

Why Waning Wars Wax; a Relook at the Failure of Arusha Peace Accord, the Peace Agreement-Implementation Gap and the Onset of the Rwandan Genocide.

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Abstract

The signing of peace agreement does not always end conflicts. Rather, dying conflicts have resurrected after the failure of peace implementation. This article introduces the concept of Peace Agreement-Implementation Gap (PAIG) as an explanation to why waning wars wax after peace agreement. The Arusha Peace Accord (APA) and the infamous Rwandan Genocide is revisited to examine the role of spoilers and incentive incompatibility in the failure of peace agreement. The article argues that the negotiation of the APA was flawed by the exclusion of key stakeholders who later became substantively organised spoilers, thus, undermining the peace agreement. Additionally, with a lack of potential benefit, there was minimal international commitment to the implementation of the APA. Ultimately, the reluctance of strong powers to commit troops in a difficult field coupled with the internal wrangling of local spoilers hindered the successful implementation of the APA, which in turn led to the genocide.

Keywords: Spoiler, Rwandan genocide, Peace Agreement-Implementation Gap, Conflict.

Introduction

In April 1994, war broke out in the Rwanda between Hutus and Tutsis in what later become known as the Rwandan genocide. About the same period, a similar recurrence of violent conflict was observed in Angola. A common denominator of both wars was that they were preceded by a peace agreement by warring parties to prevent such recurrence.

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Unfortunately, “in both cases the death and destruction were staggering: an estimated 350,000 dead in Angola and 800,000 dead in Rwanda” (Stedman et al, 2002, p. 1). Consequently, these events have come to challenge the erstwhile dominant view of peace negotiation, thus, the ending of a peace negotiating process and subsequent signing of a peace agreement will invariably bring lasting peace. It has been identified that the period immediately after the signing of a peace agreement is the most uncertain and risky time because this is the time when most peace agreements are likely to fail (Stedman, 2001). It is against this background that the interest of this paper rest, specifically on the issue of ‘peace agreement-implementation gap’ (PAIG)². Understanding what causes PAIG is significant in diagnosis and addressing gaps in peace negotiations in order to increase the success of peace deals.

In this paper, I seek to examine how peace negotiations are curtailed by two main factors that contribute to the gap between peace agreement and peace implementation; the presence of local spoilers and low external commitment to the implementation of peace deals. The paper takes as its point of departure, the two prominent factors identified in peace negotiation literature which are the concepts of ‘spoilers’ and ‘incentive incompatibilities’ as espoused by Stedman (2001). On this basis, the underlying research question remains; how does the concept of spoiler (s) and incentive incompatibility contribute to the failure of peace implementation?

The paper will proceed as follows. The introduction is preceded by a brief conceptualisation of the topical issues as well as the theoretical framework within which the paper will be discussed. In the third section, I focus on the case study of the Arusha Peace Accords and examine the role and impact of spoilers and incentive incompatibilities on the failure of the peace implementation. The final section draws a conclusion that it is the presence of spoilers and the incompatibility of incentives for an effective international commitment that are arguably the two most important factors contributing to peace agreement and negotiation gap.

²The concept is borrowed from public policy discourse, particularly on public policy-implementation gap. For further information, see Sutton (1999)

2. Conceptualisation

2.1. Peace negotiation, Peace agreement and Peace implementation.

Peace negotiation is often regarded as “a process in which explicit proposals are put forward ostensibly for the purpose of reaching an agreement on an exchange or on the realization of a common interest where conflicting interests are present” (Iklé, 1964 cited in Hopmann, 1996, p. 25). Such a process should ultimately seek to iron out the different interest of parties and produce an outcome that is beneficial and acceptable to all parties, in a form of a peace agreement. Peace agreements therefore become the “contracts intended to end a violent conflict or to significantly transform a conflict so that it can be more constructively addressed” (Yawanarajah and Ouellet, 2003).

Though there are various types and forms of agreements that can be reached during a [peace negotiation process](#), emphasis is on the conclusive comprehensive agreements that finalises the end of a peace process. Such an agreement embodies detailed steps for peace implementation as the final step of peace-making and peace building. According to Stedman (2001, p. 7), peace implementation is the process of carrying out a specific peace agreement which focuses on the narrow, relatively short-term efforts to get warring parties to comply with their written commitments to peace. This definition is too narrow since it fails to capture the long-term efforts towards peace building that have direct roots from a peace agreement. Nevertheless, it is significant for this paper as it captures the most crucial time for peace implementation, thus, the short-term after an agreement has been signed.

2.2. Connecting the strings: Introducing the Peace Agreement-Implementation Gap (PAIG)

Though the field of peace negotiation in general has been widely researched by scholars, a large majority of such studies have centred on the peace negotiation process, for example on why warring parties will enter into negotiation, how different types of negotiation strategy are featured in a peace process (Hopmann, 1996) and the types and impact of power asymmetry in negotiation (Habeeb, 1988). Less attention has been paid specifically to the implementation aspect of peace building after negotiation agreements have been reached.

One of the very robust studies on peace implementation was conducted by Stedman (2001) of the Stanford Centre for International Security and Cooperation (CISAC). In the study titled 'Implementing Peace Agreements in Civil Wars: Lessons and Recommendations for Policymakers', he highlights certain factors that contributed to the failure of peace implementation namely the difficulty of the environment and the level of incentive compatibility (see below). He concluded that the period immediately after a peace agreement has been signed is mostly uncertain, risky time and susceptible to failure (Stedman, 2001). Similarly, Hartzell and Hoddie's (2003) study of peace agreements find that peace agreements, on average, last for less than five years, for various reasons including lack of follow-up, lack of a supportive environment and failure to address the root causes of conflict. Clearly, not all agreements are implemented and not all implemented agreements succeed. This is where the concept of Peace Agreement-Implementation Gap (PAIG) becomes relevant.

The concept of PAIG as introduced in this paper explains the gap that exists between the signing of a peace agreement and the implementation of such an agreement. In this context, the concept captures the period after an agreement has been reached and the failure of the agreement to be implemented or the failure of the implementation itself.

2.3.Theoretical perspective: Spoilers, Incentive (in) compatibilities and the PAIG.

To further explain the PAIG, I adopt Stedman's (2001) theory on peace implementation failure. Stedman (2001) posits that success or failure of peace implementation depends on two broad factors; the difficulty of the environment and the incentive compatibility. Thus, a more difficult environment is less likely to implement a peace agreement. The difficulty of an environment is thought to be analysed based on three main conditions namely the nature of spoilers, neighbouring states and valuable spoils. For the purpose of this paper and as a point of departure, emphasis is placed on the nature and scope of spoilers and incentive incompatibility as the most important determinants of PAIG. That notwithstanding, other important concepts espoused under this thesis will be reintroduced as and when they are necessarily related to the paper.

In his work, Stedman (2001, p.2) defines spoilers as "factions or leaders who oppose the peace agreement and use violence to undermine it." He further notes that the effectiveness of spoilers in undermining peace implementation will depend on their numbers, commitment and resources. The availability of many strong, committed and well-resourced spoilers within a negotiation situation tend to create a negative environment within which peace implementation is likely to fail.

On incentive compatibilities, he argues that major and regional power interest plays a key role in peace implementation success. Particularly in difficult environments, such roles may be characterised by "incompatibilities between the strategies that are needed for success and the incentives of the major powers to support those strategies". An important consideration is the national interest of the international powers. Thus, "strategies must be in the self-interest of critical actors in order to be implemented" otherwise, the more difficult the environment gets, the less likely that peace will be effectively implemented due to low commitment (Stedman, 2001; Stedman et al, 2002). It is within this framework that the next sections will be discussed. At this juncture, a case study approach will be necessary to apply the theoretical proposition to understand and explain why peace implementation failed in a particular context of Rwanda.

3. Case Study: The failure of the Arusha Peace Accords and the onset of the Rwandan Genocide.

The choice of this case has been influenced by two key reasons. First, the Arusha Peace Accords represent one of the well-crafted peace agreements that had a higher likelihood of implementation success but failed to live up to a year. Indeed, the Arusha Accords "are an extraordinary testament to the fact that even the well-crafted negotiation cannot be considered an accomplishment until implemented" (Scorgie, 2004, p. 66) For this reason, the case study may be considered as a least-likely case for peace agreement to fail, thus makes it an interesting case to strengthen the understanding of PAIG and peace implementation failure (Gerring, 2007). Second, the genocide that followed after the Rwandan (Arusha) PAIG is till date one of the deadliest conflicts the world, and for that matter Africa has experience.

3.1. The Arusha (Peace) Accords (APA)

The Arusha Peace Accords were a series of agreements that was signed and concluded on the 4th of August 1993 after almost a year of peace negotiation between the Government of Rwanda (GoR) and the Rwandan Patriotic Front (RPF) to end the three year Rwanda Civil War. At the time the agreement was reached, it was touted as one of the best examples of a successful conflict resolution on the continent (Adelman & Suhrke, 2000; Scorgie, 2004). However, as successful as it may be in bringing warring parties into an agreement and temporarily halting violence and the cessation of hostilities, the APA proved unsuccessful in its implementation due to both inherent factors of the negotiation process itself and external factors of implementation. The next section discusses the role of spoiler and incentive incompatibilities in contributing to the failure of the implementation of the APA.

3.2. The role and impact of spoilers in undermining the APA.

The explanation for the failure of peace implementation and for that matter the existence of PAIG can be both endogenous; when causal factors are embedded in the negotiation process itself and exogenous; when causal factors are not directly dependent on the negotiation process but rather on at the implementation stage. To aid an understanding of the role of spoilers in peace implementation failure, it is imperative to uncover the emergence of spoilers in the negotiation process first.

During the negotiation process between the Government of Rwanda (GoR) and the Rwandan Patriotic Front (RPF), the delegation representing the former consisted of three separate factions (1. The President Habyarimana's ruling political party, the National Revolutionary Movement for Development (MRND); 2. Members of Coalition for the Defence of the Republic (CDR) – the most extreme, far right-wing faction; 3. Representatives of various opposition parties in government) all reporting to different centres of power (Jones, 2001). Two main interrelated endogenous problems emanated from this division at the negotiation stage; a weakened bargaining power and a one-sided concession. First, an extremely divided team meant that coming into the negotiation table with a unified voice on very contentious issues was almost impossible. It also meant that GoR delegation was characterised with an internal institutional barrier that became a serious impediment to an enhanced bargaining strength throughout the negotiation.

Watkins and Rosegrant (2000, p. 57) argue that 'institutional barriers' foster "internal political and organizational dynamics within institutions that complicate negotiations between them". Indeed, with such a fractured and polarised team, the leader of the GoR delegation, Foreign Minister Ngulinzira declared that it was often harder to come to agreement within the GoR itself than with the RPF (Stettenheim, 2002).

Considering their weakened bargaining strength, the GoR were forced to make concessions over concessions towards a more united and organized RPF. Besides the weak bargaining power of the GoR, the RPF also maintained a significant BATNA in terms of force against a government with worsening economic conditions due to protracted war. This made the RPF more patient and in a better position to force the weak GoR delegation to concede on numerous occasions. For instance, on the contentious issue of the membership composition of the national army, the GoR suggested a 15 percent share for the RPF, which was followed by a counter-offer of 50-50 from the RPF (Adelman & Suhrke, 2000). Scorgie, (2004, p. 68) maintains that "the lop-sided negotiation dance that ensued consisted of only the GoR making concessions, and consequently the outcome was a national army composed of 50 percent Tutsis".

The GoR delegation was further weakened in terms of number and voting power during the fifth stage of negotiations where the RPF insisted (and were granted their demand) that the extremist right-wing faction of the GoR delegation (CDR) be excluded from both the negotiations and any future government (Adelman & Suhrke, 2000). Such marginalisation rather facilitated the intensity, commitment and resource building of the CDR, as they later become an organized spoiler ready to oppose the peace agreement and use violence to undermine it.

The peace agreement also brewed a potential spoiler (President Habyarimana and his cohorts) on the issue of 'Broad-Based Transitional Government' (BBTG). The third protocol, also known as the 'Arusha III' which mandated the formulation of a new 'Broad-Based Transitional Government' (BBTG) stripped many powers from the office of the President, transferring them to the transitional government and leaving the president with merely ceremonial ones (Adelman & Suhrke, 2000). Thus, the Arusha Accords did not go down well with Habyarimana as he continually felt targeted.

In fact, a recurring pattern during the negotiation process was that whenever the delegation leader Ngulinzira made conciliatory proposals and concessions, the President Habyarimana stepped in and veto his authority (Scorgie, 2004, p. 68). Thus, the finalisation of the Arusha III proved to be a difficult agreement to be implemented by the government led by President Habyarimana and his political elites. Consequently, President Habyarimana and his followers emerged as plausible spoilers to the negotiated agreement.

These endogenous spoiler factors and circumstances affected the stability of the outcome of the peace agreement. Such arguments resonated with scholars such as Habeeb (1988) and Hopmann (1996). Hopmann (1996, p. 28) maintains that an “acceptable agreement resulting from negotiation must be mutually beneficial for all parties participating in the negotiation”... since the goal of negotiation is to “achieve mutually beneficial outcomes that will at least serve the basic interest of all parties affected by a particular decision”. On this basis, it is prudent to conclude the Arusha Accords was outdated at birth, since it did not promote a win-win situation but rather a lose-win situation that was not meant to last at the implementation stage.

On August 4, 1993, when the final round of the negotiation processed was finalised, there was joy and optimism in the air after President Habyarimana and Colonel Alexis Kanyarunge, the Chairman of the RPF, signed the final agreement (Scorgie, 2004). What was next was the implementation of the agreement. At this stage, the presence of spoilers proved to be a major obstacle to a successful peace implementation and a huge contributing factor to the PAIG that later characterised the APA. Clearly, though the weakened bargaining strength and the lose concession made by the GoR delegation did not actually prevent them from signing the peace agreement, they nevertheless had an influential role in the failed implementation of the Accords. This will further be discussed below under exclusivity of extremist.

3.3. The role of incentive incompatibility in the failure of implementing the APA

A second factor responsible for the failure of the peace implementation can be attributed to the incentive incompatibility that characterised the agreement and its implementation. According to Stedman (2001), strategies must be in the self-interest of critical actors in order to be implemented. Essentially, the idea is that internal and external actors are less likely to act against or refuse to implement actions that are of their interest.

In terms of internal actors, the concept of spoilers as discussed above explains how commitment and strategies to implement peace were not matched by the incentive due to the loss incurred by some factions namely, the CDR Camp and the Habyarimana camp during the peace process. Emphasis at this stage is therefore mostly on the low commitment exhibited by international actors that played a role in the peace implementation.

The UN and the international community were to provide a "neutral international force" to assist in the implementation of the peace accords, specifically on helping to facilitate the disarmament, demobilization, and reintegration program (Willard, 2014). When the agreement was signed, the United Nations Assistance Mission for Rwanda (UNAMIR) was established in October 1993 to that effect. But there were some inherent challenges during the peace implementation which made the environment even more difficult. These challenges included financial constraints, continued distrust among warring parties among other the things. For example, there was lack of attention to the growing climate of distrust on the ground.

In a report by Joyce Leader (Deputy Chief of Mission for the US Embassy in Rwanda, 1993) it was stated that "although leaders of both sides have signed the peace accord, neither side trusts the intentions of the other" (Willard, 2014). She further laments about the role of historic rivalries between the majorities Hutu, who predominate inside the country, and the minority Tutsi, who predominate within the RPF, in fuelling distrust and antagonism. For example. "On the one hand, doubts persist about whether the RPF is committed to democracy or to a takeover of the government and the restoration of Tutsi rule. On the other hand, doubts also persist about the commitment of the president and his close entourage to sharing governance of the country with the RPF" (Willard, 2014).

These uncertainties breed an unstable environment within which the APA would be implemented. As will be shown later, the growing issue of trust during the implementation stage was not limited to the warring parties alone but also towards the international community as a whole. As Stedman (2001) contends, when environments become more difficult, external parties without direct self-interest are likely to either withdraw or scale back their efforts. Since the APA was of little strategic importance to either regional or great powers, the international commitment needed to fully implement the peace agreement was mediocre (Scorgie, 2004; Willard, 2014).

The signs of low commitment to peace implementation were evident right after the agreement. At the early stage of the commencement of the UNAMIR, it had been envisaged that the critical twenty-two month transitional period, immediately following the signing of the Arusha Accords, would be overseen by the UNAMIR – a force that was supposed to arrive just thirty-seven days after the conclusion of negotiations (Adelman & Suhrke, 2000). However, it was not until three weeks after those thirty-seven days before a resolution was even passed to create the force (Des Forges, 1999). It took an additional two months before any substantial number of peacekeepers to arrive in Rwanda (Scorgie, 2004). These circumstances also created a confidence gap that not only delayed the development of the 'Broad-Based Transitional Government', but also fuelled the climate of insecurity ("New government," 1994, p. 1).

As the peace implementation stage continued, further challenges emerged that demonstrated the lack of international commitment - due to incentive incompatibility - in a difficult environment. First, the international community struggled to come up with the funds for the peace implementation which meant that the transitional government would not be installed and the demobilization program was never implemented. The situation was one of a complex 'catch 22'. On the one hand, in terms of confidence-building in peace process, donors and great powers may perhaps be more confident to commit funds if the transitional government was at least established. Willard (2014) notes that "international community will not provide humanitarian and development aid (including for the demobilization program) until the Rwandans installed their transitional government as agreed upon in the Arusha Accords. However, due to both financial and structural instability on the ground, this was not possible, which then meant that, attracting funding was a matter of hope. This situation resulted in a huge gap between the strategies and resources needed and the incentives to provide such resources, thus, made peace implementation unsuccessful.

...we had to go out with hat in hand saying, who's going to pay for these pensions? Well, the IMF [International Monetary Fund] said, we don't do that. The World Bank said, we don't do that. The U.N. says, we don't do that. So we said well, we better start figuring out who's going to do it, because when we get all these soldiers into demobilization camps, and they've been promised this, and they know it, and they don't get it, there's going to be trouble.

(Major Brent Beardsley, military assistant to UNAMIR force commander, General Roméo Dallaire cited in Willard, 2014)

The financial constraint driven by the inability to collate funds was arguably due to the lack of 'valuable spoils' that would attract international attention to Rwanda. Stedman (2002) categorises valuable spoils as those easily marketed resources such as gold, diamonds, oil and timber. He uses the concept to argue that such commodities often make for a difficult environment during the implementation of peace, in part due to third-party profiteering.

In the case of Rwanda, the absence of the so-called 'valuable spoils' perhaps explains why incentives from great powers were incompatible with the needed commitment since there was not much to gain. With such financial constraints, major components of the peace implementation were never materialised therefore causing more mistrust and uncertainty about the opportunity for peace. For instance, it has been noted that "the RPF and Rwandan government negotiated pensions for demobilized soldiers, as part of the demobilization program agreed upon in the Arusha Accords, but neither the RPF nor the government could afford to pay for the pensions" (Willard, 2014)

3.3.1. Dealing with the devil

A final issue was that of exclusivity of spoilers by the international force overseeing the implementation. There is no clear consensus among researchers and practitioners on the issue of whether or not, and how much to include or exclude extremist factions in peace negotiation and implementation. Whilst some argue that only legitimate-focused peace building political processes, in which all groups within the political territory are offered acceptable levels of representation and participation, can put a stop to future violence (Mamdani, 2001; Calls, 2012), others maintains that such an attempts are practically impossible and unnecessary (Caplan, 2001)

As noted above, the CDR emerged spoilers during the negotiating process when they were excluded from the process and implementation. Rather surprising, there was no clear cut plan of how to handle such excluded groups. A poor diagnosis by the third-parties involved, of who was the spoiler, or who is not, led to the targeting of President Habyarimana as the main threat to the peace process (Scorgie, 2004). Though he was a potential spoiler, other spoilers were not identified and dealt with. In fact, it has been noted that when the UNAMIR forces arrived in Rwanda, they were unaware of the existence of one of the main spoilers –the extremist CDR faction.

In the words of Major Brent Beardsley, "When UNAMIR went for the tactical mission in August 1993, we only knew of two parties that signed the agreements [...] but in November we realized there was a third force on the side of the Rwandan government which planned to derail the Arusha Peace Accords" ("Third Force," 2004, p. 1 cited in Scorgie, 2004). This is a clear case where policy makers differ from policy implementers, thus allow for escape hatches in which mistakes are bound to happen (Sutton, 1999). It was both the exclusive of extremist spoilers from the negotiation and the lack of inclusion of extremist spoilers in the implementation that enhanced the hindrances and obstacles of peace implementation in a difficult situation. This is why.

Because these extremists were not given much attention, there were able to organize and recruit others who were unsatisfied with the peace agreement and its implementation. This meant that the number of spoilers and the resources needed to 'spoil' had increased significantly. In the end, it was "this combination of spoilers and losers created a constellation of opposition to peace that nurtured the...genocide movement" (Jones, 2001, p. 159). Many have suggested that the extremist – who had called Habyarimana's signing of the Accords "an act of high treason" – assassinated Habyarimana on April 6, 1994 as he was flying back from Tanzania after making an agreement to uphold the Arusha Accords (Des Forges, 1999, p. 9). To this argument, it seems a viable strategy would have been to "have the hardliners inside the tent, pissing out, than outside of the tent, pissing in" (Mamdani, 2001 p. 212). Unfortunately, such integrative tactics were never employed and the stage was set for a hostile implementation environment where peace could not thrive considering the limited international commitment.

By January 1994, UNAMIR and the US Embassy were reporting that in fact the opposite of demobilization was happening: political parties increased training of armed militias, and were distributing weapons to civilians (Willard, 2014). The result of the low level of commitment of the international community married with the presence of substantive spoilers generally contributed to the poor peace implementation and the subsequent failure of the peace agreement which ended in the Rwandan 1994 genocide.

4. Conclusion

There has been a growing recognition that the signing of landmark peace agreements do not necessarily lead to sustainable peace.

Peace implementation is as important as the peace negotiation as well as the agreement that is produced at the end of the peace negotiation. In the absence of effective effort by both internal players and external actions to a negotiated agreement, the likelihood of PAIG is high. Based on the case study of failed Arusha Peace Accord and the commencement of the Rwandan genocide, the paper sought to analyse the role and impact of spoilers and incentive incompatibilities on the failure of peace implementation.

The analysis made in the study suggests that, the impact of the spoiler factor were evidently inherent in both the negotiation process that generated the APA and continued to undermine the peace implementation stage. It is suggested that, the outcome of the negotiations was considered a win for the RPF and a loss for the GoR. Essentially, it was the combined effect of the internal institutional barriers within of the GoR and the outcome of the agreement that produced two main spoilers, namely the CDR (who were sidelined) and President Habyarimana (Whose powers were stripped off) that later posed substantial threats to the implementation of the peace agreement.

At the implementation stage, the study demonstrates that there was a lack of genuine commitment from the external actors to commit troops and resources in such a difficult and dicey environment. Indeed, the 1994 Rwandan genocide is arguably the most dramatic example where international community pulled-out and watched thousands of lives perish (Stedman, 2001). The little international commitment was partly due to the absence of valuable spoils, growing mistrust between the major parties and structural circumstances that made the field of play not only attractive to great power but also difficult for peace implementation.

Hence, great powers were reluctant to commit troops and resources for no observable gains. Though huge international commitment does not guarantee success in all situations, a lack of commitment in a difficult environment invariably means failure of peace implementation. Ultimately, the presence of spoilers and the incompatibility of incentives for effective international commitment are arguably the two most important factors contributing to peace agreement and negotiation gap.

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