

NEGOTIATING SEEMINGLY INTRACTABLE CONFLICT: THE CASE OF CASAMANCE CONFLICT

Doudou Sidibé*

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* Associate Professor Novancia Business School. The views expressed are those of the author only and do not necessarily reflect those of the Journal of Arbitration and Mediation.

ABSTRACT

This paper examines the possible sources of intractability of the Casamance conflict and suggests how they should best be addressed in order to negotiate an agreement. The conflict in Casamance in Senegal is now one of the oldest in Africa. It is rooted in historical, socio-economic, political and cultural ramifications. In addition to such causes, which are themselves difficult to negotiate, other problems have emerged. These include the division of the military wing into several different factions, the absence of a head of the political wing, economic and cultural frustration, the failure of several ceasefires, and the behavior of neighboring countries. The analysis of these causes and the lessons learned allow us to state that the conflict seemingly matches many symptoms of intractable conflicts. But an intractable conflict is never completely intractable. That is why we propose some solutions for successful future negotiations. Amongst them are reinforcing trust, using official and unofficial mediation, setting up a Secretariat of State for Peace in Casamance, and negotiating a global and inclusive settlement.

Keywords: Intractable conflict; Negotiation; Third party mediation; Casamance

INTRODUCTION

The conflict in Casamance is one of the oldest in Africa. It finds its origin in historical, socio-economic, political, and cultural ramifications. The conflict began on December 26, 1982. Following the violent repression of what was a peaceful protest march, the Movement of Democratic Forces of Casamance (MFDC) was set up to confront the aggression perpetrated by the Senegalese government. The aim of the Movement was to achieve independence for Casamance, a region in the south of Senegal. To legitimize their claim, the rebels declared that Casamance had always been independent from Senegal. It was France, the former colonial power, that had attached the territory to Senegal in 1960, the year in which Senegal achieved its own independence. In 1983, the MFDC acquired a military wing. Since then, there has been a series of confrontations with the Senegalese army that has caused nearly 5,000 deaths. A number of villages have been entirely destroyed in these clashes. In fact, what is most surprising about the conflict is not the number of people killed or the number of refugees it has created—factors that characterize other conflicts such as, for example, the one in the Democratic Republic of the Congo—but, rather, its longevity and complexity. The causes of this low-intensity conflict—under 1,000 dead per year¹—are political, geographical, economic, cultural and, to a lesser degree, religious. Negotiation is a *sine qua non* requirement for any effective management of the conflict; the war, which has been waging for 31 years, has reached an impasse.

Furthermore, conflicts resolved by means of war are more likely to re-emerge than conflicts that are resolved by negotiation. But negotiating internal conflicts, particularly those centered on independence, is a complicated process, as their causes are far from ordinary. In the Casamance conflict, independence is the objective of a rebel force.

1. According to the Uppsala Conflict Data Program (UCDP) / Peace Research Institute Oslo, there are two levels of intensity concerning state-based war: "Minor: At least 25 but less than 1000 battle-related deaths in one calendar year. War: At least 1000 battle-related deaths in one calendar year." Retrievable here: <<http://www.pcr.uu.se/research/ucdp/definitions/>>.

Made up for the most part of Diola fighters, the rebel force's objective—*independence*—reflects a sense of cultural frustration on the part of a substantial percentage of the Casamance population who feels that they are subject to economic discrimination. This is manifested, firstly, by an absence and, later, by a deficit in the enhancement of Casamance's culture in the Senegalese public space, secondly, by the relative lack of administrative posts offered to *Casamançais*, and, thirdly, by concerns over alleged economic discrimination against Casamance and the *Casamançais*. For the advocates of independence, the State has not invested sufficiently in this southern region, preferring instead to focus on the north. Similarly, people in Casamance complained, through their leader, Father Diamecoune, that "their land was being pillaged by the Mourides".²

In addition to such causes, which are themselves difficult to negotiate due to their subjective and sometimes sensitive nature, other problems have emerged. Notable amongst these problems is the fragmentation of the MFDC's military wing into a number of different factions. Furthermore, since the death of the Movement's original leader, Father Diamecoune, in 2007, the political wing has been ruthless. Corruption is rife, mediators are too numerous, a series of ceasefires have broken down, and external actors, notably Gambia and Guinea-Bissau, have intervened in an occasionally unhelpful manner. These aggravating factors, which are different from the original causes of unrest, are all sources of the conflict's intractability.

Given the complexity of the issues at hand, an agreement has been difficult to negotiate. Yet, a negotiated settlement would certainly be a desirable outcome. Consequently, within the framework of this article, we shall first examine the causes of the conflict and the sources of its intractability, before analyzing how they have impacted negatively on peace negotiations since their commencement in 1991. We shall then proceed to a general literature review regarding the subject of the negotiation and mediation of intractable conflicts. Finally, we shall make a number of proposals, including reinforcing trust, using official and unofficial mediation, creating a Secretariat of State for Peace in Casamance, and negotiating a global and inclusive settlement to ensure the possibility that successful negotiations can proceed in the future.

2. See Abdou Diouf, *Memoires* (Paris: Editions Seuil, 2014), p. 219. The Mourides are an Islamic community from Touba, a city in the center of Senegal founded by their guide Cheikh Ahmadou Bamba M'Backé. They are known to be traders.

I- LITERATURE REVIEW

1- Definition of “Intractable Conflicts”

According to the definition developed by experts working on the subject under the aegis of the United States Institute of Peace (USIP),

intractable conflicts are conflicts that have persisted over time and refused to yields to efforts through either direct negotiations by the parties or mediation with third party assistance to arrive at a political settlement.³

As experts have acknowledged, this definition has the advantage of being broad enough to encompass a number of different aspects. Nevertheless, it lacks precision. For example, Roy Licklider, senior researcher at Rutgers university, New Jersey, has asked exactly how much time a conflict has to go on before it can be described as “intractable.”⁴ His question has, as of today, received no reply. Similarly, the definition ignores the causes, the aggravating factors, the number of actors involved in a conflict, the shifting alliances, etc.

Louis Kriesberg suggests an alternative definition, with several parts:

[f]irst, intractable conflicts are protracted conflicts, persisting for a long time. Second, they are waged in ways that the adversaries or interested observers regard as destructive. Third, partisans and intermediaries attempt, but fail, to end or transform them.⁵

This definition, which captures the duration of conflicts, the violence of the fighting, and the failure of negotiation and mediation, should be modified somewhat to take into account the fact that intractable conflicts are not truly intractable. The criterion of “duration,” he argues, “depends on what period is taken into account and what factors are taken into consideration”.⁶ In effect, it is difficult to conclude that all long-lasting conflicts are intractable. Thus, the intractable character of a conflict cannot be measured in terms of its duration, which is difficult to gauge,

3. See Chester Crocker, “Introduction” in Chester Crocker, Fen Osler Hampson & Pamela Aall, Eds., *Grasping the Nettle: Analysing Cases of intractable Conflict* (Washington: USIP, 2005), p. 5.

4. Roy Licklider, “Comparative Study of Long Wars” in Chester Crocker, Fen Osler Hampson & Pamela Aall, Eds., *Grasping the Nettle: Analysing Cases of intractable Conflict* (Washington: USIP, 2005), p. 33.

5. Louis Kriesberg, “Nature, Dynamics, and Phases of Intractability” in Chester Crocker, Fen Osler Hampson & Pamela Aall, Eds., *Grasping the Nettle: Analysing Cases of intractable Conflict* (Washington: USIP, 2005), p. 66

6. *Ibid.* at p. 67.

but should also encompass the effects of its duration, as well as factors of resistance.⁷ The longer a conflict lasts, the more likely it is that the original causes will give rise to other, more complex factors.

In sum, conflicts described as “intractable” are as difficult to define as they are to deal with. But where do specialists agree? They have reached a consensus about the following symptoms: the possibility that conflicts might last for a long time (1); the failure of several attempts to manage them through negotiation and mediation (2); the presence of geopolitical and economic factors (3); the presence of factors linked to ethnic identity (4); and the emergence of new aggravating factors (5). This prompts us to ask further questions about what kinds of factors make conflicts intractable.

2- Causes and Aggravating Factors of Intractable Conflicts

The causes of intractable conflicts may be the same as the causes of normal conflicts. They can be economic, political, social, ethnic or geopolitical. The difference between them, however, is to be found in the way in which certain conflicts develop over time into intractable conflicts, when others are more easily resolved by means of negotiation, mediation, and diplomacy.⁸ Consequently, we shall place a greater emphasis in this literature review on the aggravating factors that render conflicts intractable than on the original causes of those conflicts.

Amongst these factors, the notion of greed plays a central role in distinguishing between a normal conflict and an intractable one.⁹ Some actors exploit natural resources, and sell them on to national or international companies. The profit earned from such activities is generally used to buy arms, finance the conflict, and enrich its leaders.¹⁰ This further

7. William Zartman, “Analyzing Intractability” in Chester Crocker, Fen Osler Hampson & Pamela Aall, Eds., *Grasping the Nettle: Analysing Cases of intractable Conflict* (Washington: USIP, 2005), p. 49.

8. Roy Licklider, “Comparative Study of Long Wars” in Chester Crocker, Fen Osler Hampson & Pamela Aall, Eds., *Grasping the Nettle: Analysing Cases of intractable Conflict* (Washington: USIP, 2005), pp. 33-46.

9. Paul Collier & Anke Hoeffler, *Greed and Grievance* (Oxford: Oxford University Press, 2004), p. 564.

10. See Léonce Ndikumana & Kisangani F. Emizet, “The Economics of Civil War: The Case of Republic Democratic of Congo” in Paul Collier & Nicholas Sabanis, *Understanding Civil War: Evidence and Analysis*, Volume 1: Africa (Washington: World Bank, 2005), p. 77. In this article, the authors explained “the mode of financing the war by rebel organization. For example between January and October 2000, coltan exports through *comptoirs* controlled by the Rassemblement Congolais pour la Démocratie (RCD-Goma) totaled 6.7 million”. The original source of this statement is International Peace Information Service (IPIS), 2002 at p. 12.