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AN EVALUATION OF THE VIOLATION OF HUMAN RIGHTS IN AFRICA: THE CASE  
OF NATIONALITY AND POLITICAL RIGHTS IN COTE D' IVOIRE

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ABSTRACT

Cote d' Ivoire was the most peaceful State in the West African sub-region until the death of Houphouet Boigny and the end of his government in 1993. Succeeding regimes in 1993-2010 coined the concept of "Ivoirite" or "Ivorianness" or "true Ivorian" with the intention of excluding potential opponents. The major aim of this paper was to find out whether the nationality and political rights of the northern Ivorians were violated in Cote d' Ivoire between 1993 and 2011. To achieve this aim, the paper adopted historical method of analytical inquiry and interrogated relevant sources of information. It traced the origins of most of the ethnic groups making up the Ivorian nation and highlighted the relevant provisions of the international law prohibiting violation of the rights vis-à-vis the political struggles of the northerners. It was revealed, among other things, that peoples from various parts of Africa had migrated and settled in what is now called Ivory Coast or Cote d' Ivoire and that the Court and the Constitution of Cote d' Ivoire were used to deny the northerners the rights to rule his country as president. The paper concluded that the nationality, citizenship and political rights of the people had been violated as they were discriminated against in their country. The paper recommended that African leaders should respect the rights of their fellow citizens as a panacea for sustainable peace and development in the continent.

*Keywords:* Nationality, Citizenship, Discrimination, Civil Rights, Conventions.

1. INTRODUCTION

In this paper, the expression Cote d' Ivoire is used interchangeably with Ivory Coast. A number of African leaders had at one time or another faced political problems emanating from denial or attempt to deny them nationality and political rights in their respective countries. In Zambia, the opposition used constitutional provision of citizenship to prevent Kenneth Kaunda from contesting the 1996 presidential elections. It could be recalled that Kenneth Kaunda fought for the independence of Zambia<sup>1</sup> and had been the first President of Zambia before he was discriminated against by some political leaders<sup>2</sup>. Also in Zambia, President Frederick Chiluba was discriminated against. In 1997, the legitimacy of the citizenship of Chiluba was brought into question. The citizenship clause in the 1996 constitution stipulated that for one to

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<sup>1</sup> Kenneth D. Kaunda, *Zambia Shall be Free: An Autobiography*. (London: Heinemann, 1978).

<sup>2</sup> *Africana*, April 1997:7

be a citizen of Zambia the person must be born on Zambian soil to two Zambian parents who were both Zambian born. In Nigeria, Alhaji Shugaba suffered similar political discrimination. Alhaji Shugaba was the Great Nigerian Peoples Party (GNPP) Majority Leader in the Old Borno House of Assembly in 1979-1983. He was deported by the National Party of Nigeria (NPN) Government of Alhaji Shehu Shagari from Nigeria to the neighbouring Chad Republic on an allegation that he was a non- Nigerian citizen. Shugaba's party (GNPP) was an opposition party, while the NPN was the party in power at the federal level. Many political pundits believed that the NPN masterminded the deportation with the connivance of the Ministries of Internal Affairs and of Justice. The deportation was seen as an attempt by the executive branch to coerce opposition states including Borno. Following the appeal to Courts by Shugaba's supporters, he was brought back to Nigeria<sup>3</sup>.

It came the turn of Alassane Quattara and his ethnic group in Cote d' Ivoire from 1990s to 2011. Presidential elections appeared to be one of the major political crises in Cote d' Ivoire. In the 2010 presidential election, the main contenders were the opposition leader, Alassane Quattara, a northern Muslim and the then incumbent President Laurent Gbagbo, a southern Christian. Although Alassane Quattara was recognized by the international community as the winner of the 2010 presidential election, President Gbagbo refused to hand over power to him. Consequently, Cote d' Ivoire went through post- presidential election crisis that lasted from November 2010 to April 2011<sup>4</sup>. Some Ivorian political leaders and youth activists blamed "foreign powers" particularly the French for the crises in Ivory Coast<sup>5</sup>. Such claim has been rejected as the traditional way of Africans blaming the West for their economic and political and economic woes<sup>6</sup>. It is against the foregoing background that this paper set to examine whether the nationality and political rights of Alassane Quattara had been violated. To achieve this aim, the paper highlights the relevant international legal instruments that prohibit violation of nationality and political rights as well as discrimination against citizens in their countries. The paper also attempts an analysis of the peopling of Cote d' Ivoire so as to trace the ancestral origins of most citizens of modern Cote d' Ivoire including the past Presidents/leaders and Alassane Quattara and his ethnic group.

## 2. CONCEPTUAL FRAMEWORK

There are a good number of the United Nations Conventions, Declarations, OAU now an African Union Act, ECOWAS Treaty and Protocols and other international legal instruments that have made provisions prohibiting violation of nationality right, political right and discrimination against citizens either by the Member - State or individuals in such States. Article 2 (1) of *the International Covenant on Civil and Political Rights* provides: "Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."<sup>7</sup>

Article 2 (2) adds that where there is no existing legislative or other measures, each Member State is enjoined to take the necessary steps, in accordance with its constitutional

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<sup>3</sup> B. Dudley, *An Introduction to Nigerian Government and Politics* (London: The Macmillan Press Ltd., 1982), pp. 333-4.

<sup>4</sup> Adejuwon Soyinka, "The African Tragedy" *Tell* (December 27, 2010), pp. 20-26.

<sup>5</sup> *Newswatch*, January 17, 2005:23.

<sup>6</sup> J. R. Bassey, "Politics of Citizenship in Ivory Coast: The Case of "A Pot Calling Kettle Black" in *International Journal of Social Sciences* (Vol.7, No.2 September, 2011).

<sup>7</sup> See Article 2 (1) of *The United Nations: International Covenant on Civil and Political Rights* Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966 entry into force 23 March 1976 .

processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant. Article 25 of the said *Covenant* further stipulates:

“Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: (a) To take part in the conduct of public affairs, directly or through freely chosen representatives; (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors; (c) To have access, on general terms of equality, to public service in his country.”<sup>8</sup>

Under Article 27 of the *Covenant on Civil and Political Rights*, those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.<sup>9</sup> Article 1 of the *International Convention on the Elimination of All Forms of Racial Discrimination* defines the term "racial discrimination" to mean “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”

Under Article 2 (1) States Parties condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races, and, to this end. Each State Party undertakes to engage in no act or practice of racial discrimination against persons, groups of persons or institutions and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation. In addition, each State Party undertakes not to sponsor, defend or support racial discrimination by any persons or organizations. Furthermore, each State Party shall take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists. Article 25 states that all States Parties shall undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

“(a) The right to equal treatment before the tribunals and all other organs administering justice; (b) The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution; (c) Political rights, in particular the right to participate in elections-to vote and to stand for election-on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service; (d) other civil rights, in particular: (i) The right to freedom of movement and residence within the border of the State; (ii)

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<sup>8</sup>Ibid. Article 25.

<sup>9</sup>Ibid .Article 27.

The right to leave any country, including one's own, and to return to one's country; (iii) The right to nationality.<sup>10</sup>

Article 2(2) of the *International Covenant on Economic, Social and Cultural Rights* provides that the State shall undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.<sup>11</sup> Similarly, Article 2 of the *Universal Declaration of Human Rights* declares that everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. It provides further that no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty. Article 15 (1)-(2) stipulates: "Everyone has the right to a nationality" and that "No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality." Article 21(1)-(3) of the *Declaration* enshrines thus: (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives; (2) Everyone has the right of equal access to public service in his country. (3) The will of the people shall be the basis of the authority of government; this will be expressed in periodic and genuine elections, which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures<sup>12</sup>.

The United Nations strictly guard against rendering citizens Stateless through denial of nationality and discrimination. Accordingly, the United Nations under Article 1 (1) of its *Convention on the Reduction of Statelessness* directs that a Member State shall grant its nationality to a person born in its territory who would otherwise be stateless. Such nationality shall be granted at birth, by operation of law at birth or upon an application being lodged with the appropriate authority. Article 8 (1) of the *Convention on the Reduction of Statelessness* further provides: "A Contracting State shall not deprive a person of its nationality if such deprivation would render him stateless" except in certain circumstances under paragraphs 4 and 5 of Article 7.<sup>13</sup>

Aside from the United Nations Conventions and Declarations, Regional and sub-regional International Organisations, including the African Union and ECOWAS, have stipulated in their various Charter, Act, Treaty and Protocol provisions seeking to prevent denial of nationality and political rights and discrimination against citizens on Member States. Article 13(1)-(2) of the defunct OAU provided that "Every citizen shall have the right to participate freely in the government of his country, either directly or through freely chosen representatives in accordance with the provisions of the law"; and that "Every citizen shall have the right of equal access to the public service of his country." Article 19 stipulated that all peoples shall be equal; they shall enjoy the same respect and shall have the same rights and that nothing shall justify the domination of a people by another. Under Article 28, every individual shall have the duty to respect and consider his fellow beings without discrimination, and to maintain relations

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<sup>10</sup> The United Nations: International Convention on the Elimination of All Forms of Racial Discrimination Adopted and Opened for Signature and Ratification by General Assembly Resolution 2106(Xx) of 21 December 1965 Entry into Force 4 January 1969.

<sup>11</sup>The United Nations: International Covenant on Economic, Social and Cultural Rights Adopted and Opened for Signature, Ratification and Accession by General Assembly Resolution 2200a (Xxi) of 16 December 1966entry into Force 3 January 1976.

<sup>12</sup> The United Nations: Universal Declaration of Human Rights, 1948.

<sup>13</sup>The United Nations: Convention on the Reduction of Statelessness Done at New York on 30 August 1961.

aimed at promoting, safeguarding and reinforcing mutual respect and tolerance<sup>14</sup>. The African Union enshrines under Paragraph (h) of its objectives that the Union shall be to “Promote and protect the human and peoples' rights in accordance with the African Charter on Human and Peoples' Rights and other relevant human rights instruments.”<sup>15</sup> Under Article 4 (g) and (j) of the *ECOWAS Revised Treaty* dealing with Fundamental Principles, Member States affirm and declare their adherence to “ recognition, promotion and protection of human and peoples' rights in accordance with the provisions of the African Charter on Human and Peoples' Rights. They also affirm and declare their adherence to the promotion and consolidation of democratic system of governance in each Member State as envisaged by the Declaration of Political Principles adopted in Abuja on 6 July, 1991.”<sup>16</sup>

### 3. DISCUSSIONS

#### 3.1 *Migrations and Ethnic Composition in Cote d' Ivoire*

Since about the 13<sup>th</sup> century, various peoples had been migrating from various parts of West Africa and settled in the present-day Ivory Coast<sup>17</sup>. They formed kingdoms such as Akan, Fante, Baoule, Anyi, Sanwi, Kru, and Kua-Kua, Bettie, Moronou, Senoufo, Mankono, Kadioha, Bong, Gyaaman, Kong, Mossi, Dafina, Bobo, Kankan, Gonja, Assinie, Dioula, and Macina. Historically, prior to its colonization by the French, Ivory Coast was home to several pre-colonial West African states, including Gyaaman, the Kong Empire, and the Baoule, Anyi and Sanwi kingdoms.<sup>18</sup> “Various West Africa empires occupied the present day Cote d'Ivoire before European colonization.”<sup>19</sup> The Akan are one of the immigrant ethnic groups in the Ivory Coast. It originated from Old Ghana, and spread to not only Ivory Coast, but also almost the entire West African sub-region.<sup>20</sup> With 20 million members, the Akan are one of the biggest ethnic groups in both Ghana and Ivory Coast. The Baoule and Anyi are Akan groups in the Ivory Coast. Also spelt Bwule or Baule, the Baoule, is the largest Akan<sup>21</sup>. At the beginning of the 20<sup>th</sup> century, the French administrators Nebout and Delafosse described Baoule inhabitants as “a state of perfect anarchy adjusted by the traditions, the customs, and the common sense.”<sup>22</sup>

The Akan people began to migrate to Ivory Coast, probably in the 18<sup>th</sup> century. They moved in order to escape the domination of Ashanti Confederacy. The first President of Ivory Coast, Felix Houphouët Boigny hailed from Baoule.<sup>23</sup> The Kru people were probably the oldest ethnic group in Ivory Coast. The Kua-Kua or Jack-Jack people in Ivory Coast were fishermen and producers of salt. They acted as middlemen between the inhabitants of the interior and the European merchants who had established on the coast. The Kru or Kua-Kua traced their relationship through the male forest forebears (<http://www.cumorah.com> Ivory Coast). The largest Kru population is the Bete, who made up about 6 percent of the Ivory Coast population. The immediate past President, Lauernt Gbagbo does not only hail from Bete, but a paramount

<sup>14</sup> Organisation of African Unity: African [Banjul] Charter on Human and Peoples' Rights, Adopted June 27, 1981, OAU Doc. CAB/LEG/67/3 Rev. 5, 21 I.L.M. 58 (1982), Entered into Force Oct. 21, 1986.

<sup>15</sup> African Union: Constitutive Act of the African Union, 2000.

<sup>16</sup> ECOWAS: Economic Community of West African States (ECOWAS) Revised Treaty, 1993.

<sup>17</sup> J. S. Trimingham, *A History of Islam in West Africa* (London: Oxford University Press, 1962), pp. 142.

<sup>18</sup> A. Muhammad, “The Samorian Occupation of Bondoukou: An Indigenous View” in *International Journal of African Historical Studies* 10(2), 242-258.

<sup>19</sup> <http://www.cumorah.com> Ivory Coast.

<sup>20</sup> <http://en.wikipedia.org/wiki/Akan-people>.

<sup>21</sup> <http://www.cumorah.com> Ivory Coast.

<sup>22</sup> <http://www.african.cart.com/africanethnicgroup>.

<sup>23</sup> A. Zollberg, *One party Government in the Ivory Coast* (Princeton: New Jersey, 1964) p.18.

“chief of Bete.”<sup>24</sup> These groups appeared to be the most indigenous groups in the southern Ivory Coast.

From the north of the Cote D’Ivoire, came the large indigenous savanna group, called the Senoufo<sup>25</sup> who, because they did not form a strong centralized state, they fell prey to the slave traders and suffered plunder and massacre at the hands of Samory’s troops. This further resulted in migrations into Ivory Coast. The Senoufo made up about 10 per cent of the total population in the 1980 census. “The Senoufo migrated to their present day location from the northeast in the 16<sup>th</sup> and 19<sup>th</sup> centuries.”<sup>26</sup>

It has been documented that in the 18<sup>th</sup> century, Sekou Quattara, a native from Macina founded the Dioula kingdom of Kong, which situated in the Savanna between the N’Zi and Comoe rivers. The aim was to protect the trade routes of the region, which was frequented by the Doioula people. Kong was a great commercial and religious city. It made huge profits from the Camel Caravans which took kola nuts and gold from the forest south to the Sudan and returned with trade goods, e.g. salt, to the South. The city was greatly influenced by Islam, as several small theocratic states grew up around it in the 19<sup>th</sup> century.<sup>27</sup> According a source, the largest non- Ivory Coast Africans in Cote d’Ivoire were Muslim (70 per cent), speaking French and migrated from Burkina Faso<sup>28</sup>. The Malians, like the Burkinabes had, for economic reasons, migrated and settled in Ivory Coast since about 300 to 600 years ago.<sup>29</sup>

The ethnic composition of population in Ivory Coast shows that the Akan people constitute 42.1 percent (comprising Baoule 24 per cent, Bete 18.1per cent), the Krou 11.05 per cent, Senoufo 15 per cent, Malinke 11 per cent, foreign Africans (mostly Burkinabe and Malians, about 3 million), non-Africans 130,000 to 330,000 (French 30,000 and Lebanese 100,000 to 300,000). The religious divide is as follows: Indigenous 25per cent, Muslim 60 percent, and Christian 12 percent.<sup>30</sup> Most of these “Migrants” were in fact born and bred in the Ivory Coast. The major languages include Senoufo (13 per cent), Baoule (10 per cent), Bete (2 per cent); French being the official language.<sup>31</sup>

About one-third Ivory Coast’s population is made up of “migrant” workers from other West African nation, namely, Burkina Faso, Mali, Guinea, Sierra Leone and Liberia. Their parents had carried out the migrations at the time when the Ivory Coast was more prosperous than many of its neighbours in the rest of West Africa. These migrants worked as labourers on the Ivorian cocoa, palm plantations, in the timber industry, on the docks and in the markets. Much of the prosperity of the Ivory Coast was due to their hard work; but because they were poorly paid, they lived in the slums of cities like Abidjan.<sup>32</sup> Certain factors necessitated movement of peoples into Cote d’Ivoire. The factors included trade and trade routes, gold mines, wars, agricultural activities, and Islam.<sup>33</sup>

### *3.2 The Beginning of Violation of Nationality and Political Rights in Cote d’Ivoire*

An open attitude of the Ivoirian government towards foreigners was a very significant factor that encouraged an influx of peoples into Ivory Coast, especially during the colonial and

<sup>24</sup> The Nation April 17, 2011:3.

<sup>25</sup> R. Uwechue, *Africa Today*, (London: Africa Books Ltd., 1991),p. 779-80.

<sup>26</sup> <http://country.studies.us/ivory>.

<sup>27</sup> Uwechue, *Africa Today*, p.780.

<sup>28</sup> [http://www.cumorah.com/Ivory Coast](http://www.cumorah.com/Ivory%20Coast)([http://www.cumorah.com/Ivory Coast](http://www.cumorah.com/Ivory%20Coast)).

<sup>29</sup> BBC Focus on Africa (January-March 2003),p.16.

<sup>30</sup> C. Duodu (2002). *Ivory Coast: Descent to Chaos in Africa Today**Voice of the Continent* 8(10): 16.

<sup>31</sup> [http://www.cumorah.com/Ivory Coast](http://www.cumorah.com/Ivory%20Coast).

<sup>32</sup> Duodu, *Ivory Coast* p. 15.

<sup>33</sup> Trimmingham, *A History of Islam ...*pp.142-143; M. Crowder, *West Africa Under Colonial Rule* (Benin City: Ethiopia, 1968),pp. 72-3.

post-colonial up to the 1990s. Since in the colonial times up to Houphouet Boigny's regime, the Ivory Coast economy had been opened to citizens of other West African countries. Ivory Coast had always claimed to be different from its neighbours in terms of providing employment opportunities to citizens of other ECOWAS members. Its claim may not be baseless because, it is on record that, "[A]fter independence from France in 1960, it invited the citizens of its less fortunate neighbours to come and grow cocoa and coffee, or to work as domestic or security staff for the prosperous villas of Abidjan. It took in refugees from Liberia's civil war, and housed them in villages among its own people, not in camps."<sup>34</sup>

There was no evidence of ethnic, political or religious discriminations during the pre-colonial, colonial and post-colonial periods up to 1990s in Ivory Coast. Immigrants, including both Christians and Muslims, were offered employment opportunities as farmhands, miners, clerks, domestic servants, and so on, because Ivory Coast had "an open attitude towards foreigners (which) made it a magnet for workers from neighbouring countries like Burkina Faso, Mali, and Ghana"<sup>35</sup>, especially during days of late President Houphouet Boigny. However, things began to change to the disadvantage of the northerners/Muslims after the death of Houphouet Boigny in 1993. There were ethnic, political, administrative, and religious discriminations against the northerners/Muslims. As one researcher observed, "[Alassane] Quattara whose roots are embedded in Burkina Faso had been done by an electoral system that disenfranchised Quattara and other northerners."<sup>36</sup> The political discrimination suffered by the northern Ivoirians could better be demonstrated by looking at what Quattara<sup>37</sup> went through to become the President of Ivory Coast.

### *3.3 Violation of Alassane Quattara's Nationality and Political Rights*

The case of Alassane Dramane Quattara, now the incumbent President of Ivory Coast, illustrated the problem of what some southern political leaders termed "aborigines", "true Ivoirians", "settlers" and "foreigners". Contrary to the claims by some Ivorian political leaders, Alassane Quattara and his kinsmen were not "settlers" or "foreigners". Their forebears had been indigenised by permanently living there for more than five hundred years. According to Professor Trimmingham, by the 15<sup>th</sup> / 16<sup>th</sup> centuries, the Muslims had formed hundreds of settlements all over Western Guinea from The Gambia to Liberia. Their settlements in northern Ivory Coast included Kankan, Mankono, Kadioha, Bong, and Kong and in the Voltaic region (Mossi, Dafina, Bobo, Senoufo, and Gonja countries).<sup>38</sup> They were accommodating. They adopted many customs and married wives from the local people. They did not regard themselves as living a particular life in a pagan environment, but as sharing in its life (though they preserved Islamic characteristics and remained a distinct element). Thus, as it had also been reported, the Muslims were not disturbing elements among their hosts in Ivory Coast.<sup>39</sup> This implied that the Muslim groups including Alassane Quattara's forebears had founded settlements in the present-day Ivory Coast as far back as more than 500 years ago.

The name "Quattara" is not a new name in African history. Quattara is a root-name known to be not only one of the prominent founders of polities, but also an outstanding nation builder in pre-colonial Africa. Like other groups of people who migrated from elsewhere in the present day Ivory Coast, Quattara's group might have, for economic and religious reasons, moved further south, from Burkina Faso since about five centuries ago.

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<sup>34</sup>T. Griffiths, "Too Sophisticated For War" in BBC Focus on Africa (January-March, 2003.), p.12.

<sup>35</sup><http://beeafrika.com/pt/A-Brief-History-of-Ivory-Coast-crisis>

<sup>36</sup> News Africa (January 31, 2011), p.20.

<sup>37</sup> Alassane is the incumbent President of Ivory Coast.

<sup>38</sup> Trimmingham, A History of Islam...pp.142-3.

<sup>39</sup> Ibid.

Alassane Dramane Quattara had held top political and administrative offices nationally, regionally, and globally. He was a staff of the International Monetary Fund (I M F). He was the Prime Minister of Ivory Coast during the last regime of Houphouet Boigny (1990 – 1995). Being a reputable international financial manager, Alassane Quattara was appointed by President Boigny as Head of Inter-Ministerial Coordination Committee for stabilization and economic recovery, a post that was created by the National Assembly on November 6, 1990. Alassane Quattara was also appointed as Ivoirian Governor of the Banque Centrale de Etats de l' Afrique L' Q uest (BCEAO)<sup>40</sup> to work out new economic measures for the country.

In spite of these enviable positions, Alassane Quattara was politically discriminated against by the politicians from the southern part of the country, including the immediate past President Laurent Gbagbo. The southern citizens saw the northern citizens as foreigners/ settlers who should not be allowed to hold important political and administrative offices in Ivory Coast. Ethnic politics was widened during the 1995, 1999, 2005, and 2010 presidential elections that were organised to return the country to true democracy.

To dis-Ivorianise Quattara and disqualify him from running against Robert Guei, in the 1999 presidential election, the latter appointed a high-ranking member of his own party as the Judge, who, of course, solemnly ruled that Quattara was not an Ivorian citizen at all but a Burkinabe.<sup>41</sup> Gbagbo won the 1999 presidential election. Guei tried to overturn the victory but he was prevented from doing so by the Ivorian populace who took to the streets to chase Guei out of town. Henry Bedie, who succeeded Boigny usually emphasised his similar background to Boigny. Both presidents hailed from Baoule, which is said to have originated from Akan cocoa planters in Ghana. However, unlike Houphouet-Boigny, Henry Bedie popularised the concept of "Ivoirite" or "Ivorianness" as a way of excluding potential opponents, such as Alassane Quattara<sup>42</sup>. Ironically, "as a son of so-called immigrants, Quattara prospered politically under the avuncular despot (Houphouet Boigny), rising to the top post of Prime Minister..."<sup>43</sup> "Boigny's successor, President Henry Konan Bedie coined the term 'Ivoirite' or 'true Ivorian'; created ethnic tension among a population that included many immigrants."<sup>44</sup> Gbagbo, like his predecessors, Bedie and Guei, also wanted to "dis-Ivorianse" Quattara by declaring his Ivorian nationality invalid, so as to prevent him from the presidency against them.<sup>45</sup>

The Quattara's home was pillaged and later burned by gendarmes during the curfew hours.<sup>46</sup> Constitutional amendments were made requiring presidential candidates to have two Ivorian-born parents. Obviously, this had been a tall order in a country with a very high percentage of migrant-turned citizens. As one of the Nigerian newspapers put it, "... nationality clause seeks to enforce an aborigine/settler dichotomy, thereby excluding rivals from political competition. Of course, whipping such bogey was intended to raise the bar against Alassane Quattara whose parents are believed to be settlers in the north."<sup>47</sup> A section of the media also rightly observed that, "the obscure (nationality) clause was constitutional effort to prevent the so-called aliens from voting or being voted for... In post colonial Africa, this was clearly unprecedented; an act of civil and electoral genocide. Quattara became a virtual unperson in his own country."<sup>48</sup> Ironically, Laurent Gbagbo, who went to jail in the 1980s for

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<sup>40</sup> Banque Centrale de Etats de l' Afrique L' Q uest (BCEAO) is the CFA Franc issuing central bank for the seven francophone West African States.

<sup>41</sup> Africa Today, (October 2002), p.15.

<sup>42</sup> Griffiths, "Too Sophisticated For War" p.12.

<sup>43</sup> The Nation (April 17, 2011), p.3

<sup>44</sup> <http://beeafrika.com/pt/>

<sup>45</sup> BBC Focus on Africa (January-March 2003), p.16

<sup>46</sup> Griffiths, "Too Sophisticated For War, p 12.

<sup>47</sup> The Nation (April 12, 2011), p.14

<sup>48</sup> The Nation (April 17, 2011), p.14



protesting against Houphouet-Boigny's government, was himself having recourse to the promotion of "nationality clause" in the country's constitution to consolidate his political

Alassane Quattara had been involved in the struggle for the presidency in Ivory Coast for nearly two decades. He contested presidential election in 1995 and in 2000 as a nominee of Rally of a Republican opposition party. "But the new politician who was viewed as a technocrat and too western by critics, was disqualified both times (1999 and 2000) because of a ruling that the presidential candidate could not have a foreign parent. A court in 1995 had ruled that Quattara's mother was from Burkina Faso, a claim Quattara had denied. At a point, he was even denied citizenship of Ivory Coast. Having narrowly escaped political assassination during the 2003 crisis, the Quattara whose wife is French had been sheltering at the French embassy on condition of silence. He was widely believed to have won the 2010 presidential elections, but again it was overturned. The UN, which had access to the voting results, confirmed that Quattara won the election. The European Union (EU), the African Union (AU), the Economic Community of West African States (ECOWAS), as well as the United States, France and Britain are strongly in support of Quattara. These international organizations and world leaders urged Gbagbo to step down and hand over power to Quattara, but Gbagbo refused to yield.

In support of Alassane Quattara, ethnic affinity and irredentism<sup>49</sup> were invoked by the northern Ivoirians and citizens of Mali and Burkina Faso during the nearly six months (November, 2010 – April, 2011) of power struggle between the President – elect Alassane Quattara and the then outgoing President Laurent Gbagbo. In fact, the Rebel forces or New Forces that supported President Quattara were largely made up of two ethnic groups - Dioulas and Senoufo – who were predominantly Muslim and had close ethnic ties with Mali and Burkina Faso. The two counties are lying to the north of Ivory Coast.

In 2003, a group called Collective to Defend Malian Abroad in support of Alassane Quattara staged a protest march against the much criticized "Ivoirite" that excluded Ivoirian opposition leader Alassane Quattara from presidential elections. The immigrants-turned citizens believed they were being discriminated against in Ivorian politics. They wanted fair elections. The south of the country was considered more developed than the north. The predominantly southern region profited from the former boom times of the cocoa industry and generations of political patronage.<sup>50</sup> Many of the poor shacks and houses inhabited by northern Muslim workers and traders in Abidjan's poor slums were looted, and burnt down and 1,700 of the northerners rendered homeless in just one day, shortly after the 2002 coup attempt had failed in Abidjan.<sup>51</sup>

#### 4. CONCLUSIONS

The political instability that had engulfed Cote d' Ivoire was ignited by some political leaders who created, constitutionalised, and enforced "aborigines" or "settlers" or "aliens" dichotomy in the country. Following the death of the first President, Houphouet-Boigny in 1993, the hitherto stable political and economic situations changed for the worse. The southern

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<sup>49</sup>Irredentism is a major problem facing many post colonial African states. The problem came as a result of partitioning of Africa by European Powers in the 19<sup>th</sup> century. The imperial partitioning scattered indigenous peoples. Ivory Coast is facing the problem of irredentism just like Somalia where the people were scattered among five sovereign states namely British Somaliland, Italian Somaliland, French Somaliland, Ethiopia and Kenya. North Eastern Kenya has large ethnic Somali population who wish to be part of greater Somaliland. Many Somalis living in Kenya owe their loyalty to their kin across the border than to the Kenyan government.

<sup>50</sup> <http://beeafrika.com/pt>, <http://cumorah.com>. Ivory Coast.

<sup>51</sup>Ibid.

political leaders began to claim that the northerners were immigrants and not true citizens of the Ivory Coast. Elective or appointive political offices were being subjected to ethnic, citizenship and religious considerations to the disadvantage of the Northerners. The political discrimination was brought to the fore in late 2010, when the opposition leader, Alassane Quattara, a northern Muslim, won a presidential election, but the incumbent President Laurent Gbagbo, a southern Christian, refused to hand over power until the internationally-backed rebel forces flushed him out of office in April, 2011. The Akan and the Bete ethnic groups seemed to have dominated the political life of the Ivoirians more than any other groups in the country. Almost all the past Presidents of Ivory Coast originated from the Akan and Bete ethnic groups. Late President Houphouet Boigny and his successor, Henry Bedie, hailed from Baoule founded by Queen Abla of the Akan and Ashanti ethnic group that originated from Old Ghana. The immediate past President Laurent Gbagbo originated from Bete, which, though an indigenous group, had for centuries intermingled with the Akan and other groups. The majority of the population in Cote d' Ivoire as in other parts of Africa appear to be immigrants-turned citizens. Therefore, in this 21<sup>st</sup> century, any talk of "aborigine Ivoirians" or "true Ivoirians" is a show of ignorance of history.

All the constitutional provisions and judicial decisions that sought to de-ivorianise and discriminate against Alassane Quattara and his ethnic group and indeed any Ivorian citizen, whose forebears had inhabited the territory for more than three centuries ago, violated the relevant provisions of the international law on nationality and political rights, earlier set out above. The Ivorian laws regarding indigenization appeared to have been enacted in bad faith and were capable of rendering Alassane Quattara and his people stateless in their country. The law is that no person should be rendered stateless, just as no child should be made fatherless. In order to ensure sustainable peace and development, African political leaders should respect the nationality, citizenship and political rights and the right against discrimination of their fellow citizens.

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