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***Not always in the people's interest:  
Power-sharing arrangements in  
African Peace agreements***

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## **Abstract**

Peace agreements form a crucial element of strategies to bring security from outside: they involve third party mediators during the negotiation stage and often peacekeeping troops to guarantee the agreement at an implementation stage. Peace roundtables usually involve top politicians and military leaders, who negotiate, sign and / or benefit from the agreement. What is usually and conspicuously absent from peace negotiations is broad-based participation by those who should benefit in the first place: citizens. More specifically, the local level of security provision and insecurity production is rarely taken into account.

This paper reviews parts of the academic debate on power sharing and war termination touching on some key findings by main researchers working on the topic. The ambivalent African experience with Arend Lijphart's four main ingredients of consociational democracy (grand coalition, minority veto, proportional representation, group autonomy) is summarised. Recent major African peace agreements (1999-2007) are analysed, detailing their power-sharing content. Most agreements contain some – though varying - power-sharing devices. Most striking is the variation in the important question of who is sharing power with whom. Obviously, only those present at the negotiation table could really count on being included in major ways. Finally, three country cases are analysed over a longer time period: Côte d'Ivoire (2002-2007), Liberia (1994-2003), and Central African Republic (1996-2007). The conclusion focuses on the factors of failure of peace agreements that place a heavy emphasis on power-sharing.

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## **Introduction**

At first glance, power sharing looks like a logical approach to sustainable conflict management in multiethnic societies. In fact, it has been proposed time and again and even inscribed more often than not in recent peace agreements. As Jarstad (2006: 9) notes: “power sharing is attractive to peace negotiators”. It might be less so for (all) warring parties and the general population.

Peace agreements are a crucial element of strategies to bring security from outside: they involve third party mediators during the negotiation stage and often peacekeeping troops to guarantee the agreement at an implementation stage. Foreign policy strategies by major outside powers may be at work when designing a peace agreement. At the same time, peace roundtables usually involve top politicians and military leaders, who negotiate, sign and/or benefit from the agreement. What is usually and conspicuously absent from peace negotiations is broad-based participation by those who should benefit in the first place: citizens. More specifically, the local level of security provision and insecurity production is rarely taken into account.

This paper first presents parts of the academic debate on power sharing and war termination touching on some key findings by main researchers working on the topic. Those findings do not confer a clear image of the effectiveness of power-sharing. The African experience with Arend Lijphart’s four main ingredients of consociational democracy – often wrongly said to be identical with main devices in diplomatic approaches to power-sharing arrangements in peace agreements – is summarised. Experiences are ambivalent. The paper then concentrates on recent major African peace agreements (1999-2007) detailing their power-sharing content in a synopsis. Variations of power-sharing ingredients are important, some cases of “cheap diplomacy” can be detected (e.g. Chad), but also “expensive diplomacy” like in the Comorian case has not resulted in clear success. In a last step, three country cases are analysed – where necessary - over a longer time period: Côte d’Ivoire (2002-2007), Liberia (1994-2003), and Central African Republic (1996-2007). The three cases differ in the weight and origin of outside intervention forces and guarantors of peace agreements as well as in the actual quality of power-sharing devices. The conclusion focuses on the factors of failure of peace agreements that place a heavy emphasis on power-sharing.

## **Sustainable peace by peace agreements?**

There is a large and growing body of literature on the causes of successful conflict resolution. It would be impossible to give an account of all arguments put forward and all approaches followed in this field. Only a selection of main works will be quoted (selectively) here to underline what kind of question is rarely addressed: those relating to the local level of peace agreements and its nexus with power-sharing formulas contained in peace agreements. Let us consider some major academic contributions to the debate first.

Fen Osler Hampson in his book *Nurturing Peace* (1996) tests four possible explanations of the success of peace processes: the international support of the peace process, the ripeness of the conflict (following the classical Zartman notion), systemic/regional power balances and finally the quality of the peace agreement, in particular whether the agreement includes a power-sharing arrangement. As a result of his study Hampson dismisses the “quality argument” on the bases of a five cases comparison (Cyprus,

Angola, Namibia, El Salvador, Cambodia): well-designed agreements would be as prone to failure as badly designed agreements. One critique of Hampson's work is that he fails to consider that civil wars vary enormously in the number of warring parties, the war aims of the parties, levels of death and destruction, size of the country etc. and that there would be good reason to suspect that inter alia the quality of design of an agreement may be the product of those and other basic variables (Stedman 2002; 5). Another obvious critique could be that Hampson only focuses on the "objective" quality of an agreement, but does not analyse whether it is termed acceptable by stakeholders. This quality in turn may be much more a function of who designed it and how acceptable the process of negotiation would be for the warring parties. The quality of an agreement would then be not "objective", but largely "subjective". However, Hampson's study is of particular interest as he does not stop with the formal signing of a peace agreement in terming a negotiation process a success but by enlarging the focus on the implementation phase. His structured small N comparison with a limited number of cases is what is aimed at in this paper as well.

Barbara Walter (1997), focusing on third party guarantees as the most salient factor in success nevertheless posits that the more power sharing built into an agreement the less international commitment would be needed. This belief in power sharing as a miracle formula is not rare, but should lead to further questions. What is meant by power sharing? Who has to share power with whom and who can still be excluded from the sharing arrangement? Those questions are essential as power sharing can be limited to only a few areas of governance, as power may be shared between the government and only hand-picked rebel groups, and as radical movements on the one hand, civilian opposition parties on the other, are often left out.

Stedman and Rothchild (1996) remind us that the alternative to a weak agreement is often no agreement. It would be all too easy to blame the peace agreement and the mediator who produced it when conflict is re-ignited in its aftermath. Instead, it would be important to focus on barriers to implementation. Stedman (1997) in a widely quoted article makes a case for focussing on so-called spoilers as the most important barrier to implementation. While Stedman fortunately brings back in a number of issues of importance such as actors' interests and intents in the discussion and therefore can be seen as an important advocate in being less naïve about peace processes, some critical aspects of his work have to be recorded: First, by neglecting the quality question in peace agreements spoilers are always portrayed as the "bad guys" as they step out of something that is per se perceived as good – regardless of what harm it does to particular group interests. Secondly, the spoilers of the peace process could have been the defendants of the democratisation process earlier; arguably this is the story of the Ivorian students' union Fédération estudiantine et scolaire de Côte d'Ivoire (FESCI), a major actor of violence in the latest crisis (Konaté 2003). Or a rebel movement that is accommodated by a peace process and apparently sticking better to the provisions of the peace agreement than the government may have been the spoiler of earlier reforms. And is it correct to see the Front Patriotique Ivoirien (FPI), President Gbagbo's political party, in Côte d'Ivoire as the main spoiler of peace? Shortly in power (and, according to the party itself, pursuing a reform agenda) before menaced by semi-successful rebels it was subsequently more active in "spoiling" the existing peace process which was seen as unjust and imposed from outside (see below). The spoiler perspective may hide more than it can reveal.

Finally, Stedman (2002: 13) - surprisingly for a social scientist - asserts that "our attempts to assess the intent and motivation of parties during peace implementation must rest on intelligence, not indicators" and that motives for non-compliance should be assessed "through intelligence, informants, surveillance, and reading of documents" (ibid.). Not only is he dismissing all local knowledge, all pre-existing analysis on the social basis of actors assembled by different disciplines and local sources beyond "informants" are simply ignored. This is hardly acceptable for area studies specialists with an in-depth knowledge of societies based on long-term observation as it should be for all social scientists using different quantitative or qualitative methods of information gathering.

Quantitative analysis exists in peace research. Doyle and Sambanis (2000) have tested a good number of variables that may increase the likelihood of war termination through negotiation using a dataset of civil wars since 1945. They could come up with a number of robust statistical results that show that some factors provide for an easier (existence of treaties, of a UN peace mission, precedence of a long and costly war) or more difficult environment (identity war, widespread human misery, high number of factions, natural resource dependence) for implementation of peace settlements. That the mere existence of peace agreements would make a difference comes as a surprise. The quality and the form of power sharing agreements are not taken into account in their hypotheses.

Hoddie and Hartzell (2005: 83) use power sharing in a broader sense than others, involving as well informal rules and not only constitutional dispositions. Additionally, in their study they use not institutions as an independent variable (for explaining the durability of peace), but dispositions in the peace agreement – whether implemented or not. And they distinguish between different levels of power sharing: a) central (political), b) territorial (federalism/decentralisation), c) military and d) economic power sharing. Consecutive hypotheses are formulated and statistically tested. Their conclusion is positive while differentiated: "Power sharing provisions in peace settlements have a demonstrated ability to provide a sense of security to former combatants facing the immediate prospect of working together peacefully after a severe conflict such as a civil war" (103). One only wonders how they could come to this conclusion without asking the combatants. They continue "In particular, our research indicates that both military and territorial power sharing have a positive role to play in fostering post-war peace" (103). Again, this seems a premature conclusion at least for the aspect of territorial power sharing, when applied to the African cases.

Pearson et al. (2006) criticise an earlier contribution of Hartzell, Hoddie, and Rothchild (2001) that had a similar design mostly for not caring about the stability of peace over time when including the case of a peace agreement into their sample, but just on its (immediate) implementation. Curiously, Pearson et al. arbitrarily take a six-months period of non recurrence of violence to decide that a settlement has taken place. They also use a larger sample of violent conflicts including so-called low-intensity conflicts and come to divergent results from Hartzell et al., power sharing (in the "territorial autonomy" form) did not prove significant. The only statistically significant factor for conflict settlement success of Hartzell et al. proved third party enforcement. The Pearson et al. approach has its flaws, though. It is neither evident that a conflict that breaks out in the same country after a shorter period is still the same (e.g. involving the very same actors)

or that a relative lull of war for over a year without proper peace is a sign of success, particularly taking into account low-intensity conflicts of, say, the Casamance (Senegal) type. Another severe problem: The data used is drawn from three sources: Keesing's Contemporary Archives, New York Times Abstracts, and an anonymous website (Onwar.com). This is hardly convincing as turns of low-intensity conflicts frequently do not make it to the attention of international media.

As a strong critique of "liberal Peace-building" Paris (1997, 2004) claims that implementers of peace agreements often exacerbate already existing divisions in societies. Outsiders that impose democracy or liberal economy at the end of a civil war and then quickly leave would lend a dangerous service to war-torn societies by generating a number of destabilising side effects. Paris' high standards for success may be a problem in his analysis, as some of his failures would not be termed such by other authors (Stedman 2002, 19), but he may be also one-sided in believing that the normative orientation of outsiders would be in opposition to (all) local actors. Democracy and liberal economy may not be so controversial in all world regions (e.g. in Africa south of the Sahara) as it might be in the Arab world. However, what is important in Paris' perspective is the pin-pointing of the not so neutral or innocent role of mediators and peace-keepers.

Tull and Mehler (2005: 375) argue that the unsteady support for democracy in Africa from Western donors and the enhanced international standing of armed movements in the post-1989 period have induced would-be leaders to conquer state power by violent rather than civilian means: "This becomes particularly evident in regard to Western efforts to solve violent conflict through power-sharing agreements. The hypothesis is put forward that the institutionalisation of this practice for the sake of 'peace', i.e. providing rebels with a share of state power, has important demonstration effects across the continent. It creates an incentive structure would-be leaders can seize upon by embarking on the insurgent path as well. As a result, and irrespective of their effectiveness in any given case, power-sharing agreements contribute to the reproduction of insurgent violence." This is shown by recalling some recent peace settlements in Africa (Burundi, Rwanda, the DRC, Sierra Leone, Liberia, Côte d'Ivoire, Sudan, Central African Republic and Chad).<sup>1</sup>

Roeder (2005) is one of those authors who advocate a liberal solution to conflicts. He criticises power sharing formulas and puts forward his notion of "power dividing". By this notion he means a combination of tamed executive, checks and balances on all levels, putting the rights of the individual before the rights of groups, etc., in practice: a liberal democracy. His own statistical test supports his claim, and he concludes: "The argument is that liberalism is also realism" (80). What might get lost in this argumentation is that a full transition to liberalism is not in all cases realistic.

In sum: Power sharing has found support and critique in the academic debate on peace agreements, but maybe this depends too much of the individual researchers'

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<sup>1</sup> We were criticised by Lemarchand (2007) for allegedly not wanting to take into account rebel organisation's grievances, in particular those that were excluded and had spoiling capacities. This was not our argument, as we primarily wanted to show that peace agreements fail to take into account civilian opposition's grievances voiced in peace time and end up in sidelining those more constructive forces.

understanding of the concept itself. It therefore makes sense to have a second look on what the classical author on the topic had in mind. Admittedly, power sharing in peace agreements has a less “preventive” character as intended when power sharing is an ingredient of institution-building in a less conflictive situation.

### **What Lijphart’s classical study tells us about African cases – and what not**

The defendants of power sharing arrangements as the core element of post-conflict peace frequently base their arguments on the work of the Dutch political scientist Arend Lijphart on consociational democracy (Lemarchand 2007). They claim that power-sharing would essentially help to avoid secession and bring more fertile solutions to conflicts in plural societies. The claims of ethnic and other parts of society could be integrated into institutional arrangements which would in turn guarantee a meaningful participation in political power. This would avoid more costly alternatives of a fully fledged war. “Spheres of autonomy” for the identified groups would be a necessity as would be proportional representation and veto rights. This may sound convincing in the first place. Who would not like to avoid victims and terminate wars around the globe – as easy as by adjusting institutional design?

But let us consider first again in some detail the essentials of Lijphart’s model of consociational democracy (1977):

1. The main element of consociational democracy is the broad-based grand coalition including political parties not needed to form a majority.
2. Minority veto: Minorities in existential danger can veto important decisions leading to new negotiations on the consensus mode.
3. Proportional representation in providing for all major political and administrative positions and in the distribution of public means.
4. Group autonomy, i.e. all decisions of superior national interest are taken on the central level by the Grand coalition. But those with less outreach and concerning just the context of the autonomous group, are dealt with in geographically limited entities (this can be implemented best in a federal system).

Let us first reflect the African experience with these elements:

The government of national unity, very familiar to Africa since the 1960s, comes immediately to mind when evoking a grand coalition (Rothchild/Foley 1988). The African experience with this instrument is ambivalent, as it might have avoided severe conflicts in some states, but also precluded democracy in others.<sup>2</sup> Over-sized governments are not rare while the forced inclusion of smaller partners can be encountered, starting with some less than voluntary formations of unified parties in the 1960s. Above all, coalition agreements were rarely enacted by party congresses, but just signed by party leaders, the followers get ditched in this process (arguably the history of RENAMO in Mozambique).

The minority veto is a rarely established feature in African constitutions. This does by no means tell us something about real, but often discrete veto players in African polities – very often the military hierarchy, sometimes traditional kings, in some places religious leaders. Lijphart (1977: 38) himself writes that the minority veto can be an informal and

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<sup>2</sup> A side effect is the probable carving up of ministries by different interests that might lead to “development failure” as each group tries to maximise its own rents.

unwritten understanding. In the case of Burundi, the Tutsi minority had the “ultimate” veto in form of the monopoly on military power (Sullivan 2005: 88). As Sullivan notes, it was “the threat of losing that ultimate veto which caused it to be used, thus ending the attempt at peace” (ibid.).

*Proportional representation* (beyond legislative elections) has also rarely made its entry into an African constitution as the fundament of all policy regulations. However, some ethnically polarised countries have experienced recurrently a practice of near-to proportional representation in higher offices. One country where the media counts and compares the ethnic proportions of newly appointed governments, or a new higher military command is Cameroon. This does not make the country any more a consociational democracy. The record is more balanced with regard to proportional representation at national elections (often only introduced by a change of the electoral law). The following African countries have recently made experience with proportional representation in legislative elections (PR): South Africa (a pure PR system), Angola, Niger and Sierra Leone (PR in medium and large multi-member constituencies), Burundi and Guinea-Bissau (PR in small constituencies)<sup>3</sup>. Note that in small constituencies proportionality cannot be achieved.

Finally, the continent has not a strong experience with federal experiments. At the moment, Comoros (since 2002), Ethiopia (since 1994; earlier period 1952-62), Nigeria (since 1954/1960<sup>4</sup>), South Africa (since 1996), Sudan (since 2005, earlier period 1972-83) and Tanzania (since 1964) have a federal system. In Ethiopia (earlier period: Ethiopia and Eritrea), Sudan (Northern and Southern part), Tanzania (Tanganyika and Zanzibar) only two states constitute the federation and could probably not be seen as ideal cases to accommodate group interests in a multiethnic setting. Although Tanzania had held together, serious conflicts in Zanzibar can be related to the competition of political parties on the union question. However, in all cases a conflict mitigating effect was sought when introducing a federal system.

Cameroon 1962-1972 (also a two states federation; terminated by unilateral change of Constitution, nominally endorsed by referendum), Congo 1960-1965 (terminated by Mobutu’s coup), Kenya 1963-65 and Uganda 1962-66 (abrogated unilaterally) experienced only short periods of federalism. There are good and persuasive arguments for and against what Bunce and Watts call “ethnofederalism” (2005: 136f): On the one hand it may counter two typical temptations in multiethnic settings (of minorities to defect and of majorities to dominate), it may also legitimise difference and empower minorities, thereby creating trust. On the other hand it may also undermine commonality; differences and identities may be unnecessarily cemented. It may help avoid cooperation and it may also give minorities the institutional prerequisites for later secession. The South African case usually gets a positive rating (as do India and Canada), all other African cases are much more debated. The Comoros case stands out for lengthy negotiations with many setbacks, facilitated with external help (not least by South Africa).

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<sup>3</sup> According to project data provided by Anika Becher (GIGA Institute of African Affairs) Burundi has changed from small to medium sized constituencies in 2004. I am grateful for the provision of this data. A number of segmented electoral systems with PR elements could be added.

<sup>4</sup> Nigeria’s federal system was already established under colonial rule and continued after independence (1960). It was shortly abandoned in 1966, but quickly reinstalled in the same year. I want to thank Eva Range for checking dates and adding/correcting details in this list.



In recent years, there has been a strong tendency in establishing a dose of decentralisation, sometimes in the name of conflict prevention – and power-sharing (Spears 2000: 115, Crawford / Hartmann 2008 forthcoming). But decentralisation can equally have adverse effects on conflicts. Transferring competences from the central to the local level may come with new conflicts on a local level. A major reform (and a true decentralisation would be one) always creates winners and losers and the latter might not be willing to give in. Additionally, local elites are not necessarily more peace-loving or less corrupt than those on the central level (Mehler 2002). Decentralisation as the currently most common translation of the “group autonomy” ingredient of power sharing in Africa can only have a positive effect when the following questions can be answered positively:

- Does decentralisation contribute significantly to reduce structural disparities between groups in conflict, especially the more equitable distribution of public goods and services? Or does it exacerbate such disparities? Note that better-off local and regional units may be in a better position to profit from such a reform.
- Does decentralisation further or obstruct the formation of autonomous spheres of power outside official or oppositional organisations? Note that decentralisation may transport conflict from the central to the local level and create incentives to reduce a pre-existing informal autonomy.
- Does decentralisation enhance or undermine the ability of local actors to promote crisis prevention and reconciliation? Note that the ability of central actors (including police, the National Assembly) to do so probably will be reduced and need to be matched.
- Does decentralisation allow for revenues from resources localised in a particular region to be shared on an acceptable basis for both the local entity and the society as a whole?

The rather young experience with decentralisation has not yet allowed to draw robust conclusions on those questions. As noted, federalism, Nigerian or Comorian style, is certainly no proof for viable conflict mitigation. The South African experience, still young, may be the only positive example to be cited on the African continent.

Taken together, we can hardly say that the four main elements of consociational democracy as Lijphart understands them would have had uniformly positive effects on African countries.

A different argument against power sharing formulas in African peace settlements is even more relevant. Lijphart's reflections are based on a completely different model of conflict resolution than a quick mediation from outside in an already highly escalated situation. Terrence Lyons (2002: 220) reminds us that “Pacts are more likely among elites with relatively clear and loyal constituencies, such as traditional political parties, labour unions, or other institutions in a corporatist setting. In the aftermath of a civil war, political and social organisations generally are absent and the ability of militia leaders to deliver the compliance of their own fighters is often questionable”. This is one hint to why the consociational democracy argument should only be carefully used in the context of resolving African civil wars. Lyons also tells us (2002: 221) that power sharing pacts may best be expected after post-settlement elections. By contrast, Roeder and Rothchild (2005) argue that power sharing may have beneficial effects in the initiation phase of a transition from war to peace while probably more difficult effects in the consolidation phase. Taken together both arguments tell us that power sharing is more likely late in

the process and more beneficial early-on. This makes it a difficult element of a peace-building strategy.

Lijphart's classical cases were Belgium, Switzerland, Lebanon and Cyprus, all states where linguistic or religious differences were frozen over a long time period – not the multiplying cases of acute crisis management in Africa with more diffuse conflict constellations. More comparable to the cases already cited was South Africa in 1994: The conflict dimensions were clear, group boundaries as well, the lack of a perspective for a military victory of one side was clear to all sides of the game and there was an obvious broad will of elites, again on all sides, to come to a pact solution. It is not by chance that Lijphart had published a book on South Africa in 1985. And his thinking was very influential at this crucial turning point of South African history.<sup>5</sup> Sisk and Stefes (2005) argue that the South African case stands out for a full power sharing agreement in a transitional phase until 1996 (the Roeder/Rothchild argument), while a consolidated constitution then took away some of the aspects of formal power sharing.

Roeder and Rothchild (2005: 12) view the intrinsic dilemma of power sharing arrangements in the contradictions between the immediate inclusionary strategy in a first phase of getting a peace agreement and the long-term institutional arrangements in a later phase. Walter (2002) shows that power-sharing pacts are likely to be unstable over time and concludes that “a second transition will almost certainly be needed to maintain peace over the long term” (167). It is, however, obvious that it could be very difficult to get from phase 1 to phase 2 with the personnel and the transitional institutions of phase 1 carrying with them all their interests to maintain status and privileges. Doubts are permitted that mediators even think in this long-term perspective. This may not be blamed entirely on the acting persons since the challenges are often immense. One key problem of the fire department diplomacy that is more typical to Africa than any Taylor-made solution is the right choice of mediation partners on the rebel side.

- In a context devoid of peace, maybe with a record of only manipulated elections over decades, it is very difficult to know who can command loyalty and legitimacy of specific groups.
- The assumption is much more realistic that the self-declared leaders and representatives of a neglected group are rather politico-military entrepreneurs without a genuine interest in representing something beyond themselves. They are usually selected as negotiation partners for their spoiling capacities.
- The groups to be represented are usually designed as ethnic groups while they will only rarely form an undisputed entity. The outer limits of these groups are in fact frequently disputed and the internal homogeneity is a fiction. Very often, the “ethnogenesis” of those groups have not yet come to an end in contrast to conflicts that were frozen for centuries. Under these circumstances it also becomes completely unclear, which institutions should guarantee group interests.

Over the last decades a good number of peace settlements were agreed upon in the name of preventive diplomacy whose sustainability could have been doubted early on. Roeder and Rothchild (2005: 3) count 22 comprehensive peace settlements in ethnically divided societies worldwide.<sup>6</sup> In some of those cases severe escalations happened in

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<sup>5</sup> Lijphart 1985. Some of his ideas later met with criticism, see Donald L Horowitz. *A Democratic South Africa? Constitutional Engineering in a Divided Society*. Berkeley: University of California Press 1991.

<sup>6</sup> Azerbaijan 1991, Croatia 1991, Slovenia 1991, Eritrea 1993, South Africa 1993, Rwanda 1993, Burundi 1994, Bosnia 1995, Sierra Leone 1996, Northern Ireland 1998, Kosovo 1999, Afghanistan 2001, Burundi

their aftermath (Rwanda 1993, Burundi 1994, Sierra Leone 1996, Afghanistan 2001), in others additional agreements were necessary to more or less stabilise the situation (again Burundi 2001 and 2002, DR Congo 2002 and 2003). The most famous case is without doubt the agreement of Arusha (4 August 1993) to end civil war in Rwanda. Many observers in hindsight see the agreement as a conflict aggravating factor – leading to genocide - as it regulated power sharing in a way that a very high number of positions fell to the rebels. This was unacceptable to the hardliners of the Habyarimana regime which at this time had not yet lost the war and maintained all possibilities to spoil the process (Lemarchand 1994, Prunier 1995)<sup>7</sup>. Spears (2000: 110) additionally presents the exclusion of the extremist CDR party from the negotiations as a main problem. And Lemarchand (2007: 5) sees the Arusha negotiations as “the continuation of civil war by other means” when participants of the negotiation could continue to fight in order to negotiate from a position of maximum strength. Arusha stands out for what is commonly called cheap diplomacy.

### **Recent African peace agreements**

In this light, let us briefly discuss those African peace agreements established after Hoddie/Hartzell stop their calculation (i.e. 1998) and take only recent African cases before moving to our particular cases in more detail (Liberia, Côte d’Ivoire, Central African Republic).

After Arusha more complex negotiations have taken place in Africa’s severest crises with – for the time being better results. In the civil war of Burundi and in the complex DR Congo crisis with internal and cross-border elements very costly rounds of negotiation took place with a number of outside mediators.<sup>8</sup> In both cases doubts were voiced as to the motivations of negotiation delegations to slow down the process or playing time (Tull/Mehler 2005). Partly, it was feared that the maintenance of prebends like enjoying first class hotels and food in foreign capitals would motivate this behaviour. Other doubts were voiced about the early exclusion of so-called “negative forces”, in particular Hutu extremists (Lemarchand 2007: 9). In the case of Burundi the military weakening of Hutu rebels in parallel with a political weakening of the Tutsi establishment over the years of inconclusive negotiation had certainly as much weight as a success factor as the substance of what was on the negotiation table. While both countries still struggle to gain a respectable level of stability we can at least say that a hasty procedure was avoided. The ‘cheap diplomacy’ label may not be justified. However, it is a problematic legacy of the last years that the most important civil political parties of the 1990s (in both countries) have become a shadow of themselves.

This is true for Burundi and in particular for the victorious party in the 1993 elections. The Front pour la Démocratie au Burundi (FRODEBU) had lost its leader with the assassination of President Melchior Ndadaye in a bloody coup attempt in 1993. In a second military coup d’Etat it was entirely removed from power in 1996. But even its old

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2001, Macedonia 2001-2002, Burundi 2002, Congo 2002, Democratic Republic of Congo (DRC) 2002, East Timor 2002, DRC 2003, Côte d’Ivoire 2003, Iraq 2003, Sudan 2004. Some gaps and data problems may be noted here, inter alia the peace agreement 2000 in Djibouti and the failed peace agreement in Angola 1991.

<sup>7</sup> By contrast, Paris (2004: 69-78) pinpoints the forced dual process of political and economic liberalisation inherent in the Arusha accords, but would not conclude differently on the quality of the process. And Walter (2002: 144) sees the failure of UN implementation of the accord as its key problem.

<sup>8</sup> Southall (2006: 210) recalls that over 20 meetings between September 2000 and early 2003 alone, hosted variously by South Africa and/or regional governments were held.

rival Union pour le Progrès National (UPRONA) did not fare much better. In the case of the DR Congo the decline of the Union pour la Démocratie et le Progrès Social (UDPS) of long-time opponent Etienne Tchisekedi is as relevant. How to explain this – beyond bad tactics or strategy? At the negotiation table actors of violence were dominant, not the civilian opposition. And the frustration of UDPS militants was cited as one of the handicaps of peacebuilding in the DRC. By the way, both countries were former Belgian colonies and were therefore frequently seen with Belgian eyes, meaning looking for analogies of conflicts between Flanders and Wallones. This also meant that Lijphart's ideas about consociational democracy were not unknown to a number of stakeholders and mediators. Typically, a strong emphasis on minority rights for Tutsi were encapsulated in the Burundian Constitution of 1992 and the preceding Charta of National Unity (1991) (Mehler 1994).

At least by its name the Peace Agreement between Central Government and Southern rebels in Sudan is a comprehensive one (Mattes 2006). The agreement did nothing to stop – some would say it even contributed to – the new bloody conflict in Darfur that at least resembles genocide (Woodward 2006: 177). The non-association of other conflict zones in Sudan (and other local rebel movements) must be termed problematic as the “national cake” (i.e. oil from South Sudan and top positions in the state apparatus) was already shared between two partners.<sup>9</sup> It may also turn out to be problematic that the very name of the “Comprehensive Peace Agreement” (CPA) tends to ignore the continuing heterogeneity of the South Sudanese rebels. So is the CPA a success? For the time being it may better be termed an agreement with ambivalent outcome.

The paradox of inclusion is an aspect that needs to be highlighted here. In numerous cases around Africa the inclusion of one rebel group in a peace agreement and subsequently in a power sharing government left others excluded, who could here find an incentive to strengthen their war efforts – in order to be included at the next stage. This may undermine the sustainability of peace. What this involves for democracy has been shown above for Burundi and DR Congo: moderate civilian parties are easier excluded from these deals and scarcely receive international attention (Tull/Mehler 2005; Jarstad 2006).

What makes peace agreements successful? It looks very arbitrary to give out time-frames of the type already described: after x months of non-recurrence of violence<sup>10</sup>, or when in a second escalation the magical 1000 battle-deaths threshold was not crossed. After all, peace is when people think they are at peace. Perceptions by the population are the best indicator of successful and failing peace settlements. But these data are missing and are usually not generated. In its absence, I have opted for including agreements as successes when the same actors or their proxies/successors did not fight each other until early December 2007, as failures when they or their proxies/successors did and as ambivalent cases when the outcome was unclear or contributed to the escalation of a different conflict.

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<sup>9</sup> The failure of peace negotiations for Darfur is well described in a detailed way by an insider in Alex de Waal ‘I will not sign’, London Review of Books; [http://www.lrb.co.uk/v28/n23/waal01\\_.html](http://www.lrb.co.uk/v28/n23/waal01_.html) (access 11 December 2007).

<sup>10</sup> Hartzell, Hoddie and Rothchild (2001:195) calculated that the peace agreements they examined on average lasted three and a half years before conflict re-escalated.

Before moving to the three cases where an in-depth analysis is proposed (Liberia, Côte d'Ivoire, Central African Republic) let us get an overview of recent African cases (south of the Sahara) of peace agreements and their power sharing content.

**Table 1: Essential<sup>11</sup> power sharing elements of recent African peace agreements (since 1999)**

**Successes**

<b>Country</b>	<b>Participants / co-signatories<sup>12</sup></b>	<b>Power sharing details</b>
Angola, 4 April 2002 (Luanda, Angola) <sup>13</sup>	Army representatives of government and UNITA	<u>Military</u> Integration of a substantial number of UNITA officers and soldiers into the national army, the rest to be demobilised.
Burundi 8 October 2003 <sup>14</sup> , (Pretoria, South Africa)	Transitional Government of Burundi and CNDD-FDD	<u>Central / Political:</u> <i>Executive:</i> CNDD-FDD gets four ministries including a Minister of State. The Presidency will consult the Minister of State on all key matters. <i>Legislative:</i> CNDD-FDD gets Second-Vice President. and Deputy Secretary-General of the Bureau plus 15 seats  <u>Military:</u> Integrated General Staff and the Officer Corps, to be composed of 60% officers selected from the government army and 40% officers from the FDD. The allocation of command posts shall be on the basis of ethnic balance (50-50). <i>Police:</i> General Staff 65% government and 35% CNDD-FDD; principle of 50-50 ethnic balance.  <u>Territorial:</u> <i>Provincial level:</i> CNDD-FDD gets three Governors' positions plus five advisors. <i>Local level:</i> CNDD-FDD gets 30 Administrators.  <u>Economy:</u> CNDD-FDD heads 20% of public enterprises (exact distribution to be negotiated later)
Djibouti 2001 <sup>15</sup> , 12 May 2001 (Djibouti)	Government, FRUD	<u>Military:</u> Integration of FRUD combatants into the

<sup>11</sup> Some of the peace agreements are very detailed and touch on related topics to core power sharing elements. Those other main ingredients are not mentioned.

<sup>12</sup> No simple witnesses or facilitators (not signing the agreement) are recorded.

<sup>13</sup> Text available via [http://www.usip.org/library/pa/angola/angola\\_04042002.pdf](http://www.usip.org/library/pa/angola/angola_04042002.pdf) (access 6 December 2007).

<sup>14</sup> A ceasefire agreement with the remaining rebel organisation FNL was signed on 7 September 2006 in Dar es Salaam, but could not be enacted. The text was not disclosed, but contained some power sharing elements (military). I have not included earlier efforts in the period 2000-2002 that all were connected to the Pretoria agreement that specifically dealt with power-sharing. Text available via [http://www.usip.org/library/pa/burundi/burundi\\_10082003.html](http://www.usip.org/library/pa/burundi/burundi_10082003.html) (access 4 December 2007).

		Security forces (or compensation) (weak)  <u>Territorial</u> Decentralisation law as an annex of the agreement, creation of five (largely autonomous <sup>16</sup> ) regions, three members each of both signatories in a National Decentralisation Commission (12 in total).
Liberia, 18 August 2003 (Accra, Ghana) <sup>17</sup>	Government, LURD, MODEL; and 18 political parties	<u>Central / political:</u> Transitional Government and Legislature with warring parties (over-)represented. No limits for LURD and MODEL to form parties  <u>Military:</u> New armed forces to be drawn from government forces, LURD and MODEL “as well as from civilians with appropriate background and experience”.  <u>Economy:</u> Major state corporations and agencies shared between warring parties (and the other civilian signatories)

### Ambivalent cases

Country	Participants / co-signatories	Power sharing details
Central African Republic, 2 February 2007 (Syrte, Libya) <sup>18</sup> and 13 April 2007 (Birao, CAR) <sup>19</sup>	Syrte: warlord Abdoulaye Miskine and ex-minister André Ringui de Gaillard for FDPC and UFDR, justice minister Otto for government; Birao: prefect, local commander	<u>Political:</u> Participation of UFDR in “management of state affairs” (vague).  <u>Military:</u> Integration of rebel fighters into the national army

<sup>15</sup> Text available under <http://www.presidence.dj/LES%20TEXTES/accordreforme.htm> (access 13 November 2007).

<sup>16</sup> Words used (“accordant une large autonomie aux régions concernées”) in the preceding “accord cadre” of 7 February 2000.

<sup>17</sup> Text available via [http://www.usip.org/library/pa/liberia/liberia\\_08182003\\_toc.html](http://www.usip.org/library/pa/liberia/liberia_08182003_toc.html).

<sup>18</sup> Text of Syrte agreement available via <http://www.zokwezo.info/index.php?action=article&numero=268&PHPSESSID=4598648c103f552207315957a54fcd50> (access 4 December 2007).

<sup>19</sup> Text of the Birao agreement available via <http://www.sangonet.com/afriqg/FichAfriqueCent/Dic/actuC/newsCARind.html> (access 3 December 2007), the Syrte agreement was not accepted by the UFDR, leading to continued fighting. Miskine and Ringui obviously received personnel allowances and privileges (allusions in <http://www.leconfident.net/ABDOULAYE-MISKINE-A-T-IL-ETE-PIEGE-PAR-L-ACCORD-DE-PAIX-DE-SYRTE- a2998.html> (access 4 December 2007).

	for UFDR	
Comoros, 17 February 2001 (Fomboni, Comoros) <sup>20</sup>	Nine key politicians of Moheli, Anjouan and Grande Comores / OAU, OIF, EU as guarantors	<u>Political:</u> Creation of a tripartite Commission to decide on transition modalities and to prepare a Constitutional Referendum plus elections. Decisions in the Commission by consensus. After the transition: Government of national union, equal representation. (The Constitution later confirms the rotating Presidency – a key element of the failed Antananarivo agreement, see below)
Congo, 16 November and 29 December 1999 (Pointe Noire/Brazzaville, Congo) <sup>21</sup>	CNR, government	<u>Central/Political:</u> Creation of a Follow-up committee to prepare national dialogue (weak)  <u>Military</u> Limited integration of rebel combatants into the national army
Côte d'Ivoire 4 March 2007 (Ouagadougou / Burkina Faso) <sup>22</sup>	Laurent Gbagbo (Head of state), Guillaume Soro (Head of the rebellion) / Blaise Compaoré (President of Burkina Faso, Mediator)	<u>Central / Political:</u> Rebel leader Soro becomes Prime Minister (separate decree), a permanent framework of concertation is created with Ouattara and Bédié joining the signatories  <u>Territorial:</u> redeployment of the administration to the North of the country, no particular measure of power sharing.  <u>Military:</u> creation of a joint command centre (equal shares) to prepare for a joint integrated army
DRC, 19 April 2002 (Sun City , South Africa) <sup>23</sup>	Government, MLC, RCD-ML, RCD-N, six different Mai-Mai groups, 19 political parties, 45 representatives of the "Forces Vives" (civil society)	<u>Central / Political:</u> In the transition phase Kabila remains President of the Republic, Jean-Pierre Bemba (MLC) becomes Prime Minister (check Denis), President of National Assembly goes to RDC, President of the Senate to the non-armed opposition. Signatories to the agreement to present candidates for government positions. General dispositions to fill transitional National Assembly and Senate by signatories.
Sudan, 9 January	Government, SPLM/A	<u>Central/Political:</u> <i>Executive:</i> Transitional

<sup>20</sup>Text available under <http://www.comores-online.com/Comores-infosweb/Debat/Accord4.htm> (3 December 2007). In the following years numerous new meetings with the active participation of international facilitators, memorandums of understandings etc. were necessary to avoid a complete collapse of the peace process. Most important was a further agreement on modalities under South African mediation (agreement of Moroni, 20 December 2003). Those agreements are not listed separately. Bone of contention was the respective competencies between the union president and the three island presidents.

<sup>21</sup> The civil war had a clear winner: President Sassou Nguesso. This ceasefire agreement with one rebel organisation was followed by a "national dialogue without exclusion" (where nevertheless main exiled politicians did not take part in) and resulted in a meaningless "convention nationale pour la paix" in 2001. New violence erupted in the pool region and was officially terminated by a separate agreement with rebel leader Pasteur Ntumi in 2003. Part of the Ninja fighters were promised to be integrated into the national army. This did not end violence, though.

<sup>22</sup> Text available via [http://www.soirinfo.com/article.php3?id\\_article=3631](http://www.soirinfo.com/article.php3?id_article=3631) (access 4 December 2007).

<sup>23</sup> Text available via <http://www.geocities.com/bureaupolitiquefsd/signature.html> (access 4 December 2007).

2005 (Naivasha, Kenya) <sup>24</sup>		<p>National Executive with 52% of seats held by NCP, 28% SPLM. 14% other Northern Political Forces, 6% other Southern Political Forces. Head of state remains in place, first Vice President SPLA leader John Garang.</p> <p><u>Legislative:</u> Transitional Assembly with 52% of seats held by NCP, 28% SPLM. 14% other Northern Political Forces, 6% other Southern Political Forces. More favourable terms for NCP and SPLM on the state level (70%).</p> <p><u>Territorial:</u> Southern Sudan becomes an autonomous region for 6 years; referendum about secession option to be held afterwards. Decentralisation with significant devolution of powers to State and Local level.</p> <p><u>Economy:</u> sharing of oil incomes from Oil produced in Southern Sudan on a 50:50 basis.</p> <p><u>Military:</u> North and South with separate armies operating only on their territory. Joint force of 21,000 for the disputed territories Abyei, Nuba and Blue Nile State</p>
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### Failures

Country	Participants / co-signatories	Power sharing details
Chad, 14 December 2003 (Ouagadougou, Burkina Faso)	Togoi Abbo, MDJT faction leader exiled in Burkina Faso / Chad's Security Minister Abderamane Moussa	<p><u>Central / Political:</u> Transformation of MDJT into a political party, participation in government (vague)</p> <p><u>Military:</u> Integration of rebels into the national army (vague)</p>
Chad, 24 December 2006 (Tripolis, Libya) <sup>25</sup>	FUC, government / Libya	<p><u>Central/Political:</u> Participation of FUC at management of state affairs (vague). Joint follow-up committee to define details.</p> <p><u>Military :</u> Re-Integration of FUC combatants into the Defense and security forces (vague).</p>

<sup>24</sup> The Comprehensive Peace Agreement is a collection of prior agreements signed over an extended time period between 20 July 2002 and 31 December 2004. It refers to and contains the crucial agreement on power-sharing signed in Naivasha, Kenya, on 26 May 2004 and the agreement on wealth sharing, signed in Naivasha on 7 January 2004. For an overview of the main aspects see Mattes 2006. Text available via [http://www.usip.org/library/pa/sudan/cpa01092005/cpa\\_toc.html](http://www.usip.org/library/pa/sudan/cpa01092005/cpa_toc.html) (access 6 December 2007).

<sup>25</sup> Both recent peace agreements for Chad listed here are extremely vague (texts available via the homepage of the Prime Minister of Chad, <http://www.primature-tchad.org> (access 12 November 2007). They stand out for their character of integrating former rebel combatants in the national army in exchange for stopping hostilities and disarmament. This is a common feature of older rebellions in Chad when rebel leaders negotiated their personal entry into the government plus the integration of some of their loyal followers in the national army. This has never lead to sustainable peace, but rather created incentives for



Chad, 25 October 2007 (Sirte, Libya)	RFC, CNT, UFDD, UFDDF, government / Sudan, Censad	<u>Central/Political:</u> Joint committee to determine share of rebels in executive domains on all state levels (vague).  <u>Military :</u> Integration of rebel combatants into the Defense and security forces (vague).
Comoros, 23 April 1999 (Antananarivo, Madagascar) <sup>26</sup>	Representatives of Mohéli and Grande Comore / OAU, UN and Arab League as guarantors	<u>Political:</u> Large prerogatives with the individual islands (not included: defense, foreign policy, monetary and nationality questions). Equitable representation of the islands in government, rotation of the position of President between the three islands (in office for three years each). National Assembly elected 50% in direct elections, 50% elected by the Island Assemblies.  <u>Territorial:</u> Large autonomy of the islands, change of the denomination of the Republic (Union of Comoros Islands)  <u>Economic:</u> equitable sharing of resources between the islands and the central government.
Côte d'Ivoire 14 January 2003 (Linass-Marcoussis, France) <sup>27</sup>	FPI, RDR, PDCI (=major political parties), PIT, UDCY, UDPCI, MFA (= smaller parties), MPCl, MPIGO, MJP (= rebels) / France	<u>Central / Political:</u> Government of National Reconciliation: equal representation of all participating parties; Eligibility: change of Constitution to allow Ouattara (RDR) to stand for elections.  <u>Military:</u> immediate demobilisation of government soldiers recruited after the rebellion; amnesty for officers involved in the rebellion, but no clear power sharing formula for creation of new army.
Senegal, 30 December 2004 (Ziguinchor, Senegal) and earlier attempts (16 March 2001)	MFDC (Abbé Diamacoune Senghor), government	No particular power-sharing aspect noted
Sierra Leone 7 July 1999 (Lomé, Togo) <sup>28</sup>	Government and RUF / four heads of state (Liberia, Nigeria, Burkina, Togo), representatives of Côte d'Ivoire and Ghana,	<u>Central / political:</u> Government: Vice-President for RUF leader Foday Sankoh, one senior ministry (finance, foreign affairs, or justice) plus three other cabinet posts plus four deputy ministers to RUF

others to start new rebellions. The most recent agreement was worth only the paper it was written on only one month after having been signed.

<sup>26</sup> Text available via <http://www.comores-online.com/accueil.htm> (access 3 December 2007). Prime minister Abbas Djoussouf is quoted "better a bad agreement than no agreement". Immediately afterwards (30 April 1999) a coup d'Etat interrupted the process. New agreements followed (e.g. "the first agreements of Fomboni", in August 2000).

<sup>27</sup> Text available via [http://www.usip.org/library/pa/cote\\_divoire/cote\\_divoire\\_01242003.html](http://www.usip.org/library/pa/cote_divoire/cote_divoire_01242003.html) (access 4 December 2007).

<sup>28</sup> Text available via [http://www.usip.org/library/pa/sl/sierra\\_leone\\_07071999\\_toc.html](http://www.usip.org/library/pa/sl/sierra_leone_07071999_toc.html) (access 6 December 2007).

	UN, OAU, ECOWAS, Commonwealth	<p><u>Economy:</u> Chairmanship of the Commission for the Management of Strategic Resources, National Reconstruction and Development for Rebel leader Foday Sankoh</p> <p><u>Military:</u> Ex-combatants of the RUF/SL, CDF and SLA who wish to be integrated into the new restructured national armed forces may do so provided they meet established criteria. Recruitment into the armed forces shall reflect the geo-political structure of Sierra Leone within the established strength.</p>
Somalia 29 January 2004 (Nairobi, Kenya)	Eight out of 38 invited factions	<p><u>Central/Political:</u> Traditional elders of the four major clans will select 61 MPs and a coalition of small clans will select 31 MPs – transitional Parliament to elect President.</p>

Source: Compilation of the author based on the actual texts of the peace agreement (where available; see separate references) and media reports (where not).

This overview shows that power sharing was a prominent aspect of most recent African peace settlements. The big exception is obviously the Casamance conflict between separatist rebels and the central government of Senegal. Here, numerous peace agreements have failed to have any sustainable effects. It would be still risky to blame this on the absence of any power sharing ingredient (the 2001 and 2004 agreements deal predominantly with disarmament, demobilisation, free circulation and mine clearance). It could well be linked to the amorphous nature of the MFDC rebel movement and the fact that their historic leader Abbé Senghor can not sign on behalf of the different scattered wings.

Another result of this overview is that there are important variations in the form power-sharing can take. Even more striking is the variation in the important question of who is sharing power with whom. Obviously, only those present at the negotiation table could really count on being included in major ways.

It looks premature to identify success factors from this compilation. In Angola, the government was the clear winner of the war and could impose whatever it liked. Djibouti is a badly documented case where the regime continued to have a bad human rights record after the peace agreement, but no open violence between the former warring parties could be recorded. The Burundian case is an instructive one. This compilation does not contain the separate peace process with the remaining rebel organisation FNL, so peace was not yet achieved with the 2003 arrangements. However, there was a time-consuming process to bring along a complex power-sharing arrangement. The polarised nature of the ethnic confrontation frozen for a long time-period dating back at least to the 1960s may have contributed to this. Lijphart may in fact apply better to Burundi than to most other cases in Africa. As will be shown, Liberia can be seen as a special case where the power sharing itself was far from ideal, but the large peacekeeping mission permitted to quickly come to “phase 2” of the transition and provided a sense of security.

Some of the ambivalent cases and the outright failures tell also lessons: Superficial negotiations à la Chad will bring peace not one step closer. In the case of Sierra Leone not the peace agreement, but enforced peace by – mainly British – intervention forces was the key of a late success.

Let us now turn to our three case-studies and the respective power-sharing formulas contained in formal peace settlements (Liberia 1994-2003, Côte d'Ivoire 2002-2007, Central African Republic 1996/97-2007). The selection of those three cases is motivated as follows: All three cases have numerous communalities - ex-combatants looking for a new way to earn a living, a learned propensity to solve problems by the use of violence, abundance of victims of violence without proper compensation, important damage done to the material infrastructure and to societal trust etc. – this should be the lot of most post-conflict countries. But there are as well differences, the most important one being that the crises of two countries received relatively strong international attention including in the search for peace agreements, but also translated into strong UN engagements - Liberia and Côte d'Ivoire -, while the CAR only entered the international agenda seriously after the Darfur crisis in 2006. Before, peace-making and peace-keeping was more or less left to the former coloniser France and local allies. The “international engagement factor” in peace-making and security provision can be analysed with CAR being the control case for the two other cases. But France was as well very active in peace-making and peace-keeping in Côte d'Ivoire. Liberia may help to depict the weight of the “French factor” (or former coloniser factor).

It may be noted that in all those crises a high number of additional initiatives of conflict management were taken, inter alia via sanctions both by the African Union and the UN Security Council or by on the spot mediation by UN representatives. The latter could contain proposals of power-sharing. Not all of them could be taken into account in the following analysis.

### **Côte d'Ivoire**

For decades Côte d'Ivoire was a show-case of superficial stability and positive economic development. In the 1990s the country gradually entered a slippery slope (Akindès 2004). This was intrinsically linked to a failed democratisation process in the 1990s. Manipulated elections (1990, 1995), a problematic succession after the death of founding father Félix Houphouët-Boigny to his favourite Henri Konan Bédié, economic crisis and the growing polarisation between North and South led to the “Christmas coup” in 1999. The following elections were held without the participation of Bédié and Alassane Ouattara, a former prime minister who had created his own party Rassemblement des Républicains (RDR) and was consistently sidelined in elections since 1995 for his alleged foreign origins (Burkina Faso). The RDR was considered a regionalist party addressing northern grievances (citizens of “second rank” - linked to the radical “Ivoirité” ideology, harassment by the security forces etc.). At the elections in 2000, the long-time opponent and founder of the historic opposition party Front Patriotique Ivoirien (FPI), Laurent Gbagbo, won against coup leader Robert Guéi who unsuccessfully tried to manipulate the outcome in the last minute. Ouattara portrayed himself as victim of pre-election manipulation and called his mostly Northern supporters to invest the streets. This led to clashes with the Gendarmerie loyal to Gbagbo and a

number of deaths (officially: 57). On 19 September 2002 a well-planned rebellion rocked the foundation of the new government. Former student leader Guillaume Soro disclosed himself as the leader of the rebels claiming to represent the marginalised North of the country. During retaliation acts Guéi was murdered probably by Gbagbo followers. Death squadrons were formed and terrorised the city of Abidjan. The rebellion did not achieve its aim to take over power, but the government did not manage to roll back the rebels beyond the Southern part of the country. After a lukewarm support for the government in the first weeks of the confrontation some help by the French troops stationed in Côte d'Ivoire stabilised the situation.

The list of negotiations and negotiators is long. After a first round under the aegis of ECOWAS<sup>29</sup> a complex attempt was made by Ivory Coast's former colonial power France leading to the much cited agreement of Linas Marcoussis (23 January 2003). Participants of the negotiation were all political parties represented in Parliament or Government plus the three rebel organisations Mouvement Patriotique de la Côte d'Ivoire (MPCI), Mouvement Populaire Ivoirien du Grand Ouest (MPIGO) and Mouvement pour la Justice et la Paix (MJP).<sup>30</sup> The agreement is a very interesting document as it addresses most of the most salient political problems of the country, including questions of citizenship with its ramifications for electoral eligibility, human and civil rights and land ownership.<sup>31</sup> In a way, the rebellion succeeded where the RDR failed (Tull/Mehler 2005: 390, footnote 49). All those reforms would have needed a change of constitution. There is no doubt that some of those solutions were not full-heartedly supported by all those who signed the agreement. But two other facts were causes for the ultimate failure of the agreement: a) the role of France as a patronising mediator and b) the following power-sharing formula imposed shortly afterwards at the so-called Kléber meeting in the conference centre of the same name in the French capital. It was simply unacceptable to Abidjan (and particularly in the army leadership) that the rebels should get the Defence and the Interior portfolio, ministries that would give them preponderance in all security issues. The preceding step, to make the rebels presentable by inviting them all to negotiations in Marcoussis was already difficult to bear for some hardliners of the regime and indeed gave them a political weight they previously did not have. While Bédié, Ouattara and Soro were all present in person, Gbagbo let himself represent by party chairman Affi Nguessan. In Abidjan, violent demonstrations erupted, French interests were particularly targeted. Soon, Gbagbo declared that he would make all constitutional amendments conditional on their approval by referendum. Not only would a referendum be difficult to hold on the entire territory, but Gbagbo also felt that he would be in a position to control the outcome. In fact, the presidential camp had distanced itself immediately from the agreement upon the delegation's return to Abidjan, declaring the text a simple draft needing refinement. Therefore, the whole agreement – despite its interesting ingredients – had from the onset very bad prospects of being implemented. Above all, France had manoeuvred itself in a difficult situation. The public opinion in Côte d'Ivoire interpreted its mediating role as having switched sides from the government to the opposition.

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<sup>29</sup> For an account of the ECOWAS negotiation attempts see Report of the Secretary-General on Côte d'Ivoire, UN Security Council, S/2003/374, 26 March 2003, p.3f.

<sup>30</sup> MPIGO and MJP surfaced in late 2002 in the Western part of the country, in 2003 they merged with MPCI to the so-called Forces Nouvelles.

<sup>31</sup> All contained in an annex devoted to the programme of the Government of National Reconciliation. A good analysis of the agreement can be found in Jessica Kohler: From Miraculous to Disastrous: The Crisis in the Côte d'Ivoire, Centre for Applied Studies in International Negotiations, Geneva, August 2003.

Some concrete details of the formation of a government of national unity were left to a new summit in Accra (Ghana) on 7 March 2003 when the Forces Nouvelles got two senior ministries (territorial administration and Communication). Additionally, a 15-strong National Security Council was established with all parties represented.<sup>32</sup> This could be interpreted as a second layer of power sharing (military establishment), the first being the share of government positions. The consensual Prime Minister Diarra was able to build a grand coalition including ten ministries for the FPI, seven each for RDR and PDCI while nine went to the rebel union Forces Nouvelles plus six to smaller parties. A compromise was found regarding the Interior and Defence Ministries that went to technocrats. The country remained divided and this division was frozen by the presence of ECOWAS, and UN peacekeepers – with French troops at first officially operating under the ECOWAS flag, and later under UN mandate (but perceived as being different from both other missions and acting along different prescriptions). The territorial division was in no way the result of a power sharing agreement, but obviously contained some elements of the effects one would have gained with any regulations concerning decentralisation or regional autonomy, as the Northern part was no longer under central administration. Even essential commercial flows were controlled by a couple of rebel leaders for at least four years. In the following period one camp did not agree to disarm, the other to change the Constitution to allow for fair elections.

A short look at the interim agreements of Accra 30 July 2004 (in the name of ECOWAS) as well as by South Africa's President Thabo Mbeki in the name of the African Union (Pretoria I + II, 6 April and 29 June 2005) should be added. Thirteen heads of state (and the UN Secretary General) participated in the Accra summit. It set specific deadlines to strengthen the dynamics of the peace process.<sup>33</sup> No major change of the preceding agreements could be recorded. Gbagbo was urged to give the Prime Minister more prerogatives. Shortly afterwards Gbagbo reinstated three opposition ministers of a reconciliation government he had suspended only in May (one of them being Soro). The calendar of reforms and of the disarmament process was equally revised at Accra. In November a severe crisis of the peace process erupted after attacks by the Ivorian army not only on rebel positions but as well a French military camp in Bouaké. In the course of the events the French destroyed the Ivorian air force. Important anti-French demonstrations and large-scale destructions took place as well as the use of firearms by French soldiers against the demonstrators in Abidjan (officially 63 dead, 1300 wounded). The government of reconciliation continued to exist with rebel ministers mostly absent for security reasons.

The two Pretoria summits in 2005 saw the participation of Gbagbo, Soro, Ouattara, Bédié and Diarra. This meant that minor political parties were no longer part of the game. The most important aspect concerned details of article 35 of the Ivorian Constitution concerning eligibility.<sup>34</sup> Mbeki had found a way to avoid a constitutional referendum by interpreting article 48 of the Ivorian constitution (exceptional rights of the President) as an instrument for Gbagbo to authorise the candidatures of personalities

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<sup>32</sup> Text under <http://www.cnddr-ci.org/images/accra2.pdf> (access 12 November 2007).

<sup>33</sup> This extraordinary presence was probably the main aspect to recall from the agreement, see text <http://www.grip.org/bdg/g4550.html>. AU commission chairman Konaré and ECOWAS secretary general Ibn Chambas assisted as well. The same Ivorian parties as in Marcoussis and Accra II participated.

<sup>34</sup> The other main points were the immediate ending of violence on the entire territory, disarmament of all militias, implementation of the DDR process, training of 600 rebels in view of their later integration, return of all rebel ministers to the government of national reconciliation, reform of the electoral commission, some parliamentary homework on reform laws, extension of a state subsidy to political parties including parties not represented in Parliament.

that would be presented by those who have signed the agreement of Linas-Marcoussis (after consultation with President of the National Assembly and the Constitutional Court).<sup>35</sup> This looked like an apt juridical way out of the deadlock that Gbagbo's stress of constitutionality had created. However, new confrontations of a smaller scale took place even then, and neither the disarmament of the rebels and of pro-government militias nor other preconditions for elections were fulfilled in time to allow them to take place in this year. The South-African mediation lost credibility when the calendar of the peace process could not be kept.<sup>36</sup> A new Prime Minister was imposed on Gbagbo. Konan Banny, former director of the regional central bank, influential PDCI member and ambitious, was certainly not Gbagbo's choice. So he tried hard and successfully to curtail Banny's power. The entire year 2006 saw further deadlocks between all sides.

The signing of the agreement of Ouagadougou (4 March 2007) apparently brings a much more viable power-sharing arrangement.<sup>37</sup> However, with all the prior failures it appears premature to be optimistic about long-term effects. What are the main differences between the agreements of Linas-Marcoussis and Ouagadougou? The first peace plan was put on the table and pushed through in about eight days. As good as the intentions may have been, it was rushed on the Ivorian actors. It lists important conditions for sustainable peace, like the revision of eligibility rules and the revision of land ownership, but the "implementation rules", i.e. the concrete power-sharing formula for a government of national reconciliation in the following meeting was not realistic at all. The agreement of Ouagadougou was signed by Gbagbo and Soro after a month of intense negotiations (and a still longer preparation) in what was called "direct dialogue".<sup>38</sup> The mediator, Blaise Compaoré, President of Burkina Faso, himself the third signatory, is an "insider" in contrast to the mediators of all preceding agreements. He was very close to the rebels (supporting them even militarily in the first place), but gradually became aware of the nefarious effects of the Ivorian crisis to his country. A so-called "permanent concertation framework" consisting of these three persons, but as well Bédié and Ouattara, is the other new element that gives all main players a function – and to nobody else (although the latter can be seen as losers of the agreement - they could not even sign). The content of the agreement is rather specific and gives clear indications on two bones of contention: the issuing of identity papers (crucial for voter registration) and the creation of a unified army. On short notice an integrated command centre was put in place, an important step to create trust.<sup>39</sup> The signatories at least verbally cared about ongoing local security problems in the confidence zone where impartial forces (UN peacekeepers and the French Licorne mission) were not able to stop massive violence by roadblockers. On the other hand, reports by Western NGOs hinted at new attacks after the dismantling of the confidence zone.

Soro was appointed Prime Minister shortly after the agreement and presented a new government. The rapid ascension of a political entrepreneur from student leader to rebel

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<sup>35</sup> See *Jeune Afrique*, 17-23 April, 2005, the interview with President Gbagbo in *Jeune Afrique*, 3.-9.7.2005; and Richard Cornwall: Côte d'Ivoire A region at Stake, in *African Security Review* 14 (2005) 2.

<sup>36</sup> The Forces Nouvelles refused the South African Mediation after it declared that Gbagbo had fulfilled his part of the obligations. A media battle followed. The South African Government found it necessary to state that if remained committed in a communiqué on 20 September 2005 starting with the words "There is no truth to the reports in some newspapers, apparently sourced from French news agencies, that the African Union and Security Council have decided to ask president Mbeki to step down from the peace mediation in Côte d'Ivoire". [www.info.gov.za/speeches/2005/05092110451005.htm](http://www.info.gov.za/speeches/2005/05092110451005.htm) (access 22 September 2005.).

<sup>37</sup> Text available under [http://www.soirinfo.com/article.php3?id\\_article=3631](http://www.soirinfo.com/article.php3?id_article=3631) (access 12 November 2007)

<sup>38</sup> Background reports can be found in *Jeune Afrique*, 11-17 March 2007, 25-31 March 2007. See also *Le Monde*, 13 March 2007.

<sup>39</sup> *Herald Tribune*, 17 March 2007.

leader and now head of government therefore continued. One critical aspect has to be signalled: It gives a problematic signal to other aspirant youth leaders (i.e. "violence pays"), but it was apparently unavoidable. All major parties are part of the new government and all sent representative personnel to serve where they have competence. The Interior and Defense ministries are still held by the FPI.

An assassination attempt against Soro's plane at the airport of Korhogo on 29 June 2007 came as a shock and was attributed to different potential spoilers of the peace process.<sup>40</sup> Soro remained unharmed, but four persons of his entourage were killed. It did not change the power sharing arrangement. But important questions remained unresolved: what to do with local rebel commanders and militia leaders close to the President?<sup>41</sup> How to dismantle the entrenched war economy in both North and South? What about the local theatres of violence over the last couple of years? And how to deal with the deep mutual distrust inside the population? The next serious test of the agreement will be the holding of elections.

The Linas-Marcoussis and Ouagadougou agreements gave very different signals although the later agreement still is formally based on the former. While Linas-Marcoussis singled out more root-causes of the armed conflict, it looked less realistic than the Ouagadougou agreement that more clearly paid off for rebel leader Soro. More people believed that this agreement could bring peace nearer. Here the process mattered more than the content, and certainly with regard to the actual power-sharing arrangements much less detailed than in the case of Liberia.

## **Liberia<sup>42</sup>**

A first civil war started in 1989 with the politico-military entrepreneur Charles Taylor and his National Patriotic Front of Liberia (NPFL) invading the country from neighbouring Côte d'Ivoire. Despite rapid gains of terrain, Taylor was not in a position to impose himself completely, inter alia because most of West Africa's governments were hostile against him. ECOWAS decided to create a joint military intervention force, the ECOWAS Monitoring Group (ECOMOG) in 1990, mostly to impede Taylor's victory. Two other strong militias emerged: A split-off of the NPFL under Prince Johnson was responsible for the killing of President Samuel Doe. Supporters of the late President formed the United Liberation Movement of Liberians for Democracy (ULIMO) which soon split into two ethnic factions (Krahn and Mandingo). Smaller groupings emerged as well. After first inconclusive agreements and meetings in Cotonou/Benin (1993), Akosombo/Ghana (1994)<sup>43</sup>, Accra/Ghana (1995) a major breakthrough was recorded<sup>44</sup>: In August 1995 the

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<sup>40</sup> Richard Cornwall: Côte d'Ivoire - Unhappy Landings?, published on the ISS homepage ([www.issafrica.org](http://www.issafrica.org)) (access 14 November 2007). It may be significant that the South African Institute is critical about the recent Ouagadougou peace agreement achieved after Mbeki's mediation more or less failed.

<sup>41</sup> See Jeune Afrique, 20-26 May 2007; Africa Research Bulletin, June 1<sup>st</sup> -30<sup>th</sup> 2007, p.17122; Marchés Tropicaux et Méditerranéens, 6 juillet 2007, p. 48.

<sup>42</sup> There are numerous accounts of the Liberian civil war and its termination, a recent one is Cleaver/Massey 2006; the classical reference to the first war is Ellis 1999 (focus on cultural/religious aspects).

<sup>43</sup> Akosombo included major power-sharing arrangements: Taylor, Alhaji Kromah and the commander of the Armed Forces of Liberia, Hezekiah Bowen, should have become members of a Council of State (five members). Text of the agreement via [http://www.usip.org/library/pa/liberia/liberia\\_09121994.html-II-A](http://www.usip.org/library/pa/liberia/liberia_09121994.html-II-A) (access 4 December 2007). The agreement was co-signed by Rawlings and a UN representative. As Werner Korte (1997: 62) notes: It was the first time that warlords were nominated representatives of an institution that should be responsible for defending state interests against fellow warlords and intervention forces.

main warring factions signed an agreement brokered by Ghana's President Jerry Rawlings in Abuja. Charles Taylor, still at the head of the strongest military organisation agreed to a cease-fire. A ruling council of six members was formed, including three main warlords (Charles Taylor, Alhaji Kromah/ULIMO-K and George Boley/Liberia Peace Council). Other factions were included in the government that could not effectively run the affairs of the country.<sup>45</sup> However, hostilities continued and were only stopped after a further agreement in Abuja/Nigeria (1996). Presidential and Parliamentary elections were held in 1997 and led to a clear victory of Charles Taylor.

Amos Sawyer (2004: 451), a prominent Liberian intellectual and former interim President, criticises the peace settlements negotiated to end the violence in Liberia (1996) - and Sierra Leone (1998) – particularly for their power-sharing content. Both agreements established governments that were “substantially, if not totally, controlled by armed groups whose leaders could hardly find in such arrangements sufficient incentive to blunt their greed and ambition” (451)<sup>46</sup>. Effectively, a peace brokered this way was not sustainable. When Charles Taylor won elections in 1997, partly by intimidation, he could continue his warlord politics as elected president. War broke out again in 1999 when a Guinean-backed rebel group, Liberians United for Reconciliation and Democracy (LURD) emerged. The rebellion was later joined by a second military group, Movement for Democracy in Liberia (MODEL), operating from Côte d'Ivoire.

The renewed civil war ended in 2003 with the LURD rebels close to a military victory by July and the negotiated abandonment of Charles Taylor (ceasefire agreement on 17 July 2003 in Accra/Ghana). The three warring parties plus 18 civilian party representatives met in Akosombo and Accra, Ghana, from 4 June 2003 to 18 August 2003, within the framework of the ECOWAS Peace Process for Liberia, under the auspices of Ghana's President John Kufour, Chairman of ECOWAS, and under the mediation of General Abdulsalami Abubakar, former Head of State of Nigeria. The Accra agreement<sup>47</sup> contained some obvious power sharing contents. While Taylor's Vice-President Moses Blah was allowed to run government affairs for a short period until October, the transitional institutions were clearly designed according to power-sharing prerequisites. No representative of a warring faction could hold the position of chairman or vice-chairman in the National Transitional Government of Liberia (NTGL). In the end the independent businessman Gyude Bryant became head of the executive branch of government. However, 15 out of 21 cabinets post were allocated between the two rebel movements and the former Taylor government, i.e. again a strong majority for the warring factions. The Taylor side retained internal affairs, defence, planning and economic affairs, health and social welfare, and post and telecommunications, LURD got transport, justice, labour and finance and the ministry of state, MODEL would fill in agriculture, commerce, foreign affairs, public works and land, mines and energy. Taylor's defence minister was thereby allowed to continue in his job. In the legislature

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<sup>44</sup> Bekoe counts 16 peace and ceasefire agreements between 1990 and 1997. She details all power-sharing arrangements and gives an inside view of motivations of different armed factions to accept or refuse arrangements. She concludes that the incremental steps taken by warring factions count as they are seen as a concession by the other parties and may be matched by other parties (131). This may explain the relative success of the final Abuja arrangements, but this peace was certainly not sustainable!

<sup>45</sup> Text available via [http://www.usip.org/library/pa/liberia/liberia\\_08191995.html](http://www.usip.org/library/pa/liberia/liberia_08191995.html) (access 6 December 2007).

<sup>46</sup> Jarstad (2006: 23) recalls that in the case of Sierra Leone the Lomé accord of 1999 simply reflected the enhanced bargaining position of the RUF rebels due to its military capacity. Consequently, the Vice-President was allotted to its leader Foday Sankoh. Only in 2002 the war could be declared over.

<sup>47</sup> Text under [http://www.usip.org/library/pa/liberia/liberia\\_08182003\\_toc.html](http://www.usip.org/library/pa/liberia/liberia_08182003_toc.html) (access 10 November 2007).



some similar problems could be encountered. The National Transitional Legislative Assembly was composed out of the three warring parties (each 12 seats) and political parties (18), civil society and special interest groups (7) plus one representative each of the different counties (15). A disputed LURD leader was made the interim speaker of the Legislative Assembly. This was meant to be an interim arrangement. It however showed what the agreement was all about: “The persistent focus at Accra on jobs, cars and money rather than the challenges confronting Liberia gives a clue to the character of the transitional government” (ICG 2003: 4). The heavy involvement of peacekeepers later permitted to rush to national elections already by end of 2005 under a new constitution. Those elections permitted several key figures of Taylor’s regime and warlords of the type of Prince Johnson to become elected legislators – and thereby immunity. Taylor, by contrast, was indicted by the UN-sponsored Special Court for Sierra Leone, and finally ended up behind bars in The Hague.

On the military level a National Commission for Disarmament, Demobilisation, Rehabilitation and Reintegration was formed with all warring parties contributing. The Accra agreement fixed that forces may be drawn from the ranks of the present Government of Liberia forces, the LURD and the MODEL, “as well as from civilians with appropriate background and experience”.

No territorial power-sharing was provided for in the Accra agreement as the NTGL was to have control over the entire territory of Liberia (Article 21). An economic power-sharing was on the surface not the main purpose of the Accra agreement, but Article 25 noted: “Allocation of ministerial positions, deputy and assistant ministerial positions, headship of autonomous agencies, commissions, public corporations and state-owned enterprises shall be made to the Parties to this Agreement through a process of negotiation. The allocations as agreed to by the Parties are contained in Annex 4 attached to the Agreement. Annex 4 is an integral part of this Agreement.” According to observers it was even more worrying than the distribution of political positions that each warring faction was given key public corporations which would allow them to siphon off state resources and thereby fund whatever they please (ICG 2003: 4f). This annex is indeed sharing the spoils between the warring parties at a ratio of four state corporations to each warring party and two national agencies to each warring party.

The power-sharing involved in the Accra agreement has been heavily criticised. In the view of Amos Sawyer (2004: 454), “fixing the central state is important but insufficient. (...) Authority must be constitutionally shared at other levels of government and local people must become empowered participants.” The security architecture proposed by Sawyer would be organised cross-border and involve, where appropriate, religious bodies and community militia units. This seems plausible as numerous local-based ethnic disputes have fuelled the civil war at the national level. Liberia’s history of externally brokered agreements is plenty of power-sharing devices involving the top level of warring parties. Only the strong and active presence of international peacekeepers achieved a respectable degree of stability and security – and not the power-sharing during the transition period.

## **Central African Republic**

The CAR experienced from 1996 to 2007 a series of violent episodes with mutinies in 1996/97, one bloody and a less bloody coup attempt in 2001, a major rebellion in 2002 to 2003 leading to the capture of the capital Bangui by General Bozizé toppling the regime of Ange-Félix Patassé and ongoing rebellions mostly in the Northern parts of the

country in 2006 and 2007. Apart from the unsuccessful coups in 2001 and the outright military victory by Bozizé in 2003 all episodes were “managed” by some sort of power sharing between the regime and ambitious politico-military entrepreneurs. Outside forces played a non-negligible part in all those solutions.

The first mutiny, April 1996, was indirectly tied to Patassé's displacement of former beneficiaries of his predecessor's regime. André Kolingba effectively had "ethnicised" politics in favouring his fellow Yakoma tribesmen to fill important positions in all spheres of public life. With the electoral success of Patassé in 1993 the situation was reversed, Yakoma had to leave important posts and were replaced by fellow "Northerners" close to Patassé.<sup>48</sup> But it was rather in response to arrears in their wages (3-4 years) that some 250 soldiers took to the streets and protested. They demanded as well an exchange of the army leadership. After clashes in which several were killed, some of their corporatist demands were met. Only one month later the second mutiny erupted, this time involving 500 soldiers, who claimed that the promises made were not fulfilled and that certain strategic decisions (the transfer of one regiment dominated by Yakoma to the countryside) were unacceptable. France who entertained two military bases in the country, intervened militarily, and this time 43 people were killed.

Negotiations with the help of a French army general resulted in the formation of a new inclusive government, one element of formal power sharing. Four members of the former ruling party Rassemblement Démocratique Centrafricain (RDC) as well as four ministers representing “civil society” were included. Former CAR ambassador to Paris Jean-Paul Ngoupande was appointed Prime Minister on 6 June 1996. He enjoyed some support by the opposition and immediately asked for more prerogatives, which Patassé was not willing to concede.

Violence returned once again in mid November 1996. 800 rebels were involved, and this time they had political aims as well, demanding the resignation of the president. One son of Kolingba was involved in the third mutiny, but it remained unclear whether his father backed the uprising. The confrontation clearly had become more dangerous after Patassé had created his own party militias a few months earlier. Now it was perceived as a threefold conflict: between the old and the new regime, between armed supporters of two important politicians and, finally, between two still vaguely defined ethno-regional groups as most “southern” opposition parties increasingly sided with the rebels. France was now dragged into the confrontation, despite the already big distance between governments in Paris and Bangui. French troops ultimately were considered to be a conflict party themselves after engaging overtly in military operations. France then pushed for mediation by four African presidents who flew in directly from the Franco-African summit in Ouagadougou (Konaré/Mali, Bongo/Gabon, Déby/Chad, Compaoré/Burkina Faso). The efforts of the Presidents led to the signing of the “Bangui Peace Accord” on January 25, 1997. Mali's Ex-President and chief mediator Amadou Toumani Touré brokered the entry of two mutineers into an enlarged government on 7 April 1997. Note that 25 political parties, the five main trade unions and 12 civil society organisations signed a declaration that was later made part of the peace accord. The first post-agreement government in February was made up of about 50% opposition and 50% pro-President forces.

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<sup>48</sup> The following section draws on Mehler 2005.

It is important to recognise these conflicts, and as important, the character of their resolution, had certain very negative effects on the political climate in the country – effects that undermined the subsequent prospects for both democracy and the preservation of civil peace. The activities of international actors - despite good intentions – effectively had contributed to the poisoning of the political environment.

In the first place, the character of conflict settlements, as promoted by international actors, amplified the tension between the principle of accommodation and the practice of exclusionary and privatised politics. International actors continuously asked for a broader representation of the radical and partly violent opposition in government. And at some point, something close to the objective was achieved: The mutinies of 1996/97 led to the inclusion of some rebel leaders in governmental responsibility as brokered by UN and other mediators. Patassé felt as well compelled to include some opposition members in his government, but he was able to hand-pick which members would be included.

Thus, what appears to have occurred with these conflict settlements was a temporary and cosmetic acceptance of inclusive politics, resulting largely from international pressure. The practice of inclusion did not however result in any real participation in the decision-making process, and indeed seemed to involve more of an extension of rents to those elites with the power to disrupt civil peace. That the national assembly later decided to attribute substantial pensions to former presidents Dacko and Kolingba (30 October 1997) serves as testimony to this. Such pensions were clearly a bonus for renunciation of violence.

In the second place, a dangerous precedent was established in the resolution of these conflicts. A lesson learnt by local actors was that the threat of violence could be instrumentalised to get material rewards. For example, the rebels were immediately accepted as a negotiation partner and concessions were quickly made – much quicker than to the civilian opposition. Exerting violence proved a means to garner international attention, which, at least at first sight, proved rewarding. One message emanating from this situation was that those losing out in the redistribution of prebends should retain their capacity to sustain conflicts (inter alia arms). This would preserve their capacity to come back to the "dining room" (Mehler 1999).<sup>49</sup>

On 28 May 2001 rebels stormed the presidential residence and tried to control the nerve centers of the city, particularly the radio station. Fighting raged in several parts of the city. The army Chief of Staff and the commander of the Gendarmerie were shot, but no other major objective of the rebels was achieved. The loyalists regained the upper hand in the following days, supported by at least 300 troops of the rebel leader Jean-Pierre Bemba from the neighbouring Democratic Republic of Congo plus an uncounted number

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<sup>49</sup> The CAR example is in line with the argument by Bratton and van de Walle, who claim that a transition from neo-patrimonial rule is prone to a violent abortion because of the tendency of the democratically elected new president to distribute according to a neo-patrimonial logic, but this time not to the same circle of persons. Cf. Michael Bratton/Nicolas van de Walle: *Democratic Experiments in Africa. Regime Transitions in Comparative Perspective*, Cambridge 1997, p.269.

of Libyan forces and helicopters. Kolingba publicly claimed that he orchestrated the rebellion, which reinforced the interpretation as a Yakoma uprising.

In the period that followed the uprising, retaliatory acts targeted all affiliated with Kolingba. This included his personal contacts, the RDC and the Yakoma in general. Militia groups affiliated with Patassé, for example, “eliminated” several sympathisers of Kolingba. Bangui’s southwestern districts of Bimbo, Petevo, Fatima and Bruxelles, where the mutineers were hiding, were the targets of intense shelling. The total number of casualties was officially established at 57, but might have exceeded 500 deaths. Kolingba himself went into hiding (and later exiled to Uganda). A persecution of Yakoma families began, houses in specific parts of the capital were destroyed (360 alone in the neighbourhood of Ouango) and 80.000 inhabitants fled to the country-side or, predominantly, crossed the river Oubangui to the RDC. Parallel investigations caused an atmosphere of general suspicion. The dismissal and later accusation of the chief of staff Gen. François Bozizé of being implicated in a new coup plan gave a new turn to events. Bozizé refused to accept an arrest warrant. On 3 November 2001, the UN Secretary General’s Special Representative in CAR, General Lamine Cissé, undertook a good offices mission to bring the two parties together. On the basis of unwritten concessions by both parties, President Patassé promised to appoint General Bozizé to another post and to consider granting a pardon once the judicial procedure was completed while Bozizé seemed to be willing to be questioned by the Commission of Inquiry. But four days later government troops attacked Bozizé’s positions.<sup>50</sup> Bozizé now defected with about 100 troops and moved to the north of the country. After taking weapons from several gendarmerie barracks and a number of skirmishes, Bozizé went into exile in Chad.

Hectic diplomatic activity in early December 2001 included Libyan-led initiatives in the framework of COMESSA (Community of Sahelo-Saharan States – or CEN-SAD for the Arabic abbreviation), putting forward the idea of a peacekeeping force, and a Gabon-led initiative in the framework of CEMAC (Economic and Monetary Community of Central Africa) focusing rather on dialogue processes. A small peacekeeping force from Sudan and Djibouti was deployed in February 2002. It is obvious that neither the AU nor the larger international community were eager to get involved (again), CAR was left to sub-regional organisations and their limited peacekeeping capacities.

Bozizé’s troops came back to Bangui with a surprise attack on October 25, 2002. They were repulsed after heavy fighting once again involving Libyan troops and up to 1000 fighters of the Congolese rebel organisation Mouvement de Libération du Congo (MLC) on Patassé’s side.

Patassé offered a “national dialogue without exclusion” at New Year’s Eve, but only gradually received support for the idea. He seemed completely isolated, the country devastated, democracy in shambles when a surprise attack by Bozizé’s troops (helped by Chad) led to the downfall of Bangui. Patassé was at a COMESSA summit in Niger. Upon his return he could not land, was forced to fly to Cameroon and finally took exile in Togo. Bozizé suspended the Constitution and named a new cabinet including most

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<sup>50</sup> See report of the UN Secretary General to the UN Security Council, S/2002/12, 2 January 2002.

opposition parties with Goumba as vice-president (in order to profit from his image of a spotless politician). A National Transitional Council (CNT) as an all-party body was introduced to serve as Interim legislative body. The postponed national dialogue was held from 15 September to 27 October 2003 and resulted in a sober assessment of the country's situation. Despite numerous statements of forgiveness and reconciliation the climate of distrust continued.

The "national dialogue" process in September/October 2003 was fairly successful and led to a set of consensus decisions in major fields of public life (particularly on the electoral process). Reconciliation ceremonies between historic rivals (e.g. Goumba-Dacko) had high symbolical value. However most of the important questions were not addressed and forgiveness was asked and given but no debate on the underlying causes was engaged.

Following a constitutional referendum in late 2004, CAR prepared for national elections marking the end of the transition period in 2005. Bozizé stood as a presidential candidate although he first declared that he would step down after the transition phase. Initially, most competitors were barred from standing and only after a mediation by Gabon's President Bongo and the re-admittance of most aspirants was there a new chance for fair elections.<sup>51</sup> In the end the elections were technically more or less acceptable, while not entirely fair (particularly the legislative ones). Bozizé included some heavyweights of the political class into his government, including a son of Kolingba, but excluding the Patassé camp. So-called liberators, partly Chadian mercenaries, partly CAR nationals who helped Bozizé taking power, increasingly posed a security threat in the capital Bangui and extorted money from inhabitants. They were later transported to the border with the help of the Chadian government, some became later rebel fighters.

The climate of insecurity became more commonplace in the second half of 2005. On 30-31 October, the Union des Forces Démocratiques pour le Rassemblement (UFDR), one rebel organisation, attacked the provincial capital Birao, killing ten soldiers and taking the town. Subsequently, other towns fell to the rebels. A quarter of all provinces were at least partly in the hands of rebels or faced the prospect of sliding into violent conflict. Surprisingly, on 20 November the rebel leader Michel Djotodia and his spokesman Abakar Sabon were arrested and held in Benin.

While the UFDR rebels asked for negotiations under international mediation, Bozizé was more than reluctant. The only noteworthy signal was when the head of state held a one-day forum in the National Assembly on 28 July as a limited form of dialogue with all "vibrant parts of the society", during which he at least did not rule out direct talks with rebels. The meeting was snubbed by several opposition leaders.

Cooperation with France intensified after the rebel conquest of northern towns in November. In a dramatic radio message, the government appealed to the international community and "friendly nations, in particular those linked by specific treaties,

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<sup>51</sup> Details of the agreement reported by Radio Centrafrique, Bangui, in French 1830 gmt 23 January 2005 as Reported by the BBC Monitoring Service, 23 January 2005.

particularly France, to work for the restoration of the territorial integrity". The response was immediate. France used six Mirage fighter jets to combat rebels in accordance with the military pact linking both countries. About 300 French soldiers took part in the operation. A week later, Birao was recaptured with massive French help, and the other towns soon followed. The extreme vulnerability of the regime was laid bare by these events. Nine years after the closure of her two military bases in CAR, France was back.

But most international donors continued to exert pressure on Bozizé to start negotiations with the rebels and Bozizé gave in by announcing a direct dialogue in his New Year speech on 31 December 2006. Talks started under Libyan aegis. Bozizé met Abdoulaye Miskine, a treacherous warlord, on 25 January. The so-called agreement of Syrte was agreed upon after an extremely short series of meetings (29 to 31 January 2007), involving also some "wise men" like Pasteur Isaac Zokoué.<sup>52</sup> In early February 2007, Miskine, believed to be close to former President Patassé, returned to Bangui and was made advisor to the President (he later declined the offer). Miskine was said to have links to practically all operating rebel movements, particularly the Front Démocratique du Peuple Centrafricain (FDPC), but also the UFDR. The content of the peace agreement was limited, and included an immediate ceasefire. A vague reference was made at "the participation of FDPC and UFDR at the management of state affairs, in a spirit of reconciliation and in conformity with the Constitution".<sup>53</sup> It is noteworthy that civil society groups immediately criticised the agreement for an amnesty offered to Miskine (who remained indicted at the International Criminal Court at the Hague).<sup>54</sup> The UFDR commanders and others distanced themselves from the treaty and new attacks on Birao were launched. The French army had to intervene again.<sup>55</sup> A separate peace agreement with UFDR was signed on 13 April.<sup>56</sup> Two official UFDR leaders held in Benin were promised to profit from an amnesty if they would accept the deal (they did not). On 24 April 2007 another rebel organisation not yet part of negotiations attacked an army convoy. Shortly before, the army had conducted one of its famous raids in the north-west of the country. The Armée Populaire pour la Restauration de la Démocratie (APRD) remained excluded from the peace process, continued to fight and to appeal for an inclusive dialogue.<sup>57</sup> A preparatory committee to organise the inclusive national dialogue was agreed upon in October 2007, with rebels holding only 3 of 23 positions. Criminal gangs, raids by the military and the absence of any state order continued to endanger the security of most citizens of the CAR by early December 2007.<sup>58</sup>

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<sup>52</sup> A telling report can be found at <http://www.zokwezo.info/index.php?action=article&numero=269> (access 4 December 2007).

<sup>53</sup> Text of Syrte agreement available via <http://www.zokwezo.info/index.php?action=article&numero=268&PHPSESSID=4598648c103f552207315957a54fcd50> (access 4 December 2007).

<sup>54</sup> <http://www.zokwezo.info/index.php?action=article&numero=274>.

<sup>55</sup> A military source was quoted by Agence France Press with "Les rebelles veulent peut-être peser dans les négociations, ou montrer que Miskine n'a pas autorité sur eux".

<sup>56</sup> Text of Birao agreement available via <http://www.sangonet.com/afriqg/FichAfriqueCent/Dic/actuC/newsCARind.html> (access 4 December 2007)..

<sup>57</sup> Press statement of 11 November 2007, available via <http://www.sangonet.com/afriqg/FichAfriqueCent/Dic/actuC/newsCARind.html> (access 6 December 2007).

<sup>58</sup> Human Rights Watch published a damning report with the title „Etat d'anarchie. Rébellions et exactions contre la population civile" in September 2007 available via <http://hrw.org/french/reports/2007/car0907/> (access 4 December 2007). APRD and government finally signed a ceasefire agreement on 9 April 2008, reactions were mixed, see <http://www.sangonet.com/afriqg/FichAfriqueCent/Dic/actuC/newsCARind.html>.

The CAR experience with power-sharing stands out for having been very reluctantly engaged by the heads of state (Patassé and Bozizé)<sup>59</sup>, details of the dialogue process were criticised by the civilian opposition and the overall limited achievements not helping in bringing about more security for ordinary people.

Although all three cases differ in the form civil war has taken, there is one striking commonality: the readiness of the international community to advocate or facilitate a strong power sharing ingredient of peace agreements and this to the benefit of armed rebel movements (or their leaders). This seems not to be a function of the strength of international engagement, as power sharing could be a cheap solution (CAR) or a rather expensive and transitional one (Liberia). Liberia has made it to “phase 2” of a peace process, not without difficulties and not without strong external engagement. Building solid institutions, not least in the justice sector will be crucial if “peace should be won”. In Côte d’Ivoire and Central African Republic civilian political parties have suffered a setback not only by war, but by the way peace was negotiated – from outside and above, “phase 2” is not yet in sight by the end of 2007. The “French factor” played an important role in this. The increasing volatility of the French engagement – strong engagement in CAR 1996, disengagement since 1997, decline to help Patassé in 2001/2, strong engagement at the side of Bozizé in 2006/7; no help for Bédié in Côte d’Ivoire 1999, ambivalent intervention in 2002 - made it also difficult to see it as a guarantor of any peace settlement.

## Conclusion

Although some positive effects of power sharing can be assumed in some recent peace agreements as previous grievances are addressed, the existing critique on power sharing as an impediment to sustainable peace is largely supported by this analysis. Additionally, the potential long-term negative consequences of power sharing on democracy, can be detected in some of the cases (Mehler/Tull 2005, Jarstad 2006). Examining a full sample of recent African cases from 1999 onwards (table 1) clearly shows that at least some power sharing devices are present in most peace agreements, while the aspects (political, military, territorial, economic) can vary. The cementing of group boundaries by power sharing agreements is problematic in several of the African cases, not least for the democratic content of the post-war polity. Additionally, incentives are created to ethnicise whatever issue to obtain concessions leading to a mutual escalation of demands.

By moving closer to the realities of the three cases Côte d’Ivoire, Liberia and Central African Republic, there are even more aspects of power sharing that needs attention and would profit from a large N examination – beyond the African cases:

1. Who is defining the constitutive parts of the polity, what are the “ethnic” groups which supposedly need accommodation (Connor 2004)? Who is defining their group boundaries? Who is entitled to speak for such a community? And above all: Who is invited to the negotiation table? After all, our cases show the light-

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<sup>59</sup> It would be useful to apply the game-theoretical model of Addison and Murshed (2002) to the CAR case. Here the loss of reputation by cheating previous peace agreements has important explanatory power for the readiness to conclude of the other conflict party and the sustainability of the following agreements. The reputation of both Patassé and Bozizé as reliable partners in peace agreements must be regarded as low as both have stepped out of their promises repeatedly.

handedness of outside actors to decide on those issues, either by inviting pre-war political formations with unclear popular credentials or even more frequently by bringing in vociferous political-military entrepreneurs and rebel organisations with one main quality: spoiling capacities. Not in one case can we detect an effort to ask communities about their sense of the problems and the legitimacy of those sitting at the negotiation table, sometimes explicitly in their name.

2. The second problematic aspect of the settlement practice is the systematic assumption of an ethnopolitical nature of the conflict (particularly when it comes to Africa). While Burundi's civil war has an obvious ethnic coloration and significance, this is much more difficult to assert for e.g. Comoros, Liberia and Central African Republic (more obviously: centre-periphery domination) with Côte d'Ivoire being a rather complicated case where region, religion, but as well generation playing important roles in defining the salient cleavages.
3. The local level not only of a) conflict generation and b) escalation, but as well of c) conflict management and d) security production is more often than not completely neglected in peace negotiations. This is to underestimate the importance of this level in all four respects. National power sharing can not bring a solution at the local level and may even impede local solutions to problems that were at the roots of an armed conflict.
4. And finally mainstream peace research is more than problematic when it comes to the definition of what a conflict is. The conventional 1000 battle-death definition of a civil war (according to the battle-death data base) does not account for what is relevant to the population. Perceptions by the population of whether there is/was a violent conflict, whether it was interrupted, terminated, or settled (or whether it continues) is obviously important not least for the decision whether a peace settlement was successful. But this issue is rarely analysed.

Therefore, the entire discussion about power-sharing and sustainable peace looks inherently flawed when it does not focus on what peace is all about: security for the people. Local sustainability might be as well the real test of the most recent major power sharing agreement on the continent: In Kenya, an extended government introducing a Prime Minister and two Deputy Prime Ministers was the result of foreign-sponsored mediation initiatives to solve a bloody post-electoral conflict. No single provision touches on the local level of security provision, e.g. in the hardest-hit zones of violence both in Kisumu and some poor neighbourhoods of the capital Nairobi. This may turn out to be problematic. In practical terms – and when proposals should be drawn from such an analysis - this probably calls a) for more weight of multitrack diplomacy (Miall 2004), not only in Sri Lanka and the Balkans, but as well in Africa and b) critical care about local security provision as part of peace agreements. After all, only tailor-made, intensely debated and maybe only transitional power-sharing arrangements can have beneficial effects. By no means those will automatically arrive when a peace agreement has been signed.



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