

GUINEA-BISSAU

Between conflict and democracy

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Guinea-Bissau is currently living through a decisive period in its political history. Marked by governmental instability, particularly since 1998, the country suffered another coup d'état in September 2003. Since then a transitional period has led up to the March 2004 legislative elections. It is hoped this transitional arrangement will end after the presidential elections scheduled for March 2005.

This commentary analyses recent political developments and current political and military dynamics in the context of the many political and economic challenges facing Guinea-Bissau. It also discusses the possible outcomes of the transition and outlines the main challenges facing the country's government in the near future.

Introduction

Guinea-Bissau became independent in 1974, after a 13-year liberation struggle against Portuguese colonial rule by the *Partido Africano da Independência da Guiné e Cabo Verde* (African Party for the Independence of Guinea and Cape Verde - PAIGC), which had been formed in 1956 and was led by Amílcar Cabral until he was assassinated in 1973. One of the poorest countries in the world, Guinea-Bissau's social indicators are well below the sub-Saharan average. Two-thirds of its inhabitants live below the poverty line.

Although Guinea-Bissau is a small country (only 36 120 square kilometres) its 1,5 million people are among Africa's most diverse in terms of ethnic and religious affiliations. Guinean society comprises some 40 ethnic groups, which are generally classified under five headings: the Balante (30%), the Fula (20%), the

Mandingo (13%), the Papel (13%) and the Manjaco (14%). Some 45% of the population practise traditional religion, 40% (mainly the Fula and the Mandingo) are Muslim, and 13% are Christian. This diversity is also evident at linguistic level. Although Portuguese is the official language and French has increasingly been used in recent times, various local languages are also spoken.

Between 1974 and 1980 Guinea-Bissau and Cape Verde were ruled as separate countries by the PAIGC under the presidency of Luís Cabral, Amílcar Cabral's brother. The original intention was that the two territories would soon unite, although the reconciliation of the disparate interests of the two was not particularly easy. A major reason was that the party, public administration and armed forces of Guinea-Bissau were dominated by the *mestizo* intellectual minority that represented only 2% of the Guinean population. On 14 November

1980 Major João Bernardo ('Nino') Vieira mounted a successful coup in Bissau after disagreements with Luís Cabral over proposed constitutional amendments. The coup ended all thought of union with Cape Verde. Relations were severed, and a few months later the Cape Verdean wing of the PAIGC renamed itself and formed a new government for the islands.

The first decade of the regime in Guinea-Bissau was marked by power struggles within the party, the abolition of the post of prime minister, and the emergence of a personality cult through a concentration of presidential powers. In 1985 Vice-President Paulo Correia was among six leading political figures who were executed for attempting a coup.

Under pressure from the international community, especially France and Portugal, Nino Vieira allowed a gradual internal liberalisation of the political regime, with a view to implementing full democracy. In 1990 he accepted the principles of a multiparty political system. The years that followed represented a period of transition during which new political parties were formed, the freedom of the press was established, trade union activity was permitted, and the death penalty was abolished. Though the first multiparty elections, in July/August 1994, did not lead to any change in the allocation of power,¹ they marked the beginning of an increase in political activity on the part of the opposition.

The 1998–1999 conflict

Despite the economic progress from the mid-1990s onwards, Nino Vieira's regime was weakened by its ingrained authoritarianism, which fostered discontent among the political opposition and the military. Attempts to modernise the armed forces by promoting younger soldiers and demobilising the veterans of the liberation struggle who had constituted the armed wing of the PAIGC, delays in the payment of salaries, and political interference in the management of the military all contributed to the emergence of violent conflict. The trigger for revolt was the forced retirement of the Chief of the Armed Forces, Brigadier Ansumane Mané,

because of his alleged assistance to the separatist rebel movement in Casamance province in neighbouring Senegal.

The military uprising of 7 June 1998 led to nine months of civil war during which 2 000 people died, economic and social activities were paralysed, and most of the existing infrastructure was destroyed. Despite the intervention of the troops of Guinea-Bissau's neighbours, Senegal and Guinea-Conakry, in support of the president, and prompt expressions of international disapproval of the revolt against the democratically elected government, the military junta leading the insurrection had the support of the population and of most of the armed forces.²

After various negotiation attempts and failed agreements,³ the armed conflict ended with the signing of the Peace Agreement of Abuja in November 1998, following the combined mediation efforts of the *Comunidade dos Países de Língua Portuguesa* (CPLP – Community of Portuguese-Speaking Countries)⁴ and the Economic Community of West African States (ECOWAS). The agreement envisaged a sharing of power between the belligerent forces; the creation of a government of national unity that would facilitate the holding of elections; the withdrawal of foreign troops from Guinea-Bissau; and the establishment of a small ECOMOG (ECOWAS Cease-Fire Monitoring Group) peace-keeping force to support the implementation of these terms.

However, the creation of the new government of national unity in February 1999 failed to prevent the escalation of tensions between the president and the military, especially over disarming the presidential guard. After several ceasefire violations and meetings between Nino Vieira and Ansumane Mané, Nino Vieira was deposed in May and was granted political asylum by Portugal. In the meantime, the military junta announced that it had no intention of assuming power, and expressed its confidence in the leader of the transitional government, Francisco Fadul. A steady improvement in political and security conditions in Guinea-Bissau culminated in the withdrawal of the last ECOMOG peacekeeping forces in July 1999.

But the positive internal political signs from the transitional government – including transparency in the management of state resources, the introduction of human rights monitoring mechanisms, a reduction in military interference in the political sphere and the involvement of civil society in the reconstruction of the country – were not complemented by international support, either financially or politically. Of the US\$220 million pledged at the May 1999 donors' Round Table Conference for Guinea-Bissau in Geneva, only US\$6 million was transferred to the country between the end of the conflict and the holding of elections. This led to a general feeling of frustration and disappointment in Guinea-Bissau: the international community was regarded as having reneged on its commitments. The delays in the allocation of international funds, allegedly because of the departure of President Nino Vieira (which was regarded by the donors as a 'new political fact'), made it impossible for the government of national unity to carry out its programmes, thus delaying important development measures.

The multiparty elections of 1999 and Kumba Ialá's government

Kumba Ialá and the *Partido da Renovação Social* (PRS – Social Renewal Party) won the legislative and presidential elections at the end of 1999,⁵ thanks largely to the Balante vote. This ethnic group, which made up Amílcar Cabral's main fighting force during the national liberation struggle, had subsequently been marginalised by the Nino Vieira regime.

The internal disagreements that were to impede the normalisation of Guinean political life demonstrate that just as formal peace does not necessarily imply stability, so the formal holding of elections does not guarantee a successful democratic transition. After the elections, the contest for legitimacy between a democratically elected government and a military junta whose leader continued to have status equal to that of the president of the republic led to the deterioration of an already very fragile political balance. The problem was 'resolved' by the assassination of Brigadier-

General Ansumane Mané in November 2000 in the course of an unsuccessful attempt by the government to reassert control over the army. This introduced new dynamics to the situation and instantly produced a new martyr in the eyes of the population. It brought the issue of religious identity into the public domain, as the Muslim leaders of the whole region went to Bissau to pay homage to the brigadier and mourn his death. But the incident contributed to the creation of new 'Ansumanes' within the heart of the military. These were individuals capable of exercising a great deal of influence over the political situation.

At governmental level the relationship between the two parties that formed the base of the elected government – the PRS and the *RGB-Movimento Bafatá* (RGB-MB) – became problematic. A particular source of dissatisfaction was the president's constant replacement of ministers and rotation of high-ranking officials,⁶ chosen mainly according to political criteria rather than on merit, which weakened the stability and legitimacy of the newly formed government, and culminated in the collapse of the coalition. The dissolution of the alliance occurred in January 2001, after another unexpected ministerial reshuffle that had been ordered by the president led to the mass resignation from the government of all RGB-MB members. This aggravated the atmosphere of political instability (given that the PRS lacked the parliamentary majority necessary to govern), and exacerbated the tensions between the rival political forces, as no consolidation of a democratic culture had been achieved within the country's public institutions.

Between April and May 2001 the country in effect operated without a government because of continual friction between the legislative and executive sectors of the administration. The dismissal of senior judges of the Supreme Court on political grounds – a clear violation of the Guinean constitution and international law – illustrated the threats to the independence of the judiciary and to the rule of law posed by Ialá's regime.⁷ The occurrence of various unsuccessful coups d'état in 2001 reflected the fragility of the democratisa-

tion process in Guinea-Bissau and the government's lack of internal and external credibility. The competence of the PRS to manage the transition effectively came increasingly into question, and the incapacity and inexperience of the various members of the administration affected its ability to satisfy the most basic needs of the population.

In 2002 the criticism levelled against Kumba Ialá's rule increased. Social dissatisfaction manifested itself in constant protests and strikes throughout a capital city in which not even the provision of water and light was assured. At the external level, the apparently unconditional support of the international bodies that had welcomed the formation of a democratically elected government started to wane from 2002 in response to the low level of efficient internal governance. For example, the International Monetary Fund (IMF) suspended budgetary assistance to the Guinean government and abandoned all attempts to implement its Poverty Reduction and Growth Facility (PRSP), an essential component in the partnership between the Guinean government and the donor community.

As the president's political base narrowed he became increasingly reliant on ethnic support. In effect, the 1998 conflict and the uneasy post-electoral balance of power led to an increase in the importance given to ethnic identity. At that time the Balante held the overwhelming majority of high-ranking and intermediate posts in the public administration; so much so that various commentators spoke of the 'Balantisation' of Guinean political life.

The constant violations of human rights that were perpetrated in this period contributed to the deterioration of internal stability. The limitation of access to newspapers experienced by some of the opposition parties, the closing of radio stations and the prohibition of television transmissions reflected the constraints that were placed on the media in Bissau. Moreover, the dissolution of the National Assembly by Kumba Ialá on 14 November 2002 illustrated the dominance of the executive over the legislature and judiciary, and the weakness of the country's public

institutions. The government's collapse in the same month plunged the country into a situation of total paralysis, for which the new executive named by the president seemed unable to offer a viable alternative.

The constant replacements of prime ministers and other members of the government on presidential whim, coupled with his unstructured speeches and irrational public announcements (such as his intention of moving the capital to Buba, a small city 200 kilometres away from Bissau, or his threat to invade Gambia) raised doubts about President Ialá's mental health, particularly from 2002 onwards.

The holding of early elections was seen as the only way out of the profound crisis in which Guinean society found itself. Nevertheless, the elections set for 20 April 2003 were delayed several times – to 6 July and then to 12 October – allegedly because of the lack of an accurate voters' roll. The delays threatened to compromise the legality of the deadlines stipulated by the country's electoral law. Moreover, accusations by opposition parties of fraud perpetrated during voter registration, which were confirmed after investigation by the National Electoral Commission, threatened the validity of the voting process, which might have led to a complete breakdown of order. In the light of these considerations, the United Nations (UN) Security Council warned in June 2003 that there was a strong possibility that the country would slide into renewed conflict.⁸

At the beginning of September various events combined to exacerbate the crisis of instability in Guinea-Bissau. The prime minister, Mário Pires, publicly declared that an electoral victory for the opposition would result in civil war. Observers interpreted this as proof that the government and at least a part of the PRS would refuse to relinquish power if the vote went against them. It was also rumoured that weapons were being distributed among the population by the government, and that Balante youths were being recruited into the armed forces should the PRS be defeated in the legislative elections.⁹ Kumba Ialá's decision to confer higher rank

on the members of the military command was interpreted as an attempt to regain the support of the military, who had long since lost confidence in him. It is thought that the way in which Kumba Ialá was able to guarantee increased salaries and benefits for the military commanders, using funds obtained during visits to Libya and Nigeria, contributed to the postponement of the pending coup d'état.

The coup d'état of 2003

When one considers the deteriorating standard of living of the population and the erratic behaviour of President Kumba Ialá, the coup d'état carried out by General Veríssimo Correia Seabra was not only foreseeable, but also desired. Various political actors were informed of the intended coup and although the international community officially deplored the unconstitutional seizure of power, this seemed a lesser evil than the endless postponement of elections and the resulting increase in instability. The UN Secretary-General himself recognised that the coup d'état, reprehensible as such actions are in legal terms, had occurred after a series of democratic norms had been violated, and represented the outcome of an unbearable situation. However, he warned that there was a need to prevent democratically elected governments in post-conflict situations from overstepping the basic practices of good governance.¹⁰

Immediately after the coup d'état, political parties, trade unions, representatives of the religious communities (Catholic and Muslim) and of the armed forces created an ad hoc commission, comprising 12 civilians and four members from the military, to define the terms of reference for a transitional government and a consultative council. With the support of the Brazilian ambassador in Guinea-Bissau (representing the CPLP) and UN representatives, an ECOWAS ministerial delegation visited Bissau, where it had meetings with the leaders of the military and the deposed president. As a result of these consultations it was agreed to form a broad-based transitional government, which would prepare for the holding of credible, free and fair leg-

islative elections. The PAIGC and the *Plataforma Unida* immediately announced their willingness to participate in the transitional government. The *Partido Unido Social Democrata* (PUSD) was the only party to openly refuse, on the grounds that it disagreed with the manner in which the negotiation process had been conducted.

On 17 September Kumba Ialá declared that he was resigning to allow for the nomination of a civilian government. He appealed to the international community to provide material and financial support for the electoral process. Similar calls for assistance were issued by the UN Peace-Building Support Office (UNOGBIS) and the ECOSOC Ad Hoc Advisory Group on Guinea-Bissau.¹¹

General Veríssimo Seabra's intention of rapidly transferring the interim presidency to a civilian government, combined with the almost immediate return of the military dissidents to their barracks, contributed to the speed with which negotiations were conducted. The Charter of Political Transition, which envisaged the holding of legislative elections within six months (by 28 March 2004) and presidential elections one year later (by 28 March 2005), was signed on 28 November 2003. Nevertheless, dialogue between the political and military factions became strained when those who had taken part in the military coup appointed Artur Sanhá, who had been the secretary-general of the deposed president's party, to the post of interim prime minister, a choice that gave rise to a wave of protest.¹² Some interpreted this nomination as an attempt by the military to guarantee, to some extent, the retention of power by the Balante, and the right to project this power during the transition period. Given that the military is largely composed of Balante, this caused serious concern.

After intense negotiations, and under pressure exerted by the CPLP and ECOWAS – acting on a mandate from the leadership of the African Union – the charter was accepted by 23 of the 24 registered political parties in Guinea-Bissau. The nomination of businessman Henrique Rosa for the presidency was carried by consensus, mainly because of his

impartiality and lack of party affiliations. The new president was installed on the day that the Charter of Political Transition was signed. The charter established the *Conselho Nacional de Transição* (CNT – National Transition Council) as the supreme organ of state administration until the legislative elections had been held. The governmental team, which took office on 3 October 2003, did not include any well-known Guinean politicians, a clear consequence of sub-section 4 of article 11 of the Charter of Transition, which stipulated that all those who had served in the transitional government were barred from participating in the legislative elections.

The transitional government immediately undertook measures to re-establish the normal functioning of democratic institutions. These included prompt efforts to straighten out the functioning of the media; the nomination (on 27 November) of a new attorney-general; the election (on 16 December) of a chief justice and deputy chief justice of the Supreme Court of Justice; the payment of part of the salaries owed to civil servants; and a clear focus on the strict management of state resources through the preparation of a general state budget for 2004. The payment of salary arrears, which had reached unsustainable levels during the regime of Kumba Ialá (with about ten months' salaries owing), turned out to be particularly problematic. The reasons included the existence of thousands of 'ghost' civil servants, and the reluctance of international institutions to release funds for this purpose. Another issue that remained unresolved was the regularisation of accounts between suppliers and the state. This was in large part attributable to the inability of the state to generate the internal resources to pay for certain basic requirements, such as food for the armed forces and fuel for the Bissau power station.

The PAIGC returns to power

At the end of the six-month period provided for in the Charter of Political Transition, the minimum internal conditions for the holding of elections had been met. The voter registration process (earlier thought to have been

manipulated by Kumba Ialá) had been completed. However, in the meantime various political parties had expressed their concerns that foreign election observation (with overall co-ordination by the UN, in conjunction with the UNDP) would occur only during the election itself. They believed it was required throughout the voter registration process, when fraud was most likely to take place. The National Electoral Commission admitted that certain flaws had occurred in the registration process: some voters had acquired double registration; others had been transferred to constituencies outside their areas of residence; and some had been omitted from the roll. However, the commission believed that these irregularities had not occurred at a level that would jeopardise the holding of the election on the due date. Internal financial problems also created controversy because the transitional government declared that it lacked the means to finance the election campaigns of the various political parties. This problem was related to the successive postponements of the elections, which had been variously scheduled for 20 April, 6 July and 12 October 2003. This had resulted in high financial overload for the parties. As for the arrears in the payment of civil servants' salaries (an issue that had to be addressed to avoid corruption during the election campaign), the UNDP announced a few days before the start of the elections that funds had been made available to settle the amounts owed for January and February.¹³

The election, which began on 6 March, took place without any political violence. Various incidents in the north, however, which were allegedly perpetrated by dissident groups of the MFDC, were interpreted by some as an attempt to destabilise the country and postpone the elections. There were unconfirmed reports that the Guinean armed forces had failed to oppose the activities of these groups.¹⁴

With regard to the conduct of the elections, there is evidence that some irregularities occurred, despite declarations by observers that they had been free, just and transparent.¹⁵ Individuals reported having received threats such as the 'evil eye' if they voted for a certain

political party. The prime minister and the chief of police were seen to be transporting voting ballots, in clear violation of the election rules. In some areas, several parties bought votes in exchange for bags of rice, a practice common in former elections. There were also rumours that several cards that had been issued during the census might have been used for voting more than once. Moreover, technical difficulties that prevented the opening of several voting stations, mainly in the capital, made it necessary to extend the voting period by a few days. These irregularities were considered of minor importance when compared with the positive overall evaluation of the election by external observers. The results were not followed by major protests from any of the parties and coalitions involved.

The same cannot be said for the publication of the results, which was delayed, causing a political hiatus and consequent tensions among the parties. Even after the official proclamation of victory by the PAIGC, the tardiness in the announcement of the actual results eventually caused the PRS to threaten to form a parallel government. The official reason for the delay given by the National Electoral Commission was the need to investigate the claims of irregularity that had been received after the closing of the polls. However, some sources indicate that the delay was caused by negotiations between the PAIGC and a military wing linked to the PRS. If it is true, this information would confirm that the leaders of the military were apprehensive about the possibility of being pushed aside by a PAIGC government. It would also underscore the influence of the military over political life in Guinea-Bissau.

Seventy-six per cent of the total number of registered voters participated in the election. Of the 15 political parties listed on the ballot papers, only three parties and two coalitions succeeded in having members elected as deputies to the National Assembly. (See the table below.) At first sight, the way in which the election campaign and the socio-political situation in Guinea-Bissau developed suggested that the parties emerging from the elec-

tions with the strongest support were the PAIGC and the PUSD. (As it happened, the most popular parties turned out to be the PAIGC and the PRS.)

The PAIGC conducted a sober election campaign and did not respond to provocations or accusations from other political parties. In addition to the traditional promises made to improve infrastructure and health and education systems (which are common to the electoral programmes of all parties), Carlos Gomes Junior stressed the need for far-reaching reform of the public administration of the country. The possibility that this party would win the elections increased with the return of many former leaders of the PAIGC who had earlier defected to other political groups. The PAIGC won, but its victory margin was not as wide as had been predicted. Lacking a parliamentary majority, the party was forced to establish alliances with other parties after the elections.

The results recorded for the PUSD also fell below expectations. Its main platform in the election campaign had been what its leader labelled 'the culture of work', which would be rewarded by 'fair salaries paid on time'. He promised the eradication of ghost workers and corruption. Indeed, the PUSD's leader, Francisco Fadul, who had led the party's executive from December 1998 to February 2000, managed to guarantee the salaries of the civil servants during this period. He exploited this achievement to boost his popular credibility. However, during the campaign many Guineans believed that the PRS might win the elections because of its support from the Balante. This reasoning might have led some sectors of the population to vote for the PAIGC instead of the PUSD, to avert a PRS victory.

The political party that won the second-highest number of votes was the PRS. In some districts (Cacheu, Oio and Tombali) the PRS achieved first place in the voting results. The ethnic issue, though not a deciding factor, played a significant role in the PRS campaign, which benefited from the Balante vote. In part, the PRS campaign was influenced by the shadowy omnipresence of Kumba Ialá, who

continued to determine most of the political decisions taken by the party. Although he had been legally prevented from participating in the country's political life until 2008, Ialá announced just a few days after the beginning of the election campaign that his house arrest had been lifted and he was returning to politics. He was also seen in Gabu and Bafatá (cities that are represented by a great number of deputies), where the PRS held political rallies.¹⁶

Only two of the other parties contesting the election were able to elect deputies: the *União Eleitoral* (UE), a coalition of four minor parties led by Joaquim Baldé; and the *Aliança Popular Unida* (APU) of the former presidential candidate Fernando Gomes. Therefore, the former Bafatá Movement no longer has any parliamentary representation. In the first half of the nineties it had tried to present itself as a political alternative to Nino Vieira's regime. More recently, it had been divided into two wings, one led by Savador Tchongó and the other by Helder Vaz. Despite being a well-respected member of the Guinean elite

who maintained a solid opposition to Kumba Ialá, Helder Vaz had little standing among the population. His credibility was also affected by his public support of the appointment of Artur Sanhá as interim prime minister without having consulted his party's main supporters (the Guinean diaspora).

Without an absolute majority, and having failed to negotiate successfully with the PUSD,¹⁷ the PAIGC finally entered a parliamentary alliance with the PRS, thus ensuring the necessary conditions and support for Carlos Gomes Júnior's government and legislative programme.¹⁸ This agreement was reached in exchange for two senior positions in parliament's governing body and a number of high-ranking appointments in government departments and parastatal organisations. This arrangement led to protests and accusations of clientelism from the other political parties. The hard wing of the former liberation movement expressed its concerns about the PAIGC's dependence on the PRS, arguing that it would limit the government's ability to act – for instance, to conduct criminal investi-

28-30 March 2004 – Election results

PARTIES	VOTES	%
Partido Africano da Independência da Guiné e Cabo Verde (PAIGC)	145.316	33,88
Partido da Renovação Social (PRS)	113.656	26,50
Partido Unido Social Democrata (PUSD)	75.485	17,60
Plataforma Unida (PU)	20.700	4,83
União Eleitoral (UE)	18.354	4,28
Partido Democrático Socialista Guineense (PDS)	8.789	2,05
União para a Mudança (UM)	8.621	2,01
Resistência da Guiné-Bissau (RGB)	7.918	1,85
Partido da Unidade Nacional (PUN)	6.260	1,46
Aliança Popular Unida (APU)	5.817	1,36
União Nacional para o Desenvolvimento e Progresso (UNDP)	5.042	1,18
Movimento Democrático Guineense (MDG)	4.209	0,98
Fórum Cívico Guineense/Social Democrata (FCG/SD)	4.202	0,98
MANIFESTO	3.402	0,79
PS-GB	1.166	0,27
Total	428.937	100.00

Source: www.guine-bissau.com

gations into the diversion of funds during the period the PRS was in power.

The elected government led by Carlos Gomes Júnior comprises highly placed members of the PAIGC who have been selected for their advanced technical skills. Soares Sambu, an engineer, who is a member of the political bureau and was the director of the party's campaign in the legislative elections, occupies the Ministry of Foreign Affairs, International Cooperation and Communities. Daniel Gomes, the PAIGC's spokesman, who was notable in Kumba Ialá's regime for his harsh and critical questions, has entered a government post for the first time as Minister of Defence. Lássana Seidi, a lawyer and former president of the Superior Inspection against Corruption, now takes on the role of Minister of the Interior. Two well-known Guinean economists, João Aladje Fadiáh and Issufo Sanhá, have been allocated the Ministry of Economy and Finance and the Ministry of Commerce, Industry and Tourism respectively. These examples demonstrate the technical expertise and skills represented by ministers in the new government, such proficiency having been considered negligible or a handicap during Kumba Ialá's regime.

The PAIGC's return to power after five years could not only be a result of general discontent with the catastrophic economic situation brought about by Kumba Ialá's government, but also represent a vote for national unity. Unlike the PRS, the PAIGC has revealed itself to be capable of rising above ethnic affiliations.

Conclusion

Any Guinea-Bissau government will face numerous pitfalls in attempting to build a stable and efficient administration. The persistent violation of human and civil rights under the Kumba Ialá regime demonstrated that the mere holding of multiparty elections is insufficient to overcome an institutional culture that has long followed undemocratic practices, and decades of authoritarian governance. The new government will be required to show the political determination to intro-

duce profound reforms at the level of governance.

The institutional capacity of the country is weak at present, even when compared with other countries in sub-Saharan Africa, for several reasons. First, the public sector experienced considerable expansion and centralisation after independence, yet few incentives and little training were offered to the civil servants.¹⁹ Their salaries were frequently not paid, a situation that has become endemic. Second, the functioning of the legal system is severely hampered by a shortage of resources. At present it cannot provide either adequate legal assistance to those accused or ensure complete impartiality when cases come to trial. Third, the role of the police service as a purely repressive agent rather than an impartial body acting to protect the community's interests and rights is still encouraged by the legal framework that guides the structures and actions of the police. Fourth, the weakness of the judiciary and legislative authorities that has followed the abuse of their functions by the executive powers is evident. Fifth, the salary structure that is currently applicable cannot provide adequate remuneration to magistrates, lawyers, members of the police and correctional services employees. This has created an environment conducive to corruption, which in turn undermines the credibility of the legal system.

Within this framework, if Guinea-Bissau is to make a convincing transition to democracy, the government must undertake far-reaching political reforms. It should also promote the generation of skills at all levels; strengthen the independence and the powers of the country's democratic institutions (such as parliament and the courts), invest in the training of public administration officials, support the impartiality of the media, and restructure the police service (in terms of recruitment, training and practices of accountability and social responsibility). In short, the administration needs to guarantee the normal functioning of governmental institutions. To this end, it is necessary not only to have a strong internal political will, but also to elicit considerable commitment from the donors. Until now all

cooperation programmes between donors and government that have been directed towards issues of governance have been interrupted by the volatile political situation, or undermined by a lack of coordination among donors. However, even when their efforts have been unsuccessful or divided, the donors have been motivated by a common aim – to assist in finding alternative solutions to the lack of institutional capacity in Guinea-Bissau without weakening the state itself.

As regards the armed forces, the army must be restructured and its duties redefined. At present it is disproportionately large, and dependent on the state for resources. The government needs to initiate a process of demobilisation, reintegration and social reinsertion for former combatants. This is essential if the country's internal stability and security are to be maintained. Although a restructuring process for the army was agreed in principle during Kumba Ialá's regime, its implementation was delayed by various factors. These included border security problems; an escalation in the tensions between the military (as a result of the detention of several officials allegedly involved in the events of November 2000); delays in the payment of salaries; and division within the armed forces along ethnic, religious and political lines. The critical shortage of financial resources to provide the armed forces with training that would enable them to transform into a professional republican force has also been identified as a reason for the delay in the reform process.

The incidents of 6 October 2004 corroborate the need for restructuring of the armed forces. There is currently a disagreement over the amnesty granted in the recent Memorandum of Understanding signed by the government and the mutineers. For instance, the PRS called for an immediate pardon for the soldiers involved, but strongly rejected an amnesty that went back as far as 1980, mainly because it included Nino Vieira's regime, during which several Balante military officers were executed after an unsuccessful coup attempt in October 1986. On the other hand, an amnesty dated only from 1998 to the present would absolve other actors in

the internal crises that led to the death of Ansumane Mané (the former leader of the military junta) in 2000, during Kumba Ialá's presidency.

In essence, there is consensus in Guinean political circles and civil society that the consolidation of democracy requires a reduction in the number of soldiers and a re-definition of the military's role. Only by these means can the army become an agent of democracy and not of oppression or destabilisation, as in the past. However, there is no agreement on the contents of this restructuring process. The various political and social actors have different opinions about what should be done. Also, unless reconciliation is achieved between the different factions in the military, any reform process will be regarded as a political instrument for excluding some military groups and favouring others, ultimately leading to renewed instability.

Guinea-Bissau is an example of an African state that is dysfunctional and weak. The roots of the political and social crises that have characterised the country's recent history can be found in a number of structural conditions. These are poor and inefficient governance; a small but fractured political elite; a highly divided and interventionist military; public institutions that are incapable of providing basic social services; widespread bureaucratic corruption; high poverty levels; and dependence on foreign aid. It is clearly a politically fragile state in which wealth is unevenly distributed and where the country's other resources are shared via a network of clientelism within the political group in power. These mutually reinforcing evils have created an explosive environment in which almost any grievance can trigger an eruption of violence, as recent events clearly illustrate.

In the last few years, there has been an increased polarisation of Guinean society, both in terms of the military and political elite (between and within parties) and in ethnic terms, between the Balante and non-Balante. Therefore it is of the utmost importance that the government should act. Its short-term responsibility is to respond to immediate needs (such as meeting the public expenditure

budget and managing the day-to-day business of government). But its most important duty is to devise measures that can address the structural aspects of the country's crisis, which are essential if long-term stability is to be assured.

The disruptive aspects of Guinean society represent major dangers that threaten the consolidation of peace and democracy. They include the need for comprehensive economic development; reconciliation at social and political levels; the management of internal sources of tension such as the ethnic issue; and the creation of an endogenous democratic culture that goes beyond the holding of elections. One of the most urgent tasks for the government that is essential to democratic stability is the restructuring of the armed forces. This will involve the social reintegration of surplus soldiers; the training of the new army according to the principles of democracy and the rights and duties of citizenship; the creation of incentives to persuade suitable candidates of the advantages of a military career; and a balanced recruitment policy that acknowledges the need for social and ethnic representivity.

Another pressing responsibility is to reinforce the country's democratic institutions, such as parliament and courts. The international community can play an important supportive role if it can overcome its programming and coordination problems.

Finally, the government should promote new ways of opening dialogues between the various Guinean social and political actors, using constructive and inclusive approaches (such as involving them in common projects) so that the conflict prevention capacities of Guinean society can be strengthened. The introduction of a national reconciliation process, which would create a space within which Guineans could acknowledge the errors of the past and exorcise the trauma of these events through transitional justice approaches, could be helpful. It could assist in building a sense of moral justice, and in allowing the country to break with the culture of impunity that has reigned unchecked in Guinea-Bissau in recent decades.

Notes

- 1 João Bernardo Vieira of the PAIGC legitimised his power by winning 52% of the votes in the second round of the presidential elections, as against the 48% obtained by Kumba Ialá of the *Partido da Renovação Social* (PRS). The PAIGC won 62 of the 100 seats in the National Assembly.
- 2 It is estimated that 90% of the armed forces joined the rebels in 1998.
- 3 The first ceasefire was signed on 26 August 1998, but renewed fighting broke out in October. The peace accord signed in November 1998 also failed to prevent violent incidents between January and February 1999. For a detailed analysis of the conflict, see Amnesty International, *Guinea-Bissau: human rights in war and peace*, July 1999.
- 4 The CPLP was formed in 1996. Its members are Angola, Brazil, Cape Verde, Guinea-Bissau, Mozambique, Portugal, São Tomé and Príncipe, and East Timor.
- 5 In the legislative elections held on 28 November 1999, the PRS won 38 seats in parliament, followed by the *RGB-Movimento Bafatá* and the PAIGC, with 28 and 24 seats respectively. In the presidential elections, Kumba Ialá contested the second round on 16 January 2000, winning 72% of the vote.
- 6 From January 2000 to September 2003, Kumba Ialá dismissed five prime ministers and replaced more than fifty ministers and secretaries of state.
- 7 Amnesty International, *Guiné-Bissau: attack on the independence of the judiciary*, November 2001.
- 8 *Ibid.*
- 9 *Coup d'état* in a country that had nothing to lose, *Público*, 15 September 2003.
- 10 Speech made by Kofi Annan in the United Nations on 18 December 2003, presenting a report on the situation in Guinea-Bissau.
- 11 The ECOSOC Ad Hoc Advisory Group was formed in 2002. It comprises permanent representatives from Brazil, Guinea-Bissau, the Netherlands and Portugal, under the chairpersonship of ECOSOC (representative of Guatemala), the Chairman of Group of Friends of Guinea-Bissau (representative of the Gambia), and the Chairman of the Ad Hoc Working Group of the Security Council on Conflict Prevention and Resolution in Africa (representative of Angola). Its objective is to analyse the humanitarian and economic needs of Guinea-Bissau, review its support programmes, and issue recommendations for a more effective, coherent and co-ordinated international aid effort.
- 12 The passage of Artur Sanhá through the ministries of Internal Administration and Fishing is seen as an example of the bad governance practised by Kumba Ialá's team. Moreover, many of the protests were based on the fact that Sanhá had been accused of homicide in a case yet to be

- explained (that had never come to court?). *Público*, 29 September 2003.
- 13 This amount was collected from contributions made by the Netherlands, Sweden and France. The salaries for the previous months were paid in part by the European Union, after intense negotiations and pressures had been exerted by the Portuguese and Guinean governments, and also in part by contributions from the West African Economic and Monetary Union.
 - 14 It is still strange that the rebels attacked from the magazine; it is rumoured that the army allowed them entry into the barracks.
 - 15 The elections were monitored by almost 100 foreign observers, some of them representing a wide range of organisations - the Community of Portuguese-Speaking Countries (CPLP), the Economic Community of West African States (ECOWAS), *La Francophonie*, the African Union, UEMOA. Countries that sent observers were Portugal, the United States, the Gambia, Russia, Brazil and Mauritania. Four international observers were also invited individually.
 - 16 Kumba Ialá was under house arrest, but he was freed on 8 March. He immediately announced his intention to return to active politics, stating to RDP-Africa that 'now it would be the atom bomb'. Even under house arrest, the voice of the ex-president was to be heard accusing General Veríssimo Seabra of having diverted US\$6 million in donations from partner countries. In October 2003, pamphlets with similar accusations against the members of the Military Committee were circulated in Bissau, limiting the visits to Kumba Ialá. No current Guinean government structure has assumed responsibility for releasing Ialá from house arrest, which the National Transitional Council considered 'a mistake'. The proclaimed return of Ialá to politics is illegal according to the text of the Charter of Political Transition, which prevents him from running in any election until 2008.
 - 17 The PUSD demanded four provincial governors, one of whom would be governor of Bissau. It was also interested in the first vice-presidency, in the post of Minister for Foreign Affairs (to be occupied by Francisco Fadul) and in other posts in several state bodies (such as the National Elections Commission, the National Media Council and the General Inspection against Corruption).
 - 18 Besides the PRS, the *União Eleitoral*, which elected two deputies, signed a parliamentary agreement with the ruling party.
 - 19 In the West African sub-region, Guinea-Bissau is one of the least populous countries, with 1,5 million inhabitants. It also has the highest number of civil servants, at a ratio of 20 for every 100 inhabitants. In neighbouring Senegal (with a population of 14 million), the civil service represents only 7%.