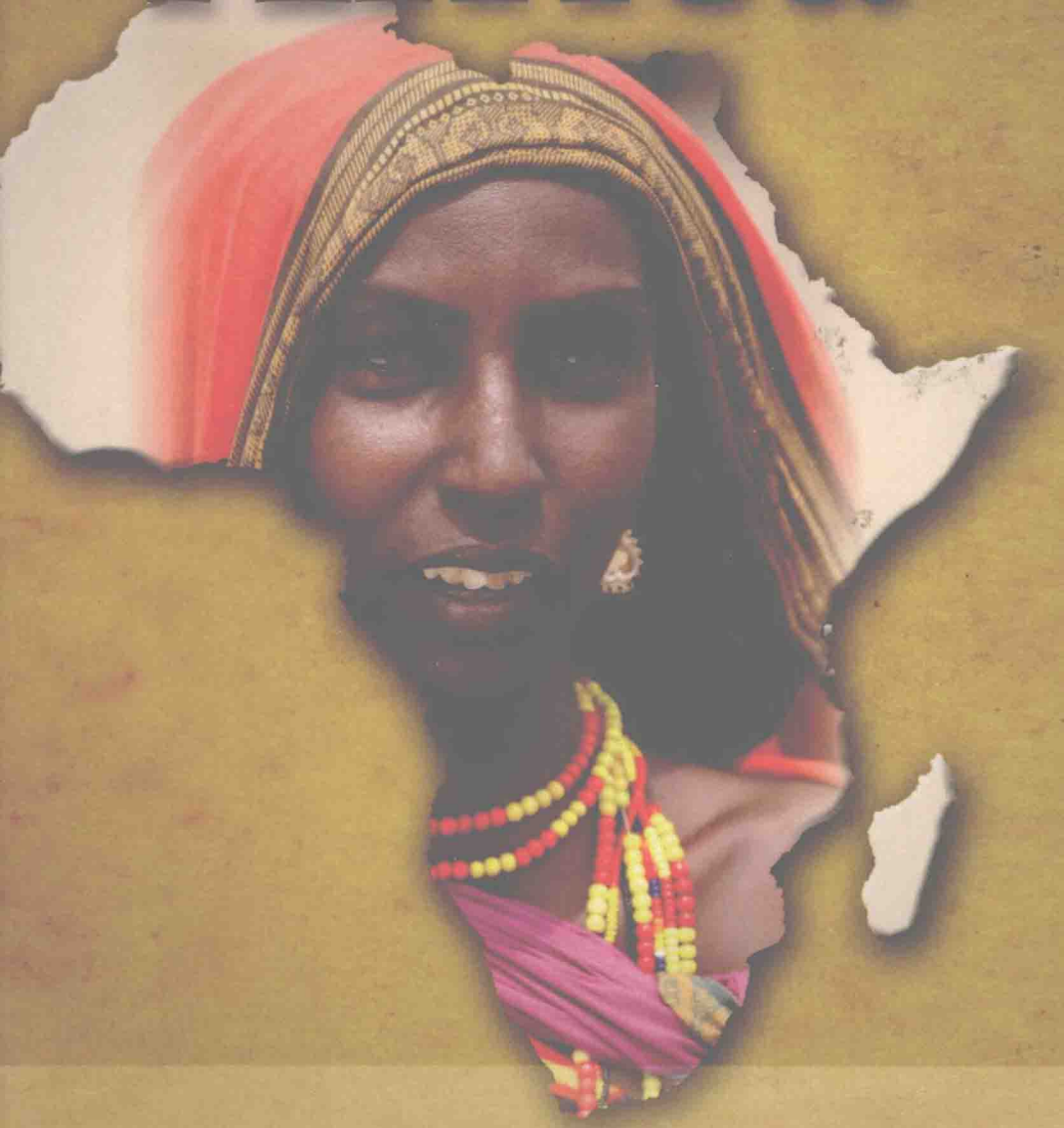
# Minorities and the State in Africa



EDITED BY

Michael U. Mbanaso AND Chima J. Korieh

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*For Ogbu Uke Kalu*

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INTRODUCTION

# AFRICAN MOSAIC

## THE DILEMMAS OF A MULTIPLE SOCIETY

*Chima J. Korieh and Michael U. Mbanaso*

### I

> In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.
>
> —*Article 27 of the International Covenant on Civil and Political Rights*

The rights of minorities has become a major issue of concern in recent times.[1]

The motivation for this collection lies in the growing need to understand the often tenuous relationship between minorities, broadly conceived to include persons or groups of persons belonging to national or ethnic, religious, and linguistic minorities and other state actors. The word *minority* is used in this volume in a more restricted sense. It focuses on ethnic, linguistic, and religious groups in relation to the formal instruments of governance, resource allocation, and control in modern nation-states in Africa. As such, it does not include other forms of minorities, broadly conceived to include such other accepted forms of minorities as those defined by sexual orientation.[2] Our use of minorities also emphasizes those historically regarded as the "Other" and victims of the modern nation-states created as a result of Africa's colonial experience. Certainly conception of the term *minority* has significance beyond linguistic and cultural difference. Accordingly, as Ibrahima Kane notes, the concept of minority is recognition "that different groups can exist in a particular territory, with their differences based on culture, language, and religion."[3] It can also be applied in a racialized sense when used in reference to whites and the admixture of Arabs and non-Arab peoples in some parts of Africa. As Ibrahima Kane explains:

> These groups exist because of the subjective criteria of self-definition or identification. However, it is vital to note that people can belong to several different groups at the same time and so there should also be objective criteria that could be used to make the determination—for example, the length of time during which a group has inhabited the same place.[4]

Through this volume, we aim to explore the various facets of the relationship between minorities and the state across Africa and to articulate thoughtful ways for understanding forms of hegemony imposed by dominant groups in relational, national, and regional experiences. We offer alternative conceptual and theoretical approaches and alternative research strategies for dealing with minority/majority issues and resource control in historical and contemporary perspectives.

The book explores the way that discourses on the rights of minorities as persons with a discernable identity and as citizens of nations have been constructed historically. The creation of modern states in Africa following colonialism and the contestation over political and economic resources have enforced a distinction between those who control these resources and those left in the margins. As is often the case, although not exclusively so, political and economic control by a numerical majority and the ethnically dominated politics of modern African states have created differentiations that often left minorities at a disadvantage. These disparities that exist between the majority and minority have profound implications for political stability and economic and social equity.

Another motivation for this volume is the unfolding immigration cases and asylum petitions by the huge numbers of African immigrants who found themselves in legal limbo in the western countries. The accelerated pace of human migration from Africa to countries of Europe and North America in the last two decades produced a new set of approaches in examining human relations across Africa and the state response. The sudden surge in the asylum-seeking applications, for instance, among African immigrants arriving in the United States from the mid-1980s was unprecedented and led to calls by those in the human rights community to examine anew the unfolding reports from Africa of human rights abuses. The cases ranged from petitions against female genital mutilation (FGM) to those fleeing wars, political and religious persecution, and abuses based on one's ethnic affiliation or minority status.

The dilemma of these immigrants was brought to light by practitioners in the immigration legal community as they found themselves overwhelmed by the influx of immigrants from across the continent of Africa. Urgent attention was required along with expert opinions on the cultural conditions and knowledge of the political and religious climate. For example, academics and researchers in related fields were sought out by the legal community on an increasing basis to provide an understanding of the conditions in African countries and offer opinions that would help in providing assistance in legal representations to countless immigrants who were being processed through the immigration system.

To some, this was an opportunity to understand what was taking place on the African continent as presented in the several petitions submitted by African immigrants seeking status adjustment in the United States and other countries all over the world. Most of the immigrants viewed themselves as minorities in their countries of origin, while others were mothers and daughters who were fearful of female circumcision. Still others were Christians who were fleeing from Sharia legal codes in Islamic-dominated regions. Citizens from ethnic minority groups were fleeing from brutal repressive regimes; members of the political opposition were on the run from tyrants for fear of retribution for challenging the established order, no matter how oppressive the status quo might have been. We viewed the unfolding developments as unprecedented as the western legal community was sounding an alarm of an increasing rate of human rights abuses emanating from the continent of Africa. Although all of these cases cannot be characterized as problems faced by minorities alone, the majority are from people who have perceived themselves as a minority in terms of their numerical strength, ethnicity, religious affiliation, or gender. Overall, the issue of social and cultural globalization and the increasing tendency toward homogeneity among the dominant populations are emblematic of the treatment of minorities in many states.

We approach these issues with a critical perspective that recognizes the diversity of experiences and context and avoids reductionist interpretation of minority experiences or their relationship to the state. This interdisciplinary framework brings together the discourses of scholars, policymakers, and activists in order to better understand the relevance of minorities in state structures, issues of identity, and human rights as broadly conceived concepts in explicating the nature of relationship between groups in contemporary African states.

## II

Until European colonization of Africa in the nineteenth century, African societies were not largely demarcated by ethnic boundaries. States

obviously existed, but their boundaries were often changing as a result of wars, conquest, and migration. The emergence of the modern state during the colonial period created a continent that forcibly grouped ethnic and religious groups among many other forms of differentiations. The result, especially in the postcolonial era, is a continent tainted by political violence, tensions between and within ethnic groups, discrimination, and serious violations of human rights. Thus, in Africa, where most states have one or more minority groups, the emergence of new nations brought the issue of the right to national self-determination to the fore. The development policies pursued by states often paid little attention to the rights of minorities and indigenous peoples. Often minorities have responded to the policies formulated by the dominant groups, with little success for achieving inclusion. In some cases, the reaction and responses of minorities have led to conflicts and further suppression of minority rights.

Most states in sub-Saharan Africa today emerged out of the colonial experience. Important characteristics of many of the new states that emerged at the end of colonialism included ethnic, linguistic, and religious diversity. Because the colonial powers that created these states were insensitive to the ethnic makeup of these states, what emerged in Africa were states that consisted of not only a multiplicity of ethnic and linguistic groups but the arbitrary division of ethnic groups across national borders, thus making many indigenous peoples a minority. Indeed, "a cursory glance at African boundaries with their lines of longitude and latitude provides the clue that the divisions between States are not coterminous with population distribution; it suggests that the States are artificial, not organic."[5] These newly constituted structures create problems within states rather than between states.

Although minority agitation has a long history in Africa, it has acquired new impetus in the new global environment because of emerging fresh claims and interests and the extensive use of the media, including the Internet, to globalize these claims. The new focus on minority issues came in the face of persistent crimes committed against such groups. Such crimes compelled the United Nations to set up a subcommission to

fight against discriminatory measures and to ensure the rights and protection of people belonging to national, ethnic, linguistic, and religious minorities. Minority claims are drawing on the Internet to reach a wider audience as assisted by influential neo-liberal rhetoric of human rights.[6] The result as Richard Werbner observed is "human rights discourse, tied to advocacy for multiculturalism."[7]

Since states are historically predatory and those in the minority are often the pawn of those who control power (usually the majority), those at risk have many times resorted to violence to resolve the problems that have emerged out of the ethnic composition of many African states. In the aftermath of colonialism, Africa faced a minority problem that loomed large in the face of ethnic politics. This problem was visible in many countries in Africa with ethnic, linguistic, and religious diversity, most of which had no long claim to a unified national culture. Despite the attempts to manage the multiple ethnicities present in Africa and preserve African states, the goal has often been overshadowed by the campaign of minorities to protect their rights and increase their visibility in national life. Groups have also resorted to acts of genocide to deal with the minority/majority crisis that deviled many societies. Indeed, "Genocides do not just happen," argues John Packer and Erik Fribergerg, rather "they are preceded by social developments and structures that divide societies and provoke violence. The roots of future conflict are inherent in systematic and systemic discrimination and policies of exclusion, disregard and humiliation—if not repression or oppression."[8] The Rwanda genocide a decade ago, the ethnic divisions that led to Kenya's worst outbreak of violence since independence, and the first black-on-black mass killings in postcolonial Africa during the Nigerian civil war with secessionist Biafra reveal the realities of the minority/majority problems in Africa. They further reveal the crisis of the modern state in Africa that is deeply rooted in the contradictions and legacies of colonialism.

However, "unlike the International Covenant on Civil and Political Rights, the African Charter on Human and Peoples' Rights...and the

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