

GOOD GOVERNANCE AND CONFLICT RESOLUTION IN AFRICA

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ABSTRACT

This article provides an analytical argument about good governance and conflict resolution in Africa. The article aims to explore and explain governance as an act of governing and an applicable practice in Africa. The article is conceptual in nature and it critically engages the application of good governance principles which need to be applied in African countries. The article supports the notion that good governance is characterised by respect for human rights and creating democratic institutions for promoting good governance and conflict resolution in Africa. The article concludes that the focus of government function has now changed, and therefore government and therefore governments in Africa have to comply to true governance model.

Keywords: Good governance, Government, conflict resolution, Human rights,

1. INTRODUCTION

Governance has become a pivotal concept within the study of Public Administration, Development Administration, and Political Science. It is because government plays a major role at just about every main juncture of our lives and, therefore, in a democracy, governance should be the concern of all of us. A high level of citizen understanding, co-operation and participation is essential if a democratic government is to be really successful. In the past, governments assumed principal responsibility for the development and delivery of public services. This has mainly been provided through large-scale government departments and other public institutions. Over time, governments became aware of the benefits of working more closely with each other and other delivery agencies. The complex problems facing governments have led to the inclusion of not only other government departments, but also the non-profit and private sectors as well as community-based organisations. This change is a reflection of an emphasis away from looking at government, per se, to looking at the concept of 'governance'.

2. GOVERNANCE AS AN ACT OF GOVERNING

Kooiman (2006) describes accurately that governing issues are not just 'public' (state) anymore. They are frequently shared, and governing activity at all levels is becoming diffused over various societal actors whose relationship with each other is constantly changing. This may sound very confusing to you, but what it simply means is that the Government is not the only entity which is rendering services and products to society anymore. Government is but one actor or partner in this network of organisations, agencies, society and businesses.

Kooiman (2006:4) defines 'governing' as "...the totality of interactions, in which public as well as private actors participate, aimed at solving societal problems or creating societal opportunities; attending to the institutions as contexts for these governing interactions; and establishing a normative foundation for all those activities". Kooiman (2006:4) further defines 'governance' as "...the totality of theoretical conceptions on governing". It is also known as the interactions between government and society. In other words, the moment government implements policy to render services, it is busy with its governance function. This is, however, a very simplistic way at looking at things. A government is thus one of the actors in governance. Pierre (2000:14) is of the opinion that 'governance' can be used as a blanket term to signify

a change in the meaning of government. In simple terms "governance" means the process of decision-making and the process by which decisions are implemented (service delivery) as well as a network of actors which are involved in this process.

3. TYPES OF GOVERNANCE

Governance can be used in several contexts such as democratic governance, corporate governance, global governance, and so forth. There are different types of governance. This provides a more holistic perspective of governance this article provides democratic governance, corporate governance and Networked, holistic or third party governance.

3.1 Democratic governance

According to the Centre for Political and related Terminology in Southern African Languages (2004) a democracy is a form of government where the power to form a government and to make decisions by legitimate representatives lies with voters - often referred to as "the people". Thornhill *et al* (2014:413) refers democracy as a political system in which decision-making power is widely shared among members of the society. The word literally means "rule by the people." A constitution, free and fair elections, the right to vote, freedom of expression, freedom of the press, freedom of association, and equality before the law characterise effective democratic governance.

Voters determine the broad governance framework by which government works. The quality of this process, and thus the quality of governance, depends on well-informed citizens that can influence the outcome of policy decisions.

3.2 Corporate governance

Corporate governance describes the manner in which boards or their like direct a corporation, and the rules applying to that direction. It thus consists of the set of processes, customs, policies, laws and institutions affecting the way people direct administer or control a private sector organisation. Corporate governance also includes the relationships among the many role-players involved and the corporate goals. Typical role-players include the shareholders, management, and the board of directors. Other stakeholders include employees, suppliers, customers, regulators, the environment and the community at large. According to Hornby (2005) governance involves or is shared by all members of a group.

3.3 Networked, holistic or third party governance

Public management lies at the centre of a web composed of many different relationships that extend to the citizen, to the state, to society and its values, to the economy and its development, and more. In their work *'Public Management in an Interconnected World'*, Bailey and Mayer (1992) explain this complex web of actors involved in

matters that affect our daily lives. They explain that the environment is dynamic and the public managers should constantly adapt and adjust to solve complex problems. At the heart of this web is interaction and interdependence. No single actor, public or private, has the knowledge, infrastructure and skills required to solve complex, dynamic and diversified societal challenges. The public manager should learn to think clearly about these relationships and the values and balances they affect, for they constitute the synthesis that is public management. Because of these broad relationships, public management must constantly and correctly define and redefine its role in society. Not even in Socialistic states does a government try to do everything; in the democratic state, government does what it should or must, according to the will of the people.

The 1990s brought network analysis as a new way of looking at and analysing traditional government and public sector structures, thus discovering new governance patterns. It focuses on diversity, fragmentation, interdependency, mutuality and the need for consensus-building, co-production and interaction in public service delivery. A network approach to New Public Management (NPM) has emerged. Networks can be regarded as a 'mode' of governance, expressing new government-society interactions (Kooiman, 2006:105). The networks, also known as 'third sec-

tor' organisations, are embedded within the fabric of civil society constituting what is called "third party governance" (Gildenhuis & Knipe, 2000: 68). These are organisations which are neither government nor markets, having a great impact on government policy. Network analysis makes it clear that people working in government and administration will have to learn to think of organisation as an external, not internal activity. The prospect is that hierarchical control will be replaced by continuing processes of bargaining among interested parties within most fields of public administration (Peters & Pierre, 1998:31).

Leat, Seltzer and Stoker (2002:212) explored the challenges that networked or holistic governance brought. They summarised these challenges as follows: "Holistic governance is a major commitment for the reform of policy-making, civil service and local government structures, budget, work processes and professional networks, systems of staff development, management practices, information systems including the design and use of digital information technology, and for the accountability of public officials at every level". From this quote, it should be clear that serious challenges lie ahead to institutionalise holistic governance – especially to collaborate, coordinate and integrate functions between different actors involved in governance. Leat, Seltzer and Stoker (2002:14) are of the opinion that especially

the following developments gave rise to the development of holistic governance. They are –

- *Problem-solving government*: which maintains that certain felt problems should be addressed and solved by government action, rather than the argument being accepted in advance that these problems are insoluble or that any solution would be worse than the problem;
- *Effectiveness in policy design and implementation*: for effectiveness of governments' social, domestic and economic policies in their publicly stated terms and for their publicly stated goals of social problem-solving, rather than for other implicit goals, symbolic reassurance or simply to provide selective benefits to important interest groups;
- *Rational design*: for systems of accountability, evaluation, data collection on performance and outcomes, and financing within governance systems that are designed to service that end;
- *Integration*: for more specific coordination between agencies as a key feature of that design;
- *Prioritisation*: for more effort to devise systematic, even formula-based strategies by which to settle priorities between problems and available solutions

for the attention of politicians, for the allocation of resources, for the allocation of effort in scrutiny and oversight, rather than simply relying on politics, pressure, media interest and the diligence of interest groups and lobbies and a responsive culture of democratic political government that allocates according to popular concerns, interest group's voices and media pressure; and

Anticipation and prevention: for increased institutionalisation of foresight and anticipation, and the use of more preventive mechanisms in the design of policies and specific interventions in particular cases.

In holistic governance, there are the issues that should be integrated to become a 'whole. In South Africa this would mean that all tiers of government should work closer together, that there is better coordination within government functions such as security (so-called 'cooperative governance'). This would mean, for example, that the South African Police Service, Correctional Service, and the South African Defence Force collaborate or where everybody involved in health provision (i.e. Dept of Health, private medical institutions, local clinics, social care, etc.) work together to achieve joint outcomes. Furthermore, holistic governance also means that the public sector work closer with the private sector, non-governmental organisations, and community-based organisations.

4. PRINCIPLES OF GOOD GOVERNANCE

According to the Development Assistance Committee (DAC) of the OECD, good governance has eight major characteristics.

4.1 Participation

Participation is the act of taking part in an activity or event (Hornby 2005:1062). Participation by citizens is the cornerstone of good governance. It is thus important that governments create mechanisms to facilitate participation in decision-making. Participation could be either direct or indirect through elected representatives. Citizens could participate through groups or associations (e.g., trade unions, chambers of commerce, nongovernment organizations, political parties) and as individuals (e.g., through letters to newspaper editors, participating in radio and television talkshows, voting). At grass roots level, participation should help local government to make decision regarding the design and implementation of public programmes and projects. This increases legitimacy of government and "ownership". Often, citizens could actively participate in these service delivery projects, by, for example, help with the construction of houses in an area.

4.2 Rule of law and respect for human rights

The doctrine of the rule of law is important in governance (Kleyn and Viljoen 1998). Good governance

requires fair legal frameworks that are enforced impartially. It also requires full protection of human rights, particularly those of minority groups in society. To ensure impartiality requires an independent judiciary and an impartial and incorruptible police force. The rule of law encompasses well-defined rights and duties, as well as mechanisms for enforcing them, and settling disputes in an impartial manner. It requires the state to be as much bound by, and answerable to, the legal system as are private individuals and enterprises. Respect for human rights (freedom of movement, political participation, worker's rights, freedom of speech, and freedom of religion) is a further criteria for good governance. These human rights are promoted by the Constitution of South Africa and the International Law (Beukes 2008: 11).

4.3 Openness and Transparency

According to Du Toit et al (2002) public servants are obliged to inform citizens about the administration and management of national and provincial departments, what it costs to run them, and who is responsible for running them. Transparency means that governments can defend the decisions that were taken and that mechanisms were created to facilitate a say in the making of those decisions. It means that government-related information must be freely available and directly accessible to those who will be affected by such

decisions and their enforcement. It also means that enough information is provided and that it is provided in easily understandable forms and media.

Transparency refers to the availability of information to the general public and clarity about government rules, regulations, and decisions. Transparency in government decision-making and public policy implementation reduces uncertainty and can help inhibit corruption among public officials. To this end, rules and procedures that are simple, straightforward, and easy to apply are preferable to those that provide discretionary powers to government officials or that are susceptible to different interpretations. Openness should be a rule to secure public accountability (Du Toit et al 1998:155).

4.4 Responsiveness

Responsiveness is based on the belief that government must answer to the will of the people. It expects that public institutions, officials and political leaders should be sensitive to the needs of the people (Du Toit et al 1998; 113). There are the constitutional stipulations for good governance in section 195 of the Constitution. It states that "...people's needs must be responded to, and the public must be encouraged to participate in policy-making." This means that our Government must ensure that public institutions serve everybody within a reasonable timeframe.

4.5 Consensus-oriented

According to Hornby (2005:309) consensus is an opinion that all members of a group agree with. In a heterogeneous society like South Africa, there are different groups – each with their own views, aspirations, needs, and perceptions. Good governance requires that the Government should try to reach a broad consensus in society on what is in the best interest of the whole community and how this can be achieved. A democracy thus does not simply mean 'majority rule', because the Government must act in the best interest of everybody. This can only result from an understanding of the historical, cultural and social contexts of a given society or community.

4.6 Equity and inclusiveness

According to Riker and Brisbane (1997) equity and inclusiveness is a situation where there is no unfair treatment of certain people based on various factors such as race, religion, tribe, point of view and others. A society's well-being depends on ensuring that all its members feel that they have a stake in it and do not feel excluded from the mainstream of society. This requires all groups, but particularly the most vulnerable, have opportunities to improve or maintain their well-being. This implies that people must have the opportunity to contest elections freely, respect for basic human rights, and the absence of gender discrimination. Without these components of political freedom, many other political

goods that collectively compose good governance are difficult to exercise. No discrimination against people is accepted in good governance and democracy (Du Toit and Van der Waldt 1997:101-102).

4.7 Effectiveness and efficiency

According to Cloete (1994) effectiveness, efficiency and economy are regarded as the 'three good Es' in public governance. Good governance means that processes and institutions produce results that meet the needs of society while making the best use of resources at their disposal. A government should thus utilise scarce resources optimally to the benefit of everybody. Everything and everybody involved in translating resources into service delivery must perform effectively and efficiently. Concepts of efficiency and effectiveness in the context of good governance also cover the sustainable use of natural resources and the protection of the environment.

4.8 Accountability

Buekes *et al* (2008:170) indicate that accountability is a principle of controlling the arbitrary (without good reason) exercise of administrative discretion of persons exercising authoritative authority. Accountability is imperative to make public officials answerable for government behaviour and responsive to the entity from which they derive their authority. Not only governmental institutions but also the private sector and

civil society organisations must be accountable to the public and to their institutional stakeholders. Who is accountable to who varies depending on whether decisions or actions taken are internal or external to an organisation or institution. In general an organisation or an institution is accountable to those who will be affected by its decisions or actions. Accountability cannot be enforced without transparency and the rule of law. Accountability also means establishing criteria to measure the performance of public officials, as well as oversight mechanisms to ensure that the standards are met. The accountability of public sector institutions is facilitated by evaluation of their economic and financial performance. Economic accountability relates to the effectiveness of policy formulation and implementation, and efficiency in resource use. Financial accountability covers accounting systems for expenditure control, and internal and external audits (Geldenhuis 1997).

5. CAUSES OF CONFLICT IN AFRICA

The major causes of conflict in Africa are ethnicity, racism, religion, political affiliation, wealth and service delivery.

5.1 Ethnicity/tribalism

According to Fairchild (1984:256) a tribe is defined as a social group, usually comprising of sibs, bands, villages, or other sub-groups. It

is normally characterised by the possession of a definite territory, a distinct dialect, a homogeneous and distinctive culture, and either a unified political organisation, or at least some sense of common solidarity as against outsiders.

5.2 Racism

Racism is the tendency to identify oneself racially and to show hostility or lack of moral respect for members of other races. The word race is present in all languages of Latin origin, and it is identical in English and French. Race is generally and merely refers to a group of common origin and is thus not clearly distinguishable from ethnicity or nationality. Racialism is the doctrine that indicates that racial categories are important in determining human behaviour. In general racism has shown a capacity to survive long after the demise of racialism as a serious intellectual belief. The politics of race since 1945 can be described as the politics of post-racialist institutions. In its most important forms it has consisted of powerful interest groups maintaining the structures of power which existed when racialism was predominant (McLean and McMillan 2009:448-450).

Globally, the most notable example of this was in South Africa where the victory of the (Boer) Nationalist Party led by Dr Hendrik Verwoerd in 1948 led to the institution of apartheid, a policy of separate development for black, white, Asian, and coloured (mixed race) peoples. Apartheid was often just-

tified in purely cultural terms, but it operated on racial criteria and prohibited interracial communities (McLean and McMillan 2009:450).

5.3 Religion

According to Kleyn & Viljoen (1998) religion determines the relationship between an individual and a Supreme Being. Fairchild (1984) says that religion is the social institution built up around the idea of a supernatural being or beings, and the relation of human beings to them. In any particular culture this idea becomes formalised into a social pattern, or patterns. Such a pattern comes to be known as "the religion" of a particular group. Every religion firstly involves the nature and character of divinity, secondly a set of doctrines concerning the reciprocal duties and obligations between divinity and humanity, and thirdly a set of behaviour patterns designed to conform to the will of God and to assure to the individual behaviour the approval of his conscience and whatever rewards or freedom from penalties in this world or the next are included in the doctrines of particular faith (Fairchild 1984:256).

Some religious people do not tolerate people who do not belong to their religions. They regard them as enemies as long as they do not belong to their religious organisation. There is a need of change of attitude so that people can live together as brothers and sisters in the world.

5.4 Political affiliations

Political parties may be defined by their common aim (Ball, 1993:79). They seek political power either singly or in co-operation with other political parties. In other words, the first and foremost aim of each political party is to prevail over the others in order to get into power or to stay in it.

The main aim of the political party is to capture the state political power (Heywood 2007). The capture of political power, or indeed its retention, can be achieved within existing political structures or by overthrowing them. Working within the political system, parties can present candidates and leaders to the electorate and seek to mobilise the support of the electorate by propaganda, organised activities and by emphasising ideological differences with other parties in competitive party systems. The overthrow of the existing system can be achieved by a *coup d'état*, civil war, guerrilla activities against the existing government, or by capturing power by legitimate electoral means.

5.5 Wealth (resources)

Greed causes the politicians, officials and the capitalists not to be satisfied with the wealth or resources they have (Bauer 2003:22). Wealth can be regarded as material objects owned by human beings or the bodies of owners. The source of all wealth is the land, and the processes of creating wealth

are comprehended in the general term production. The phenomena arising in connection with making and distribution of wealth form the subject matter of the special social science of economists. Wealth is of two main types, production goods and consumption goods and material possessions of considerable amount (Fairchild 1984:337).

5.6. Service delivery

The government is a body with supreme authority over the area of jurisdiction. A government is also regarded as a body of persons and institutions that make and apply all enforceable decisions for a society (Thornhill et al 2014:414). It is a mechanism through which the state operates. The government is responsible to render services for the promotion and improvement of the general welfare of the society. It is also concerned with stimulating development and eradicating development problems such as poverty, inflation, corruption. Government should be responsive to public opinion, and should pursue policies that are prudent, rational and mutually consistent. Policies should manifest themselves as services to the people. There are many strikes which are caused by lack of service delivery and other factors, and are occurring all over South Africa (City Press, 26 June, 2016).

6. INSTITUTIONS FOR PROMOTING GOOD GOVERNANCE AND CONFLICT RESOLUTION IN AFRICA

There are various institutions which are responsible for conflict resolution in Africa. Their effectiveness and efficiency will depend upon the environment and methods of conflict resolution. In this article only two major institutions were mentioned. They are:

6.1 United Nations (UN)

The United Nations is an international organisation which is established to promote co-operation amongst the states of the world. It was established on 24 October 1945. The organisation has purposes such as; to promote and facilitate cooperation in International Law; to promote international security; economic development; social progress ;human rights, civil rights, civil liberties and political freedoms; democracy, good governance; and to achieve lasting world peace (Joyner 1997).

6.2 African Union (AU)

African Union is an international organisation which is established to promote cooperation among the independent states of Africa. It was founded on 26 May 2001 (AU Handbook 2016).

7. MODES OF CONFLICT RESOLUTION

The management of conflicts

places leaders in the difficult situation of having to select a conflict resolution mode. Modes of conflict should be used based on the type of conflict, and whom the conflict is with. Modes of conflict resolution are as follows:

7.1 Confronting (or Collaborating)

This is a problem-solving approach whereby the conflicting parties meet face-to-face and try to work through their disagreements. This approach should focus more on solving the problem and less on being combative. This approach is collaboration and integration where both parties need to win (Meiring 2003:183).

7.2 Compromising

To compromise is to bargain or to search for solutions such that both parties leave with some degree of satisfaction. Compromising is often the end result of confrontation. Some people argue that compromise is a “give and take” approach, which leads to a “win-win” position. Others argue that compromise is a lose-lose position, since neither party gets everything he/she wants or needs (Kerzner 2001:407). According to Riker and Brisbane (1997:119) a compromise is a solution that requires both parties to give in on certain points and allows them to have their way on other points. Through reaching a compromise, each party leaves feeling that the solution to the conflict is acceptable. Every party wins in this mode.

7.3 Smoothing (or Accommodating)

According to Pruitt & Rubin (1986:2-4) accommodating is one of the modes of conflict resolution. This approach is an attempt to reduce the emotions that exist in a conflict. This is accomplished by emphasizing areas of agreement and de-emphasizing areas of disagreement. An example of smoothing would be to tell someone, “We have agreed on three of the five points and there is no reason why we cannot agree on the last two points”. Smoothing does not necessarily resolve a conflict, but tries to convince both parties to remain at the bargaining table because a solution is possible. In smoothing, one may sacrifice one's own goals in order to satisfy the needs of the other party.

7.4 Forcing (or Competing, being uncooperative, being assertive)

According to Kerzner (2001:408) forcing is what happens when one party tries to impose the solution on the other party. Conflict resolution works best when resolution is achieved at the lowest possible levels. The higher up the conflict goes, the greater the tendency for the conflict to be forced, with the result being a “win-lose” situation in which one party wins at the expense of the other.

7.5 Avoiding (or Withdrawing)

Pruitt and Rubin (1986:2-4) says

that avoidance is often regarded as a temporary solution to a problem. The problem and the resulting conflict can come up again and again. Some people view avoiding as cowardice and an unwillingness to be responsive to a situation.

8. RECOMMENDATIONS

This article present recommendations on both good governance and conflict resolution.

8.1 Good governance

There is a need of coming up with laws which will be able to promote good governance. These laws and regulations should not only be made, but should be conformed to and be implemented adequately. Principles of good governance should be followed without an excuse by the leaders, public officials and the community at large.

Educational programmes are significant for modern communities. They need to be introduced, in which the political leaders, public officials, and the community are trained on good governance. All levels of government should be involved in the educational process, in order to promote vivid understanding amongst the stakeholders in good governance. The society, political leaders and public officials should actively participate in governance, and this will help in legitimising their government. They must all take an active part in policy making and implementation,

and all aspects of service delivery.

8.2 Conflict resolution

The political leaders, public officials and community must be ready to agree on issues which are causing conflict in their states. Conflicts need to be resolved in a rational way, and decisions should be made in order to take actions which are just, sound, fair and reasonable to all the affected parties in a conflict. A suitable mode or modes of conflict resolution should be selected in order to promote a manner of resolving conflicts effectively and efficiently. This choice will depend upon the environment, and the type of a conflict.

9. CONCLUSION

The research was conducted at a time when there is no peace in the continent of Africa, as some of its countries are facing various types of conflict. South Africa in particular, is currently encountering conflicts such as service delivery strikes in most of its parts, and some political unrest in other parts of the country. Some African countries are facing violence caused by opposing groups, which are aimed at destabilising and toppling the governments.

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