration. My siblings, please be inspired. Last but not least my daughter Buhlebenkosi, I love you my baby, you inspire me to reach for the sky. This is the path I want you to follow.
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I am extremely grateful to the Ministry of State Enterprises and Parastatals for the financial support. I extend particular indebtedness to my bosses; Permanent Secretary, Mr. E. Mutowo, and Director, Mrs E. Madziva, for affording me time off from work to work on my dissertation, thank you. I also want to acknowledge my family for the moral support. My classmates from the 2010-2012 MSc International Relations class, thank you for all the support. To Machinda Marongwe and Simon Makono, thank you for the constructive criticism and encouragement.
The formation of the African Union (AU), on 9 July 2002, as a successor to the Organization of African Unity (OAU), and the establishment African Union Peace and Security Council (AUPSC) in 2004, gave hope of a positive shift from ‘non-interference’ to ‘non-indifference’ in the internal affairs of member states. Conflict in principle was resented and several policies were adopted to this effect. However, despite the African leaders’ agreed intolerance, coup d’état have stubbornly persisted, causing conflict in African states. The AUPSC is prescribed as both a preventive and resolution mechanism to conflict situations. This dissertation seeks to investigate the role of the AUPSC in the Madagascar coup of 2009. It argues that the AUPSC has a responsibility to protect the ordinary Malagasy citizens by resolving the conflict. However, there are significant opportunities and challenges faced by the AUPSC in fulfilling this goal. These range from the lack of financial and institutional capacity, to the lack of political will by member states and negative interference by the international community. The AUPSC is immensely ill-equipped in achieving its peace and security mandate.
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<tbody>
<tr>
<td>ACDEG</td>
<td>African Charter on Democracy, Elections and Governance</td>
</tr>
<tr>
<td>ACCORD</td>
<td>African Centre for the Constructive Resolution of Disputes</td>
</tr>
<tr>
<td>ADB</td>
<td>African Development Bank</td>
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<tr>
<td>ADRA</td>
<td>Adventist Development and Relief Agency</td>
</tr>
<tr>
<td>AMIB</td>
<td>African Union Mission in Burundi</td>
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<td>AMIS</td>
<td>African Union Mission in Sudan</td>
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<td>AMU</td>
<td>Arab Magreb Union</td>
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<td>APB</td>
<td>Africa Policy Brief</td>
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<tr>
<td>APSA</td>
<td>African Union Peace and Security Architecture</td>
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<td>APB</td>
<td>Africa Policy Brief</td>
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<tr>
<td>ASF</td>
<td>Africa Standby Force</td>
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<td>AU</td>
<td>African Union</td>
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<td>AUPSC</td>
<td>African Union Peace and Security Council</td>
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<tr>
<td>BBC</td>
<td>British Broadcasting Corporation</td>
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<tr>
<td>CADSP</td>
<td>Common African Defence and Security Policy</td>
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<tr>
<td>CEWS</td>
<td>Continental Early Warning System</td>
</tr>
<tr>
<td>CEWU</td>
<td>Conflict Early Warning Units</td>
</tr>
<tr>
<td>COMESA</td>
<td>Common Market for Eastern and Southern Africa</td>
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<tr>
<td>COPAX</td>
<td>Central African Council for Peace and Security</td>
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<tr>
<td>CSO</td>
<td>Civil Society Organizations</td>
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<tr>
<td>CSSDCA</td>
<td>Calabashes on Security Stability and Development Co-operation</td>
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<tr>
<td>Abbreviation</td>
<td>Full Form</td>
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<tr>
<td>--------------</td>
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</tr>
<tr>
<td>DRC</td>
<td>Democratic Republic of Congo</td>
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<tr>
<td>EAC</td>
<td>East African States</td>
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<tr>
<td>ECCAS</td>
<td>Economic Community of Central African States</td>
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<tr>
<td>ECOWAS</td>
<td>Economic Community of West African States</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>GNU</td>
<td>Government of National Unity</td>
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<tr>
<td>HTA</td>
<td>High Transitional Authority</td>
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<tr>
<td>ICG</td>
<td>International Contact Group</td>
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<tr>
<td>IGAD</td>
<td>Intergovernmental Authority on Development</td>
</tr>
<tr>
<td>IOC</td>
<td>Indian Ocean Commission</td>
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<tr>
<td>IOF</td>
<td>International Organization of la Francophonie</td>
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<tr>
<td>IPDSC</td>
<td>Interstate Politics and Diplomacy Committee</td>
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<tr>
<td>ISDSC</td>
<td>Interstate Defense and Security Committee</td>
</tr>
<tr>
<td>ISS</td>
<td>Institute of Security Studies</td>
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<tr>
<td>JMT</td>
<td>Joint Mediation Team</td>
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<tr>
<td>NATO</td>
<td>North Atlantic Treaty Organization</td>
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<tr>
<td>NEPAD</td>
<td>New Partnership for Africa’s Development</td>
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<td>OAU</td>
<td>Organization of African Unity</td>
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<tr>
<td>OPDSC</td>
<td>Organ on Politics, Defense and Security Cooperation</td>
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<tr>
<td>PSC</td>
<td>Peace and Security Council</td>
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<tr>
<td>R2P</td>
<td>Responsibility to Protect</td>
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<td>Abbreviation</td>
<td>Full Form</td>
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<td>--------------</td>
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<tr>
<td>REC</td>
<td>Regional and Economic Communities</td>
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<tr>
<td>SADC</td>
<td>Southern African Development Community</td>
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<tr>
<td>SADC RPTC</td>
<td>Southern African Development Community Regional Peacekeeping Training Centre</td>
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<tr>
<td>SAIIA</td>
<td>South African Institute of International Affairs</td>
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<tr>
<td>TIM</td>
<td>Tiako I Madagascar</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
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<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
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<td>UNSC</td>
<td>United Nations Security Council</td>
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<td>WTO</td>
<td>World Trade Organisation</td>
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Chapter 1

Introduction

1.0 Introduction

This research critically analyses the opportunities and challenges of the African Union Peace and Security Council (AUPSC) in conflict resolution and maintenance of peace and security regarding the Madagascar coup d'état of 2009. It gives an account of the 2009 coup d'état and critically examines the mechanisms adopted by the AUPSC in both anticipation and mitigation of the coup. It examines the adopted AU policies that guide the AUPSC in its endeavour for promotion of peace, security and stability of the African continent as a prerequisite for the implementation of the AU’s development and integration agenda. This study critically assesses the extent to which the AUPSC has managed to formulate and implement mechanisms for effective conflict resolution.

1.1 Background to the Problem

According to Martin (2011:1), “The Organization of African Unity (OAU) was established on 25 May 1963, in Addis Ababa, Ethiopia, and the OAU Charter was signed on that occasion by the Heads of State and Government of 32 African states. The Organization was established to promote the unity and solidarity of African countries, to defend the sovereignty of members, to eradicate all forms of colonialism, to promote international cooperation with due regard for the United Nations (UN) Charter and the Universal Declaration of Human Rights.” However, the OAU fell short as it prioritized so called “sovereignty” by adopting a policy of “noninterference” with regards to military coup d’états. Murithi (2007:3) notes that, “the OAU failed to live up to its norms and principles, resultanty Africa was a continent that was virtually imploding due to the pressures of conflict, poverty and underdevelopment and public health crises.”

It is against this backdrop that the African Union (AU) was established, on 9 July 2002, as a successor to the OAU. The Constitutive Act establishing the AU (2002:2) states that “the AU’s vision is based on the common desire of a united and strong Africa and on the need to build a partnership between governments and all segments of civil society and cohesion amongst the peoples of Africa.”
According to the Preamble to the AU Constitutive Act (2000:2), one of the factors underlying the establishment of the organisation was the recognition of “the fact that the scourge of conflicts in Africa constitutes a major impediment to the socio-economic development of the continent and of the need to promote peace, security and stability as a prerequisite for the implementation of the development and integration agenda.”

The AU’s Strategic Plan, (2009:11), posits that the vision of the organization is “An integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in global arena.” According to Mwanašali (2004:7), “the AU has the primary responsibility for establishing and operationalising the continent’s peace and security structure.” In pursuit of this peace and security agenda, the AUPSC was established in 2004 under a Protocol to the Constitutive Act adopted by the AU Assembly in July 2002. Article 2 (1) to the Protocol relating to the establishment of the AUPSC (2002:4), defines the AUPSC as, “a standing decision-making organ for the prevention, management and resolution of conflicts. The AUPSC shall be a collective security and early- warning arrangement to facilitate timely and effective response to conflict and crisis situations.”

The formation of the AU was largely due to the inability of the OAU to respond to the myriad of challenges facing the continent. Unlike the OAU, the AU has in its Constitutive Act Article 4 (h) which provides for the powers to intervene in member states in respect of grave circumstances. Despite the existence of an AU organ that is specifically mandated to maintain peace and security in Africa, its efficiency in addressing conflicts of recurrent wars, intra-state instability, civil unrest and border disputes is questionable.

There is great irony in having an organization as the AU and yet also having numerous coup d’états in Africa. The wave of coups that has bedeviled Africa, is evidenced by the following coups: Burundi (July 1996), Sierra Leone (May 1997), Mauritania (August 2008), Guinean Conakry (December 2008), Niger (February 2010), Madagascar (2009) and most recently Mali (2012). It is against this background that this study evaluates the AUPSC’s efforts and initiatives and determines the extent to which they contributed in maintaining peace and security in Africa.
1.2 Statement of the Problem

According to Adar et al (2010:108) “...notwithstanding the existence of a new security regime, conflicts still proliferate in Africa.” In the same light Dersso (2010: 2) observes that, “in the 21st century conflicts, particularly of the internal kind, continue to pose as serious a threat as disease and drought to the life, security and property of people and the survival of the post-colonial African state.” Despite the adoption of the Lome Declaration, the Constitutive Act of the AU, the AU Charter on Democracy, Elections and Democracy, the PSC Protocol, New Partnerships for Africa’s Development (NEPAD), Common African Defence and Security Policy (CADSP) and the Calabashes for Security, Stability and Development Co-operation, conflicts still persist in Africa as demonstrated by Collier (2003: 57) who notes that, “Africa has experienced more than 52 low and high intensity conflicts.” These conflicts, as argued by Adar et al (2010: 108), have wrecked the intention of the African Union of “…providing leadership in conflict resolution in Africa in keeping with the philosophy of ‘African solutions to African problems.’”

The peace and security concerns in Africa are not only limited to civil wars but embrace unconstitutional changes of government. The negative impacts of coups cannot be over emphasized. McGowan and Johnson (1984: 636) hypothesize that coups lead to “the disruption of government services increased the pillaging of resources and negatively impact the economy.” At the 14th Ordinary Summit of the AU held in February 2010 in Addis Ababa, the Chairperson of the AU Commission, Mr. Jean Ping, expressed concern at the persistence of conflicts and the return of coup d’états. He noted that “the scourge of unconstitutional changes of government poses a real challenge to the efforts aimed at the democratization and socio-economic development of the continent.”

The lack of effective conflict resolution by the AU has raised many concerns among academics, policy makers and the general public. Nhema (2008: 48) asserts that “without democracy and peace, development is not possible; and, without development, peace is not durable.” This implies that peace is a pre-requisite for sustainable development and the fulfillment of one of the AU’s founding objectives, “accelerated co-operation and economic growth” is dependent on peace within the continent.
Inspired by the determination to promote the United Nation (UN) Charter principles, the AUPSC’s objectives as provided for in the Protocol relating to the establishment of the AUPSC, Article 3 (2002:5) are to:

a. promote peace, security and stability in Africa, in order to guarantee the protection and preservation of life and property, the well-being of the African people and their environment, as well as the creation of conditions conducive to sustainable development;

b. anticipate and prevent conflicts. In circumstances where conflicts have occurred, the Peace and Security Council shall have the responsibility to undertake peace-making and peace building functions for the resolution of these conflicts;

c. promote and implement peace-building and post-conflict reconstruction activities to consolidate peace and prevent the resurgence of violence;

d. co-ordinate and harmonize continental efforts in the prevention and combating of international terrorism in all its aspects;

e. develop a common defence policy for the Union, in accordance with Article 4(d) of the Constitutive Act;

f. promote and encourage democratic practices, good governance and the rule of law, protect human rights and fundamental freedoms, respect for the sanctity of human life and international humanitarian law, as part of efforts for preventing conflicts.

The AU’s response and reaction to threats to security was tested in the 2009 Madagascar coup d’état. According to The Daily Telegraph (2009:9), “…the then Madagascan President Marc Ravalomanana, under pressure from the army and the civilian opposition, resigned and transferred power to the military directorate. The military directorate transferred presidential authority to the popular Andry Rajoelina. This was considered a coup, a violation of the Madagascan Constitution which requires that transfer of power be according to set principles, including an election to be held for a new President, in the event of a resignation as provided for in the Constitution of Madagascar.”

The seizure of power in Madagascar was against the AU’s principles on unconstitutional changes of government. The AU’s position on unconstitutional changes of governments is embodied in the following three main instruments; the AU Constitutive Act, Lomé Declaration of July 2000 and the African Charter on Democracy, Elections and Governance. In terms of the Lomé Declaration (2000), an unconstitutional change of government entails among other instances, “a military coup d’état against a democratically elected government.

” The Common African Defence and Security Policy (2004:4) highlights that common threats to peace and security in Africa include “coup d’états and unconstitutional changes of government; and situations which prevent and undermine the promotion of democratic
institutions and structures, including the absence of the rule of law, equitable social order, popular participation and good governance.” Whist, in the AU Charter on Democracy, Elections and Governance (2007:3, 5, 10), Article 2 (4), articulates that one of the objectives of the Charter is “to prohibit, reject and condemn unconstitutional changes of government in any Member State as a serious threat to stability, peace, security and development.” Article 3(10) illustrates that one of the principles of the Charter is the “Condemnation and total rejection of unconstitutional changes of government.” Furthermore Chapter 8 provides for penalties to the incumbent government which include “imposition of sanctions in cases of unconstitutional changes of government.” Therefore in principle, the AU’s position on coups is clear.

1.3 The Research Objectives

The broad objective of this research is to determine the effectiveness of the AU in maintaining peace and resolving conflicts in Madagascar. It tests the capacity of the AU in dealing with conflicts in view of the unfolding conflict in Madagascar. Specifically, this research attempts to determine the AUPSC’s capacity to:

- Anticipate and prevent situations of potential conflict from developing into full-blown conflict. This study critically analyses the AUPSC’s previous efforts in maintaining peace and security in Africa, focusing on the AU’s successes and failures, in an attempt to draw possible lessons for sustainable peace in Madagascar;
- Undertake peacemaking and peace building efforts when full-blown conflicts arise; and,
- Analyze the AUPSC’s structural architecture, whether it is an enabler for the maintenance of peace and security in Madagascar.

1.4 Delimitations and Limitations of the Study

This study focused on the role the AUPSC in regards to peace and security in Africa. Although this study makes reference to other African countries, it explicitly explores detail related to Madagascar, with specific reference to the coup in 2009 and events thereafter.

Although this study is specific to the AUPSC, it acknowledges that the AU does not exist in isolation. The AU derives its mandate from the UN and its peace and security architecture also provides for collaboration with Regional Economic Communities (RECs) like Southern
African Development Community (SADC) which are significantly instrumental in the mapping of an elections roadmap in Madagascar. However, this study does not assess the structures, history or the detailed functions of these organisations, but rather will only give an account of their relation and engagement with the AU in the mediation efforts in Madagascar.

A major limitation faced in undertaking this study was this Researcher’s inability to travel to Madagascar to meet the political parties’ representatives directly involved in the crises and the general public to get a firsthand account of the effects of the coup. Furthermore, the topic under research required the compilation of views from senior officials from the French and American Embassies, which this researcher was unable to compile because of communication barriers, emanating from the fact that the people this Researcher was referred to communicate with could not be accessed. Efforts to contact the AU Department of Peace and Security in Ethiopia, Addis Ababa, were unfruitful as this researcher kept on being referred to individuals whose phones were continuously unreachable.

Efforts to interview officials from the Zimbabwean Ministry of Foreign Affairs were also hindered because at the set date for the interviews, the official whom this researcher was scheduled to meet, Mr. Mupezeni, was stuck in Mali where another coup d’état had just taken place and when he finally returned to Zimbabwe, his schedule could not accommodate another appointment.

However, this researcher made use of available literature in the form of books, online journals, news sources and magazines. These sources gave current, detailed and balanced perspectives on the situation in Madagascar.

1.5 Justification of the study

The history of chaos, calamity and violence has stood in the path of Africa’s development and this study seeks to add to the body of knowledge on mapping a way forward in maintaining peace and security in Africa through the AUPSC. It provides recommendations to policy makers on mechanisms that can be adopted by the AU in conflict prevention and sustainable peace in Madagascar.

It further hopes to benefit civil society groups such as human rights activists by providing useful information on the impact of ineffective maintenance of peace and security on human life and development.
1.6 Literature Review

This study is informed by various findings on the AU’s role in conflict resolution and overall maintenance of peace and security in Africa. The AU is generally viewed as a positive shift from the OAU, which rested upon the principle of non-interference in domestic conflicts. Konadu-Agyemang and Panford (2006: 81) notes that “in contrast, the AU no longer treats territorial integrity as inviolable,” this is evidenced by Madagascar’s suspension from the AU. Further to this assertion, according Williams, (2011:1) “the former Chairman of the AU Commission, Alpha Oumar Konare described the AU’s emergence as a shift from the old norm of ‘non-interference’ to a posture of ‘non-indifference’” Such a stance is a reflection of the AU’s commitment in maintaining peace and security; as observed by Murray, (2004:125) “it was noted that bad governance, human rights abuses, and unconstitutional changes of government, are some of the internal threats to Africa’s security.”

When conflict emerges in the form of an unconstitutional change of government and erodes peace and security, the AUPSC is mandated to reverse this scenario. Conflict resolution options at the disposal of the AUPSC as stipulated Williams, (2011:2) include, “early warning and response systems, mediation initiatives, sanction regimes and peacekeeping operations.” Article 25 of the African Charter on Democracy, Elections and Governance (2007:10) provides for penalties to be applied in cases of unconstitutional change of government which include:

- suspension of the county concerned;
- non-participation of perpetrators of the unconstitutional change in the elections held to restore the democratic order or hold any positions or authority in political institutions of their state;
- trial by the competent bodies of the AU;
- and the possibility for the AU Assembly to apply other forms of sanctions, including economic sanctions.

In imploring the above instruments in instances of coups, Square (2009:7) observes that, “the AU cannot impose democracy on others in any forceful manner, despite the existence of texts and treaties aspiring to a more democratic Africa, since coups are endemic in African politics despite the existence of policies intended to prevent and/or resolve them and the AU is limited because it accepts multi party democracy and constitutionalism as the only acceptable means of change of government ignoring the fact that some coups have ousted autocratic leaders.
and restored democracy, for example the March 1991 coup staged by Amadou Toumani Toure in Mali and that of 2005 by Ely Ould Mohamed in Vall.”

Further to the above, Reynolds and Sisks (1998: 149) notes that “democratisation and conflict management are inherently linked and elections are a process in conflict management whereby parties turn to institutions instead of violence to resolve differences.” However, this overreliance on elections as an indicator of democracy or as a tool for conflict resolution is criticised. Some scholars argue that democracy has been reduced to the crude simplicity of multi-party elections in Africa and elections can be managed by ruling elites to provide the cover for democracy without the meaning. Hence it has been debated whether roadmaps for resolving conflicts through elections are an effective tool for conflict resolution or they are the reason why conflicts recur. In Madagascar, Villalón and Von Depp (2005:5) observes that “although competitive elections have been a regular feature of Malagasy political life for over a decade, the manner in which they have been conducted has precluded the effective translation of popular preferences into political outcome...the outcome of the elections have not been respected, as evidenced by the street–level social movements.”

Conflict management is a function that is principally bestowed upon the AU in Africa. However, as observed by Francis (2006:133), “Africa is littered with regional and economic communities, which have a similar peace and security agenda with the AU.” He argues that duplication of functions and multiplicity of membership can be of merit or a disadvantage in the pursuit of peace. Notably, RECs such as the Economic Community of Central African States (ECCAS), East African Community (EAC), Arab Magreb Union (AMU), (SADC), Economic Community of West African States (ECOWAS) and the Intergovernmental Authority on Development (IGAD) have in the last decades, taken on more responsibilities for conflict prevention, management and resolution. As observed by Govender and Ngandu (2010:21) “the new African peace and security architecture is evolving in an era where Africa’s relationship with international and regional organisations emphasises partnerships drawing on different synergies.” This is evidenced by the SADC-initiated roadmap for elections in Madagascar.
Govender and Ngandu (2010:8) are of the view that “mediation is an integral component of peacemaking and has the potential to be instrumental in preventing, managing and ending conflicts.” According to Nathan (1999:2), mediation is “a process of dialogue and negotiation in which a third party assists two or more disputant parties, with their consent, to prevent, manage or resolve a conflict without resort to force.” He observes that “the political solutions emanating from AU mediation seem to privilege power-sharing arrangements.” The AU deploys the creation of temporary unity governments as a means of conflict resolution. These are meant to incorporate inclusive governments, whilst democratic institutions are being harmonised (constitutions), and/or elections are being prepared for. However, the formation of governments of national unity (GNU) has been argued to have its drawbacks in the form of ‘peace spoilers,’ who derail the peace process.

There is a general uniformity in the challenges the AUPSC faces from one country to another; perhaps this explains why the challenges have developed a repetitive nature. However, the solutions cannot be a ‘one size fits all,’ considering the different types of instability.

One can summarise the major issues arising in the AU as the following:

- There is generally lack of will and commitment from AU member countries in fulfilling its mandate;
- The African Union peace support effort is limited by resources;
- There is no formal intelligence system which serves as an early warning instrument; and
- AU faces challenges in command and control, logistics and availability of forces.

1.7 Hypothesis

The AUPSC lacks institutional capacity and the relevant political will for conflict resolution and maintenance of peace in Africa in general and, specifically, in Madagascar.

1.8 Methodology

This study involves a qualitative analysis. The Madagascar coup of 2009 is the case study under investigation. Other coups will be selected from different countries in Africa as
comparative events on the AUPSC’s experiences in conflict resolutions and peace maintenance. These will aid in the critical analysis of the Madagascan case.

The study involved a desk research by reviewing available literature and archival materials on the topic under study. These included books, academic journals, the AU, and the UN reports, declarations, as well as media and other electronic sources relating to the topic. The study made use of the University library and other knowledge centres.

The study involved draft research questions targeted at relevant policy actors.
Chapter 2

Theoretical Framework

2.0 Introduction

This Chapter unfolds a theoretical understanding of the area under study. In this light, theories of Realism/Power, Integration and Regionalism are discussed. Key concepts such as diplomacy, preventive diplomacy, intervention, sovereignty, collective security, and responsibility to protect are defined as they are used in the research.

2.1 Theoretical Framework

2.1.1 Power Theory

Realism is the dominant paradigm that is used to explain the behaviour of states in the international milieu. It is a key paradigm which elaborates inter-state relations defined as the ‘pursuit of interests’. According to Jahn (2006:1) “Realists trace the roots of their thinking back to Thucydides, Machiavelli, Hobbes and Rousseau.” Power Theory began with the publication by the classical Realists diplomat-historian, E.H Carr and political theorist Han Morgenthau.

According to Molloy (2006:89), “Morgenthau views the international political environment as anarchical, where conflict within and among states is inevitable, he postulates that the social force that determines political activity, the basic bio-psychological drive within human nature is the animus dominandi, the desire to dominate, and politics is simply a form of institutionalized and socially acceptable oppression, both domestically and internationally.” He articulates that in political relations, power is sought both as a means to an end or an end in itself.” Smith (1999:63) argues that “by power, Hans Morgenthau referred not to brute force or political violence, but to the psychological leverage of ‘man’s control over the minds and actions of other men,’ hence politics is a struggle for power over men and whatever the ultimate aim may be, power is the immediate goal and the mode of acquiring, maintaining and demonstrating it.”

Realists argue that force is the suitable and effective instrument of policy. Other instruments may be employed but using or threatening force is the most effective means of wielding
power. *Coup d’états* by their very nature are an instrument for the acquisition of power by force. They reveal the Realists’ perception of the ‘political man’ who is described as an innately selfish creature, with an insatiable urge to dominate others.” Rengger (2000: 41).

Political power is viewed as one of the keenly contested resources in both developed and developing countries.” Power Theory unfolds its nature in the Malagasy’s political context, which arguably has become a vicious cycle of power struggles. Maunganidze (2009:6) observes that “Madagascar’s post colonial history has been characterized by regime transitions which have developed a cycle of political violence and instability. This is evidenced by the power struggle between Didier Rastiraka and Marc Ravalomanana and the latest struggle between Ravalomanana and Rajoelina. Each fought under the guise of defending the will of the Malagasy people whilst ironically each was accused of pursuing personal interests at the expense of the people.” With particular reference to the 2009 *coup d’état*, Maunganidze (2009:2) asserts that “the Malagasy crisis, whilst having taken a political dimension seems to be a clash of personalities and not of political ideologies.”

A diversion from Realism is Neo-Realism, which postulates that man’s behaviour is not a product of his nature but of society. According to Weber (2005:16):

> Waltz argues that the organization of social relations rather than the nature of man is what determines whether or not we have war. Why? Because good men behave badly in bad social organizations, and bad men can be stopped from behaving badly if they are in good social organizations. Therefore states go to war, because they are in bad social organization which is defined as international anarchy.

This implies that a country with weak institutions is prone to conflict. Scholars have highlighted that the challenge of building of the nation state after independence has been a contributory cause for most conflicts in Africa.

Contrary to Realism, Idealism argues that, although interests of states are conflicting, nations quests for power can be ‘tamed’ and , and the creation of organizations such as the African Union (AU), the United Nations (UN) and the World Trade Organizations (WTO) is an attempt to subdue the ‘struggle of power,’ through international law and democratization. This assertion is embraced by Griffins (2008:275) who define power as “a state’s ability to control, or at least influence, other states or the outcome of events.” In the same light, Morgenthau (1967:11) demonstrates that “since politics is a struggle for power, nations strive to protect their national interests, and that the power of a nation could be most effectively
limited by the power of another nation(s).” Therefore, one can argue that the international community used its power in an attempt to bring sanity to the power struggle within Madagascar.

This is evidenced by the condemnation of the coup by the international community, its withdrawal of aid and the suspension of Madagascar from SADC and AU, and the imposition of sanctions. These mechanisms were adopted as a means to influence Rajoelina to step down. This demonstrates that power is the strength or capacity that provides the ability to influence the behaviour of other actors in accordance with one’s own objectives, where various techniques of influence are used, ranging from persuasion or the offering of rewards to threats or the actual use of force.

This implies that Power Theory rests upon two important dimensions, the internal and external. Griffiths (2008:275) argue that “a state is powerful to the extent that it is insulated from outside influence or coercion in the formulation and implementation of policy.” Hence membership of international organizations is an act of submission to their influence. In this regard the Maputo Agreement and the SADC Road map for elections are products of the exercise of external power in the Madagascar crisis.

2.1.2 Integration Theory

According to Haas as quoted by Jones (1985: 574) “integration is both a process and an end state”. The aim of the end state is: to establish a political community, ensure economic gains of cooperation, joint efforts to curtail crisis and collective reliance. As quoted by Jones (1985: 574) Haas defines integration as:

The process whereby political actors in several distinct national settings are pursued to shift their loyalties, expectations and political activities towards a new and larger center, whose institutions possess or demand jurisdiction over the pre-existing national states.

Griffiths (2002: 123) argues that integration entails, “a movement towards increased cooperation between states, a gradual transfer of authority to supranational institutions, a gradual homogenization of values, and the coming into being of a global civil society and
Integration can be explained using the functionalist and neo-functionalist paradigms. Bennet (1995:236) asserts that “the functionalists’ view purports that integration evolves from the economic perspective and develops to other sectors, namely, political, social and security.” This is evidenced by the formal pronouncement of integration in the Lagos Plan of Action of 1980 which formalized the creation of regional blocks for economic independence of Africa. These however, have created organs for politics within them, for example SADC, which was not their primary purpose in life. Furthermore, from the economic front other organizations developed notably the AU which has sectors within the organization namely economic, political, social and cultural.

The neo-functionalist school of thought purports that integration has the effect of creating supernatural structures that evolve to be the new arena of politics. Hence integration results in the development of a political community. The political community has common features which include norms, values, aspirations and history. The OAU was founded on such common grounds, a common history of colonialism, and common aspirations of economic prosperity. With the formation of the AUPSC was a common aspiration for peace and security that Madagascar consented to by being a member of the AU.

Ghebdinga (1993: 44) argues that “integration weakens the state and undermines sovereignty because it requires a balance of member state community and national interests with those of other continental members.” In this regard Rajoelina could not pursue his interests without external reaction because integration implies external accountability and loyalty.

2.1.3 Regionalism Theory

In this study Regionalism theory has been used in categorizing Africa as a region. Griffiths (2008: 280) refers to regionalism as “intensifying political and/or economic processes of cooperation among states and other actor’s in particular geographic regions.” Therefore, the membership of the AU represents a particular geographical region, Africa. Hence, the AU is
an inter-governmental regional organization, whilst SADC is a sub-regional organization. Griffiths (2008:280) further posit that “a region is a spatial concept that is defined by a combination of geographical proximity, density of interactions, shared institutional frameworks, and common cultural identities.” AU members share a common history of colonialism and they continually interact on trade and economic platforms.

Haas as quoted by Jones (1985: 574) observes that “Regionalism involves the promotion of interstate security and regional order as part of global security management,” this implies in regionalism there exists a collective responsibility for peace and security within a shared region.

2.2 Defining Concepts

2.2.1 Collective security

According to Griffiths (2008:44) collective security refers to;

a set of legally established mechanisms designed to prevent or suppress aggression by any state against any other state. This is achieved by presenting to potential/actual aggressors the credible threat, and to potential/actual victims the reliable promise, of effective collective measures to maintain and if necessary enforce the peace. Such measures can range from diplomatic boycotts to the imposition of sanctions and even military action.

This is echoed by Kegley and Raymond (2011: 34) who define collective security as a, “security regime based on the principle that an act of aggression by any state will be met by a collective response from the rest.” This study argues that AUPSC and the African Peace and Security Architecture (APSA) is evidence of a formal security alliance. They are a reflection of the institutionalization of the peace and security concern of Africa in the context of the AUPSC and RECs, such as SADC. This is a remarkable first step in addressing the security problem in Africa. However, this step is reliant on other steps that concretize it, which include a political will that goes beyond being signatory but rather translates to tangible commitment and action.

2.2.2 Sovereignty

Slomp (2008: 33) articulates that “State sovereignty can be invoked to defend a people’s right to establish an identity and to protect autonomy and self-determination against external interference. On the other hand, state sovereignty can equally be responsible for enabling bad
governments to commit domestic atrocities, and even genocide.” This implies that sovereignty is assumed to rest within a government, however, according to the UN, “the sovereign state, in its most basic sense, is being redefined by the forces of globalization and internal cooperation. The state is now widely understood to be the servant of its people, and not vice versa, UN Document A/54/PV.4 (1999: 11).

This study defines sovereignty as embracing a double responsibility, on the one hand, by respecting the sovereignty of other states and, on the other hand, by internally respecting the dignity and basic rights of all the people within the jurisdiction of the state. Sovereignty means that a government must protect its citizens and when the government is unable to do this, responsibility falls upon the international community, in this instance the AU.

2.2.3 Conflict Resolution
According to Jütersonke et al (2010:12) “conflict resolution is conceptualized as the methods and processes involved in facilitating the peaceful ending of some social conflict. This may include the use of diplomatic efforts that include mediation, negotiations, signing of road maps, or agreements.” They argue that it is not merely the absence of war or peace, implying that conflict resolution can also include the actual use of force. This is evidence by the peace keeping operations of the AU, or the use of the African Standby Force (ASF).

The assumption is that where conflict exists the environment is not conducive to peace but rather is prone to chaos, instability, insecurity, human rights abuses. A conflict can involve political tension which translates to violence or crises which if not properly managed can lead to war. In Madagascar there is no war but the existence of an incumbent government in a conflict situation that requires resolution in this particular instance by the holding of elections.

2.2.4 Security

Nye (2005: 222–3) defines security as “the absence of threat to major value . . . territorial integrity of the state, its sovereignty, its population, its culture, and its economic prosperity should be deemed safe from destruction or major damage.” This study treats security as inclusive of state security and human security implying not only the absence of war but the inclusion of good governance practices as embodied by the UN and AUPSC.
2.2.5 Humanitarian Intervention

Holzgrefe and Keohane (2003:18) articulate that “humanitarian intervention is the threat or use of force across state borders by a state (or group of states) aimed at preventing or ending widespread and grave violations of the fundamental human rights of individuals other than its own citizens, without the permission of the state within whose territory force is applied.” In this regard, this study defines intervention as a deliberate process engaged in to compel actors to change their behavior. It encompasses the use of threats or diplomatic pressure which may include sanctions and/or actual force.

The AUPSC intervened in Madagascar by use of diplomatic efforts which included condemnation of the coup, mediation and imposition of sanctions.

2.2.6 Diplomacy

According to Lerche and Said (1970:80) diplomacy is “a process whereby the communications of one government are fed directly into the decision-making apparatus of another government(s).” It is also defined by Axline and Stegenga (1972: 100). as “the process by which statesmen attempt to attain national objectives through the use of bargaining, persuasion, inducements, arguments, reason, compromise and the threat (rather than the actual use of force).” The common denominator is that diplomacy is moral suasion tactic that is engaged in to influence the behaviour of a state.

Shelling (1980:168) articulates that “diplomacy is bargaining: It seeks outcomes that though not ideal for either party, are better for both than some of the alternatives, the bargaining can be polite or rude, entail threats as well as offers.” This study treats diplomacy is both a technique of foreign policy and a process of communication. Diplomatic efforts were engaged in under the auspices of the AU in an attempt resolve the conflict in Madagascar, this is evidenced by the creation of International Contact Group (ICG) and the engagement of the Panel of the Wise.
2.2.7 Preventive Diplomacy

The concept of preventive diplomacy emanated from Dag Hammarskjold, Griffiths (2008: 262) contend that;

The main focus of preventive diplomacy is to identify and respond to brewing conflicts in order to prevent the outbreak of violence. Supporters of preventive diplomacy believe that conflicts are easier to resolve before they become violent. Once a violent conflict has erupted, it is extremely difficult to bring it to an end. In the meantime, lives have been lost, new waves of hatred have been created, and enormous damage has been done.

This study treats preventive diplomacy as the combination of initiatives that are undertaken with the overall objective of preventing the escalation of violent confrontation in a conflict situation. UN Report (2011:5) demonstrates that “in the face of political tension or escalating crises preventive diplomacy is often one of the few options available, short of coercive measures, measures to preserve peace.” This study argues that preventive diplomacy is a responsibility of the AUPSC that lies within the Continental Early Warning System (CEWS). The CEWS is responsible for timeously identifying potential conflict for the purposes of adopting preventive measures.

2.2.8 Coup d’état

Coup d’état is a French word, which according to the International Encyclopedia of the Social Sciences (2008:18), translates to “a sudden blow against the state... the word comes from Napoléon Bonaparte’s use of his troops on the 18th Brumaire (November 9, 1799) to overthrow the constitution of the First French Republic and ultimately to place himself in power as emperor.”

Luttwak (1968: 110) explains that “a coup consists of the infiltration of the small but critical segment of the state apparatus, which is then used to displace government of its control of the remainder.” This is echoed by Thompson (2004:131) who writes that a coup is a “sudden illegal displacement of government in which members of the security forces play a prominent role”. Coup d’états are generally viewed as violent challenge to the state, analogous to a rebellion they involve the sudden decisive exercise of force in politics; especially the violent overthrow or alteration of an existing government through uprisings, rebellions, revolutions and coup. This reflects the situation in Madagascar, where the military played a significant role in the coup of 2009.
Sturman (2011:2) observes that “despite a shift by the AU in some instances of unconstitutional changes of governments notably the cases of Libya, Egypt and Tunisia in which the AUPSC has described as, ‘legitimate aspirations’, the AU’s founding principles out rightly condemn the assumption of power without holding elections.”

This is evidenced by the AU’s reaction to the 2009 coup in Madagascar, the AU suspended Madagascar, justified by Article 30 of the Constitutive Act of the AU which states that, “Governments which shall come into power through unconstitutional means shall not be allowed to participate in the activities of the Union.”

The AU currently defines an ‘unconstitutional change of government’ in terms of the Lomé Declaration of 2000 (AHG/Decl.5 (XXXVI) as:

1. military coup d’état against a democratically elected government;
2. Intervention by mercenaries to replace a democratically elected government;
3. Replacement of democratically elected by armed dissident groups and rebel movements; and
4. the refusal by an incumbent government to relinquish power to the winning party after free, fair and regular elections.

Sturkman (2011: 2) observes that “a controversial fifth element was added to the definition in the African Charter on Democracy, Elections and Governance, adopted in (2007)

(5) any amendment or revision of the constitution or legal instruments, which is an infringement on the principles of democratic change of government. ”

Hence, for the purpose of this study a coup has been defined according to the African Union’s definition.

2.2.9 Responsibility to Protect (R2P)

The Responsibility to Protect (R2P) is a UN initiative established in 2005. It consists of an emerging norm, or set of principles, based on the idea that “sovereignty is not a privilege, but a responsibility.” According to Powell and Baryani (2005:2)

In 2001 the International Commission on Intervention and States Sovereignty (ICISS) cogently argued that sovereign states and the international community have a responsibility to protect populations at risk of grave human rights violations, to rebuild war-affected societies and above all to prevent severe violations and deadly conflict. The Commission laid out a framework for international action when states fail to live up to their responsibilities to protect citizens, including principles for the use of force in extreme circumstances.
In implementation of the responsibility to protect doctrine economic, political, and social measures are used along with diplomatic engagements and military intervention is presented as a last resort. In this study the R2P is viewed as a concept for intervention in a state by the AU for the prevention of genocide, ethnic cleansing, mass killings and human rights violations taking place, in a country which is unwilling or unable to stop such violations. It argues that the AU through the AUPSC has a collective responsibility to maintain peace and security in its member states.

2.2.10 Mediation

Nathan (1999:52) asserts that “mediation is a process of dialogue and negotiation in which a third party assists two or more disputant parties, with their consent, to prevent, manage or resolve a conflict without the use of force. The general goal is to enable the parties to reach agreements they find satisfactory and are willing to implement. Mediation should be regarded as a specialized endeavor, encompassing a body of knowledge and a set of strategies, tactics, skills and techniques.” The AUPSC employs mediation as its primary mechanism in the resolution of conflicts in Africa; in Madagascar former President Chissano of Mozambique was engaged in the mediation process.

Chapter 3 examines the 2009 coup in Madagascar; It gives a brief background of the country Madagascar, her geography and political history, It goes further into giving an account of the events that culminated to the 2009 coup and examines the effects of the coup.
Chapter 3

The Madagascar coup of 2009

3.0 Introduction

In this Chapter, the 2009 coup d’état in Madagascar is discussed by tracing the political history of Madagascar since its independence from French colonial rule in 1960, analyzing the history that could have culminated in the 2009 coup. It will further, critically discuss the 2009 coup and how it eroded peace and security in Madagascar.

3.1 Madagascar Geography

According to Herbert (2002:7) “Madagascar is the world's fourth largest island. Its separation from mainland Africa about 120 million years ago left the island with many unique species of plants and animals (notably lemur species found nowhere else on earth) that are the island's principal tourist attraction. Madagascar is composed of three main ecological zones: low plains and plateaus in the west, with savannah and dry forests; a high central plateau that is the agricultural breadbasket; and a narrow wet eastern coastal strip.” Madagascar is Africa’s biggest island. The British Broadcasting Corporation (BBC) News Africa (2011:1) notes that “most of her mammals, half her birds, and most of her plants exist nowhere else on earth.” Madagascar is also rich in natural resources which include, “graphite, chromites, coal, bauxite, rare earth elements, salt, quartz, tar sands, semiprecious stones, mica, fish and hydropower.” [http://www.indexmundi.com/madagascar/natural_resources.html](http://www.indexmundi.com/madagascar/natural_resources.html).

3.2. The 2009 coup d’état

3.2.1 Pre and Post-Independence Political Governance in Madagascar

Madagascar’s political history has been marred by protests and violence; according to Bachelard and Marcus (2001:1) “in 1947, Madagascar experienced one of the most significant anti-colonial insurrections in the world. An estimated 100,000 people died in the conflict, and the memory of 1947 still plays a cardinal role in shaping Malagasy political culture.” A Madagascar country Brief (2011:1) observed that Madagascar’s “political transitions have been associated with popular protests, disputed elections, two military coups and an
assassination, this history of successive government takeovers and sporadic violence has resulted in a fragile political and economic environment.”

Following Madagascar’s independence from France in June 1959, there has developed a vicious cycle of violence and instability. Maunganidze (2009:6-7) observes that,

The first post-colonial president, Philibert Tsiranana, came to power in 1959 and it was through demonstrations by young people in 1972 that his government was brought down. He was succeeded by his Prime Minister Gabriel Ramanantsoa, who became President on 11 October 1972. Less than three years later he too was forced to resign in February 1975 amid ethnic and social tensions. Months of political unrest ensued, during which Ramanantsoa’s immediate successor, Colonel Richard Ratsimandrava, was assassinated only six days in office. Ratsimandrava was succeeded by General Gilles Andriamahazo in favour of Vice Admiral Didier Rastiraka, who resigned only five months in office. In the late 1980’s and early 1990’s strikes against Rastiraka’s regime coerced him to accept multi-party elections, which he lost to Albert Zafy in 1993. Zafy was later impeached, and Rastiraka came back to the political scene. In 2001, following the disputed elections in which both Rastiraka and I massive public support in the cities, which was mobilized into public and often violent protests.

Resultantly, according to an Africa Policy Brief (APB) no. 5, (2009:9) “Didier Ratsiraka who ruled the Indian Ocean Island for 26 years, fled into exile in France. The APB further notes that Ravalomanana rejected the path of national reconciliation proposed by former Presidency Zafy, instead he imprisoned Ratsiraka’s supporters when he took over from him as president of the country.” This cycle of conflict and violence in the politics of Madagascar, continued even in the independent Madagascar.

Marcus (2004:1) observes that “the nature of rulership of presidents in Madagascar has been defined by the mechanisms in which they are ousted. It seems the Malagasy people prefer to express their political opinion on the streets as compared to the ballot.” This political culture has culminated into recurring crises’ and the 2009 coup is only one of them.

### 3.2.2 The coup d’état

Although Rajoelina and the military are generally viewed as the orchestrators of the 2009 coup, many actors are argued to be strong influencers looming in the background. Firstly there is Didier Ratsiraka, a former president of Madagascar, who was ousted by Ravalomanana in a bitter contested election, which resulted in Ratsiraka fleeing to exile. According to the APB no. 5, (2009: 9) “analysts argue that the 2009 political crisis was caused indirectly by the vengeance of Ravalomanana against Ratsiraka’s supporters, hence it
is argued that the 2009 *coup d’état* has the hallmarks of past struggles and the real force behind Rajoelina’s rise to power is Rajoelina’s own father, a colonel in the army, who worked closely with a nephew of the exiled former president, Didier Ratsiraka”. It is against this backdrop that former presidents of Madagascar were included in mediation efforts of the international community, namely Didier Ratsiraka and Albert Zafy. The Malagasy political context can be viewed as complex as evidenced by the multiple actors with different interests, who are likely to emerge as peace spoilers.

Despite the influence of other actors, Andry Rajoelina and Marc Ravalomanana can be viewed as the two core actors in the 2009 *coup*, the former is the orchestrator whilst the latter is the victim. Andry Rajoelina’s political background emanates from him being a former mayor of Antananarivo, the country’s capital city. He won mayoral elections after contesting with President Ravalomanana’s hand-picked candidate taking 63 percent of the vote. Rajoelina gained prominence with the youth after establishing his own radio station, Viva Radio, which he used as a tool to garner influence. Zo Randriamaro as cited in the APB (2009:1) observes that “commentators have drawn parallels between Ravalomanana and Rajoelina’s trajectories to power. Both were successful in business, both were mayors and both came to power on the wings of popular movements.” It can be argued that the similarities between the two, can be attributed to the informally established political culture in Madagascar which breeds violent power struggles.

Tensions climaxed when Rajoelinas’ media broadcasted an interview with former head of state Didier Ratsiraka which was considered to be a threat to peace and security. The broadcast is viewed by Rakotomananga (2011:97) to be the trigger behind the 2009 *coup*; he notes that in reaction to the broadcast the “Ravalomanana government sent around 50 soldiers to confiscate equipment from the Viva studio and eventually ordered its immediate closure.”

The closure angered Rajoelina’s supporters as they interpreted it as a direct infringement of the freedoms of the media. They reacted by public protests; the BBC News, (2009) reported that “dozens were killed as a result of violent protests in Antananarivo following the closure of opposition TV and radio stations.” This fateful day was named ‘Red Saturday,’ police brutality was demonstrated as they opened fire on unarmed demonstrating citizens. The output on ‘Red Saturday’ was a strengthened anti-government agenda by Rajoelina’s supporters.
According to Smith (2012:16) “as Mayor, Rajoelina heavily criticised President Ravalomanana and accused him of poor governance, and dictatorship. He condoned most of the policies adopted by the Ravalomanana government to the extent that that some observers believe it was no longer about fighting for the Malagasy people but rather a personal battle. Rajeolina’s opposition was triggered by Ravalomanana refusing to grant Rajeolina permission to marry his daughter and publicly insulting him calling him, ‘an ignorant nincompoop’.” Drawing from these assessments it is difficult to differentiate between personal contradictions and genuine disputes between the two.

Zounmenou (2009:1) observes that the real bone of contention between the two leaders has its roots in personal business ambition and conflicting political agendas, “by suppressing the central government’s funds for municipal services in 2007, Ravalomanana clearly indicated his intention to undermine the credibility of the young mayor... In a country where the president’s companies control most of private business, it is hard to draw a clear line between public and private interests. It has become clear that politics in Madagascar serve individual business interests rather than addressing the basic needs of the citizens.” In support of this assertion Cawthra (2010:16) notes that “many observers also believe that the competition between the two men was fuelled by their competing business interests and the advantage that they could gain by fusing political power with business.” This is an indication of political system that is so flawed that it is susceptible to penetration and abuse by individuals who seek to quench their personal interest at the expense of the citizens.

It is important to note that President Ravalomanana is accused of using his political office as an engine for growing his personal business. As the owner of Tiko, Madagascar’s largest food conglomerate, according to the Keesing’s World News Archive (2009:1), “Ravalomanana's efforts to shift the island into the global economy brought benefits for big business, and especially for the Tiko conglomerate, which traded in a multitude of consumables, including basic foodstuffs. As food prices began to rise dramatically in 2008, resentment against Tiko and Ravalomanana increased, especially when rumours began to circulate that the president owed some US$100 million in unpaid taxes, whilst 70 percent of the population were scraping by on less than US$2 a day.” Furthermore Ravalomanana is accused of selling out the country; Heimer (2009:1) notes that “allegedly, the government leased 1.3 million hectares of land to a South Korean company for the production of food for export to East Asia” He is also accused of buying an expensive Presidential private jet using public funds.
Frustrations built up within the Malagasy people and the young mayor’s party ‘Tanora Malagasy Vonona’ (Young Malagasies Determined) was determined to discredit Ravalomana’s government and mobilise the general populace against him. Violence erupted on January 26, 2009 when Rajeolina called for a general strike. Heimer (2009:1) observes that “thousands of angry citizens took to the streets of the capital; young men and women attacked and devastated mostly components of the president’s private commercial empire: radio and TV stations, big department stores and dozens of small shops in “Chinatown” and other areas of the city. The mob looted food stores and electronics shops, stealing cell phones and other electronic devices and torching countless shops.” On this day reports speculate over fifty casualties, which further angered the people. However, public outcry was most rife in February 2009. Heimer (2009:2) observes that “when the people stormed the Presidential Palace, and the guards fired into the crowd without warning...over, 51 people lay dead; another 300 were injured.” These events brought birth to the 2009 coup.

March 2009 is the month that Ravalomanana was forcefully removed from office, however, the former disk jockey, Rajoelina did not stage a one man orchestrated coup because the success of the 2009 coup d’état can be attributed directly to the Madagascan military. According to the Institute for Security Studies (ISS) Situation Report (2007:281), “the 13,500-strong Madagascar military comprising of the People’s Armed Forces and the National Gendarmerie, which include the Army (12,500), the Navy (500) and the Air Force (500), was heavily involved in the crisis from January 2009.” Military involvement is attributed to two opposing camps within the military namely the neutralists and pro-opposition soldiers.

Furthermore, it is alleged that by the APB no. 5, (2009: 12) that “the military was also propelled into the crisis by wage-related grievances and allegations of widespread corruption in the army.” The army first significantly displayed its disgruntlement with the Ravalomanana government when it defied an order by the then Defence Minister, Mamy Ranaivoniarivo, to use force in dispensing anti government protestors. Bearak (2009:2) observes that the military forced the minister to resign for “violence against the population.” Furthermore, according to the BBC News (2009) the army chief General Rasolofomahandry was removed in an “internal coup” led by pro- Rajoelina soldiers who took over the army headquarters and forced him to resign, replacing him with Andre Andriarijaona who distanced himself from the president.” Pham, (2009:1) highlights that “the new army chief announced that the army was no longer accepting orders from President Ravalomanana and proceeded to force
President Ravalomanana to resign at “gun point”, and hand over power to a military directorate.” According to Rakotomanga (2011:5), “Ravalomanana unwillingly resigned to prevent a bloodbath.” Following his resignation Ravalomanana now lives in exile in South Africa, following in the footsteps of Rastiraka who is also in exile.

3.2.3  Constitutional Democracy

A constitution is generally considered to be a blueprint of a society. It defines citizens beliefs and enshrines their culture. Therefore, the structure of any society is always determined by the strength of its constitution. Constitutions are also generally viewed as means to sustainable peace and security in Africa. Tesfagiors and Winlock (2009: 1) argue, noting that constitutions in Africa promise a transformation in the continent's landscape of governance that will render coups obsolete. They state that:

Real African choice for regime change is via the constitution. It is not that constitutions by themselves cause successful and peaceful regime-change, but rather that by their nature they contribute to making it a real possibility and then a probable reality. In this sense, constitutions are integral to the answer to the question about when the ‘last coup’ in Africa will occur.

In the Madagascan case, democracy is provided for in provisions stipulated in the Madagascar Constitution and the reason why Rajeolina’s government is generally considered illegitimate is because of its failure to respect and uphold the constitutional provisions which provide for political regime change through the electoral processes as provided for in the constitution.

Adopted on 19 August 1992, the Constitution of the Republic of Madagascar Article 6(1) states:

Sovereignty shall belong to the people, who shall exercise it through their representatives elected by direct or indirect universal suffrage or through a referendum. No faction or individual may usurp the exercise of sovereignty.

Furthermore, according to the Constitution Article 46 (1and 2)(1992:7)

(1)All candidates for the office of President of the Republic must possess all civil and political rights and must be at least 40 years old at the time the candidacy is declared.
(2) To become a candidate, the President then in office must resign one day before the beginning of the electoral campaign.
Article 52(1) of the Constitution provides that in such cases “the duties of the President of the Republic shall be temporarily exercised by the President of the Senate until the holding of new elections.”

Contrary to given legislative provisions embodied in the Constitution, Rajolina’s party the High Transitional Authority (HTA) seized power without an election. According to Article 46(1) Rajelina was not, nor could not have been elected, given that he is only 34 years of age, which is six years short of the minimum 40-year bar required from presidential candidates. In addition upon Ravalomanana’s resignation the duties of the president were not temporarily exercised by the President of the Senate as provided for in Article 52(1). The constitutional processes were clearly disregarded by Rajeolina; resultantly, Rajeolina’s government has generally been viewed as illegitimate.

Scholars have argued that some coups are ‘good’ whilst others are ‘bad.’ The common denominator in both types of coups is that they involve the sudden forceful displacement of a government. However, the former, are justified. The assumption is simply that the ends justify the means; force is used as a tool for removing regimes that have ceased to serve the people. According to Ikome (2007:3) good coups occur when “bad governance has shut down peaceful, democratic methods of changing a government.” Therefore in ‘good’ coups it is justified to remove dictators even if the process constitutes breaking the law. This ‘good’ coup concept can be argued to be relevant to the uprisings in Egypt and Libya in 2011.

In arguing for the ‘good’ coup view one would argue that the AUPSC does not clearly provide to popular ‘democratic’ uprisings. It is an organisational weakness of the AU to define all unconstitutional change of government as a coup: Sturkman (2011:3) notes that “this limits the AU’s architecture in promoting democracy.” In this regard one would note that in the Libyan case, since coming into power by way of a coup in 1969 Gaddafi never held election, therefore, his government could not be qualified as democratically elected. This echos Odinkalu’s (2008:1) observation that coups have a tendency of “establishing dictatorships, subvert democratic governance, preclude the exercise of the rights of people to constitute or change their government, and leads to gross violations of human rights.” Hence some coups aid in the democratisation process.

In the Madagascar context, to Rajeolina and his supporters the coup was a necessary evil to stop the ills of the Ravalomanana government, However, to the regional and international
community, the coup was illegal and was met with widespread condemnation, mainly because the process was in complete violation of the constitution. Therefore, one would draw the conclusion that the classification of a coup is not a one size fits all, rather it depends on which eye lenses one is viewing from.

It is also important to note that constitutions are not panacea for coups. Despite the existence of a constitution in Madagascar a coup occurred in 2009. What is becoming a trend in Africa is the tendency to attempt to legitimise illegal regimes by amending of constitutions. One can argue that this is evidenced by the construction of Governments of National Unity (GNU), which are clearly an indication of failed democracy.

3.2.4 Effects of the 2009 coup d'état

Democracy and development are related and conflict impedes both the democratisation process and development. Madagascar was affected negatively by the 2009 coup d'état in terms of political, economic and social development.

The 2009 coup; saw countries such as United States of America and the European Union suspending their aid to Madagascar. Omotola (2011:16) observes that “the challenges of unconstitutional changes of government cannot be exaggerated, given their heavy toll on sustainable democracy and development in the continent. Such changes are symptomatic of a democratic deficit and instability, which in turn works against foreign direct investment, economic growth and freedom.” According to IRIN News (2009) “the island state is heavily dependent on donor funding for its administration and the US - one of the biggest foreign donors - and Norway have already frozen aid in protest of the manner in which Rajoelina attained power.” The coups impact on the economy cannot be overemphasized, as observed by the Madagasca Country Brief (2011:4) “due to the unconstitutionality of the coup, a large portion of international aid, which represents 40% of the budget and 75% of the public investment programme, has been withdrawn.” Cook and Ploch (2011: 11) note that “the Gross Domestic Product (GDP) is estimated to have fallen to -3.7% in 2009 and further to this turmoil Tourism declined by 50% from January 2009 to January 2010.” According to the World Bank (2010: 2) “the National Office of Tourism noted that, the number of tourism arrivals was only 162,687 in 2009 or 56 percent less than in 2008. As a consequence, revenues are estimated to have declined from US$465 million in 2008 to $180 million in
2009”. One can, therefore, observe that that 2009 coup had a negative impact on tourism, exports, public investment, and foreign aid.

As Odinkalu (2008:1) rightly observes, “coup[s] lead to gross violations of human rights.” One observes that the ordinary Malagasy citizen who a sufferer as a result of the coup, when sanctions are imposed or donor funding is withdrawn the ones who are negatively affected are the people. In Madagascar, the deteriorating economic situation resulted in job losses, intensifying the poverty situation in the country. The APB no 5, (2009:13) explains that “Rajoelina’s supporters looted Ravalomanana’s own Tiko, the largest dairy farm in Madagascar, triggering a milk shortage in Madagascar.” Observers have noted that “Madagascar’s economic recovery is closely linked to foreign aid, and until the political crisis has been resolved, it is likely that Malagasy economic growth will remain stunted.” (States in Transition Observatory, 2011: 4).

“The cumulative economic cost of conflict includes income loss, destruction of infrastructure, human and financial capital flight. In addition, neighboring countries endure substantial economic costs due to reduced trade, political insecurity, pre-emptive defense expenditures, and an influx of refugees.” African Development Bank (ADB) (2008:12).

Peace and security was brought to ruins by the 2009 coup and this was not only evidenced by the number of casualties in the clashes but also by the deteriorating humanitarian situation. This is against the backdrop that security is argued to have shifted from the traditional concept that focused on the state and has broadened to the individual. The United Nations Development Program (UNDP)’s Report (1994:8 ), argued that “the traditional conception of security which stressed on securing arms to protect territorial boundaries is becoming less relevant to prevailing challenges as insecurity for most people is now emanating from the daily challenges of life which included access food, a clean and safe environment, jobs and income among other necessities.”

Two main aspects of human security are identified in the UNDP Report (1994:15) which are:

- safety from chronic threats as hunger, disease and repression as well as protection from disruptions in the patterns of daily life. According to this broader conception of security, threats to human security broadly fall within seven categories namely food security, environmental security, economic security, health security, personal, community as well as political security.
Hence, in Madagascar the soaring of food prices brought about food insecurity, worsened by flooding and drought in the same year. The coup fuelled the vulnerability of the ordinary Malagasy. According to McGill (2009: 9) “it is estimated that more than 70 percent of Madagascar's 20 million inhabitants are living below the poverty line.”

According to a PROCAP Report, Peduto (2011:4) notes that “human rights violations are reported and unaddressed since 2009: unlawful killings, arbitrary arrest, unlawful detention, lengthy pre-trial detention, harsh detention conditions, censorship, official corruption, impunity.” In addition Ravalomanana was tried and sentenced in absentia by the government, for the killing of demonstrators by his presidential guards during the protests that led to his overthrow.

The human rights situation continues to negatively impact economic, social and cultural rights as well as freedom of expression, of movement, of assembly and demonstration, rights of prisoners. Peduto (2011:1) observes that “discrimination and violence against women and children are also of great concern.”

**3.3 Summary**

This Chapter gave an account of the 2009 coup. It attempted to answer the following questions. What happened in the coup of March 2009 in Madagascar? How did this coup unfold? What is history of political governance in Madagascar and its relation to the 2009 coup? What is the legal Framework’s position on regime change? How has the coup affected Madagascar, socially, economically and politically?

It highlights that there was a gross violation of human rights and deterioration in socio-political and economic development. The citizens of Madagascar suffered by living in an unstable and unpredictable environment.

Chapter 4 highlights the specific reactions by the AUPSC to the 2009 coup. It explores the opportunities and challenges for the AUPSC in resolving the conflict in Madagascar.
Chapter 4

The African Union Peace and Council’s (AUPSC’s) Initiatives and Efforts

4.0 Introduction

This Chapter discusses the structure of the AUPSC and draws a comparison between its mandate, functions and stated principles in conflict resolution and its actual initiatives towards this goal in practice. It critically analyses the challenges faced by the AUPSC in delivering its mandate emanating from its ambition, culture, capacity and will of member states. It discusses the role of the RECs, particularly the SADC, in mapping a way forward towards resolving the crisis in Madagascar. Furthermore, it identifies possible opportunities of the AUPSC to proffer a sustainable solution to the Madagascar crisis.

4.1 An Overview of the AUPSC

The AUPSC was established by the Assembly in terms of Article 5(2) of the AU Constitutive Act of 2002. The AUPSC has its origins in the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution which was created in 1993. It was established under the Protocol Relating to the Establishment of the Peace and Security Council of the African Union. According to the German Development Institute (2010:3) “the AUPSC modeled along the lines of the UN Security Council, and is the AU’s backbone as a standing decision-making organ for the prevention, management and resolution of conflicts.”

According to the Protocol to the Constitutive Act adopted by the AU Assembly in July 2002, Article 2 (1) notes that “the Peace and Security Council shall be a collective security and early-warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa”. Furthermore, Article 2 (2) highlights that “the Peace and Security Council shall be supported by the Commission, a Panel of the Wise, a Continental Early Warning System, an African Standby Force and a Special Fund.” The AUPSC has fifteen member states, elected for two or three year terms, with equal voting rights.
The five countries elected from each region to serve in the AUPSC for a period of three years as from March 2010 are: Zimbabwe, Kenya, Equatorial Guinea, Nigeria, Libya, Namibia, South Africa, Djibouti, Rwanda, Burundi, Chad, Benin, Cote d’Ivoire, Mali and Mauritania.

4.1.1 The relationship between the AU and RECs

Pursuant to Africa’s collective peace and security agenda as envisioned in the Common African Defence and Security Policy, Article 16 of the Protocol to the Constitutive Act of 2002 provides for:

The relationship with Regional Mechanisms for Conflict Prevention, Management and Resolution. . . Regional Mechanisms are part of the overall security architecture of the Union, which has the primary responsibility for promoting peace, security and stability in Africa... there should be harmonization and coordination of the activities of Regional Mechanisms in the field of peace, security and stability to ensure that these activities are consistent with the objectives and principles of the AU.

This assumes a collective responsibility towards peace and security at regional and continental levels. In this light it cannot be over emphasized that the African Peace and Security Architecture (APSA) considers RECs as the building blocks of the African peace and security architecture, hence the active role played by the SADC in resolving the conflict resolution in Madagascar. As first demonstrated by the suspension of Madagascar from the activities of the regional bloc.

Cawthra (2010:11) observes that the “SADC is technically a subsidiary body of the AU, which in turn derives a security mandate from Chapter VII of the UN Charter, which gives (unspecified) regional organizations the right to carry out activities in terms of both Chapter VI and Chapter VII of the Charter, in other words including the right to utilize force in the resolution of conflicts, although only subject to mandate by the UN.”

4.2 The AU’s Reaction to the Madagascar Coup d’état of 2009

The AU responded to the Madagascar coup of 2009 with suspension of Madagascar from AU operations, imposition of targeted sanctions and travel bans, issuing of statements to condemn the coup and mediation efforts.

4.2.1 Suspension of Madagascar
The AU strongly condemned the 2009 coup and refused to recognize Rajeolina as a legitimate President. On 20 March, 2009, the continental body resolved to suspend Madagascar in keeping with Article 30 of the Constitutive Act of the AU and in reference to the 2000 Lomé Declaration on Unconstitutional Changes of Government Article 30 of the Constitutive Act of the AU stipulates that “Governments which shall come to power through unconstitutional means shall not be allowed to participate in the activities of the Union.” In line with this principle, the AU informed Rajoelina’s new administration to take concrete steps to return the country to constitutional order as speedily as possible, as provided for by the Lomé Declaration and in accordance with the Malagasy Constitution, democratic elections are regarded as being central to this return to constitutional order.

The SADC also publicly condemned the 2009 coup. According to Cook and Ploch (2011:8), “Southern African leaders suspended the country from SADC at a March, 30 regional summit in Swaziland, following a briefing from Ravalomanana.”

4.2.2 Mediation

Mediation efforts were adopted in resolving the crisis in Madagascar. The AU established International Contact Group (ICG) through which the AU coordinates and harmonizes her efforts with the UN, the relevant REC and other regional bodies as well as the permanent and the African members of the UN Security Council. The Maputo Summit held in 2009 was a notable attempt to bring sanity to the chaotic situation in Madagascar. The summit was held under the auspices of the AU, it was led by Mr. Joaquim Chissano and it included a joint mediation team which comprised of the African Union, the SADC, the UN, and International Organization of la Francophonie. According to the AU, the Malagasy political actors involved were “the four Malagasy political camps represented by their respective chefs de file, namely, Marc Ravalomanana, Didier Ratsiraka, Albert Zafy and Andry Rajoelina.” Among others a Communiqué of the Joint Mediation Team for Madagascar (2009: 1) observed that the Maputo Summit concluded with the following agreements;

- The political agreement in Maputo; The Charter of the Transition; The Charter of values, to promote a spirit of non-violence, tolerance, forgiveness, reconciliation and mutual respect; An agreement on the cancellation of convictions related to the events of 2002 in Madagascar; An agreement on the case of President Ravalomanana; An agreement on the cancellation of the convictions against political figures, civil and military under Ravalomanana.

There was hope for restoration of political stability in 2009 since the Malagasy political camps agreed to the Maputo Agreement and the Addis Ababa Additional Act. Cawthra,
notes that “they agreed to a 15 month transition process and a government of national unity with a President, a prime minister, three deputy prime ministers, 28 ministers, a legislative body with a higher chamber of 65 members and a “congress on the transition’ with 258 members.”

Regardless of their commitment to the above, a deadlock was reached in implementation. To mitigate this, the ICG on Madagascar, “held a consultative meeting in Addis Ababa, under the auspices of the AU, on 6 January 2010. In addition to the AU, the meeting brought together high-level representatives of the following organizations and countries: Common Market for Eastern and Southern Africa (COMESA), Indian Ocean Commission (IOC), United Nations, International Organization of La Francophonie (OIF), Southern African Development Community (SADC) and the European Union (EU). Libya, (then chair) of the AU, and Tunisia, in its capacity as the country chairing the Peace and Security Council (PSC) for the month of January 2010, as well as the African and the permanent members of the UN Security Council.” Communiqué of the 4th Consultative Meeting of the ICG on Madagascar, (2010:3). However, these efforts were in vain since the HTA president unilaterally cancelled these agreements. According to the ICG (2010: 5) “the HTA President went on to declare that the crisis would be resolved at the national level,” subsequently the AU reacted as it had warned that if the HTA failed to implement an agreed power-sharing deal that would create a transitional coalition with Madagascar’s four rival political parties by February, 2010 it would impose sanctions.

4.2.3 Imposition of Targeted Sanctions

The AUPSC proceeded to impose targeted sanctions on the HTA de facto government, as stipulated in the AUPSC Communiqué (2010: 2), it noted that the AUPSC “decides, therefore, that the sanctions listed in the Communiqué PSC/PR/COMM.1 (CCXVI) enter into force as of 17 March 2010, namely travel ban, freezing of funds and other financial assets and economic resources, as well as diplomatic isolation, against Mr. Andry Nirina Rajoelina. According to BBC News (2010:) sanctions were employed to force Rajeolina back to the negotiation table. The AU Security Commissioner Ramtane Lamamra was quoted by Voice of America, (2010:1) saying, “We believe that the sanctions are the way that will help the authorities to come back to the virtues of dialogue and negotiation.... the severity of the sanctions was partly an expression of the Peace and Security Council’s frustration that the
failed mediation process had dragged on so long ... there is very little room for patience one year after a *coup* took place in any given country.”

### 4.3. Challenges and Opportunities for the AUPSC

In imploring the above the AUPSC encountered significant hindering blocks, chief among them were the deadlocks faced in the mediation efforts, furthermore the lack of political will by the political actors also contributed to failure of the AU in rendering a solution to the crisis. However, opportunities arise in the peace and security architecture which has a potential to be effective if coordinated with mutual political will.

#### 4.3.1 Deadlock in Mediation Attempts

The major challenge faced by the AUPSC was the deadlock in the mediation attempts. This can be attributed to the political culture already rooted in Madagascar which made HTA resistant to power sharing or it can argued that it is simply the choice of intervention employed by the AU which was weak, for example mediation. Mediation was generally viewed as too weak a reaction to a gross violation of the Constitution of that magnitude.

In an interview with the author and an unnamed Senior Officer and academic from the Ministry of Defence on 7 March 2012, the interviewed observed that:

> the AUPSC’s greatest weakness is the over reliance on diplomatic efforts as opposed to military intervention, mediation is not a practical conflict resolution mechanism. Force is an effective tool of conflict resolution which NATO in comparison AUPSC is more willing to use. NATO is not only based on the principle of ‘injure one injure all.’ but it lives up to this principle in practice. This is a contrast to the AUPSC whose solutions are more ‘academic’ than practical.

Maunganidze (2009:5) attributes the failing mediation attempts to “the bad blood between the two protagonists and a blatant lack of coordination, not only between the parties but also between the members of the international community, with regards to the way forward in Madagascar. Some members of SADC hinted on the possibility of military intervention to reinstate Ravalomanana, therefore there seemed to be no common position in relation to the appropriate reaction to the *coup* to be adopted by regional organizations”.
This resulted in the ineffectiveness of sanctions imposed by AU, the AU’s initiative to isolate Madagascar was not adhered to by the international community. According to the ICG “the international community remained divided on the question of sanctions, and this discredited the AU and mediation efforts in general.”

4.3.2 AU Peace and Security Architecture

The new AU Peace and Security Architecture (APSA) is a platform that has the potential to provide for strengthened partnerships with relevant international actors, sub regional, regional and other international organizations and non-state actors. Govender and Nganda, (2011:22) observe:

Collaboration between African and international actors is vital to the AU’s role in conflict prevention and mediation in Africa. The new African peace and security architecture is evolving in an era where Africa’s relationship with international and regional organizations emphasizes partnerships drawing on different synergies. To this end, equal partnerships are imperative, first and foremost between African states, the AU and RECs such as SADC, ECCAS, EAC, ECOWAS, IGAD, AMU and the Common Market for Eastern and Southern Africa (COMESA). Secondly, partnerships between the AU, UN and EU; and thirdly, partnerships between the AU and civil society organizations (CSO’s) are important in order to ensure that there is cooperation, coordination, joint solutions and support between and within the actors in the field of conflict prevention and mediation

In the Madagascar, these partnerships are evident, considering the seemingly united front in public condemnation of the coup and the role played by the SADC in the Road Map for elections signed on 16 September 2011. Various actors took part in the mediation processes; the AUPSC, the European Union (EU), the UN, Indian Ocean Commission (IOC) and the SADC were jointly grouped to form an ICG.

An interview with Major J. Prata from the SADC Regional Peacekeeping Training Center (RPTC), (29 March 2012) revealed that “the SADC Mediator and the Organ on Politics, Defense and Security Cooperation worked tirelessly towards a lasting solution to the crisis in Madagascar, through encouraging political dialogue among stakeholders, political tolerance, respect for human rights and peace.”

Though there were inconsistencies in the position as to the way forward, as mentioned above, what is important to note is that there was a general political will on ending the crisis. It is observed that because of this will, the AUPSC reduced its efforts, according to the ICG
“after imposing sanctions, the AU stood back and let the SADC take responsibility for mediation, while the HTA accused it of bias in favor of Marc Ravalomanana.”

4.3.3 Weak democratic Institutions in Madagascar

Engel and Porto (2010:12) observes that “the political solutions emanating from the AU mediation seem to privilege power-sharing arrangements, which are but a temporary solution that does not address the roots of the conflict.” In the Madagascan coup, Maunganidze (2010: 9 asserts that, “it is prudent that the root cause of the political crisis be addressed. A system that allows for a young mayor to ascend to the position of President in the way that Rajeolina did is clearly flawed”, she argues that there is need to unearth the factors that have made the system flawed and to ascertain the underlying problem of bad governance and increased poverty for a country with immense economic potential.

Maunganidze (2010:8). observes that “the problem is therefore not so much that Rajeolina got into power by way of a coup d’état; but that the Malagasy polity allowed him to do so.” These sentiments were also echoed in an official interview with Mr. T. Chifamba, Permanent Secretary in the Ministry of Regional Integration, Government of Zimbabwe (3 April 2012), where it he noted that “the fathers of the OAU mainly focused on decolonization and neglected the building of credible institutional frameworks after independence. As a result the Malagasy institutions like most African States institutions are weak; they should not have permitted Rajeolina to get into power in the first place.”

Furthermore, Mr T. Chifamba observed that; “Despite her independence from the French, Madagascar’s Treasury and Parliament are directly influenced by the French. This he argues consequently results in direct interference by the French and is evidence of a weak institution because of the Treasury and Parliaments’ non independent nature.”

Hence the argument despite the AU’s attempts to resolve the crises in Madagascar, it has neglected playing a role in the building of strong democratic institutions. The prevalence of weak democratic institutions can be argued to be the root cause of conflict in Africa.

4.3.4 Financial Constraints
The AUPSC depends on the APSA, however, the latter faces serious financial incapacity to carry out its mandate, according to Engel and Porto (2010: 156) “a substantial number of member states – a fifth to a quarter- continue not to fulfill their financial obligations, thus increasing the organisation’s dependency on external aid and raising issues of sustainability and ownership.” Thus one can argue that, in the attempts to end the conflict in Madagascar, the AU was dependent on many organizations, notably the UN and this is an indication of the AUPSC’s financial incapacity.

Not only evidenced by the engagement of several organizations but also in the choice of mediation. An interview with the Senior Official and Academic from the Ministry of Defence, Government of Zimbabwe (7 March 2012) revealed the “AUPSC’s lack of ‘muscle’ is influenced by its financial incapacity. This is evidenced by the AUPSC’s lack of a standing army and its reliance on member states armies. Lack of financial capacity, however, can be attributed to the mere fact that the AU itself is constituted of members in Africa which comprises the poorest countries in the world hence the economic weaknesses of these states translates to the organizations they are member of.”

The Interview with Mr T. Chifamba (3 April 2012) revealed similar observations; he noted that:

If member states of an organization such as the African Union fail to finance themselves, others will finance them through aid and co-operation, however, in such instances the organization’s autonomy is compromised, because ‘he who pays the piper, plays the tune.’ One should question whether the Chinese financed multi-million dollar AU Headquarters is a gesture of philanthropy, or their continued extension of influence in Africa?

Chifamba (3 April 2012) expressed concern over staffing of the AU; he emphasized that “staffing of units within the AU should be credible, principled and skilful and have immense diplomatic skills. These are essential in order to be able to perform the function of not only ‘keeping’ the peace but ‘making’ the peace.” One concludes that all the above factors are dependent on financing, which the AUPSC significantly lacks.

4.3.5 Choice of intervention

Unlike the UN and the NATO which are not hesitant to deploy military intervention, the AU seldom intervenes with the use of the military and when it does it is heavily dependent on the
RECs. The AUPSC proposes the holding of elections as a conflict resolution mechanism. According to Adejumobi (2000: 59)

Elections constitute an important element in liberal democracy. They are a viable means of ensuring the orderly process of leadership succession and change and an instrument of political authority and legitimization. The failure of elections or their absence largely defines the predominance of political dictatorships and personalized rule in Africa. Election rigging and brigandage, violence and election annulment are common practices. The trend is towards a reversal to the old order of despotic political rulership under the guise of civil governance. Elections in their current form in most African states appear to be a fading shadow of democracy, endangering the fragile democratic project itself.

Elections are generally viewed as a democratic means for regime change; the electorate gives legitimacy to leadership. Elections are the Road Map for Madagascar as proposed by the SADC. It is hoped elections will provide a solution to the coup by giving a platform for a democratic change of government.

However, reflecting on the AU’s previous reactions to fraudulent elections in the continent, the AU has been criticized for allegedly legitimizing elections that seek to entrench dictatorial governments in power. According to Adar, Juma and Miti (2010:110) “the Kenyan 2007 and Zimbabwean 2008 elections are two instances that the so-called ‘African solutions to African problems’ ended up jettisoning the will of the people. However, it must be said that the ‘protection’ of leaders is not what the African Renaissance or ‘African solutions to African problems’ envisage.”. If the AU adopts the same stance in Madagascar, sustainable peace and security will be impossible to achieve.

Furthermore, this author’s interviews revealed that elections will not proffer a solution to sustainable peace in Madagascar because Rajoelina has proved to be a ‘peace spoiler.’ Stedman (1997:6) defines ‘peace spoilers’ as, “leaders and parties who believe that peace emerging from negotiations threaten their power, worldview and interests and use violence to undermine attempts to achieve it”. In the conception of Stedman (1997:8) “peace spoilers only exist when there is a peace process to undermine, that is, after at least two warring parties have committed themselves publicly or have signed a comprehensive peace agreement.” Regarding Rajoelina as a ‘peace spoiler’ arises from the fact that his government tried and sentenced exiled President Ravalomanana in absentia. Chifamba argues that argued that “the reason Rajoelina did not wait to be of legal age to contest for Presidency was because he was not confident of a win. Therefore, fully aware of his personal weaknesses he
chose the military backed coup. Rajeolina did not want peace because peace would create a level playing field and compromise his personal interests. This is the main reason why even in the mediation efforts he has been continuously observed to be stubborn and furthermore this is the reason why Ravalomanana is threatened and remains in South Africa in exile.”

4.3.6 Lack of Political Will

According to media reports, some sections of the Malagasy population were reportedly expressing that the AU’s involvement in Madagascar was an infringement of the Malagasy’s sovereignty. This is an indication of how countries do not fully surrender their sovereignty to supranatural bodies they are signatory to. This is indicative of lack of unity of purpose and lack of political which might be one of the reasons why the political parties in Madagascar would sit on the negotiation table and seem to be making progress but after the negotiations they would report that no progress was being made.

Mauniganidze (2009: 5) rightly observes that “the main hindrance to the resolution was the fact that both leaders dogmatically stood their ground in spite of the rising death toll. Throughout this initial negotiation period, both Rajeolina and Ravalomanana continually raised and dashed the hopes of the Malagasy public through agreeing to meet for talks and then boycotting them or issuing statements immediately after the talks indicating that no progress was being made.” Murithi (2007: 1) observes that “it is true that while the AU does exist, African unity does not.”

The above scenario was also evident in Darfur, Traub (2010: 25) observes that; “The African Union was slow to recognize the gravity of the situation in Darfur; and once it did so, despite language in the AU Constitutive Act requiring forceful action to stop atrocities, the organizations response was shaped with a deep reluctance, to violate the wishes of an important member. Neither the organization nor prominent members were prepared to criticize Khartoum.” Lack of political will by the AUPSC is significant contributory factor to its inefficiency.

4.3.7 Institutional Incapacity
The AU is to be commended the world's only regional organization that explicitly recognizes the right to intervene in a member state on humanitarian and human rights grounds and its involvement in Madagascar can be viewed as an exercise of this R2P. According to Evans et al, (2001:5) "Sovereign states have a responsibility to protect their own citizens from unavoidable catastrophe - from mass murder and rape, from starvation -but that when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states." In assuming this responsibility, however, little has been done by the AU to address the human violations reported in Madagascar.

It seems that the AUPSC as an organization has not taken up the position of being at the forefront in conflict resolution as envisioned in its vision of being; “Africa’s premier institution and principal organization for the promotion of accelerated socio-economic integration of the continent…”


In an interview with the author, a Senior official and academic from the Ministry of Defence, Government of Zimbabwe (7 March 2012) highlighted that “the AUPSC seems to behave more like a backbencher as evidenced by the capture and arrest of mercenaries at the Harare International Airport by the Zimbabwean Government, who were in transition to Equatorial Guinea to oust the Equatorial Guinea government by assassinating President Theodoro Obiang Nguema in 2004. This scenario presented President Mugabe in his single capacity as being more powerful than AUPSC. The organic weakness of the AU is demonstrated by the fact that the Mugabe Government handled the situation whilst the AU was an onlooker.”

4.3.8 Lack of Credibility

Emanating from its financial incapacity one would argue that the AU has lost its credibility such that even orchestrators of coups seem not to ‘fear’ the AU. The AU’s capacity, which is crucially dependent on its financial base is very weak. This has resulted not only in the writing of many articles by academics of how the AUPSC is ineffective but also in the tarnishing of the AUPSC’s image; it has lost immense credibility as a respectable
organization. This is evidenced by the coup in Mali, March 2012. In the author’s interview with Chifamba (7 March 2012), he expressed that the 2012 coup in Mali “was an embarrassment, because a high level, AU delegation was actually in Mali at the time the coup took place, implying that the AU was totally disregarded.”

It is not only the Mali military which seemed to disregard the AU, but also other international actors. In an interview with the author Chifamba (7 March 2012) noted that in the Libya (2011), “Africa had mounted its own solution to the crises, whilst diplomatic efforts were being engaged through South African President, Zuma, NATO, totally disregarded the AUPSC’S efforts and implemented their own resolution, it seems as if African solutions are being overrun by the strong.” In light of this observation one would argue that the AU’s inadequate financial capacity is a contributory factor to it being disregarded.

4.3.9 Lack of neutrality.

According to http://www.uneca.org/adfii/docs/issuepn3.PDF, “the formal mandates and resolutions of Africa’s organizations are not matched by genuine collective commitments and capacities for monitoring or implementing these resolutions. There exists an imbalance between form and substance.”

With regard to this assertion, the AU was generally accused by HTA to be in favor of Ravalomanana. This can be attributed to the fact that Ravalomanana was the constitutionally elected President, hence the supposed ‘victim’ in the coup; he is the one that the AU recognized as the legitimate President of the Republic of Madagascar. However, since the AUPSC did not orchestrate a military-intervention to restore Ravalomanana to the presidential seat, but rather opted for the negotiation table, meant that for all parties involved to foster full cooperation, neutrality of the AUPSC was essential.

Maunganidze (2009:9) observes that “HTAs’ mistrust of the AUPSC in the negotiation process contributed immensely to Rajeolina’s hard-headedness.” Furthermore mistrust can also be implicated as one of the reasons why Didier Rastiraka’s party did not sign the Road Map for election.
4.3.10 Overlapping Membership and Duplication of Roles

Africa has several regional organizations; [http://www.uneca.org/adfiii/docs/issuepn3.PDF](http://www.uneca.org/adfiii/docs/issuepn3.PDF) rightly observes that “the very multiplicity of institutions and initiatives indicates the high degree of concern about the issue of peace and security in Africa.”

Fanta (2009: 1) posits that:

> The major challenge of the regional–global security mechanism is that it is hampered by an array of uncertainties over the meaning of the central concepts of ‘region’, agency, and ‘arrangement’; the structural duplication of regional agencies and other organizations (involving overlapping of membership); ambiguity over their objectives (involving, inter alia, improvised and occasionally competing mandates); and contention over the area of application of their functions.

This overlapping of membership dilutes the powers of the AU and Fanta (2009:2) observes that it can be viewed as an institutional chaos;

> In terms of member states’ resources and focus, member states face multiple financial obligations, must cope with different meetings, policy decisions, instruments, procedures, and schedules. This culminates into counterproductive competition among countries and institutions, consequently dissipating collective efforts towards the common goals of the African Union and muddy the goal of integration.

Although one can argue that multiplicity of membership in organizations is beneficial to African states because of their complimentary nature, the reality is that it poses a threat to the effectiveness of these organizations, especially the AUPSC, since its peace maintenance function also rests within the RECs.

4.3.11 AU inconsistencies

Engels and Porto (2010:10) argue that:

> The present practice of the African Union on unconstitutional changes of government shows of number of inconsistencies. Just four days after the coup d’état in Mauritania, the parliament in Cameroon scraped constitutional limits on the presidential term to allow President Paul Biya a third term in office (10 April 2008). The same year, on 11 November, Algerian President Abdelaziz Bouteflika pushed through parliament a change of the constitution to allow him a third term in office (the election was held on 9 April 2009). In both cases, the African Union did not respond.

This lack of uniformity in the AU’s reaction to coups is of great concern as the organization seems to be contradicting itself, hence affecting its ability to deliver solutions. Further its
important to note that the same inconsistencies are reflected in the Libya (2011) and Egypt (2011) scenarios. In the two contexts the AU seemed to defy its own definitions of the unconstitutional changes of government by naming them “legitimate aspirations of the people” [http://www.au.int/ar/sites/default/files/com_auc_Libya_18.01.12eng.pdf](http://www.au.int/ar/sites/default/files/com_auc_Libya_18.01.12eng.pdf)

In the Madagascar context the AUPSC, through its APSA, seems to be in contradiction to its own principles, this conclusion is drawn from a statement by Ravalomanana and Zafy (2011) complaining to this effect to the SADC; the two highlight that; “Clause 3 of the Roadmap provides that the leader of the illegal and violent coup d’état, Mr Andry Rajoelina ‘shall be the President of the Transition’ and that he shall ‘exercise the functions of a Head of State.’ They argue that this clause is in contradiction to the African Charter on Democracy, Elections and Governance which states that; “The perpetrators of unconstitutional change(s) of government shall not be allowed to participate in elections held to restore the democratic order or hold any position of responsibility in political institutions of their State”[http://collectifgtt.org/file/Complaint_about_the_appointment_of_the_transitional_institutions.pdf](http://collectifgtt.org/file/Complaint_about_the_appointment_of_the_transitional_institutions.pdf) How can attempts at resolving conflicts be successful if the resolution mechanisms are not consistent? The AU seems to be shifting from its own principles.

### 4.3.12 Interference by International Community

A fundamental observation was made in an interview with this author by the Senior Officer and academic from the Ministry of Defense (2012) which is, “who sustains Rajoelina? This is against the backdrop of an assumption that France has direct influence in the politics of its former colonies. France’s “third hand force” is evident in the Ivory Coast and Madagascar scenarios. Although Frances’ support of opposing regimes is not pronounced it is evident in practice. In March 2009, Rajeolina went into hiding at the French Embassy and was welcomed. It can be argued that France has permanent interests in Madagascar, hence its involvement in the latter’s politics.”

Further to this observation it is also important to note that whilst the AU was condemning the Madagascar coup of 2009, France seemed to fully support Rajeolina’s government. According to the BBC News (2009, 1) “the only country to recognize Rajeolinas legitimacy was France who sent a new Ambassador, Jean-Marc Chataigner, to the capital Antananarivo
on 19th March.” Furthermore, in the mediation attempts Ravalomanana Aand Zafy (2011: 5) reported to SADC that, “we believe that France supported by its surrogates notably Mauritius, the IOC (Indian Ocean Commission) and the International Commission of Francophone countries - is undermining SADC. It is doing so by giving the leader of the illegal regime confidence that he can turn back on SADC and that if he ‘goes it alone’, he will be supported/ recognized.”

In an interview with the author, the Senior Official and academic from the Ministry of Defence (7 March 2012) observes that “France is a superpower, a member of the UNSC which has veto power; its meddling in former colonies politics can be viewed to be an extension of its interests. It has been observed that it has become a general trend in Africa, that when a country has vast natural resources it is prone to conflict, supported by more powerful countries, this is evidenced by DRC and Somalia.” In support of o this assertion Dersso (2010:2) notes that “Liberia, Angola, Sierra Leone, the DRC and Somalia show, for many of these participants ‘warfare is a smokescreen for the pursuit of accumulation in the form of direct exploitation of valuable commodities such as diamonds, the monopolization of trade and taxation, the establishment of protection rackets, the diversion of emergency aids or sanctions busting.” France has been accused to be interested in tapping the natural resources of her former colonies. Hence it can be argued some countries take advantage of conflict in other countries by illegally tapping the latter’s resources.

4.3.13 Poor Leadership

The failure of any organization is usually attributed to its leadership. The Head of the AU Commission, Jean Ping’s leadership has been questioned by some member states of the AU who have refused to re-elect him. This particularly follows the AU’s response to conflict. According to The Africa Report (2012: 38), “there were great concerns at the AU summit in Addis Ababa in January 2012, that, Ping had allowed African interest to be sidelined in the UN and NATO’s interventions in Cote d’Ivoire and Libya such that South Africa said it felt compelled for a change of leadership. The goal, it became clear, was more to evict Ping.”

The AU itself is divided and not confident of its own leadership, hence the organizations’ ability in delivering its mandate.
4.3.14 Multiplicity of actors

Dorsso (2010: 2) observes that “a number of actors play a role in African conflicts, which include; government military groups (formal and informal, internal and external), rebels, insurgents, private militias, warlords, mercenaries, private security providers, multinational corporations, and other business interest groups.”

In Madagascar this is evidenced by the involvement of the military, ‘the third hand force,’ and former presidents’ political parties. This multiplicity of actors complicates conflict and makes its resolution difficult because of the different interests. This is a major challenge to the AUPSC in proffering a solution for sustainable peace in Madagascar.
Chapter 5

Conclusion and Recommendations

5.0 Conclusion

This study critically analyzed the prospects and challenges of the AUPSC in conflict resolution and overall maintenance of peace and security in the Madagascar coup of 2009. This encompassed the application of concepts such as security, conflict resolution and the responsibility to protect (R2P). The reasons behind the 2009 coup, the actual coup and the responses by the AUPSC to the coup were explained within the framework of international relations theory, namely; Realism/Power, and Integration theory. Furthermore, this study gave a brief narration of the geography of Madagascar in order to deliver an in depth understanding of the country under study. It also traced her political history for the purposes of establishing why the political environment in Madagascar was susceptible to a coup.

This study presented an outline of the AUPSC structure, its mandate and its relationships with RECs in the formulation of the APSA, with particular reference to the SADC. It drew the conclusion that RECs play a major role in complementing the AU’s efforts in its peace and security agenda. It also highlighted the role of the UN as the principal custodian and promoter of peace and security on the global scale. It further assessed how conflict in Africa has become a major threat to both traditional and human security.

The reactions of the AUPSC and the ICG with regards to the 2009 coup were discussed. This study highlighted the joint efforts made by the international community and the AUPSC in mapping a way forward towards the restoration of peace and security in Madagascar, with the role of SADC specifically singled out. This study further highlighted that intervention was adopted by way of diplomatic efforts, namely, mediation which continuously reached deadlocks.
Challenges that the AUPSC faced in these attempts were critically analyzed, drawing conclusions that the AU’s biggest setback is the lack of financial capacity which is the root cause for most of its crippling challenges. Which among others include the lack of a standby force and choices of intervention.

This study evaluated some of the opportunities the AUPSC has in resolving the crisis in Madagascar. It is concluded that the AUPSC has opportunities in ending the crisis in Madagascar. However, it is significantly crippled in proffering a sustainable solution. Though on paper the AUPSC is adequately structured, with many arms that support it in fulfilling its mandate, including the RECs, the implementation structures such as the CEWS are not fully operational.

Although the SADC managed to have a breakthrough with the signing of the Road Map for elections, in 2012, by the parties in Madagascar, credible elections are dependent on adequate financial and human capital, which the AUPSC has to mobilize. Furthermore, political will of the parties in Madagascar and non-interference of other actors are also essential.

5.1 Recommendations

5.1.1 Need for Fulfillment of SADC Road Map for Elections Conditions

The AUPSC should consider collaborating with the SADC and focusing on mechanisms for free and fair elections and consensual political arrangements. The contending issue, however, is Rajeolina’s attitude towards Ravalomanana, who is still in exile in South Africa, and is continuously denied entry into Madagascar, despite the agreement for elections scheduled for November 2012. It is essential that the AU steps up its diplomatic efforts for the Rajeolina government to permit Ravalomanana back into Madagascar. Failure of this will prolong the peace efforts and escalate tensions between rival supporters in Madagascar, which could lead to violent outbreaks, which unfortunately could culminate into an intrastate war. Therefore, there is need to promote political tolerance.

5.1.2 Need to Invest in Building the Economy

It is important to note that although elections provide the opportunity for the country’s citizens to express or reconfirm their adherence to the democratic process, many challenges lie ahead, including the consolidation of economic development, a continued fight against corruption based on the separation of public and private business interests, the equitable
distribution of resources and, above all, reinstating the confidence of the people in the state’s institutions and in its political leadership. All these are governance and developmental issues also within the AU’s purview, hence it is essential that the AU assumes this responsibility especially when the environment in Madagascar is still fragile.

5.1.3 Creation of an Inclusive Government

The option of a government of national unity as a strategy for conflict resolution by the AU should be seen as a short-term mechanism to restore democratic order and not a platform for a counter-coup. This is because power-sharing deals do not put an end to crises and if not properly executed they have a danger of ‘legitimizing’ an unconstitutional regime. Instead it has the potential to give arise to ‘peace spoilers’ who fear a level playing field and maximize on achieving personal interests in a chaotic environment, hence prefer chaos to stability.

5.1.4 Coordination of Efforts between the AU and the RECs

The AU and RECs need to adopt a formal approach in the management of their relationships. This would avoid duplication and contradiction of efforts. In this regard there should be a forum exclusively for the senior officers of the AU and sub-regional organizations to meet and coordinate their strategies rather than limiting them to ad-hoc initiatives.

5.1.5 Need for firmer interventions

Unlike the UNSC, the AUPSC seems to over rely on diplomatic efforts, in comparison to military intervention. This is to be attributed to the fact that the latter is crippled financially to engage in military forays. It seems that, the Panel of the Wise is the stronger arm of the AU, in comparison to other vital components, namely the CEWs and the ASF. One would argue that military intervention is only necessary in grave circumstances that involve gross violation of human rights as provided for in the Constitutive Act of the AUPSC Article (4). However, one would also question what constitutes a gross violation of people’s rights. Should the defining feature be only limited to a genocide as instanced in Rwanda (1994)? Is a mass murder within a short space of time the only gross violation of human rights?
Coups by their very nature are illegal and a violation of people’s rights to choose their leaders and coups attract international isolation by imposition of sanctions whose effects are felt by the ordinary citizens. Resultantly, an environment where there is a coup is an environment infested by accelerated poverty, disease and human suffering. Coups negatively affect the human happiness index and life expectancy. This echoes a statement by Chenjerai Hove (1988:43) “how can people fear death when they are slowly dying in poverty and disease and ignorance.” This presents a situation where regardless of a physical war death also emanates from other factors. Therefore the deterioration of the standard of life should be not be overlooked and seen to be better than a war since it have the same effects as war.

The AUPSC should consider coups as a gross violation of people’s rights. The trend by orchestrators of a coup, as observed in Madagascar, is that coup leaders are stubborn and resistant to the restoration of democratic order. This is at the expense of the ordinary citizen delay in the peace process. The AUPSC should adopt a ‘zero tolerance’ approach, to avoid the situation in Madagascar where since 2009 to date (2012) she persists in a crisis.

The reliance on diplomatic efforts is probably why Africans are not ‘afraid’ to grab power unconstitutionally, because they know nothing and no one will step in and stop them. This lack of ‘fear’ might be a contributory reason for the coup in Mali (2012).
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Appendix B: Research Questions

1.0 Key Definitions

1.1 Unconstitutional changes of government

The AU currently defines an ‘unconstitutional change of government’ in terms of the Lomé Declaration of 2000, as follows:

“(1) military coup d’état against a democratically elected Government;

(2) Intervention by mercenaries to replace a democratically elected Government;

(3) Replacement of democratically elected governments by armed dissident groups and rebel movements;

(4) the refusal by an incumbent government to relinquish power to the winning party after free, fair and regular elections

(5) any amendment or revision of the constitution or legal instruments, which is an infringement on the principles of democratic change of government (African Charter on Democracy, Elections and Governance, 2007, Article 23(5) )

1.2 Conflict resolution

Conflict resolution is conceptualized as the methods and processes involved in facilitating the peaceful ending of some social conflict. (Jütersonke et al, 2010: 9)

2.0 Research Questions

2.1 In your understanding/experience what are the factors that contribute to the recurrence of coups in Africa?

2.2 Some coups have been described as “good,” whilst others are defined as “bad” (Ikome, 2007:35), do you concur with this assertion and do you think the AU should incorporate it in its definition of coups?

2.3 Give reasons as to why the AUPSC is viewed by some analysts as a credible institution for the promotion of peace and security in Africa?

2.4 What are the challenges faced by the AUPSC in conflict resolution in cases of coups, and how can these challenges be addressed?

2.5 To what extent is the AU’s suspension of Madagascar from its operations and imposition of targeted sanctions effective in the process of resolving the conflict?
2.6 With special reference to the Madagascar coup, do you think the creation of temporary inclusive governments is an effective tool in conflict resolution?

2.7 Would you describe elections as a credible indicator of democratization in Africa? What will be the possible strengths and weaknesses of elections in resolving the conflict in Madagascar?